

APA Newsletters



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ASIAN AND ASIAN-AMERICAN PHILOSOPHERS AND PHILOSOPHIES

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HISPANIC/LATINO ISSUES IN PHILOSOPHY

NATIVE AMERICAN AND INDIGENOUS PHILOSOPHY

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APA NEWSLETTER ON

Asian and Asian-American Philosophers and Philosophies

PRASANTA BANDYOPADHYAY AND JEELOO LIU, CO-EDITORS

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FROM THE GUEST EDITOR

Ways of Philosophy, Ways of Practice

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For this issue of the newsletter, my goal was to enable wanderings in some lightly beaten paths of philosophical exploration, leading the reader through some unusual foliage. The authors here were invited to submit pieces about “practices” of Asian philosophy and encouraged to discuss social and physical activities that bear relevance to particular traditions of inquiry and that potentially provide ways of “thinking”—in a broad sense—that are disruptive of the usual ways of imagining philosophy.

Philosophy as essentially cogitative is a difficult template from which to break. In exploring ways that we might begin to pull away from it, two of the authors, Bin Song and Steven Geisz, understand the difficulties of reimagining the range of activities that might count as “doing philosophy.” They emphasize somewhat different contexts of activity from each other within which one might explore the possibilities. Song focuses on codified ritual activity from the Ruist tradition, while Geisz discusses a range of slightly less codified—though still scripted—meditative, movement practices from a variety of East and South Asian traditions.

The third author, Alexis McLeod, remains closer to a more mainstream concept of philosophical activity, though he discusses the importance of paying attention to people and sources that do not fall within the academically philosophical but are expert practitioners or manuals, respectively, of martial arts. McLeod takes us through some path-clearing as well, by removing certain misconceptions of what East Asian martial arts and their practices entail. He also takes us through some ways of thinking about how practice of those arts may develop intellectual and moral virtues.

My hope is that these discussions will inspire and encourage readers to explore further—both the written resources compiled for them by the authors as well as some of the activities themselves—in the context of their own philosophical activity and in classrooms where relevant.

SUBMISSION GUIDELINES AND INFORMATION

GOAL OF THE NEWSLETTER ON ASIAN AND ASIAN-AMERICAN PHILOSOPHERS

The *APA Newsletter on Asian and Asian-American Philosophers and Philosophies* is sponsored by the APA Committee on Asian and Asian-American Philosophers and Philosophies to report on the philosophical work of Asian and Asian-American philosophy, to report on new work in Asian philosophy, and to provide a forum for the discussion of topics of importance to Asian and Asian-American philosophers and those engaged with Asian and Asian-American philosophy. We encourage a diversity of views and topics within this broad rubric. None of the varied philosophical views provided by authors of newsletter articles necessarily represents the views of any or all the members of the Committee on Asian and Asian-American Philosophers and Philosophies, including the editor(s) of the newsletter. The committee and the newsletter are committed to advancing Asian and Asian-American philosophical scholarships and bringing this work and this community to the attention of the larger philosophical community; we do not endorse any particular approach to Asian or Asian-American philosophy.

SUBMISSION GUIDELINES

- 1) **Purpose:** The purpose of the newsletter is to publish information about the status of Asians and Asian Americans and their philosophy and to make the resources of Asians and Asian-American philosophy available to a larger philosophical community. The newsletter presents discussions of recent developments in Asians and Asian-American philosophy (including, for example, both modern and classical East-Asian philosophy, both modern and classical South Asian philosophy, and Asians and Asian Americans doing philosophy in its various forms), related work in other disciplines, literature overviews, reviews of the discipline as a whole, timely book reviews, and suggestions for both spreading and improving the teaching of Asian philosophy in the current curriculum. It also informs the profession about the work of the APA Committee on Asian and Asian-American Philosophers and Philosophies. One way the dissemination of knowledge of the relevant areas occurs is by holding highly visible, interactive sessions on Asian philosophy at the American Philosophical Association’s three
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annual divisional meetings. Potential authors should follow the submission guidelines below:

- i) Please submit essays electronically to the editor(s). Articles submitted to the newsletter should be limited to ten double-spaced pages and must follow the APA submission guidelines.
 - ii) All manuscripts should be prepared for anonymous review. Each submission shall be sent to two referees. Reports will be shared with authors. References should follow *The Chicago Manual Style*.
 - iii) If the paper is accepted, each author is required to sign a copyright transfer form, available on the APA website, prior to publication.
- 2) **Book reviews and reviewers:** If you have published a book that you consider appropriate for review in the newsletter, please ask your publisher to send the editor(s) a copy of your book. Each call for papers may also include a list of books for possible review. To volunteer to review books (or some specific book), kindly send the editor(s) a CV and letter of interest mentioning your areas of research and teaching.
 - 3) **Where to send papers/reviews:** Please send all articles, comments, reviews, suggestions, books, and other communications to the editor: Prasanta Bandyopadhyay (psb@montana.edu).
 - 4) **Submission deadlines:** Submissions for spring issues are due by the preceding November 1, and submissions for fall issues are due by the preceding February 1.
 - 5) **Guest editorship:** It is possible that one or more members of the Committee on Asian and Asian American Philosophers and Philosophies could act as guest editors for one of the issues of the newsletter depending on their expertise in the field. To produce a high-quality newsletter, one of the co-editors could even come from outside the members of the committee depending on his/her area of research interest.

ARTICLES

“Three Sacrificial Rituals” (sanji) and the Practicability of Ruist (Confucian) Philosophy

Bin Song

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Recent APA newsletters¹ make a strong case that Chinese philosophy is philosophy, and thus should be included in the standard curriculum of philosophy in American higher education. In addition to fully endorsing this case, as a philosopher, religious scholar and Ruist² practitioner, I have a more nuanced view engendered by the complexity of the Ru tradition: according to prevalent criteria of

philosophy in the current American academy, which sees philosophy mainly as the art of argumentation aiming for true knowledge,³ the Ru tradition does not fall short of it but actually exceeds it. The “not fall short” part has been brilliantly argued by scholars such as Eric Schwitzgebel. That is, even according to the restrictive standard of philosophy, “Mozi and Xunzi clearly fit the bill,”⁴ among whom Xunzi is a Ruist philosopher. However, the “exceeding” feature of Ruism has not yet been fully addressed by the previous arguments made for the aforementioned case, and this feature is mainly evidenced by Ruism’s commitment to practice. For Ruism, knowledge and practice are like the yin and yang aspects of human personality. They interact and complete each other, and ultimately form a unity that is indispensable to the healthy living of a whole human person in evolving life situations. This holistic treatment of the relationship between knowledge and practice means Ruism’s philosophical teachings on metaphysics, ethics, and politics are all ensconced with rich practical dimensions. As its long intellectual history shows us, Ruism uses all kinds of practical methods, including individual spiritual formation, communal ritual performances, skills for social and governmental management, etc., to enact Ruist philosophy as a comprehensive way of life, rather than just a way of arguing.

For readers who want to confirm this feature of Ruism within its textual tradition, in the period of Song and Ming Ruism, the “identification of knowledge and practice” (zhixingheyi) was a central theme of Wang Yangming’s philosophy. Moreover, although Zhu Xi and Wang Yangming disagreed with each other in regard to the order of Ruist learning—whether one should have knowledge at first and then practice it (Zhu), or one needs to treat the acquaintance of knowledge itself as a sort of practice (Wang)—they all agreed that practice is the ultimate goal of Ruist learning.⁵

In pre-Qin classical Ruism, all three major Ruist philosophers—Confucius, Mencius, and Xunzi—expressed their shared approval of the intimate relationship between knowledge and practice. We can use examples from the *Analects* to illustrate this point. The *Analects* says that “there may be those who act without knowing why. I do not do so.”⁶ The implication is that human practice needs to be enlightened by awareness of the *raison d’être* of the practice. Furthermore, “imagine a person who can recite the several hundred odes by heart but, when delegated a governmental task, is unable to carry it out, or when sent abroad as an envoy, is unable to engage in repartee. No matter how many odes he might have memorized, what good are they to him?”⁷ This means that without enactment, Ruist learning is pointless. Finally, the opening verse of the *Analects* can be seen as a summary of Confucius’s organic view towards the relationship between knowledge and practice: “To learn and then timely practice what you have learned—is this not satisfying?”⁸ In a word, for Confucius, a lucid awareness of correct practice and an active praxis of true knowledge are shot through with one another. This original Confucian perspective has perennial influence upon the later Ru tradition.

With a scholarly sensitivity nurtured by both the disciplines of philosophy and religious studies, I would like to submit

further that this holistic understanding of knowledge and practice is not only embodied by Ruism's textual tradition, but also by its religious practices, such as the "Three Sacrificial Rituals" (sanji), which help to explain the practicability of Ruist philosophy.

THREE SACRIFICIAL RITUALS

According to their earliest expositions in Ruist texts, the "Three Sacrificial Rituals" are sacrifice in celebration of Tian, sacrifice in celebration of distinguished teachers and governors, and sacrifice in celebration of one's ancestors. Ru took these three sacrificial ceremonies especially seriously because they were thought of as symbolizing three roots: Tian is the origin of every creature in the world, teachers and exemplary governors are the basis for human civilization, and ancestors are the source of individual human life and families. Through consistent performance of these rituals, Ru can express and nurture their feelings of gratitude towards all these roots, and then, to a certain degree, return to these roots in order to integrate their lives as a whole.⁹ Confucius and his Ruist school did not invent these sacrificial rituals; they already existed and were widely performed in pre-Confucian China. However, because of the Ru school's philosophical adeptness, Ruists successfully educated people about the spiritual and ethical importance of these rituals so as to have transformed their understanding and refined their performance.

For example, regarding the sacrificial ritual to Tian, some scholars have noticed a transformation of the idea of Tian from its pre-Confucian Zhou version of "supreme deity" (shangdi) to a more naturalized understanding of Tian as "cosmic power or force." One of the major reasons for the transformation is a sophisticated form of philosophical thinking stimulated by a theodicy-like question: If Tian is an omni-benevolent supreme deity rewarding morality and punishing immorality, in an extremely tumultuous social period such as late Zhou dynasty, why did the righteous frequently suffer and the wicked remain unpunished?¹⁰ In response, the definitive metaphysical text of classical Ruism, the Appended Texts (Xici) of the Classic of Changes (Yijing), says that Tian is to be conceived as an all-encompassing, constantly creative, cosmic power that brings the myriad things under Heaven into being, but without a creator standing behind the scene. By this stage the Ruist idea of Tian became nontheistic, and accordingly, the Ruist conception of the cosmos developed as a process of spontaneous emergence of cosmic events, without any theistic plan, purpose, or telos.

This philosophical transformation of the idea of Tian also shifted Ruism's attitude towards the related performance of the sacrificial ritual: the theistic images and languages in the traditional prayer texts that were once used by emperors for their ceremonial performance were mainly treated by Ru philosophers as being of liturgical use. By contrast, in a Ru's everyday life, the pre-Confucian theistic tendency in understanding Tian is dramatically subordinated. One salient example in this regard is that for a Ru to participate in the sacrificial ritual to Tian, neither propitiation nor petitionary prayer is part of the ceremony.¹¹ If Ruists do something wrong, they repent of themselves and correct it by themselves. If Ruists want to achieve

something more, they must consistently contribute their own effort in addition to whatever objective conditions are occurring within Tian in order to try to create their desired outcome. In other words, because of their nontheistic philosophical understanding of Tian, Ruists believe that the way for humans to engage with Tian is to keep Tian's all-encompassing and constant creativity as a transcendent ideal, and then try to investigate the pattern-principles (li)¹² of cosmic changes within Tian so as to appropriately respond to them with a hope that the transcendent ideal can be continually realized in human society. Obviously, without its transformed philosophical conception of Tian, the nonpetitionary and nonpropitiatory features of the Ruist sacrificial ritual to Tian would not have developed.

Furthermore, the naturalized understanding of Tian also has decisive influence upon Ruists' performance of the other two sacrificial rituals. According to Confucius's answer to questions such as what happens to people's souls after they die,¹³ classical Ruism reached a very naturalist view of human mortality: When people are born, this is a contractive form of the movement of the cosmic vital-energy, Qi; when people die, this energy dissipates, and, accordingly, people's lives lose their personal agency. Accordingly, life and death is seen as the embodiment of the constantly contracting (yang) and dissipating (yin) natural process of cosmic changes. Very little supernaturalism can register in this view. This causes Ruists' performance of the sacrificial ritual to distinguished teachers and governors such as Confucius to become also highly rational. Later Ruists have a summary of this attitude: "Confucius established his teaching through edifying people of the Way, and then all people under Heaven performed a sacrificial ritual to him. However, this ritual is not to sacrifice offerings to his person, but to his teaching and his Way."¹⁴ In other words, during the sacrificial ritual to distinguished teachers and governors such as Confucius, Ruists do not believe that he is any sort of deity. During the ritual, Ruists honor his teaching, rather than his person, so that what Confucius taught is wished to be continually practiced and brought to fruition by human society. This definitely does not preclude any individual Ru from determining that some of Confucius's teaching may be not appropriate to his or her contemporary life, and then, the Ru should think through the problem critically and make his or her unique contribution to revise and enrich the tradition. In sum, the Ru tradition has no room for idolatry. The scholarly capacity for critical thinking is its pillar.

These insights further indicate the inappropriate translation of the Ruist sacrificial ritual to ancestors as "ancestor worship." The term "worship" would indicate that the sacrificial ritual was premised upon some sort of deification of one's ancestors, and thus offering petitionary prayer to elicit blessing and avoid punishment from one's ancestors would be indispensable to the ritual performance. However, such interpretations were not endorsed by the Ruist philosophical understanding of the ritual: "When a worthy pursues the sacrificial ritual, he will be blessed. However, this blessing is not what the vulgar people call a blessing. Here, blessing means perfection. And perfection means the complete and natural discharge of all one's duties."¹⁵ In other words, Ruists believe that people can be blessed

through the consistent performance of the sacrificial ritual to ancestors because they have attuned themselves to all the pattern-principles which make an entire family fit together: following the virtues of the ancestors, expressing feelings of gratitude and filiality, cultivating oneself well here and now, and expecting cultural immortality in the future. Notably, none of these “duties” is premised upon a supernaturalistic understanding of human mortality, and so a better translation of the Ruist sacrificial ritual to one’s ancestors would be “ancestor devotion” rather than “ancestor worship.”

Moreover, keeping the naturalistic and humanistic philosophical kernel of the Ruist ritual of “ancestor devotion” in mind, some of Confucius’s sayings in the *Analects* become more clear. As attested by the aforementioned texts, classical Ruism’s naturalizing cosmology and anthropology entail that, cognitively, Ruists seriously doubt, if not utterly deny, any sort of personal agency in the afterlife. Emotionally, however, Ruists acknowledge that people express intrinsic feelings of gratitude and devotion towards their ancestors. In this sense, the ritual of “ancestor devotion,” as construed by classical Ruism, is to create a distinctive ritual space in which people are able to express their feelings and cultivate their morals without being required to assume any ontological misconceptions about what these feelings and morals ought to be devoted to. The ritual harmonizes the emotional and moral needs of participants along with their cognitive awareness in just the way described by Confucius: “When sacrificing to the spirits, you should comport yourself as if the spirits were present.”¹⁶ Meanwhile, Confucius also teaches us to “respect the ghosts and spirits while keeping them at a distance.”¹⁷ Both passages indicate that ritual participants need to sincerely perform the ritual of “ancestor devotion” as if these ancestors were alive for all the reasons mentioned above, but it would be a cognitive error to allow the idea of spirits and ghosts to interfere inappropriately with our lives.

In a word, key texts in classical Ruism and later Ruists’ understanding and practice indicate a “philosophical practice” of the “Three Sacrificial Rituals,” that is, a cautious practice of religious rituals that follows, realizes, and enhances a concordant philosophical understanding of these rituals at every step.¹⁸ In this way, neither religion and philosophy, nor faith and understanding, nor practice and knowledge are segregated from one another, as so often happens in the Western academy.

SHOULD WE RECONSIDER THE DEFINITION OF “PHILOSOPHY”?

Ruism may best be considered as a sort of “spiritual humanism” that tries to ground humanistic values within a well-thought anthropology and cosmology, and, thus, to philosophically understand these values while simultaneously being committed to their realization in human practice. This type of spirituality makes Ruism highly compatible with the post-Enlightenment intellectual and spiritual milieu of late-modern global society and so is both intellectually and practically relevant today.¹⁹

However, this Ru spirituality poses a significant challenge to the definition of philosophy prevalent in the current American academy. While some scholars have argued cogently that the inclusion of Chinese philosophy will broaden American philosophers’ vision and imagination so as to create innovative arguments regarding traditional philosophical questions,²⁰ such inclusion will also transform them. As this happens, not only will American philosophers have to consider the arguments of their Chinese colleagues, but the whole package of Chinese thought and practice will stimulate American philosophical educators to pose new kinds of questions: Should we include more practical dimensions of philosophy in our curriculum? Should the goal of philosophical education be cultivating a whole person, rather than just teaching people how to think and argue?

Of course, these kinds of questions have already been posed by Western philosophers themselves. Inspired by Edmund Husserl’s idea of “life-world,” a significant portion of the European phenomenological and existentialist movements tended to refuse the purely intellectual and analytic image of philosophy, instead attempting to locate philosophical discourses in their originated, all-interconnected, and living human world. An important instance in this regard is Pierre Hadot’s work on ancient Western philosophy as “a way of life,” rather than a way of arguing, and Hadot proposed an alternative way of doing philosophy as “spiritual exercise.”²¹ In the analytic tradition, the understanding of philosophy primarily as a way of life also registers in some philosophers’ thoughts. For example, in order to reconcile his religious identity as a practicing Jew and his intellectual identity as a professional philosopher, Hilary Putnam found a promising idea of philosophy in the thoughts of four twentieth-century Jewish philosophers: philosophy is a way of life for humans to deal with each other face-to-face in their living experience.²² This line of thought in Western philosophy leads to an even more intriguing question: Can the inclusion of Chinese philosophy in the American philosophical curriculum help Western philosophy return to its historic roots in order to generate vital energies in its contemporary situation?

NOTES

1. These include the most recent *APA Newsletter on Asian and Asian-American Philosophers and Philosophies* 15, no. 2 (2016) and a number of articles in the newsletter’s previous issues.
2. “Confucianism” is a misnomer devised by early Christian missionaries to refer to the Ru tradition with a primary purpose of religious comparison and conversion, just as Islam was once called “Muhammadanism” in a similar historical context. Through this article, I will use “Ruism” to replace “Confucianism,” and use “Ruist” or “Ru” to replace “Confucianist” or “Confucian.” Accordingly, “Neo-Confucianism,” which is normally used to describe new developments within Ruism during the Song and Ming Dynasties (960–1644 CE), will be replaced with “Song and Ming Ruism.” A most recent scholarly discussion at this issue can be found at Stephen Angle, “Should we use ‘Ruism’ instead of ‘Confucianism’?” *Warp, Weft, and Way*, <http://warpweftandway.com/should-instead-confucianism/>, posted May 4, 2016, accessed January 1, 2017.
3. I recognize that there are a variety of understandings of “philosophy” among American philosophers. However, for the same reasons to which critics attribute the exclusion of Chinese philosophy from American higher education, this particular standard for philosophy is a major concern. See David B. Wong, “Some Reflection on the Status of Chinese Philosophy

- in U.S Graduate Programs," *APA Newsletter on Asian and Asian-American Philosophers and Philosophies* 15, no. 2 (2016): 9; in the same issue, Alexis McLeod, "May You Live in Interesting Times: The State of the Field of Chinese Philosophy," 16, and Bryan W. Van Norden, "Problems and Prospects for the Study of Chinese Philosophy in the English-Speaking World," 24.
4. Eric Schwitzgebel, "What's Missing in College Philosophy Classes? Chinese philosophers," *Los Angeles Times*, Op-Ed, <http://www.latimes.com/opinion/op-ed/la-oe-0913-schwitzgebel-chinese-philosophy-20150913-story.html>, posted September 11, 2015, accessed January 1, 2017.
 5. See Hu Xiaolin, "Zhu Xi yu Wang Shouren de zhixingguan" (Zhu Xi's and Wang Shouren's Views on Knowledge and Practice), *Kongzi yanjiu* (Confucius Studies) 6 (2005): 53–58; and Dong Ping, "Wang Yangming zhexue de shejianbenzhi: yi zhixingheyi weizhongxin" (The Practical Essence of Wang Yang-ming's Philosophy: "Identification of Knowledge and Practice" as its Center), *Yantaidaxue xuebao* (zhxueshehuikexueban) [*Journal of Yantai University* (Philosophy and Social Science Edition)] 1 (2013): 14–20.
 6. *The Analects* 7:28, see James Legge, trans., "Confucian Analects," in *The Chinese Classics*, Vol. 1 (Taipei: SMC Publishing Inc, 1991), 203. Translations of the Analects selected according to my own scholarly discretion; in some cases, I have made minor changes to them.
 7. *The Analects* 13.5, Edward Slingerland, trans., *Confucius Analects* (Cambridge: Hackett Publishing Company, Inc. 2003), Kindle, 141.
 8. *The Analects* 1.1. Translation adapted from *ibid.*, 1. For an analysis on classical Ruism's understanding of the relationship between knowledge and practice, see Wen Keqing, "Luelun xianqin rujialunli de zhixingtongyulun" (A Review on the Theories of the Unification between Knowledge and Practice in Pre-Qin Ruist Ethics), *Daode yu Wenming* (Morality and Civilization), 2 (2005): 30–33.
 9. See the *Xunzi* 19.2a, in John Knoblock, *Xunzi: A Translation and Study of the Complete Works*, Vol. III (Stanford, CA: Stanford University Press, 1988): 58; the chapter of "Li San Ben" (Ritual has three roots) in the Elder Dai Classic of Rites (Dadailiji), in Huang Huaixin, ed., *Dadailiji Huijiao Jizhu* (An Annotation and Compilation of the Elder Dai Classic of Rites) (Xi An: San Qin Press, 2005), 96–125; the chapters of "Wang Zhi" (Royal regulations) 3.5 and 3.6; and "Jiao Te Sheng" (The single offering at the border sacrifices) 2.8, in James Legge, trans., "The Li Ki or Collection of Treatises on the Rules of Propriety or Ceremonial Usages," in *The Sacred Books of the East*, Vol. 27, ed. Max Muller (Delhi, India: Motilal Banarsidass, 1968, reprinted): 224–25, 430.
 10. See Robert Eno, *The Confucian Creation of Heaven: Philosophy and the Defense of Ritual Mastery* (Albany: State University of New York Press, 1990), 24–28; and Li Jinglin, "Yilidetixi yu xinyangdexitong: kaocha rujiazongjiaoxingwenti de yigebiyaoshidian" (The Systems of Philosophical Connotations and Beliefs: A Necessary Perspective on the Religious Property of Confucianism), *Beijing Normal University* (Philosophy and Social Science Edition)] 3 (2016): 79–95. On the problem of "evil" in classical Chinese philosophy, please refer to Franklin Perkins, *The Problem of Evil in Classical Chinese Philosophy* (Bloomington: Indiana University Press, 2014).
 11. That Ruists do not typically pray in a petitionary way can be attested as early as by Confucius in the *Analects* 3.13 and 7.35 (see Slingerland, *Confucius Analects*, 22, 76) and as recently as by Liu Shu-hsien in Liu Shu-hsien, "On Confucius' Attitude Towards Gods, Sacrifice, and Heaven," *Ching Feng* 34, no. 1 (1991): 16–27. That there is no propitiation in the Ruist sacrificial ritual to Tian has been well observed and described by James Legge in *The Religions of China: Confucianism and Taoism Described and Compared with Christianity* (New York: Scribner, 1881), 53.
 12. Inspired by Stephen Angle's discussion in *Sagehood: The Contemporary Significance of Neo-Confucian Philosophy* (Oxford: Oxford University Press, 2012), I define the Ruist concept "pattern-principle" (li) as "the dynamic and harmonious way how a set of cosmic realities fit together." The term was already philosophically significant in the texts of classical Ruism such as the *Xunzi*, the *Liji* (the Classic of Rites), and the *Yijing*, while its significance became even more prominent in Song and Ming Ruism. The Ruist way to engage with Tian which I describe here is a middle ground for the Ru tradition based upon my reading of these related classical texts and contemporary writings.
 13. See the Chapter of "Ji Yi" (The Meaning of Sacrifice) 2.1, in Legge, "Li Ki," *The Sacred Books of the East*, Vol. 28, 220 and Chapter 4, part 1 of Xici, in Richard Rutt, trans., *The Book of Changes* (Zhouyi) (London and New York: Routledge Curzon, 2005), Kindle, 8541. Although Confucius may not have actually said these words, they represent classical Ruism's view of death.
 14. Zhang Tingyu, "Qian Tang Lie Zhuan" (Biography of Qian Tang), in *Ming Shi* (History of Ming Dynasty) (Beijing: Zhong Hua Shu Ju, 1997), 1038.
 15. The chapter "Ji Tong" (A Summary Account of Sacrifice) of *Liji*; translation is adapted from Legge, "Li Ki," *The Sacred Books of the East*, Vol. 28, 236–37.
 16. *The Analects* 3:12, Slingerland, trans., *Analects*, 21.
 17. *The Analects* 6:22, Slingerland, trans., *Analects*, 60.
 18. Lawrence Whitney has noticed this peculiarity of the Ruist understanding of ritual in the context of Xunzi studies: "What is notable about Xunzi in this regard, and very much unlike modern Western ritual studies scholars, is that he articulates what is included within the scope of ritual in terms of his systematic philosophy, including a philosophical anthropology generating a political philosophy, and both rooted in a philosophical cosmology." Lawrence Whitney, "Ritual Transformations: Reappropriating Xunzi in Ritual Studies," presented in the Ritual Studies Group at the 2016 Annual Meeting of the American Academy of Religion (AAR), San Antonio, Texas, Nov. 20, 2017: 8. I take his statement to be applicable to the entire Ru tradition.
 19. In the first "Ruist Friends From Afar" Retreat in North America, hosted at Boston University, July 1–3, 2016, some of my Ruist friends, including Chinese, Asian Americans, and other Americans, performed repetitively the ritual of "Tian-worship and Confucius- veneration." For its details, see "Introducing a New Ruist (Confucian) Ritual: Tian-worship and Confucius- veneration," http://www.huffingtonpost.com/entry/introducing-a-new-ruist-confucian-ritual-tian-worship_us_57fe3b05e4b0210c1faeaa31, posted December 9, 2016, accessed January 1, 2017.
 20. See Amy Olberding, "Chinese Philosophy and Wider Philosophical Discourses: Including Chinese Philosophy in General Audience Philosophy Journals," *APA Newsletter on Asian and Asian-American Philosophers and Philosophies* 15, no. 2 (2016): 8.
 21. An introduction to Pierre Hadot may be found in Arnold I. Davison, "Spiritual Exercise and Ancient Philosophy: An Introduction to Pierre Hadot," *Critical Inquiry* 16, no. 3 (1990): 475–82.
 22. Hilary Putnam, *Jewish Philosophy as a Guide to Life: Rosenzweig, Buber, Levinas, Wittgenstein* (The Helen and Martin Schwartz Lectures in Jewish Studies) (Bloomington, IN: Indiana University Press, 2008). A special thanks goes to Jonathan Weidenbaum in Berkeley College (NYC) who helped me to find this resource.

Traditional Chinese Body Practice and Philosophical Activity

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Philosophy, it seems, is something done in words and thoughts. It is a sedentary activity, often performed while seated. There is often at least a bit of bodily movement—tapping fingers, biting nails, some shifting in one's chair—but such movements are usually considered to be external to the philosophical activity itself. Philosophy, whatever it is, seems to be mental and verbal, with "mental" and "verbal" understood, implicitly, to mean other than "of the body."

Admittedly, there are exceptions, both in terms of how philosophy gets done (e.g., members of the Peripatetic school who did their thinking while walking and contemporary academic philosophers who come up with their best ideas in a spin class) and in terms of how the mental and verbal get conceptualized (e.g., enactivist accounts of cognition that treat the thinking as taking place through and in bodily movements). Nevertheless, it is fair to say that philosophy, typically, is both practiced as and understood to be a sedentary mental and verbal activity.¹

This account of philosophy as sedentary, mental, and verbal is plausible, I think, regardless of the philosophical style or tradition we are discussing. Even philosophers who emphasize the theoretical importance of embodiment typically do so by talking or writing about the importance of the body rather than by doing anything obvious with parts of their body beyond what is required for the talking or writing. Experimental philosophy, in spite of its attempts to get out of the philosopher's proverbial armchair, is arguably sedentary, mental, and verbal in all the relevant ways. And it is not just philosophy in the broad set of traditions stemming from the ancient Greeks that is performed in this way. The teaching of and academic research on various so-called "non-Western philosophies" is done as much from a stationary position as any other kind of academic philosophy.²

Several years back, however, I started looking at various traditions of body practice and meditation that at least purport to be closely connected with Asian and Indian philosophical traditions, and I began to consider whether these practices could amount to a *philosophy of the body*, not just in the sense of engaging in philosophical inquiry *about* bodies, but also in the sense of actually trying to *do* philosophy with the body. Specifically, in undergraduate courses on Chinese philosophy and religion, I began teaching moving forms of qigong (i.e., Chinese-style yoga) as well as meditations drawn from Daoism and other traditions. In a philosophy course focusing on the Asian martial arts, I taught taijiquan (i.e., "t'ai chi") as a practical component to complement our study of classic and contemporary texts. In a course on "Yoga and Philosophy," I began teaching hatha yoga in addition to leading students through traditional Indian philosophical/religious texts and contemporary works on yoga practice by academics and nonacademic practitioners.

In part, my motivations for including these practices in my courses were pragmatic: I wanted to find ways to get undergraduates interested in various philosophical traditions, and I used the practices that at least have a purported connection to the philosophical ideas as a way to liven things up and reach some students who might not otherwise have been reached. But my motivations have also gone deeper than that: I have tried to challenge the seemingly obvious distinction between doing philosophy and doing these various body and meditation practices, and my academic research has begun to focus on how we might conceptualize these various practices as kinds of philosophical activity.

In what follows, I will focus on one strand of these explorations: my incorporation of qigong into undergraduate courses and my exploration of it as something meaningfully philosophical.

The expression "qigong" (氣功) literally means "qi cultivation" or "energy work." It is a modern term that refers to a wide range of body practices, meditations, and assorted health techniques that are, to a greater or lesser degree, derived from traditional Chinese practices.³ Qigong practices are connected to Daoism, Buddhism, and traditional Chinese health practices, although the connections claimed by qigong practitioners at least sometimes are not of the sort that would withstand the scrutiny of academic historians. Qigong forms typically involve a sequence of moves and postures, often done in a way that is linked to the pace of the breath. Some of the practices involve visualizing colors in one's body or imagining one's body as having dimensions that do not correspond to its physical shape or as containing a kind of inner landscape or analogue of the cosmos. Qigong forms are often transmitted from one person to another along with an accompanying mythic narrative about the origins and significance of the practice. The practices can be seen as body technologies that aim to heighten certain kinds of awareness and attention, often while implicitly (or even explicitly) encoding aspects of traditional Chinese metaphysics, cosmology, and visions of the body.⁴

Much of the contemporary marketing of qigong can seem crassly commercial or heavily influenced by New Age sensibilities, but in spite of the occasional presentation of the practices as a kind of *à la carte* spiritualism, there are many ways of doing qigong, ranging from those that are quite traditional to those that are adapted in various ways to contemporary communities and marketplaces, both Chinese and non-Chinese. The practices range from slow-to fast-paced and from easy on the body to extraordinarily taxing on the muscles and tendons. The aesthetics and behavioral norms of the learning environments in which qigong practices are transmitted from teacher to student are also diverse, ranging from arrangements in which a student is expected to submit to the authority of the teacher in disciple-like fashion and to display broadly Confucian respect to a lineage to situations in which the teacher is presenting practical health or self-defense techniques to students who are treated as something like co-collaborators. Sometimes practitioners emphasize the importance of believing in qi, but the practices can be done and transmitted from teacher to student in a way that allows the background narratives about qi and other aspects of traditional Chinese metaphysics to be treated as mere stories to guide the movements and visualizations or even as outdated superstitions that are best left behind.

All of that—the bodily movements, the visualizations, the particular kinds of attention to the body and the breath, the background narratives, and the various types of teacher-student relationships—will likely sound to many professional academics quite different than "doing philosophy," and perhaps many of my readers will be, at this stage, skeptical of the idea that this could somehow constitute "philosophical inquiry." However, note that the

same kind of charge (“this is not philosophy!”) can be (and, indeed, has been and still is) raised against traditional Chinese texts such as the *Analects*, the *Daodejing*, the *Zhuangzi*, etc.—but those of us who work on classical Chinese texts as philosophy have figured out ways to see beyond the surface-level dissimilarities between, say, critically reading and engaging with Aristotle or a recent article in *Ethics*, on the one hand, and critically reading and engaging with classical Chinese texts, on the other. Admittedly, the mere fact that we can cross the divide from one kind of text and style of thinking to another kind of text and style of thinking does not prove that we can cross the divide between the sedentary thinking and talking of the philosophy seminar, on the one hand, and the body disciplines of qigong, on the other, in such a way that qigong can be seen as philosophy, but it does provide at least a bit of hope.

Moreover, if we are willing to look even a bit beyond obvious differences in the surface-level phenomena, it turns out that there are intriguing similarities between the kinds of inquiry that happen when reading a traditional Chinese philosophical text and the kinds of inquiry that can occur when learning and practicing a qigong form. For example, it often takes multiple readings of a Chinese philosophical text (either in the original or in translation) in order to begin to understand what the text is really getting at. Similarly, a qigong form typically does not reveal its subtleties until a practitioner has submitted to doing it repeatedly, on many different days, over a long period of time. For both the Chinese philosophical text and a qigong form that purports to instantiate aspects of traditional Chinese metaphysics, one must approach it with an attitude that there is something important worth gleaning from it before one begins to challenge it with critical inquiries. If one instead begins by criticizing what one perceives initially in the text or the form before submitting to it over time, one can easily feel as if one has successfully rejected something, but one will often have missed the real point. While it is true that there is usually nothing analogous in doing a qigong form to reconstructing a premise-by-premise argument from a philosophical text and then analyzing its validity and soundness, rarely is that what one does when one fruitfully engages with a classical Chinese philosophical text, either. Thus, there are at least some intriguing commonalities between what is done when one critically approaches a Chinese philosophical text and what one does when one critically engages, as it were, with a qigong form.

All of those commonalities are arguably at the periphery, however. They involve how a reader or practitioner approaches the text or the form. What about the *content* of the Chinese philosophy versus any “content” of the qigong practice? Consider, for example, a claim to the effect that the traditional Chinese “five phases” correlative cosmology (i.e., the *wuxing* 五行, or the “five elements” theory) provides an accurate view of reality. According to *wuxing* theory, the phenomenal world is composed (in some to-be-determined sense of “composed”) of five different phases, or types of energy: metal, water, wood, fire, and earth. These five phases are related to each other in complex ways (e.g., via a “creation cycle” and a “control cycle”), and each somehow is correlated with or encompasses a host of

other aspects of reality such that each phase is correlated with a color, a season, a *yin* organ and a *yang* organ in the human body, an emotion, a virtue, a flavor, etc.

Understood literally and from the perspective of anything even remotely like the contemporary sciences as practiced in any decent university, the claim that the *wuxing* theory provides an accurate view of the phenomenal world is laughably absurd. And yet many of us who take seriously traditional Chinese culture find something valuable and perhaps even true in the *wuxing* theory, or at the very least we think that it provides important insight about the world as we live in it and that the *wuxing* theory can at least imply nontrivially true claims that would be difficult to accept were we not to see the world through the lens of the *wuxing* theory. There must be a way to understand the *wuxing* correlative cosmology charitably. And it is here, in trying to find ways charitably to understand Chinese philosophical views about the world, that qigong can become part of philosophical inquiry.

To see how, consider one example of a specific qigong body practice I have incorporated into the college classroom. When leading students through a qigong sequence, I typically have them perform a series of warm-up exercises in which I guide them to stand upright and repeatedly twist the upper body to the left and right while allowing the arms to swing out and then gently slap against the body at the end of each turn. After a minute or so of doing these turns, I guide the students specifically to tap various points on their bodies at the end of each turn. First, I have them tap the region around the navel in the front and the point on the spine directly opposite the navel (a point on the back called the “*mingmen*” (命門) or “Gate of Life”). As they do so, I tell them to imagine they are “waking up” an “energy center” in their lower abdomen called a *dantian* (丹田) in Chinese. I then guide them to tap near the kidneys, liver, and spleen. As I do so, I instruct them to imagine that they are releasing various emotions from each region of the body: fear from the kidneys, anger from the liver, and worry from the spleen. I then guide them to tap a point in front of each shoulder that is a point in acupuncture and Daoist visions of the body that is associated with the lungs. As they tap those lung points at the shoulders, I instruct them to imagine they are waking up the energy of the lungs and releasing sadness or grief from the lungs. Finally, I have them tap the sternum and imagine they are releasing impatience from the heart.

The warm-up exercise I just described may or may not be derived directly from any longstanding historical practice; for all I know, the warm-up set may be a fairly recent invention. Nevertheless, as it was taught to me by teachers affiliated with the contemporary qigong teacher Mantak Chia, it is a warm-up practice that utilizes traditional qigong principles and is part of a system of practice that derives from traditional Daoism.⁵ The organs of the body that students are asked to think about are the five *zangfu* (臟腑) organs that are central to traditional Chinese medicine and Daoist visions of the body, and those organs are tied to the correlative cosmology of *wuxing* theory. The particular emotional/mental states that I ask the students to imagine they are releasing as they tap each region of the body are

emotional/mental states that are thought to be correlated with each *zangfu* organ in the *wuxing* vision of the body and cosmos.

This warm-up is just a fraction of what I typically take my students through when I have them do a full qigong practice. Including such practice as part of a course often makes it easier for students to learn the details of the *wuxing*/five phases correlative cosmology. It also lets practitioners begin imaginatively to “inhabit” the *wuxing* cosmology—to take it out for a test drive, as it were, and see if there is a way to begin to read the cosmology charitably. By trying out these practices in the body—and by coupling them with other, similar practices—one can begin to get a better feel for what the words in the traditional texts that spell out the *wuxing* theory might possibly have meant for the people who uttered them. Once one does that, one can begin to ask certain kinds of critical questions about the theory, about its relative value *vis-à-vis* other metaphysical views, etc. One can, in short, do philosophy, or at least something recognizable similar.

To say all this is not yet to prove that the extension of the word “philosophy” does or should include qigong practices or that qigong is paradigmatically a philosophical activity in the way that, say, Socrates questioning Meno or a contemporary philosophy professor outlining the premises of her argument via a Powerpoint slide projected on a screen in a windowless conference hotel room are paradigmatically philosophical activities. I do not yet have a full-blown account of exactly what is and what is not “philosophy” such that some qigong should count as philosophy and, say, eating a chocolate bar while driving on an interstate should not. I think it is clear, however, that qigong practices of the sort I have described can play a significant role in communicating, understanding, and even critically examining various metaphysical claims, and the experiences qigong practice generates can prompt important epistemic questions and conversations, such as, obviously, “Do the experiences generated by practicing qigong give us anything like a reliable way of assessing the truth of the metaphysical claims that are held by the advocates of these practices?”

In addition, qigong practice can serve to cultivate particular habits of perception (e.g., noticing subtle bodily experiences and the instability of many conscious mental states) and a variety of virtues (e.g., patience, dedication, a willingness to suspend judgement in order to be open to possibility, etc.). Those habits and virtues are not identical to the habits and virtues cultivated by other kinds of philosophical activity; think, for example, of the habits and virtues displayed by the characters in Socratic dialogues or in the conversations recounted in the *Analects* or the *Mengzi*, and think as well about the various habits and virtues required on the part of readers of these texts who are attempting seriously to study and understand them. Nevertheless, qigong practice arguably highlights and cultivates particular habits and virtues in a way that bears at least a strong family resemblance both to what is described in paradigmatic philosophical texts and to what gets developed in the process of critically engaging with those texts.

It may be that expanding our understanding of what counts as philosophical activity to include qigong and similar body practices would make it harder for us clearly to delineate the boundary between philosophy and nonphilosophy. Perhaps that is so. If it is, I am not sure that it is a terrible thing. However, my suggestion here is not that we completely annihilate any practical distinction between doing philosophy and doing other kinds of things, but only that we should take seriously the ways in which qigong and similar body practices can be more similar to paradigmatic philosophical activity than is obvious at first glance, and that these body practices can be useful tools to add to our philosophical toolboxes, at least when engaging with metaphysical claims and worldviews that we might otherwise struggle to treat charitably.

This is all just the beginning of an account of how the body practices of qigong might provide a mode of doing philosophy that is different than the sedentary mode described above. The devil is, of course, in the details, but so are the possibilities. I hope to have given at least a flavor of how this might work, both in the classroom and in one’s own philosophical work that is not directly tied to teaching.

Geisz (2016) discusses experiments in the classroom with qigong and other body practices and the possibilities and challenges of such an approach. Others who have written about similar experiments in college classrooms, either with qigong or with other body practices, include Peimin Ni (1999); Natalie Helberg, Cressida J. Heyes, and Jacklyn Rohel (2009); Richard Shusterman (2012); and Eric C. Mullis (2013).

Livia Kohn has written extensively on qigong, its history, and its current manifestations; one place to start in her work on qigong is Kohn (2008). David Palmer’s *Qigong Fever* (2007) is arguably the best academic book on twentieth-century qigong in China. See also Elijah Siegler (2011) for a good and sophisticated academic treatment of qigong as a contemporary movement.

For those who are interested in practicing qigong or finding ways to introduce qigong into their classrooms and do not have access to a teacher, I recommend two resources by one of my own qigong teachers: Ken Cohen’s *The Way of Qigong: The Art and Science of Chinese Healing Energy* (1997) and his multimedia box set, *The Essential Qigong Training Course: 100 Days to Increase Energy, Physical Health & Spiritual Well-Being* (2005). I also recommend the resources of Michael Winn (another of my qigong teachers) at his HealingTaoUsa.com website. Note that although Winn’s audio and visual products might not be produced with the typical sensibilities of professional academics in mind, he is a fantastic teacher of qigong and Daoist meditation, and some of his resources can provide a particularly good gateway into qigong for beginners. The various resources put out by Mantak Chia (the founder of the Healing Tao qigong organization and one of Michael Winn’s teachers) and other Healing Tao teachers can be very helpful too.

There are many other resources available on qigong. Some of these resources are quite good and easy to use and benefit from, whereas others are more difficult to

appreciate. Many of the materials put out by contemporary practitioners are shaped by what those practitioners deem to be the exigencies of the market, and, consequently, if one approaches them with the scholarly and aesthetic standards of many academics, one will often dismiss valuable resources before having a chance to learn from them. In much the same way that exploring the possibilities of body practices and meditation as philosophy requires one simultaneously to have a very open mind and a critical sensibility, sorting through the books, videos, websites, and workshops on qigong body practices and meditations requires one to be open to possibility while remaining sharply critical of what one is being offered.

There is an increasing number of academic treatments of body practices and meditation that are of interest to philosophers. Ben Spatz's *What a Body Can Do: Technique as Knowledge, Practice as Research* (2015) is a fantastic work in the field of performance studies that engages with philosophy and is of particular importance to philosophers working on embodiment in general and those of us thinking about body practice as philosophy in particular. Maxine Sheets-Johnstone (2011), Michelle Merritt (2015), and Kimerer L. LaMothe (2015) each, in different ways, provide insight into the way bodily movement can be seen as a way of thinking or knowing. Michael L. Raposa's *Meditation and the Martial Arts* (2003) is also very, very good. Philosophically interesting work focusing on martial arts in particular includes Barry Allen (2015), Paul Bowman (2015), Adam Frank (2006), and the essays in Graham Priest and Damon Young (2010) and (2014), including, especially, Henry Martin Lloyd (2014) and Markus Schrenk (2014).

NOTES

1. While philosophy is sometimes considered to be an energetic and active kind of *inquiry*, the energy and the activity of the inquiry are not primarily *bodily* kinds of energy and activity, except insofar as all the thinking, writing, and talking, and the time they take, can exhaust a person over the course of a day or night.
2. In the past several years there have been interesting discussions about the degree to which philosophy should be understood to include, for example, traditional Chinese and Indian thought, and about whether to call academic philosophy that ignores such traditions simply "philosophy" or to mark it as "European and American Philosophy." See, for example, Garfield and Van Norden, "If Philosophy Won't Diversify, Let's Call It What It Really Is," and Van Norden, *Taking Back Philosophy: A Multicultural Manifesto*. See also Flanagan, *The Geography of Morals: Varieties of Moral Possibility*. But even those of us who side with an ecumenical view of what counts as philosophy typically treat philosophy, even applied philosophy, as something done via words and thoughts while seated or standing relatively still, or at least with minimal exertion of the sort that is distinctively of the body.
3. See Palmer, *Qigong Fever: Body, Science, and Utopia in China*, 4–7. In various contexts, the older expressions "yangsheng" (養生) or "daoyin" (導引) are used instead of "qigong," especially in reference to more traditional styles of Chinese body practices, but in other contexts these three expressions are used interchangeably.
4. For a discussion of the expression "traditional body technologies" applied to qigong, see Palmer, *Qigong Fever: Body, Science, and Utopia in China*, 7–13.
5. For academic discussion of Mantak Chia and his Healing Tao qigong system, see Douglas Wile, *The Art of the Bedchamber: The Chinese Sexual Yoga Classics, Including Women's Solo Meditation Texts*, 63–65; Livia Kohn, *Chinese Healing Exercises: The Tradition of Daoyin*, 221–24; and Livia Kohn, *Introducing Daoism*, 215–17.

BIBLIOGRAPHY

- Allen, Barry. *Striking Beauty: A Philosophical Look at the Asian Martial Arts*. New York: Columbia University Press, 2015.
- Bowman, Paul. *Martial Arts Studies: Disrupting Disciplinary Boundaries*. New York: Rowman & Littlefield, 2015.
- Cohen, Kenneth S. *The Way of Qigong: The Art and Science of Chinese Healing Energy*. New York: Ballantine Books, 1997.
- Cohen, Ken. *The Essential Qigong Training Course: 100 Days to Increase Energy, Physical Health and Spiritual Well-Being*. Boulder, CO: Sounds True, 2005.
- Flanagan, Owen. *The Geography of Morals: Varieties of Moral Possibility*. New York: Oxford University Press, 2017.
- Frank, Adam D. *Taijiquan and the Search for the Little Old Chinese Man: Understanding Identity through Martial Arts*. New York: Palgrave Macmillan, 2006.
- Garfield, Jay L., and Brian W. Van Norden. "If Philosophy Won't Diversify, Let's Call It What It Really Is." *The New York Times*. The Stone. May 11, 2016. www.nytimes.com/2016/05/11/opinion/if-philosophy-wont-diversify-lets-call-it-what-it-really-is.html.
- Geisz, Steven. "Body Practice and Meditation as Philosophy: Teaching Qigong, Taijiquan, and Yoga in College Courses." *Teaching Philosophy* 39, no. 2. (June 2016): 115–35.
- Helberg, Natalie, Cressida J. Heyes, and Jaclyn Rohel. "Thinking through the Body: Yoga, Philosophy, and Physical Education." *Teaching Philosophy* 32, no. 3 (September 2009): 263–80.
- Sheets-Johnstone, Maxine. *The Primacy of Movement*. Expanded 2nd edition. Philadelphia: John Benjamins Publishing Company, 2011.
- Kohn, Livia. *Chinese Healing Exercises: The Tradition of Daoyin*. Honolulu: University of Hawaii Press, 2008.
- . *Introducing Daoism*. New York: Routledge, 2009.
- LaMothe, Kimerer L. *Why We Dance: A Philosophy of Bodily Becoming*. New York: Columbia University Press, 2015.
- Lloyd, Henry Martin. "The Martial Arts as Philosophical Practice." In *Philosophy and The Martial Arts: Engagement*, edited by Graham Priest and Damon Young, 68–86. New York: Routledge, 2014.
- Merritt, Michelle. "Thinking-is-moving: Dance, Agency, and a Radically Enactive Mind." *Phenomenology and the Cognitive Sciences* 14 (2015): 95–110.
- Mullis, Eric C. "Philosophy of the Body as Introduction to Philosophy." *Teaching Philosophy* 36, no. 4 (December 2013): 353–72.
- Ni, Peimin. "Teaching Chinese Philosophy On-Site." *Teaching Philosophy* 22, no. 3 (September 1999): 281–92.
- Palmer, David A. *Qigong Fever: Body, Science, and Utopia in China*. New York: Columbia University Press, 2007.
- Priest, Graham, and Damon Young, eds. *Martial Arts and Philosophy: Beating and Nothingness*. Chicago: Open Court, 2010.
- . *Philosophy and the Martial Arts: Engagement*. New York: Routledge, 2014.
- Raposa, Michael R. *Meditation and the Martial Arts*. Charlottesville, VA: University of Virginia Press, 2003.
- Schrenk, Markus. "Is Proprioceptive Art Possible?" In *Philosophy and The Martial Arts: Engagement*, edited by Graham Priest and Damon Young, 101–16. New York: Routledge, 2014.
- Siegler, Elijah. "Daoism Beyond Modernity: The 'Healing Tao' as Post-Modern Movement." In *Daoism in the 20th Century: Between Eternity and Modernity*, edited by David Palmer and Liu Xun, 274–92. Berkeley, CA: University of California Press, 2011.
- Shusterman, Richard. "Somaesthetics in the Philosophy Classroom: A Practical Approach." In *Thinking Through the Body: Essays in Somaesthetics* by Richard Shusterman, 112–22. New York: Cambridge University Press, 2012.
- Spatz, Ben. *What a Body Can Do: Technique as Knowledge, Practice as Research*. New York: Routledge, 2015.
- Van Norden, Bryan W. *Taking Back Philosophy: A Multicultural Manifesto*. New York: Columbia University Press, 2017.
- Wile, Douglas. *The Art of the Bedchamber: The Chinese Sexual Yoga Classics, Including Women's Solo Meditation Texts*. Albany: SUNY Press, 1992.

East Asian Martial Arts as Philosophical Practice

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THE NATURE AND HISTORY OF THE EAST ASIAN MARTIAL ARTS

There are few practices more commonly associated with East Asia by people in the West than the martial arts. Perhaps the only practice *more* characteristically associated with Asia in the minds of many Westerners is meditation. As with that practice, there are many misunderstandings involved. First, and most characteristic, is the idea that martial arts are a uniquely and particularly East Asian practice. Ask most people what comes to mind when they think of “martial arts,” and you’re likely to get mainly answers concerning Karate, Bruce Lee, maybe, today, Jiu-Jitsu and even mixed martial arts. While the Asian martial arts have had a massive influence on the way we think about “martial arts” as a category, the martial arts have been practiced worldwide throughout human history and are certainly not limited to East Asia, even if we consider the arts that have become sports or pastimes. In addition to Karate, Taekwondo, Kung Fu, or Muai Thai, there is also Greco-Roman Wrestling, Boxing, Fencing, and even Arm Wrestling—all equally martial arts. Here, I am concerned with Asian martial arts, specifically.

Another common misunderstanding (one common even among many martial arts practitioners) is that modern martial arts such as those mentioned above are ancient in their origins and that the arts we practice today in *dojos* and other training halls are manifestations of ancient systems of martial art constructed by revered martial sages. While they may have some connection to early practices (especially in the form of inspiration), the martial arts practiced today did not exist as such much prior to the twentieth century. Martial arts as we know and practice them are modern arts. Despite the modern origins of what are commonly called “traditional martial arts,” there are many ancient origin stories associated with the arts. Every style and school has such a story—though some are more forthright about their modern origins than others. Practitioners of my own art, Taekwondo, commonly attribute its origin to the practices of the *hwarang* (花郎)¹ (“flower of youth”), a collective of upper-class youths in the Silla kingdom in the sixth century CE. In addition to practicing military arts, they followed a code of conduct drawn from Confucian and other elite cultural sources. These norms inspired the “codes of conduct” ubiquitous in contemporary Taekwondo schools. The problem with this story is that it is wholly an invention. Taekwondo is a fusion of modern Chinese and Japanese fighting forms integrated into a Korean context. The name “Korean Karate” that was commonly used when Taekwondo was new to the US (although the name is hardly ever encountered today) turns out to be fairly accurate. In the Japanese context, there is really nothing we can call systematized “Karate” until the Okinawan fighter Funakoshi

Gichin in the early twentieth century, who systematized and popularized his Okinawan fighting system in Japan, and maybe his teacher Itosu Anko in the late nineteenth and early twentieth century.²

This leads to a third common misunderstanding—the idea that the Asian martial arts developed in cultural bubbles, such that Taekwondo is thoroughly Korean, as Kung Fu is thoroughly Chinese, and Karate thoroughly Japanese. In fact, the modern martial arts are a fusion of modern Asian and Western techniques, systematized by figures in China, Japan, and Korea in between the late nineteenth and mid twentieth centuries—indeed, this may be some of the reason these arts have caught on so well in the West.³ Few Westerners would likely be attracted to something like the *hwarang*, and they would likely be barred from joining even if they were interested! My own style of Taekwondo is based directly on the Japanese styles practiced in the mid twentieth century. A number of the forms (Kor. *poomsae*, Jpn. *kata*) were integrated directly from the Okinawan fighting system designed by Itosu Anko, with few changes.

Despite all of this, the development of modern Asian martial arts have since their inception involved elements of philosophy, particularly surrounding character and action. Almost all of the modern Asian forms of martial arts include codes of conduct, precepts, or other codified guides, most often focusing not explicitly on the ends of fighting itself, but referring to character and the virtues to be developed in practicing martial arts. One of the earliest systematizations of such codes, by Itosu Anko, is also one of the most interesting, in that in it we see the variety of concerns, motivations, and attitudes that eventually become an integral part of the Asian martial arts in nearly every tradition. Itosu’s “ten precepts” were not designed as the guiding codes of a school but were, rather, an explanation of his style in a letter written to the Japanese government in 1908. In this letter, Itosu offers a number of different justifications for the practice of Karate, as diverse as those generally accepted today. Indeed, we likely have Itosu to thank for the associations we make with martial arts today. Insofar as we think of martial arts as development of character, a route to health, or a method of self-defense, we do so largely because of the lasting influence of Itosu’s explanation of his practices.

While the modern Asian martial arts are, as I mentioned, primarily modern developments, there are antecedent martial arts in earlier history that in many cases served as inspiration for these modern developments, in much the same way that traditional European swordfighting served as inspiration for the development of the modern art of fencing in the late nineteenth century. In the Asian context, the most influential schools of thought on the martial arts were Daoism and Buddhism, though Confucian elements can be found in the ideology connected to martial arts as well. Below, I consider some unique problems for Confucianism in connection with martial arts.

The methods of Daoism have natural connection to martial arts. Even in the earliest Daoist material in China, including the famous text *Daodejing*, Daoists discuss how the methods they advocate can be used to attain mastery in

combat and other military arts. Chapter 69 of the *Daodejing* offers an example of this:

用兵有言：吾不敢為主，而為客；不敢進寸，而退尺。
是謂行無行

Those who effectively use the military have a saying: "I dare not take command, but rather lay in wait; I dare not advance an inch, but rather retreat a foot. This is called engaging without engaging."

Of the modern martial arts, this Daoist conception of martial practice finds its most complete expression in Aikido, developed by Ueshiba Morihei in the 1920s. The art focuses on blending with an opponent, using feints and retreats to overcome an opponent, and the value of the yielding position to allow an opponent's power to overextend them. To use the classical distinction between *yin* 陰 (low, yielding, dark, mysterious) and *yang* (high, forceful, bright, apparent), Aikido is an art recognizing and utilizing *yin*. By contrast, arts like Karate or Taekwondo are far more focused on *yang*—on power, force, and the clash. One way the martial arts are commonly distinguished, which fits quite well with the *yin-yang* distinction, is to categorize them into soft and hard arts. The soft arts, such as Aikido and *Taijiquan* (Tai Chi), also tend to focus on the cultivation or development of *qi* (vital essence), and for this reason are also called, in the Chinese tradition, the "internal" (*nei* 內) arts. The use of martial arts to develop and sustain vital essence is related to practices throughout Chinese history connecting types of movement to development of *qi*. In the Daoist tradition, certain practices of meditation, breath control, and controlled movement were seen as having a link to cultivation of *qi*. As far back as the Western Han dynasty (206 BCE–9 BCE), manuals such as the *Daoyin tu* ("chart of exercises") advocated controlled movement (some in the form of certain animals) to strengthen the body and develop *qi*. Another particularly Daoist practice that contributed to martial arts was that of *xingqi* 行氣 (moving the *qi*). Certain physical practices, according to the tradition, could facilitate the movement of *qi* to different areas of the body, thus producing salutary effects to both that area and the body as a whole.⁴ The modern art of *qigong* is related to this practice.

The "hard" or "external" (*wai* 外) arts focus on power and are better known as the competitive arts today. Though the distinctions between hard/soft and internal/external are very general and not accepted by all schools, it can serve as a useful way to point out some basic differences between the arts.

The connection of Chan Buddhism in China to martial arts is mainly known through the famous story of the origin of Chinese martial arts at the Shaolin monastery, based on techniques brought to China by the Indian monk Bodhidharma. While this story is certainly apocryphal (there is no historical mention of martial art at Shaolin until the eighteenth century CE), the physical meditative practices of the Indian traditions introduced through Buddhism likely did have some influence on Chinese forms of physical culture, fighting, and martial art, just as did Daoist physical techniques. The much greater influence of Buddhism on

martial arts came in Japan in the tenth century with battles between Tendai Buddhist monks, and in the thirteenth century with the association of the Rinzaï school of Zen and the elite samurai class that became dominant in the Kamakura period (1185–1333 CE).

WORKS ON MARTIAL ARTS PHILOSOPHY

Though the traditional martial arts are perhaps not as popular in the US as they were in the '70s and '80s, after the rise of a number of martial arts film stars, there is certainly still interest. And interest in the related sport of "mixed martial arts" (MMA) has significantly increased in the last ten to fifteen years. Arts like Brazilian Jiujitsu and Muay Thai, which used to have only a tiny representation in the US, have exploded onto the scene (largely due to MMA).

Much of the most vital martial arts philosophy was written by nonphilosophers (those without academic philosophical training). Indeed, it is my own view that those with the greatest philosophical insight into the martial arts are expert practitioners, most of whom are not professional philosophers. Indeed, professional philosophical training may even be a *hindrance* to writing well about the martial arts philosophy. There is something about the way we write as professional philosophers that doesn't seem conducive to properly expressing the spirit of martial arts. The most profound philosophical reflections on martial arts I have encountered are by martial artists such as Bruce Lee, Ueshiba Morihei, and earlier figures such as the seventeenth-century Japanese swordsman Miyamoto Musashi. Works on martial arts and philosophy by contemporary professional philosophers are, of course, also very useful and interesting. Though it is still a very small (and fringe!) area, there are a number of articles and books on the topic, and philosophers are beginning to apply their unique talents to thinking about the martial arts.

A number of recent works in philosophy stand out. Graham Priest and Damon Young have edited two volumes including articles on various philosophical issues in the martial arts: *Philosophy and the Martial Arts: Engagement* (Routledge 2014) and *Martial Arts and Philosophy: Beating and Nothingness* (Open Court 2010). Barry Allen's recent book *Striking Beauty* (Columbia 2015) offers a philosophical consideration of the martial arts from the intersection of the Chinese and Western philosophical traditions. There are also philosophical studies of martial arts by scholars in related fields, such as Paul Bowman's *Martial Arts Studies: Disrupting Disciplinary Boundaries* (Rowman and Littlefield International 2015) and Daniele Bolelli's *On the Warrior's Path: Philosophy, Fighting, and Martial Arts Mythology* (Blue Snake Books 2008, updated from the original 1996 version). There is also a professional philosophy association devoted to the study of the area, the Society for the Study of Philosophy and the Martial Arts, which regularly organizes panels at APA Pacific meetings.

My own interests overlap with concerns in the texts by philosophers mentioned (some of which I describe further below) and with those by nonphilosopher martial arts experts. The work of Bruce Lee is, in my opinion, the consummate expression of modern martial arts philosophy.

His books, other writings, and interviews show his development of a coherent and philosophically interesting conception of the martial arts and self-development that has been largely ignored by scholars, perhaps in part because of Bruce Lee's "pop culture" cache. Studies of martial arts by professional philosophers, as far as I can tell, do not mention Lee's views, and when they do invoke him, it is generally to discuss his influence in popularizing martial arts in the US. The sole book devoted to Bruce Lee's philosophy (and one of my favorite books on martial arts philosophy), *The Warrior Within: The Philosophies of Bruce Lee* (McGraw-Hill 1996), was written by John Little, a fitness author who studied philosophy at McMaster University. Indeed, Bruce Lee himself studied philosophy at the University of Washington for some time before his martial arts career took off. Philosophers have much to learn from taking seriously and engaging with the work of martial artists like Bruce Lee, Ueshiba Morihei, and others.

Bruce Lee wrote a number of works on martial arts and philosophy, including some of his notebooks which have been published in the years since his death in 1973. A personal favorite of mine is *The Art of Expressing the Human Body*, organized from Lee's notebooks by John Little. A number of other martial arts experts have written excellent philosophical works on the martial arts (far more common than books on martial arts by professional philosophers). A few of my favorites are Joe Hyams's *Zen in the Martial Arts* (1973), Dave Lowry's *Sword and Brush: The Spirit of the Martial Arts* (1995), and Doug Cook's *Taekwondo: Ancient Wisdom for the Modern Warrior* (2001).

Some more historically distant practitioners who reflected and wrote on martial arts and philosophy are perhaps of most use to someone who would approach the subject. The founder of the modern art of Aikido, Ueshiba Morihei (known affectionately as *Osensei*, or "great teacher" by Aikido practitioners), wrote a number of works about this art he developed in the 1920s, the purpose of which is to defend oneself against enemies without harming them. A number of his sayings on Aikido are also collected in *The Art of Peace* (1992). Funakoshi Gichin, the founder of Shotokan Karate, also discusses philosophical aspects of the martial arts in his *Karate-do: My Way of Life*. Further removed, the *bushido* tradition of Edo Period Japan, perhaps the single most profound flowering of philosophical martial thought in world history, produced a number of invaluable texts on martial art and philosophy, including Miyamoto Musashi's *The Book of Five Rings*, Yamamoto Tsunetomo's *Hagakure*, Yagyu Munenori's *Heiho Kadensho* (translated by William Scott Wilson into English as *The Life-Giving Sword*), and perhaps the greatest philosophical work on martial art of the period, the Rinzai Zen monk Takuan Soho's *Fudochi Shinmyoroku* ("Spirit Record of Immovable Wisdom," translated into English by William Scott Wilson as *The Unfettered Mind*). In the *bushido* texts, martial arts are fused with Zen and Confucian ideals, and the arts are understood as themselves Zen techniques that focus the mind and in which such focus can create martial advantage. As we might expect, fighting and other military or violent activity was not often seen as consistent with the spirit of Zen, which, as a form of Buddhism, prized nonattachment and nonviolence as central to its way of life, aimed at

ultimately ending suffering. The association of the Rinzai (Chn *Linji*) school in Japan with the samurai class (or *bushi*) began with the rise of the samurai in the early thirteenth century, which coincided with the development of uniquely Japanese forms of the Rinzai school.

Below, I offer and discuss just a few of the interesting philosophical questions connected to the martial arts, some of which are discussed by other philosophers and martial artists, as well as others that have received less attention.

THE RELATIONSHIP OF MARTIAL ARTS TO VIRTUE AND VICE

Gillian Russell, in an article in Graham and Young's *Martial Arts and Philosophy* collection, writes about what she calls "epistemic viciousness" that may be caused by martial arts training. I would like to briefly consider this idea here, as I think Russell takes "closed mindedness and gullibility" as vices, something to which I (and probably most martial arts traditionalists) would agree. She also takes "unwarranted epistemic deference to seniors and historical sources, lack of curiosity about important related disciplines and lack of intellectual independence" as vices. This point is more problematic. What she calls vice, a number of people would consider to be virtue, at least in many cases. Whether we consider the states in this second class to be virtues or vices will be largely dependent on related views concerning the person and the proper relationship of the individual and community. This is a debate that played out over two thousand years in the Chinese philosophical tradition, generally between Confucians and their various opponents, including Daoists and Buddhists. It may turn out that viewing the martial arts as helping create virtues relies on a particular kind of conservative or communitist mindset traditional to certain East Asian philosophical schools such as Confucianism. These same states will appear vicious to those of a more individualist mindset (some Yangists, early Daoists, and contemporary liberal democratic thinkers). The fundamental question, if this is the case, is which of these, if either, is the proper understanding of the person and of virtue?

Whether the states Russell discusses count as vices depends on a number of things. One of these is whether martial arts actually do plausibly have "self-defense" as their ends. I contend that the martial arts do not, despite what teachers and practitioners often claim, either effectively contribute to self-defense or often have this as their actual end.

Russell asks,

Why are there so many fantasists in the martial arts, as compared to other activities? And there are; you won't find many sprinters or removal-men who would tell you that strength doesn't matter to their chosen tasks, nor will you find power-lifters who think they can move the bar without touching it or engineers who specialise in ki-distribution.⁵

One plausible answer is that, unlike lifting for the powerlifter and running fast for the sprinter, self-defense is not the primary activity or aim of the martial arts. Physical

violence is extremely rare in our society, and when it does occur, it usually happens with modern weaponry such as guns and knives, or even bats, tire irons, and sticks.⁶ No martial art will help you defend against guns and knives, unless you specialize in the martial art of wearing bulletproof. A course in modern self-defense would most plausibly include instruction on situational awareness, how to escape, hide, etc., and would not involve much physical contact at all. Things rarely come to physical violence in nonmilitary situations. And when they do, the techniques we learn in the martial arts I know of are simply not very effective—or not much more so than raw fighting ability. Poking eyes, biting, scratching, and grabbing sensitive areas are most likely to be effective in such a situation, in part because only a fool will square up one-on-one as in a boxing or MMA match if they truly intend to do you harm, and escalation to physical violence is not something humans generally do automatically and on their own (without supportive others). The ex-military psychologist Dave Grossman discusses the human aversion to face-to-face violence and the surprisingly great effort it takes most of us to be able to engage in it.⁷ Add to this the fact that most people who attempt to commit physical violence on others are not trained in combative techniques—your likelihood of being physically attacked by *anyone* is fairly low⁸ (this rises if we consider sexual assault⁹), but your likelihood of being attacked by a trained fighter without weapons like a gun or knife is *astronomically* low unless you're James Bond. There may be some helpful techniques one can learn, but having a strong and conditioned body is likely the best thing one can do to prepare oneself for such a remote possibility.

The discussion about *justified* vs. *unjustified* deference seems to me to presume a particular (and possibly problematic) conception of the value of deference. We can look to Confucianism here for help, as the Confucian tradition developed, over more than two thousand years, robust conceptions of deference and authority far beyond anything we find in Western philosophy. One of the attitudes in martial arts Russell sees as a vice is what she calls “deference to history.” She argues that following the norms of a historical antecedent based on deference to this figure is clearly a vice, saying,

Famous Historical Master said such and such, therefore you should believe such and such—wouldn't pass muster in other areas. If you tell a long-distance runner that Pheidippides, the original marathon-runner, said that athletes should not spend time thinking about their equipment, but should focus their minds on the gods, he might say something like “oh yes, that's interesting” but he wouldn't infer that he should stop replacing his running shoes every 400 miles. Runners think that the contemporary staff of Runner's World know more about running than all the ancient Greeks put together.¹⁰

She continues to argue that deference to historical antecedents can lead to the vice of believing everything one's martial forebears said, even where it conflicts with evidence. The Confucians themselves encountered just

this kind of argument in the Warring States Period against deference to the historical sages, in the thought of Hanfeizi and the Legalist school (*fajia* 法家).

The Confucians generally advanced a number of considerations to support deference to historical sources. First, they considered one's historical forebears as important parts of oneself.¹¹ For this reason, commitment to self-development *requires* a commitment to the Way (*dao* 道) of one's ancestors and teachers. Second, the Confucian conception of a proper Way, including rituals connected to particular roles, was grounded in the practices and concerns of the great historical forebears Confucians referred to as the sages (*sheng ren* 聖人) and the “former kings” (*xian wang* 先王). Outside of the context of the structures they helped to build, there is simply nothing that we can rely on to determine the proper Way. Our Way is in part defined by their Way, and thus when we claim that the historical masters acted in a particular way, we are claiming that it is in part *constitutive* of the practice we engage in to act in this way. Perhaps one *could* wrestle a person to the ground and choke them out as in a UFC match, but this is not something Funakoshi Gichin (for example) endorsed, which is, in essence, to say that while it may be effective enough for beating someone, “it's just not Karate!”

Finally, as I have argued above, there has been far too much focus on the martial arts as creating fighting ability or the ability to harm others. There is plenty of evidence that, all things considered, martial artists do not have more opportunity or ability to physically harm others than any other individual, especially considered in a one-on-one “fight.” Conor McGregor is an excellent mixed martial artist, but if an untrained teenager meets him in an alley and picks up a metal post or a sign to assault him, McGregor is almost certainly going to be badly hurt. Perhaps the worst intellectual vice that can be created by martial arts training is one rarely discussed—the fact that despite our training, skills, and ability, we likely still do not have significantly better chances in physically violent encounters with others than we would without training. The fact is that the human body is not a particularly effective tool for inflicting anything more than superficial harm on the body of another human being.¹² Our efficiency at harming other human beings, animals, and the planet itself is due to our development of the ability to use tools, such as weapons, rather than any features of our bodies. It is simply implausible that training in martial arts will make us anything but minimally better as *fighters* in the sense of people who are skilled at harming others through physical violence while minimizing harm to themselves. “Hard headed” martial artists (usually in MMA) often disparage arts such as Aikido because they say that their techniques require “compliance” to be effective, that is, nonresistance or minimal resistance from the person on whom the technique is performed (*uke* in the Aikido terminology). Yet the same can be said of any martial art technique, including the most vicious strikes in an MMA octagon. In order for your low roundhouse or spinning elbow strike to be effective against an opponent, it requires them to avoid throwing a vase at you or hiding behind a desk to keep you off of them, or even picking up a tire iron and breaking your leg when you throw the kick. A different kind of “compliance” is necessary.

Barry Allen engages in an extended reflection on the question of what martial art is in his recent book on the topic. He argues that although martial art shares some features with both dance and sport, it cannot be understood as either. Allen's conception of the martial arts is restricted to the Asian martial arts, as he argues that sports such as boxing do not count as martial arts because their end is violence, or, at most, victory over an opponent in the ring. Indeed, he argues that features of the Western tradition itself and its view of the body necessitate this attitude toward physical culture. In the Asian martial arts, on the other hand, the ultimate goal is self-development, and violence as such is avoided even though the techniques developed are, at their core, violent.¹³ I agree with this general view and think that the main focus of the martial arts is not only nonviolent in nature, but, on certain conceptions of the martial arts, they can actually promote social harmony.

DEVELOPMENT OF CHARACTER AND THE QUESTION OF "HONEST SELF-EXPRESSION"

Throughout my own years of practicing and teaching the martial arts, I have come to see them as representing many things, and resisting an easy categorization as one particular focused kind of practice, or having one particular kind of significance. The martial arts contain multitudes, and martial art is a practice as broad and with as many meanings as there are practitioners. There are, however, a few purposes that rise to the top in most discussions of the martial arts. Martial arts as contributing to self-discipline and development is one of these. A closely related purpose less often explicitly expressed, but just as prized by practitioners, is self-expression through movement. In our martial arts practice we cultivate the ability to move in certain ways that create a sense of self. This sense of self may be connected to the confidence of a trained fighter, or the sense of the beauty of the developed body, or any of the myriad physical concerns that lead one to endure years of martial arts practice. When we perform martial art movements, we enact this sense of self, performing it whether for an audience or alone. The key, and what takes years of training, is for the movements we perform to accurately express the sense of self we have developed. Our movement becomes a *description* of this sense of self.¹⁴

One of my favorite quotes of any kind, martial arts-related or otherwise, comes from Bruce Lee, in a famous television interview he gave in 1971:

To me, ultimately martial art means honestly expressing yourself. Now, it is very difficult to do. I mean, it is easy for me to put on a show and be cocky, and be flooded with a cocky feeling, and then feel like pretty cool and all that. Or I can make all kinds of phony things, you see what I mean, and be blinded by it, or I can show you some really fancy movement. But to express oneself honestly, not lying to oneself, and to express myself honestly—now that, my friend, is very hard to do.¹⁵

There are a number of interesting philosophical things going on in this interview, and this section of it in particular. Just what is being expressed in martial arts movement? What is

the relationship between intention and the movement of the body in ways that express these intentions—not just to move an arm, but to tell a story, to reveal oneself? There has been quite a bit written about these issues in other areas in philosophy, surrounding embodiment in related practices such as dance. This, I think, is one of the most promising areas for future study of martial arts philosophy, and it connects with work in numerous other emerging areas in philosophy.

To develop oneself as a martial artist, in terms of communicative ability, control over one's movements, the "sense of self" that comes from development of those abilities and development of the body, and the expression of that self through movement—this is the "honest self-expression" Bruce Lee discusses. This is much more akin to dance or to arts like bodybuilding which involve physical development followed by expression (through posing) than it is to most activities we would call "sports." The nature of martial arts seems to make them hybrid—martial art can be sport (in sparring competition, for example), art, or both (sometimes these conflict, and sometimes people run together these two aspects of the pursuit).

CONCLUSION

While the practice of meditation has featured in studies of Asian philosophies for quite some time, study of the martial arts by professional academic philosophers is still relatively new on the scene. Despite this, there is already excellent work on the topic, and many suggestive areas for further development. There are a number of interesting philosophical questions connected to the identity and practice of the martial arts, only a few of which I briefly explored here. It is a topic I hope more professional philosophers, particularly those who are experts in the martial arts, will take up as a topic of philosophical study. The martial arts show us the possibility of doing philosophy, in its purest sense of struggling to understand the self and the world, through movement. As Bruce Lee said,

The way that I teach it, all types of knowledge ultimately mean self-knowledge. So therefore my students are coming in and asking me to teach them not so much how to do somebody in; rather, they want to learn to express themselves through some movement, be it anger, be it determination, or whatever. So, in other words, what I'm saying therefore, is that they're paying me to show them, in combative form, the art of expressing the human body.¹⁶

NOTES

1. 화랑 in the native Korean *Hangul* phonetic system. *Hangul* did not exist at the time of the Silla.
2. There were likely martial practices related to these arts prior to this time, but these practices were not systematized or integrated into any kind of fighting school. The situation is similar to that of modern sport—the sport of football (soccer) was created as such in the nineteenth century, but there were previous less structured games related in some way to the modern sport that inspired it. Indeed, both soccer and rugby developed from early forms of football, structured in different ways as systematic rules were imposed on the early game.

3. Evan Thompson, in his review of Barry Allen's *Striking Beauty*, discusses the interest in Western boxing in China during the Republican period and the possibility that it may have been an important influence on the development of the art of Wing Chun.
4. Kohn, *Science and the Dao: From the Big Bang to Lived Perfection*, 111–12.
5. Russell, "Epistemic Viciousness in the Martial Arts," 132.
6. Perhaps there is a connection between times of relative peace and the study of martial techniques as art and sport. Much of the most famous *bushido* literature in Japan, for example, was written during a time of martial decline and peace, ushered in by the conquest of Japan by Tokugawa Ieyasu in 1600, which established a Shogunate that lasted until the nineteenth century.
7. Grossman, *On Killing: The Psychological Cost of Learning to Kill in War and Society*. This is not a claim that humans are not violent toward one another, but rather that the closer the (lethal) violence is to hand-to-hand direct violence, the more difficult it becomes.
8. In 2012 the aggravated assault rate nationwide was 2.4 incidents per 1,000 persons. The simple assault rate nationwide the same year was 18.2 incidents per 1,000 persons (2015 *National Center for Victims of Crime Resource Guide*, http://victimsofcrime.org/docs/default-source/ncvrw2015/2015ncvrw_stats_assault.pdf?sfvrsn=2).
9. Though it is far less than clear that martial arts techniques would be effective in such situations either.
10. Russell, "Epistemic Viciousness in the Martial Arts," 138–39.
11. For an interesting consideration of something like this idea, see Kupperman, "Tradition and Community in the Formation of Character and Self."
12. Note that it is very rare for serious (immediate) damage to happen even in cases in which people are attempting to knock each other out, as in boxing or mixed martial arts matches. There have been cases of people killed by a single blow—the so called "one-punch killers" in Australia being an example (<http://www.telegraph.co.uk/news/worldnews/australiaandthepacific/australia/10670485/Australia-leading-the-way-in-crackdown-on-one-punch-killers.html>)—but even in these cases it is not a punch that kills the victim, it is the hitting of their heads on concrete when they fall over. It is doubtful whether we should consider this effective violence against another using the human body. It is more akin to a case of killing someone by pushing them off a building or shoving them in front of an oncoming car.
13. Allen, *Striking Beauty: A Philosophical Look at the Asian Martial Arts*.
14. A number of philosophers have considered the idea of movement as expressing meaning or movement as language. Philosophers and other scholars working on dance in particular are sensitive to this. See Bresnahan, "The Philosophy of Dance," for a discussion of the issue of expression of meaning in dance.
15. Bruce Lee, from a 1971 interview on the Pierre Berton Show. Also discussed in Little, *The Warrior Within: The Philosophies of Bruce Lee*, 133.
16. Bruce Lee, in Little, *The Warrior Within*, 131.

REFERENCES

- Allen, Barry. *Striking Beauty: A Philosophical Look at the Asian Martial Arts*. New York: Columbia University Press, 2015.
- Bowman, Paul. *Martial Arts Studies: Disrupting Disciplinary Boundaries*. London: Rowman and Littlefield International, 2015.
- Bolelli, Daniele. *On the Warrior's Path: Philosophy, Fighting, and Martial Arts Mythology*, second edition. Berkeley: Blue Snake Books, 2008.
- Bresnahan, Aili. "The Philosophy of Dance." In *Stanford Encyclopedia of Philosophy*. January 12, 2015. <https://plato.stanford.edu/entries/dance/>.
- Cook, Doug. *Taekwondo: Ancient Wisdom for the Modern Warrior*. Wolfeboro: YMAA Publication Center, 2001.
- Funakoshi, Gichin. (Reprint). *Karate-do: My Way of Life*. New York: Kodansha USA, 2013.
- Gomez, José María, Miguel Verdú, Adela González-Megías, and Marcos Méndez. "The Phylogenetic Roots of Human Lethal Violence." *Nature* 538 (October 2016).
- Grossman, Dave. *On Killing: The Psychological Cost of Learning to Kill in War and Society*. New York: Back Bay Books, 2009.
- Hyams, Joe. *Zen in the Martial Arts*. New York: Bantam, 1973.
- Hutton, Eric. "Han Feizi's Criticism of Confucianism and its Implications for Virtue Ethics." *Journal of Moral Philosophy* 5 (2008): 423–53.
- Kohn, Livia. *Science and the Dao: From the Big Bang to Lived Perfection*. Cambridge MA: Three Pines Press, 2016.
- Kupperman, Joel D. "Tradition and Community in the Formation of Character and Self." In *Confucian Ethics: A Comparative Study of Self, Autonomy, and Community*, edited by Kwong-loi Shun and David B. Wong, 103–23. Cambridge: Cambridge University Press, 2004.
- Lee, Bruce. *The Art of Expressing the Human Body*, edited by John Little. North Clarendon: Tuttle, 1998.
- Little, John. *The Warrior Within: The Philosophies of Bruce Lee*. New York: McGraw-Hill, 1996.
- Lowry, Dave. *Sword and Brush: The Spirit of the Martial Arts*. Boulder: Shambhala Publications, 1995.
- Miyamoto, Musashi. *The Book of Five Rings*, trans. William Scott Wilson. Boulder: Shambhala Publications, 2012.
- Priest, Graham, and Damon Young, eds. *Martial Arts and Philosophy: Beating and Nothingness*. Chicago: Open Court, 2010.
- . *Philosophy and the Martial Arts: Engagement*. London: Routledge, 2014.
- Roberts-Thompson, Simon. "The Promise and the Peril of the Martial Arts." In *Philosophy and the Martial Arts*, edited by Graham Priest and Damon Young. New York: Routledge, 2014.
- Russell, Gillian. "Epistemic Viciousness in the Martial Arts." In *Martial Arts and Philosophy*, edited by Graham Priest and Damon Young. Chicago: Open Court, 2010.
- Takuan, Soho. *The Unfettered Mind: Writings from a Zen Master to a Master Swordsman*, trans. William Scott Wilson. Boulder: Shambhala Publications, 2012.
- Thompson, Evan. "Review of Barry Allen, *Striking Beauty*." In *Notre Dame Philosophical Reviews*. March 18, 2016.
- Ueshiba, Morihei. [1933]. *Budo Training in Aikido*. Tokyo: Japan Publications, 1997.
- Ueshiba, Morihei. *The Art of Peace*, trans. John Stevens. Boulder: Shambhala Publications, 1992.
- Yagyū, Munenori. *The Life-Giving Sword: Secret Teachings from the House of the Shogun*, trans. William Scott Wilson. Boulder: Shambhala Publications, 2012.
- Yamamoto, Tsunetomo. *Hagakure: The Book of the Samurai*, trans. William Scott Wilson. New York: Kodansha USA, 1992.



APA NEWSLETTER ON

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FROM THE EDITORS

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Welcome to the spring 2018 Issue of the *APA Newsletter on Feminism and Philosophy*, co-edited by Julinna Oxley and Serena Parekh. The special topic of this issue is feminist perspectives on policing. There are three articles in this issue and three book reviews. Many thanks to all those who submitted articles, reviewed books, and to those who acted as reviewers of submissions for this issue of the newsletter.

Given the publicity that surrounds contemporary policing practices, and the attention being raised by groups such as the NAACP and Black Lives Matter, we thought that the time is ripe for taking a feminist lens to contemporary policing practices. While there is not yet a robust philosophical literature on the issues involved in policing, the ethical, legal, and political issues involved in contemporary policing practices are receiving more attention from academics, and a feminist perspective is crucial to this discussion.

Two essays in this issue focus on current topics in American police practices. Both take an interdisciplinary approach to studying the criminal justice system and its effects on women and families. The first essay focuses on the way that families under the state's scrutiny via social programs are policed in unfair ways, both by the police and by the department of family and children's services. The police serve as an arm of this agency and engage in practices that further endanger and disrespect children and their families. This essay's methodology involves personal interviews in addition to national data, and while this approach is not typical, it provides a compelling and insightful analysis of the effects of policing on mothers and children in the system.

The second essay focuses on the plight of Black women in the criminal justice system. While the practice of mass incarceration and its effects on people of color have received in-depth treatment by Becky Pettit in *Invisible Men: Mass Incarceration and the Myth of Black Progress*, Michelle Alexander in *The New Jim Crow*, and Angela Davis in *Policing the Black Man*, Black women remain in the background of these discussions. As the author argues, Black women become socially invisible in this mass incarceration in a way that results in a functional genocide.

Our hope is that more feminists in philosophy will become aware of these issues in the criminal justice system and seek to shed additional light on them for the purposes of social change. We are grateful to our authors for spearheading this discussion.

We've also included one additional article that falls outside of the topic for this special issue. This essay looks at data from the book review sections of three major philosophy journals in order to assess how women philosophers' books are treated in the book review sections. Because representation of women in publications is such an important issue to feminist philosophers, we've included it here. We hope that it will begin a discussion about what the data they present means for the profession as a whole.

ABOUT THE NEWSLETTER ON FEMINISM AND PHILOSOPHY

The *Newsletter on Feminism and Philosophy* is sponsored by the APA Committee on the Status of Women (CSW). The newsletter is designed to provide an introduction to recent philosophical work that addresses issues of gender. None of the varied philosophical views presented by authors of newsletter articles necessarily reflect the views of any or all of the members of the CSW, including the editor(s) of the newsletter, nor does the committee advocate any particular type of feminist philosophy. We advocate only that serious philosophical attention be given to issues of gender and that claims of gender bias in philosophy receive full and fair consideration.

SUBMISSION GUIDELINES AND INFORMATION

1. Purpose: The purpose of the newsletter is to publish information about the status of women in philosophy and to make the resources of feminist philosophy more widely available. The newsletter contains discussions of recent developments in feminist philosophy and related work in other disciplines, literature overviews and book reviews, suggestions for eliminating gender bias in the traditional philosophy curriculum, and reflections on feminist pedagogy. It also informs the profession about the work of the APA Committee on the Status of Women. Articles submitted to the newsletter should be limited

to ten double-spaced pages and must follow the APA guidelines for gender-neutral language. Please submit essays electronically to the editor (s.parekh@neu.edu). All manuscripts should be prepared for anonymous review. References should follow *The Chicago Manual of Style*.

2. Book Reviews and Reviewers: If you have published a book that is appropriate for review in the newsletter, please have your publisher send us a copy of your book. We are always seeking new book reviewers. To volunteer to review books (or some particular book), please send the editor a CV and letter of interest, including mention of your areas of research and teaching.

3. Where to Send Things: Please send all articles, comments, suggestions, books, and other communications to the editor: Dr. Serena Parekh, Northeastern University, s.parekh@neu.edu.

4. Submission Deadlines: Submissions for spring issues are due by the preceding November 1; submissions for fall issues are due by the preceding February 1.

NEWS FROM THE COMMITTEE ON THE STATUS OF WOMEN

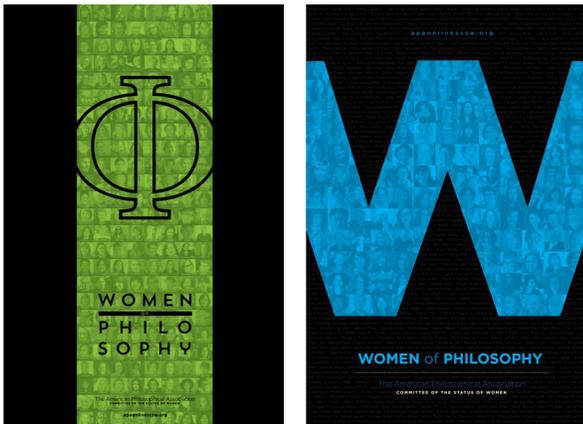
COMMITTEE MEMBERS FOR 2017–2018

As of July 1, 2017, the CSW comprises Charlotte Witt (chair), Peggy DesAutels (*ex officio*), Serena Parekh (*ex officio*), Margaret Atherton, Amy Baehr, Rachel V. McKinnon, Julinna C. Oxley, Peter Railton, Michael Rea, Lisa Shapiro, Katie Stockdale, and Yolanda Wilson.

NEW CSW POSTERS

We are delighted to announce that two new posters are available for purchase on the CSW website (<http://www.apaonlinecsw.org/>).

Each is a large photo montage of a different design and bears the title “Women of Philosophy.” The designs, by Chad Robinson, are a must-buy for departments and offices.



CSW WEBSITE

The CSW website, at <http://www.apaonlinecsw.org/>, continues to offer posters featuring contemporary women in philosophy as well as news about women philosophers.

Links to excellent resources include one to a database on teaching, with articles and readings; another to the crowd-sourced directory of women philosophers; and one to the APA Ombudsperson for Nondiscrimination, who will receive complaints of discrimination and, where possible, serve as a resource to APA members regarding such complaints.

SITE VISIT PROGRAM

The site visit program conducted one visit in November 2017 and another one in February 2018.

CSW SESSIONS AT APA MEETINGS

The Eastern Division session sponsored by CSW, “Inclusivity in the Teaching and Practice of Philosophy,” was cancelled due to bad weather.

ARTICLES

Policing Families: The Many-Headed Hydra of Surveillance¹

Mechthild Nagel

SUNY CORTLAND

The child froze and didn't say another word. At the entrance of the park, a police car pulled in.

Prior to seeing the car, she had talked easily to the emergency medical staff who had arrived ahead of the police. Her mother Nancy whispered to me, “Jasmine* is terrified of cops.” The event where this took place was an emergency-preparedness workshop organized by a social justice group for parents who had run-ins with the “system.” It was by invitation only because most of the parents had been “indicated” by Child Protective Service workers, and their status as “fallen” parents meant that they couldn't congregate with others similarly situated. A United Way staff member gave the training in the shed next to the playground, a convenient location for parents to bring their children along. However, the staff member had dialed 9-1-1 when Jasmine fell from a slide onto her head. That call triggered a visit from both EMT and city police. A trip to the hospital would have triggered another call—to the much-hated Child Protective Services (CPS), a division within the Department of Social Services (DSS), considered by economically disadvantaged parents to be worse than the police. And then Nancy would have had to get affidavits from all of us adults (who weren't “indicated”) stating that she had not pushed her child. So, in light of this hypothetical scenario, Nancy refused all services and did not give her name to the medics. A healing salve fortunately worked wonders for Jasmine, who was pain-free the next day.*

Nancy knew all about the DSS. She had tried to escape their grip before. When pregnant, she had fled to another

jurisdiction to give birth, but to no avail: since she used her proper name and Medicaid card, DSS from Sunshine County was able to find and “hotline” the mother and demand that the hospital hold the baby until a CPS worker could come and whisk the child away. She is one of the few parents who have been successfully reunited with her children. However, the trauma of separation is quite significant and was compounded for the children when they faced abuse, allegedly, in the foster home. For Nancy, and for many similarly situated white families, escaping to the South has been the only way to evade an unjust policing system.

* A pseudonym. The family and the county mentioned are anonymized to protect the families and advocates. These are cases which mother-respondents have reported directly to me or in which I have been involved as a witness.

This narrative, based on a situation which I witnessed in 2014, gives a glimpse of the effects of Social Services’ policing powers on poor families. In what follows, I give my reflections on the policing of poor families in one county in the United States; however, I submit that zealous policing by CPS workers is not an aberration but supported by national policy and law. It is heartening that the work of public philosophy on mass incarceration and solitary confinement is growing, and my modest wish is to ask philosophers to extend that critique into the invisible realm of mass criminalization of parenting and poor families. Specifically, I believe that this reflection has important implications for how we do feminist scholarship on criminal justice and policing going forward. Criminal justice research focuses almost exclusively on the role of police officers and argues that although they do not intend to, police do end up in roles and processes that often result in criminalizing certain communities. There is very little attention given to the surveillance role of Child Protective Services (CPS), and this paper seeks to explain the similarities between policing families and policing communities. By analogy, I argue that the policing arm of CPS intends to keep children safe but does not review carefully the impact of their policies and processes on the families targeted. The modern nation-state invokes the right to broad policing power in order to protect individuals, groups, and property; to deter individuals and groups from committing harm; and to seek appropriate punishment for those who committed harm within the constraints of the rule of law. Police officers who do not uphold the color of law may be prosecuted and, even if they do not face conviction, they may lose their jobs. What kind of equivalent policing roles exist for CPS workers? Does it even make sense to compare their jobs, which deal exclusively with child welfare and protection, to police officers’ duties? There is indeed at least one significant difference. The standard for suing is different. While one can sue officers if they do not follow the law, the caseworkers can only be sued if they fail to act in good faith—something that no one could really prove. And if it is the case that there are similarities and even overlapping responsibilities between the two agencies, how does their work affect parents’ parenting strategies?

This paper focuses primarily on the policing role of CPS within the context of US child welfare practice and family law. Drawing on Miranda Fricker’s theory of epistemic

injustice,² I argue that the testimonies of stigmatized parents cannot be heard within social services and the legal community; furthermore, the child welfare system is experienced as oppressive by mothers and is practically immune to resistance. Part of the problem is that law schools rarely offer courses in family defense³ or child welfare.⁴ Even human rights advocacy groups are almost non-existent in the family defense context. The technical term of “child welfare” or “child protection” refers to a number of government actions, namely, “investigations of allegations of child abuse or neglect, the placement of children in foster care, and the termination of parental rights to make children eligible for adoption.”⁵ Guggenheim argues that there is undue attention paid to abused and murdered children, and it entails a number of policies that are intended to provide an early alert system, but it is overzealous in its implementation by denying parents fundamental protection against an invasive state bureaucracy.

I argue that Child Protective Services tends to subscribe to an elitist ideology and ableist, racist, and neo-colonial practices, targeting the poor, families of color, and those who are socially stigmatized because of criminal records. Those parents targeted and ensnared by CPS workers often find them to be far more menacing than the repressive tactics and criminalization practices employed by police officers. The CPS’s own dragnet depends on the complicity of county therapists, mental health service providers, drug counselors, and, of course, school personnel who are also mandated reporters. Worst of all, parents who are “hotlined”⁶ by neighbors or family members, considered to be “permissive reporters,”⁷ will never know who targets them with a false allegation. The hotline policy was instituted in 1974 through the Child Abuse Prevention and Treatment Act (CAPTA) and completely overhauled the child welfare system. It is perhaps not too farfetched to call these “hotlines” our contemporary *lettres de cachet*: Some 6.3 million hotline calls were placed in 2012, and some 40 percent of caregivers are found to be “indicated,” which means that child protection investigation substantiated “some credible evidence” of child neglect or abuse. Millions of parents join the child abuse registry (called “the register”) every year, and even if they win in court, their name is often not automatically expunged from the state registers. Many indicated parents may even stay on the register for life.⁸ Today, the register is clearly used to stigmatize parents and prevent them from pursuing jobs where they would interact with children or teens. The original intent of the register was for epidemiological purposes and to target state funding for children deemed most at risk. It was not meant to criminalize caretakers.⁹

CHILD WELFARE RIGHTS OR WRONGS

We must ask ourselves how the policy of child removal really is in the best interest of the child and contributes to child welfare. In this section, I focus on two traumatic effects of such “policing.” Sunshine* County has the highest child placement rate in the state since a new commissioner came to town ten years ago.¹⁰ Prior to that punitive era, the Department of Social Services used a strength-based approach, keeping families together and using the draconian measure of removal as a last resort. Today, it is used as “the

first resort," even where no cruelty or negligence can be established and even where less disruptive measures (such as supervision) could be employed. Retired DSS workers have reported to me that at annual parties, workers chant the slogan "They hatch them, we'll snatch them," referring to their first-resort policy of breaking up families without cause. Unlike other jurisdictions, Sunshine's CPS workers, many of whom do not have a social work college degree, target poor, white families. Generally speaking, Sunshine County's rate of punitive foster care is an outlier in the state, and there is no shortage of egregious, wrongful removals. A neighboring county's CPS worker gasped after one such removal, "I think I am seeing legal kidnapping here!" when the Sunshine CPS worker removed a newborn baby and allegedly told the exhausted mother, "You have been in the system as a foster child, your mother was no good, and so you will be a bad mother too!" However, in this case, no hospital worker had reported any evidence of neglect or abuse. Thus, a preemptive strike against the right to motherhood takes its traumatic course. At that early point of separation, irreparable harm in the child's socio-psychological development had already been committed, because the baby's first two years are considered a critical period: Proponents of attachment theory note the occurrence of an *ur-trauma* after even a brief separation at birth (some five days), which effects negatively the mother-child relationship and contributes to the child's increased propensity toward aggressive behavior.¹¹ Doting foster parents cannot make whole what has been severed so violently: the kinship relation to the mother.

The other trauma occurs when a toddler or school child either encounters the shackling of their parent or they themselves are deposited in the police car and driven to complete strangers and new environments, forcing change on all levels, including changing school systems. Jasmine experienced forced removal by police officers and thus developed her distrust of police in general. Her mother worries about a future time when Jasmine might have to face a "resource officer," in high school, patrolling the school and frisking students at will. The child's PTSD is real. Nancy reports, "my oldest is still concerned about it a bit—she made a comment back a few months ago of why she picked her seat in the spot it is at the table . . . so she can see both doors just in case they ever come back. 'I'll see 'em 'n be ready for them. Nobody will ever tear my family apart again or take me from my mom.'"¹² This behavior is akin to that of returning soldiers or returning citizens (from prison), coping with the stress of (surviving) war or witnessing others being shanked in mess hall. As already mentioned, the trauma is often compounded when they face abuse in the foster family. In Nancy's children's case, egregious abuse allegedly occurred in the foster home. One of the daughters vows never to have a child or partner, to protect herself from having anybody close to her be exposed to violence by strangers.¹³

Critics of the foster care system and foster caretakers alike have mentioned to me the prevalence of psychotropic medication: the majority of foster children receive multiple drugs a day, often having severe side-effects.¹⁴ State agencies now openly discuss that removal causes anxiety and trauma for children of all ages, and CPS workers and

foster caretakers are being taught in trauma care.¹⁵ What is not being discussed state-wide is how to minimize CPS workers' vast discretion with removal proceedings and how to strengthen families and disrupt the foster-care-to-prison pipeline. Furthermore, parents are also deeply traumatized and are not given appropriate resources by DSS to overcome the obstacles in order to reunite the family.

THE MEANING OF SURVEILLANCE

Surveillance of poor families strikes at the heart of the unjust practice of policing. Parents are rendered powerless in the choices of whom they consort with, whom they date, and they have to give their children "the talk" when it comes to interacting with personnel from Social Services within school or kindergarten. Children learn to distrust adults who are authority figures and may have anxieties about encountering the school nurse, resource officer, or their own psychiatrist. For parents and children alike who are "in the system," they do not have a right to privacy. In fact, the parents must sign release forms for a broad range of medical services (and others), and information gathered from counseling sessions may be used against them in court. In the case highlighted at the beginning of the article, Nancy had to weigh the benefits of medical intervention for Jasmine with the cost of losing the child (again) to "the system." Nancy is an "indicated" parent, which means that "some credible evidence" was found supporting the allegation of abuse or neglect. Armed with this "indicated" report, the CPS investigators can remove a child without court order, but they then have to seek court order within twenty-four hours confirming it. The CPS version of the situation is almost always confirmed by the courts Sunshine County (whereas only in 40 percent of the cases nationwide). The "indicated" parent also suffers other stigmatizing consequences, similar to a person who is on probation or parole. The parent is supposed to stay away from other indicated parents, which includes a prohibition against dating an adult who has had children removed or is a felon. This is even the case when the person who was formerly incarcerated had charges unrelated to child abuse. However, the pool of eligible adults is quite limited, and the state often uses the accusation of the parent engaging in "inappropriate" socializing practices as the last straw to deny the return of children, even if the parent was otherwise docile, compliant, and finished successfully all boiler-plate parent programming. In certain school districts in Sunshine County, there is such a prevalence of indicated parents that there is nobody left to participate in PTA meetings. Parental involvement in children's learning is key to children's success in staying in school and graduating with a diploma. Disrupting systematically such essential opportunities as parent-teacher conferences prepares the child for the social-services-to-prison pipeline.¹⁶ Children who are shuttled to different foster homes or group homes tend to lack a steady adult advocate and are more likely to be caught engaging in illicit behavior or statute offenses such as truancy than children who do not face removal proceedings. Again, it is important to point out that the policing mechanism of surveillance affects more children in foster care than those who grow up under the watchful eye of their parents and/or in wealthy neighborhoods.¹⁷ In fact, the new "free-range" parenting movement has become policed by Social Services (and the courts). What

is novel is that a few wealthy white parents are all of the sudden charged with neglect when they fail to supervise their children who walked alone to a park. In 2015, one couple was found “responsible for unsubstantiated child neglect,” a judgment considered “Orwellian” and “a legal purgatory” by their lawyer.¹⁸ It was the first case of its kind, not because it was an overreaction by CPS but because the family targeted is wealthy and highly educated. Nationwide, investigators who work for Child Protective Services concentrate on poor Black neighborhoods, and studies have shown that CPS workers are more than three times as likely to report Black children’s accidental injuries as suspicious than accidents involving white children.¹⁹

IN THE TENTACLES OF FAMILY COURT AND CRIMINAL COURT

The field of family defense, which advocates for indicated parents, is considered to be in its infancy.²⁰ Lawyers who file appeals on behalf of the aggrieved parents are stigmatized as “parents’ advocates” or, worse, they may no longer receive assigned cases in family court. In Sunshine County, the family court judge assigns cases, not a third party; thus, there is the appearance of favoritism. Lawyers also tell me that a bigger problem is that, in general, the appellate courts grant too much deference to the rulings of family court so the level of oversight is not the same as it is in criminal court. Furthermore, the standard is too gray—family court always falls back on “credibility determinations” made by the judge.

Guggenheim and Sankaran argue that criminal prosecutions and child protection cases are treated very differently in the United States. The state does prosecute the rich and socially connected in criminal court, but it never pursues them in family court. The state only targets poor and marginalized parents for neglect and abuse of their children.²¹ Guggenheim and Sankaran’s findings support the claim of penal abolitionist Hal Pepinsky, who co-created the term of criminology as peacemaking, that there is no social pressure whatsoever for prosecutors to “lay child sexual assault charges against a well-established biological father and extraordinarily rare for child protection workers and family judges to believe children who allege they are being sexually abused by their fathers, especially by fathers who otherwise have impeccable community reputation.”²² By contrast, in Sunshine County, parents who face neglect charges in family court have been thrown into jail for far less serious charges than those Pepinsky mentions. In some cases, the CPS worker reported that they suspected the parent abusing drugs, because they a) appeared too thin or b) had missing teeth or acne. Thus, family court may not protect a parent facing spurious allegations from incarceration and losing their child to foster care. Most prison justice activists never focus on the punitive sphere of family courts, even though public defenders report having a larger caseload in family court than in criminal court. Notably, of the hundreds of cases litigated every year by the public defender’s office in Sunshine County, few are ever appealed, even though the judge mostly sides with the DSS lawyer and adjudicates against the errant parent. In the case of Nancy, mentioned in the beginning of this paper, it was a tenacious assigned counsel who, as the

children’s attorney, appealed successfully and was able to reunite Nancy with Jasmine and the other children.

When criminal justice activists neglect their focus on the punitive tentacles of family court, they also ignore a gendered reality. Clearly, family law cases are a bigger chunk of court proceedings and inevitably target women. DSS polices the constitutionally protected right of motherhood—prenatally and at birth—through mandatory drug tests. Furthermore, because the mothers are on Medicaid, they can easily be “hotlined” at birth, since hospitals enter their insurance data on the computer and data are shared with the Sunshine County agency. Hence, women actually are more affected by the surveillance mechanisms of the judicial system than men. This fact is obscured because policing is usually seen in terms of police officers issuing arrests; however, in jurisdictions like Sunshine, NY, that are hostile to a poor parent’s right to raise his or her children, the CPS worker comes along with police officers, who tend to terrify the children with long-lasting effects. So we see a double-prong approach to policing here: the supposedly benign face of a CPS investigator who takes away children under the protective gaze of a police officer, who typically supports the CPS worker’s account. It is rumored that all CPS workers in Sunshine County have to make quotas each month to justify keeping their jobs. And the cynical reality of such quotas means that CPS workers find parents neglectful rather than devise ways to strengthen family bonds or dismiss frivolous hotline charges altogether.

Furthermore, family law clearly is not something that prison critics focus on at all, given the grim reality that the US is the number one jailor of the world. Most women in prison are mothers, and they face serious consequences in family court such as automatically losing their child to the state when they face long-term conviction. Black women were especially targeted during the war on drugs, and their rate of incarceration outpaced that of white men. Worldwide, women are about 6 percent of prisoners. Prisoners’ advocates such as the Sentencing Project, the Vera Institute, Prison Policy Initiative, and the Movement for Black Lives need to raise consciousness that many more millions of Americans are under state supervision when family court cases involving placement are counted. After all, these organizations already examine the parole/probation status of American residents, which is considered an extension of prison regime. Sanctions meted out in family court also involve the curtailment of individual rights and, therefore, the abstract rights-bearing defendant should be afforded the same protections that exist in criminal court.

The state is starting to acknowledge that “removal from the home is a difficult and traumatic experience for a child”²³ and therefore, foster caregivers and DSS officials all need to be trained in safeguarding the needs of the child. However, there are no guidelines for CPS workers counseling aggrieved parents whose children are removed abruptly from their home. The best they can hope for is being forced to take anger-management courses. However, all these DSS-mandated programs tend to focus on a deficit model of parenting. All too often, mothers are so traumatized that they start to self-medicate with opioids. But every aspect of their behaviors is policed so that they find themselves in

criminal court with drug-dealing charges. CPS workers use this as another example of their proven failure as mothers. What starts with civil proceedings in family court in pursuit of the “best interest of the child” without criminal threat by the court often cascades into a felony case with life-long terrible consequences. Often a parent is stuck in two courts, family and criminal, where different defense strategies operate.²⁴

The family court system was originally set up to keep children away from the adversarial and difficult procedural justice of criminal court, in which family court decisions are to be made using “the best interest of the child” standard. In reality, family law is also antagonistic. Parents’ lawyers face DSS counsel who are hired to advocate for the agency. Their CPS workers, who do the initial investigation, routinely bring along police officers as additional witnesses, clearly designed to intimidate of the parent who is facing allegations. How does one protect oneself from baseless allegations? As a first step, advocates can inform parents in highly criminalized neighborhoods about the need to protect themselves when DSS comes knocking at their door. This is similar to the training that the ACLU gives with respect to stop-and-frisk policies and entering a home without a warrant. Some good practices include collecting time-stamped videotaped evidence of a spotless house when a home visit occurs. Photographic evidence is an important safeguard to thwart accusations of negligence such as a dirty home, spoiled milk bottles on countertops, or empty refrigerators. I was told by a family advocate that this advice worked successfully when an alert parent set up a computer and cell phone at various places in the apartment, and the CPS worker was quick to leave the premises once he found himself being taped. No report charging neglect was filed. However, CPS workers have allegedly threatened other parents not to emulate such self-empowerment.²⁵

Lawyers have noted that family law simply is in the pre-*Gideon* state of legal procedure, which means that there are no fundamental protections (innocent till proven guilty, etc.). In Sunshine County, when CPS workers show up at the door of a parent with the intent to remove a child or children, they often bring along the local police, who also enter the premises. This is the reason why Jasmine is retraumatized when she sees police today, even after her reunification with her mother. The police officer serves a couple of purposes for the DSS: intimidating the parent and serving as witness for the state in family court. The unfounded report does not disappear from the register. In the end, it is clear that the parent is at an enormous disadvantage when two state agencies corroborate and testify against the parent. In Miranda Fricker’s terms of epistemic injustice, the parent’s testimony has no worth against the privileged testimonial voices of the state enforcing law and order.

Martin Guggenheim critiques forcefully such epistemic invalidation of parents and the largely invisible breakup of poor families and of families of color within the past decades.²⁶ He makes a case that this policy started with the birth of the “children’s rights” movement in the 1960s and several US Supreme Court rulings that began to give preference to a “best interest for the child” ideology. Oddly enough, such “child’s rights” perspective prompted state

action, state intrusion into sacrosanct parental decision-making, and the consideration of poverty as an actionable indicator of parental neglect. Only in recent years, when the state made the “mistake” of occasionally arresting the “wrong” kind of parents (i.e., those with social and legal connections and bourgeois community status), have we been treated to a corrective lens to this endemic crisis faced by thousands of poor families and families of color.²⁷ The crisis has reached a veritable tipping point where advocates, such as law professor Guggenheim, may finally get their day in court: shining light on a system which is corrupt and bankrupt, and callously undermines family values of targeted parents, i.e., their constitutionally protected right against state intrusion and the right to rear children beyond the normative purview of white upper-class values. However, the hurdles are many to undo federal policy which pours money mainly into child abuse, but not into child welfare:

The unfortunate turn federal legislation took in child protection in the early 1970s was to make it into an arm of the police with primary investigative and removal powers. A great opportunity was lost to transform child welfare into a program that served the needs of vulnerable families. From the investigative function, it was a short step to becoming a removal and prosecutorial agency. Although many in the field lament this shift and work in child welfare to provide services to bolster vulnerable families, child protection today, more than at any time in the past hundred years, stresses the virtue of breaking up families and freeing children for adoption.²⁸

Guggenheim does not exaggerate. Even though in recent years, social services policy notes that child removal is traumatizing for the child—and their policies are completely silent on parents being traumatized—many resources are spent on making foster homes safer and providing trauma care for children. However, there are no substantive, specialized support services for homeless families; parents dealing with addiction or with felony status, which makes them ineligible for work; or with mental delay and mental disabilities, which have been used against parents’ ability to care for their infants, etc. Guggenheim’s analysis strikes me as correct, especially with the new policing reality that the Adoption and Safe Family Act (1997) put into place.

THE PATRIARCHAL STATE APPARATUS: POLICING FAMILIES THROUGH THE ADOPTION AND SAFE FAMILY ACT

Defenders of the social services regime that controls the foster system claim that state intervention is necessary to rescue kids from cruel and negligent parents. However, in twenty-one states corporal punishment is still legal when carried out in schools, and parents are usually not able to challenge the paddle, Taser, or chemical spray.²⁹ Black children are twice as likely to face corporal punishment than white children. The long-term, harmful effects have been well documented in several hundred studies, yet there is no relief in sight from such cruel and very common state violence.³⁰ Concerning the domestic

sphere, children's advocates note that such rescue ought to be carried out by impartial actors of the state who are trained professionals who know what is in the best interest of the child. Importantly, placement no longer occurs in "orphan trains" or other ghostly institutions of the past, including the colonial practice of removing Indian children and placing them in "boarding schools"—a euphemism for children's prisons and places of torture. Today, CPS workers place small children into families that are immediately urged to file adoption proceedings. Sometimes siblings are separated even though it increases the traumatic experience of being severed from one's parent. The most egregious case of such breaking up of dozens of families involved Lakota families³¹—a haunting colonial reminder of the racist child-removal policies of the past century. It also echoes the violent family breakup of Black families under chattel slavery.

Expediting this process was the federal Adoption and Safe Family Act (ASFA 1997), as it was recognized that children who linger in foster care throughout their teens are at greater danger of graduating into adult prisons rather than graduating high school. So ASFA has a noteworthy child-welfare goal: reduce children's time spent in foster care. It also limits parents' ability to achieve reunification to fifteen months and increases adoption incentives. This has created havoc for incarcerated parents and those on parole. Prisoners have difficulty showing due diligence to maintain bonds with children given the resistance of CPS workers facilitating children's prison visits to remote areas. Furthermore, for returning citizens with drug felony convictions, it is very difficult to obtain public housing and a job in order to re-pay the state in child support debt incurred during incarceration. Given that the average parent with a felony conviction owes \$20,000 in child support, a minimum-wage job would not even be enough to cover expenses for the adult, let alone her child.³² However, ASFA did little to curb the ever-increasing number of teens who are not adoptable, including over 100,000 children who aged out of the system and became legal orphans in the last decade alone.³³

The passage of ASFA in 1997 increased the policing power of Child Protective Services and judges who rubberstamp their decisions. In 2002 over 600,000 children were placed in foster care.³⁴ By 2011, "only" 400,000 kids remained as wards of the state because some states (Arizona and Indiana) abolished family court and dispersed the children to kin (but not to parents).³⁵ Foster care can also be experienced as a prison sentence, even if foster caretakers are not abusive. Since 2016, Sunshine County seems to have reduced its cases by relying increasingly on caretakers who are relatives of the biological parents. The law also allowed DSS to place children with relatives and then those relatives can petition (and get) full custody from parents, relieving DSS of the legal obligation of trying to reunite the family.

However, such lack of reporting seems to violate the US government's own data collection.³⁶ Still, the US is not only the biggest jailor, it also holds the record in foster placement the world over, but this fact is never mentioned in prison statistics. We have to start acknowledging that not only the children who are currently in foster care, but

also those who have been adopted, need to show up in statistics that showcase the massive "legal" transfer of children. Such excessive transfer would be labeled child trafficking if it were not done by the power of the (benign) state.³⁷ Furthermore, the biological parents caught up in such punitive state intervention also need to be counted as life-long probationers—who, along with their children (and grandparents), are subjected to intergenerational stigmatization.

We cannot afford to overlook the damage of family court proceedings as we have cavalierly done since 1997. In the beginning, the main critiques of the 1997 ASFA Act came from prisoners' rights organizations, fighting on behalf of incarcerated parents who have tried to stay in touch with their children beyond the fifteen-month limit allotted them to "overcome the obstacles" so that they could stay bona fide parents. Often, prison sentences are much longer, therefore, they automatically forfeit their parental status. In Sunshine County, no significant effort is made to bus children to their incarcerated parents, even though it may be the express wish of both parties. Sadly, such resistance to visitation requests by both children and parents is not out of the ordinary, as it would require the cooperation of child welfare agencies and the corrections department.³⁸ I would add it also needs the approving nod of the family court judge to ensure that those two entities collaborate, which does not happen in many cases that I observed. A child's loss of her parent to the carceral regime is tremendously traumatic to the child and affects some 2.7 million children annually.³⁹ Compounding this trauma is foster care placement, and children of incarcerated parents are four times more likely to be in contact with CPS than those who do not have parents in prison.⁴⁰ The risk factor of spending life behind bars is already increased for children of prisoners, and even more so, if those children cycle into the foster care system. The foster-care-to-prison pipeline becomes almost inevitable. It is no coincidence that the United States "leads the industrialized world in the rate at which we lock up our young" and it is often "for nonviolent offenses such as truancy, low-level property offenses, and technical probation violations."⁴¹ My first encounter with a CPS worker of Sunshine County provided a glimpse at these intersecting controlling systems. A white caseworker wagged her finger wildly at a young Black teenager, threatening him with violent words: "you will amount to nothing and go to prison when you grow up." She placed him in foster care in a remote, rural area, and an adult Black male mentor was not allowed to interact with the teen. The young man graduated to the adult jail a few years later and did not finish high school. By contrast, the system works for those who are socially connected to the powerful: a few years after the young man was sent into "exile" (i.e., placed with a rural, white family, and he was the only Black child in the elementary school), the CPS worker's husband was caught with marijuana, yet the DA did not prosecute; no instance of child endangerment was brought up against the couple who have children, and she also retained her job with the agency.

CHILDCARE IN THE CROSSFIRE OF CULTURAL CLASHES

What kinds of governmental reforms are necessary to ensure that poor children are not considered throwaways? Children internalize such stigma and may start to blame themselves for being removed from their parents. Poor children have a much more extensive experience with the policing apparatus of DSS, probation, parole, and schools than their wealthier counterparts. According to my own observations and review of court documents and CPS workers' reports of supervised visitations between indicated parents and their children, it is very apparent that the DSS favors a white middle-class cultural perspective on what constitutes as "appropriate" parenting skills. A young woman who reports that she was carted off to *forty* different alienating institutional settings wished that she could have been placed with her grandmother instead, and, for a fraction of the foster care and youth prisons expenditures, her mother's addiction could have been treated.⁴² Do we really need to throw away the "usual suspects," the poor and socially disconnected? As Smith Ledesma argues, the ideological driver of punitive foster care placements is the systemic destruction of the Black family.⁴³ Black children are disproportionately represented in the foster care industry and are also the children who are least likely to find an adoptive home. Natal alienation, the systematic breakup of Black families, was a pernicious feature of US slavery that continues to haunt the American republic, which is indeed exceptional in policing its residents to a much greater extent than other countries. "The intersection of tougher sentencing and child welfare laws has set in motion 'the greatest separation of families since slavery.'"⁴⁴ So is the solution to pour more money into foster arrangements with strangers, or is there a better way?

Norway has been a leader in restorative justice practices. Its government has taken advice from its premier criminologist Nils Christie. In "Conflict as Property," Christie argues boldly that solving conflict belongs to community members, and he rigorously opposes reliance on professionals and bureaucrats in dealing with offenses. While he had in mind the criminal justice system, one can easily translate his concern into the realm of family law.⁴⁵ Incidentally, Norway has made international headlines in recent years for targeting immigrant families, whose values seem to be out of step with Norwegian secular humanism. A Romanian couple lost its five children to the state for using corporal punishment and being too doctrinaire about its Christian teachings.⁴⁶ So, again, I argue that those who are socially disconnected may find themselves policed more harshly. In this case, the immigrant family was criminalized because of their cultural values.

Overall, as with the criminalization of poor people, who make up the vast majority of prisoners around the world, we can take note (but not comfort) of the fact that the benign police apparatus of CPS workers targets poor and socially displaced parents who apparently do not *deserve* to keep their children from state intervention because of "inappropriate" cultural values such as corporal punishment. Of course, I do not want to defend corporal punishment. However, Norway would do well to take note of a strength-

based approach in assisting immigrant families who do not know or understand the Nordic countries' cultural norms that proscribe all acts of corporal punishment. There is nothing wrong with asking CPS workers to become cultural translators and educators instead of using their policing power to stigmatize immigrant parents. Furthermore, to build trust with newcomers, it would be effective to have a mentoring system in place, employing older immigrants to facilitate cultural and political integration. Such a mentoring system could make use of parent advocates who have been successfully reunited with their children. Peer-mentoring is already in place in other domains, e.g., recovery programs.

Not surprisingly, the US court's cultural values reflect those of the dominant culture. It has been labeled as a *staircase culture* of middle-class whites versus the *roller coaster culture* of those who are othered by the system for the crime of holding "inappropriate" family values. Members of the staircase culture believe in the ameliorating force of the American Dream and the optimistic belief in upward mobility whereas those who subscribe to the roller coaster culture believe that outside forces control things and life is a constant up-and-down struggle.⁴⁷ This is especially true for children who have been severely impacted by years of separation from parents and the effects of institutionalization moving from foster care to group homes to detention centers, as this young prisoner decries:

You don't know what it feels like to come up in the world with parents that can't stay out of jail.

You don't know what it's like to have your sisters and brothers took from you and placed in a group home.

You don't know what it's like to have no family to be by your side when you need them in a time of hurt.

You don't know what it's like to be me and never will, so I'll tell you . . .

*It feels like a forever going rollercoaster ride through fire and water that ends when you fall.*⁴⁸

The child laments the loss of parental and sibling ties and ultimately faces the profound trauma of being "all alone in the world."

AnnJanette Rosga describes an innovative multicultural awareness session with police recruits who get to reflect on their own unconscious bias when they interact with those marked with outsider status.⁴⁹ I argue that such cultural competence training must be adopted by DSS and similar agencies such as Probation and Parole. While CPS investigators may never understand what the young foster child's life on the roller coaster is like, they may start developing strength-based programming instead of breaking up a family if exposed to such anti-bias training. However, as far as I have been told, no such workshops investigating police officers' or CPS workers' own biases exist in Sunshine County. In this county, CPS reports are replete with reprimands of the following kind: the mother

makes insufficient eye contact with her children during a supervised visit or does not hug the child. Her parenting skills are considered “inappropriate” or outright dangerous: take the case of a mother being cited for bringing chicken nuggets to a supervised lunch visit. Family court judges rarely wonder why “appropriateness” is used as a standard when the law specifies “neglect” or “imminent danger” as grounds for removal of a child. It seems to be the case that the judges have also bought into the DSS’s “staircase” ideology. CPS reports specify more or less the following recommendation using a cookie-cutter patriarchal approach: a mother submits to dozens of programs that focus on anger management or nutrition classes. Often, even mothers who are lauded for their cooking skills are condemned to take nutrition classes because there is no individualized, tailored approach to family reunification. However, such a system fosters dependency, as the mother has to go through a dozen different programs a week, which means typically that she loses her minimum-wage job. Wages also are garnished to pay for foster care, even when she has permanently lost her right to her child.

The state uses surveillance methods on mothers on government assistance. The biopolitics of the paternal state is obvious: due to the government-issued health insurance card, she can easily be “hotlined” if she escapes to another state in order to give birth. Such resistance is obviously futile because the computer system of the hospital alerts Sunshine County DSS that there is a fugitive of justice. And promptly, a call for the return of the newborn is placed to the hospital. In Georgia, where foster placement is a matter of last resort, the state is working with an innovative approach: stakeholder group work. All parties to the system were invited to rewrite the Juvenile Code completely, and parents’ attorneys were at the table as well.⁵⁰ New York City has also used a new, strength-based approach to help families overcome the obstacles and reunite, thanks to the advocacy of the Center for Family Representation. Since 2014, teams of CPS workers, parent advocates, and lawyers work together with the explicit goal to prevent foster placement.⁵¹ It is as if we see in different jurisdictions across the country a breakthrough, where families get to overcome another obstacle: the hermeneutic gap between those living on the roller coaster and those who walk with ease on stairs. Such epistemic injustice is difficult to overcome, but the self-organizing of parents, peer mentors, and parents’ advocates is beginning to occur at a small-scale level and may bring about incremental change.

CONCLUSION: THE WAY FORWARD

Family law was set up to keep family matters out of criminal court. In this article, I highlight practices and policies in one county to show that such good intentions have not served children well. State agencies, including Social Services, acknowledge that it is traumatic for any child to be removed from their home. Feminist philosophers who wish to engage with this hidden care industry must ask who gets to decide, and on what grounds, a child may be forcibly removed from their home. Radically put, one must question the entire family court apparatus with its attendant policing apparatus such as CPS, lawyers for the DSS, semi-privatized psychological services who do evaluations solely in favor of CPS, and other services that claim to work for the “best

interest of the child.” In the end, one thing is clear: the foster care industries are thriving at the expense of children and parents. The federal Adoption and Safe Family Act (1997) has exacerbated the state’s intrusion into families instead of solving the crisis of thousands of children failing to get adoptive homes. Rather than reducing time spent in foster care, children spend exactly the same time: thirty-three months. In 1997, there were about 6,000 legal orphans; a mere seven years later, there were 129,000 legal orphans.⁵² In Sunshine County, there are entire streets where each house has parents who are indicated. It is disturbing to overhear young children taunting each other with “I will hotline your parents!” It is so normalized for them to experience CPS workers and police visiting a home on their block at least once a week that they build this new policing reality into their (agonistic) games. Family advocates must be vigilant in anticipating the biopolitical effects of new technologies. Child development advocates note the large word gap between poor and rich children by eighteen months,⁵³ and studies are now in place to monitor “at-risk” children with word pedometers.⁵⁴ It is not too farfetched to assume that Sunshine County might use these monitors on high-risk children and cite the persistence of gap as an indication of child neglect.

The Lakota lawsuit is only the beginning of what needs to happen: liberating us from the all-powerful family court judge and her team of overzealous prosecutors and CPS workers so that millions of children like Jasmine can play again under the protective and caring watch of her mother. Iris M. Young’s essay “House and Home” gives us an inkling of what it means to fall victim to “inappropriate” child-rearing in a New Jersey suburb.⁵⁵ Her mother lost custody for several years of Iris and her sister for similar reasons that Sunshine County uses to indicate parents. A few empty bottles of alcohol on the floor were enough evidence to substantiate claims of child neglect. In Iris’s case, once they reunited, the mother whisked the teenagers off to the anonymity of New York City. Speaking like a public philosopher, law professor Martin Guggenheim suggests that if child welfare were treated holistically as a “public health or shared social problem, rather than an issue focused solely on child abuse, we could develop policies that address directly and proactively those conditions that adversely affect the health and welfare of poor children in the United States.”⁵⁶ Policing poor families and especially families of color is not the answer.

The “child-advocacy-focused” state under the guise of *parens patriae*—namely, the power of the state to intervene in the affairs of families—sounds good in theory, but in practice, it means the state investigates almost exclusively families that are not socially connected to powerful stakeholders in their communities. Law Professor Dorothy Roberts notes that it costs eleven times more to remove a child to foster care than to overcome obstacles and to strengthen family bonds. She further notes that 95 percent of children in foster care in Chicago are Black.⁵⁷ The state’s attack of the Black family has historical roots in the Middle Passage and chattel slavery. If we are to see a transformation in welfare politics, we need to invest in non-punitive practices such as strength-based advocacy for families and a public health approach to child welfare.

The point of view presented here will not be popular with those who are engaged in the noble pursuit of rescuing children from corporal punishment and other serious cases of abuse. Anecdotal evidence from Sunshine County suggests that arbitrary and capricious removal practices are far more prevalent than justifiable removal of young children. So I agree with Stephanie Smith Ledesma who argues that “until children are protected from the ‘master narrative’ of child welfare that plays out in hundreds of courtrooms across this nation on a daily basis through the inconsistent application of ‘reasonable efforts,’ our children stand desperately in need of protection from the very child protective service agencies that are charged with protecting them.”⁵⁸ The lives of millions of children are at stake, and it must be the case that poor lives matter.

NOTES

1. This publication is the outcome of the project “Performativity in Philosophy: Contexts, Methods, Implications. No. 16-00994Y; Czech Science Foundation,” realized at the Institute of Philosophy of the Czech Academy of Sciences.
2. Miranda Fricker, *Epistemic Injustice: Power and the Ethics of Knowing* (Oxford: Oxford University Press, 2007).
3. Family defense refers to “working on behalf of adults threatened by state intervention with the temporary and permanent loss of the custody and rights to their children.” Guggenheim and Sankaran, *Representing Parents in Child Welfare Cases: Advice and Guidance for Family Defenders*, xix.
4. *Ibid.*, xix–xxi.
5. Guggenheim, “General Overview of Child Protection Laws in the United States,” 175.
6. Hotlining refers to the practice of placing an anonymous call to Child Protective Services to report child endangerment, which may trigger investigation. Redleaf, “The Impact of Abuse and Neglect Findings Beyond the Juvenile Courthouse,” 390.
7. Permissive reporters are those who are encouraged to report any suspicion of child abuse. Redleaf, “The Impact of Abuse and Neglect Findings Beyond the Juvenile Courthouse,” 392.
8. *Ibid.*, 390–91.
9. *Ibid.*, 393.
10. While Sunshine County’s placement rates are disproportionately higher than other counties in the state, the rate of removal of children has dramatically increased across the United States since 1997.
11. Howard et al., “Early Mother-Child Separation, Parenting, and Child Well-Being in Early Head Start Families.”
12. Personal communication, October 16, 2016.
13. *Ibid.*
14. Edelman, “Child Watch Column: Overmedicating Children in Foster Care.”
15. OCFS, “Administrative Directive: Supporting Normative Experiences for Children, Youth, and Young Adults in Foster Care: Applying a Reasonable and Prudent Parent Standard.”
16. Cf. Decker, “The Social Services to Prison Pipeline.”
17. One Texas court room even permitted the criminal defense counsel use of “influenza syndrome” for his wealthy client Ethan Couch who killed several persons while driving under the influence of several drugs in 2013. The judge agreed and sentenced him to probation and drug rehabilitation (Chicago Defenders, 2013).
18. Michelle Goldberg, “Has Child Protective Services Gone Too Far?”
19. Roberts, *Shattered Bonds: The Color of Welfare*; and Goldberg, “Has Child Protective Services Gone Too Far?”
20. Guggenheim and Sankaran, *Representing Parents in Child Welfare Cases*, xxiii.
21. *Ibid.*, xx.
22. Pepinsky, *Peacemaking: Reflections of a Radical Criminologist*, 67.
23. OCFS, “Administrative Directive: Supporting Normative Experiences for Children, Youth, and Young Adults in Foster Care.”
24. deQuattro, “Representing a Parent in Dependency Court Who Also Has a Parallel (Related) Criminal Case.”
25. Personal communication with a family advocate, 2014.
26. Guggenheim, *What’s Wrong with Children’s Rights*.
27. Goldberg, “Has Child Protective Services Gone Too Far?”; and Nagel, “Gender and the Law.”
28. Guggenheim, *What’s Wrong with Children’s Rights*, 211–12.
29. PBS Newshour, “Assessing Whether Corporal Punishment Helps Students, or Hurts Them.”
30. Gershoff, “Spanking and Child Outcomes: Old Controversies and New Meta-Analyses.”
31. *Oglala Sioux Tribe v. Van Hunnik*.
32. Bernstein, *All Alone in the World: Children of the Incarcerated*, 154–55.
33. Guggenheim, “General Overview of Child Protection Laws in the United States,” 18.
34. Guggenheim, *What’s Wrong with Children’s Rights*.
35. Children’s Bureau, AFCARS Report #23.
36. *Ibid.*
37. Nagel, “Gender and the Law.”
38. Woolman, “Special Considerations Representing Clients Involved with the Criminal Justice System,” 52.
39. Bernstein, *All Alone in the World: Children of the Incarcerated*.
40. Woolman, “Special Considerations Representing Clients Involved with the Criminal Justice System,” 51.
41. Bernstein, *Burning Down the House: The End of Juvenile Prison*, 223.
42. Bernstein, *All Alone in the World: Children of the Incarcerated*, 177.
43. Smith Ledesma, “The Vanishing of the African-American Family: ‘Reasonable Efforts’ and Its Connection to the Disproportionality of the Child Welfare System.”
44. McCray, cited in Bernstein, *All Alone in the World: Children of the Incarcerated*, 156.
45. Christie, “Conflicts as Property.”
46. Whewell, “Norway’s Barnevernet: They Took Our Four Children... Then the Baby.”
47. Rosga, “Policing the State.”
48. Cited in Bernstein, *All Alone in the World: Children of the Incarcerated*, 147–48; her italics.
49. Rosga, “Policing the State,” 164.
50. Moore, “Reforming the System,” 419.
51. *Ibid.*, 425.
52. Bernstein, *All Alone in the World: Children of the Incarcerated*, 156–57.
53. Aggarval, “The Ideological Architecture of Whiteness as Property in Educational Policy.”
54. Neergard, “Talk to Babies and Let Them Babble.”
55. Young, “House and Home: Feminist Variations on a Theme.”
56. Guggenheim, *What’s Wrong with Children’s Rights*, 211.

57. Roberts, *Shattered Bonds: The Color of Welfare*.
58. Smith Ledesma, "The Vanishing of the African-American Family: 'Reasonable Efforts' and Its Connection to the Disproportionality of the Child Welfare System."

REFERENCES

Aggarwal, Ujju. "The Ideological Architecture of Whiteness as Property in Educational Policy." *Educational Policy* 30, no. 1 (2016): 128–52.

Bernstein, Nell. *All Alone in the World: Children of the Incarcerated*. New York: The New Press, 2007.

———. *Burning Down the House: The End of Juvenile Prison*. New York: The New Press, 2014.

"Blame It on 'Affluenza,' Rich Kid Syndrome." *Chicago Defender*. December 13, 2013. <https://chicagodefender.com/2013/12/13/blame-it-on-affluenza-rich-kid-syndrome/>.

Children's Bureau. AFCARS Report #23. Accessed November 25, 2016. <http://www.acf.hhs.gov/cb/resource/afcars-report-23>.

Christie, Nils. "Conflicts as Property." *The British Journal of Criminology* 17, no. 1 (1977): 1–15.

Decker, Antje. "The Social Services to Prison Pipeline." *The Indigenous Criminologist* (blog). November 12, 2015. Accessed February 25, 2017. <http://juantauri.blogspot.com/2015/11/the-social-services-to-prison-pipeline.html>.

deQuattro, Paul. "Representing a Parent in Dependency Court Who Also Has a Parallel (Related) Criminal Case." *NACC Law Manual*, 218–24. National Association of Counsel for Children. 2015. Accessed November 25, 2016. http://c.ymcdn.com/sites/www.naccchildlaw.org/resource/resmgr/2015_Conference/Children's_Law_Manual_2015.pdf.

Edelman, Marian Wright. "Child Watch Column: Overmedicating Children in Foster Care." *Children's Defense Fund*. May 22, 2015. Accessed May 20, 2017. <http://www.childrensdefense.org/newsroom/child-watch-columns/child-watch-documents/OvermedicatingChildrenInFosterCare.html>.

Fricker, Miranda. *Epistemic Injustice: Power and the Ethics of Knowing*. Oxford: Oxford University Press, 2007.

Gershoff, Elizabeth T. "Spanking and Child Outcomes: Old Controversies and New Meta-Analyses." *Journal of Family Psychology* 30, no. 4 (2016): 453–69.

Goldberg, Michelle. "Has Child Protective Services Gone Too Far?" *The Nation*. September 30, 2015. Accessed November 26, 2016. <https://lockerdome.com/thenation.com/8078031935782164>.

Guggenheim, Martin. *What's Wrong with Children's Rights*. Cambridge, MA: Harvard University Press, 2005.

———. "General Overview of Child Protection Laws in the United States." In *Representing Parents in Child Welfare Cases: Advice and Guidance for Family Defenders*, edited by Martin Guggenheim and Vivek S. Sankaran, 1–18. Chicago: American Bar Association, 2015.

Guggenheim, Martin, and Vivek S. Sankaran (eds.). *Representing Parents in Child Welfare Cases: Advice and Guidance for Family Defenders*. Chicago: American Bar Association, 2015.

Howard, Kim, Anne Martin, Lisa J. Berlin, and Jeanne Brooks-Gunn. "Early Mother-Child Separation, Parenting, and Child Well-Being in Early Head Start Families." *Attachment and Human Development* 13, no. 1 (2011): 5–26.

Moore, Joanne I. "Reforming the System." In *Representing Parents in Child Welfare Cases: Advice and Guidance for Family Defenders*, edited by Martin Guggenheim and Vivek S. Sankaran, 403–26. Chicago: American Bar Association, 2015.

Nagel, Mechthild. "Gender and the Law." *Journal of Research in Gender Studies* 6, no. 2 (2016): 107–19.

Neergard, Lauren. "Talk to Babies and Let Them Babble." *The Associated Press*. February 18, 2017. Accessed February 25, 2017. <https://apnews.com/647ba5b170b94d6f896b9e0728c04a4f/Talk-to-babies-and-let-them-babble-back-to-bridge-word-gap>.

Office of Children and Family Services (OCFS). "Administrative Directive: Supporting Normative Experiences for Children, Youth, and Young Adults in Foster Care: Applying a Reasonable and Prudent Parent Standard." Rensselaer, NY, 2011.

Oglala Sioux Tribe v. Van Hunnik, Dist. Court, D. South Dakota (March, 2015), No. Civ. 13-5020-JLV.

PBS Newshour. "Assessing Whether Corporal Punishment Helps Students, or Hurts Them." August 23, 2016. Accessed November 24, 2016. <http://www.pbs.org/newshour/bb/assessing-whether-corporal-punishment-helps-students-hurts/>.

Pepinsky, Hal. *Peacemaking: Reflections of a Radical Criminologist*. Ottawa: Ottawa University Press, 2006.

Redleaf, Diane L. "The Impact of Abuse and Neglect Findings Beyond the Juvenile Courthouse: Understanding the Child Abuse Register System and Ways to Challenge Administrative Child Abuse Register Determinations." In *Representing Parents in Child Welfare Cases: Advice and Guidance for Family Defenders*, edited by Martin Guggenheim and Vivek S. Sankaran, 389–401. Chicago: American Bar Association, 2015.

Roberts, Dorothy. *Shattered Bonds: The Color of Welfare*. New York: Basic Books, 2002.

Rosga, AnnJanette. "Policing the State." *The Georgetown Journal of Gender and the Law* (Summer 1999): 145–71.

Smith Ledesma, Stephanie. "The Vanishing of the African-American Family: 'Reasonable Efforts' and Its Connection to the Disproportionality of the Child Welfare System." *NACC Law Manual* (2015): 280–308. Accessed November 25, 2016. https://c.ymcdn.com/sites/www.naccchildlaw.org/resource/resmgr/2015_Conference/Children's_Law_Manual_2015.pdf.

Whewell, Tim. "Norway's Barnevernet: They Took Our Four Children... Then the Baby." *BBC News*. April 14, 2016. Accessed October 8, 2016. <http://www.bbc.com/news/magazine-36026458>.

Woolman, Joanna. "Special Considerations Representing Clients Involved with the Criminal Justice System." In *Representing Parents in Child Welfare Cases: Advice and Guidance for Family Defenders*, edited by Martin Guggenheim and Vivek S. Sankaran, 51-64. Chicago: American Bar Association, 2015.

Young, Iris M. "House and Home: Feminist Variations on a Theme." In *Intersecting Voices: Dilemmas of Gender, Political Philosophy, and Policy*. Princeton: Princeton University Press, 1997.

Doubly Other: Black Women's Social Death and Re-enslavement in America's Genocidal Prison Nation

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Dedicated to the brave "New Jersey 4"—Venice Brown, Terrain Dandridge, Renata Hill, Patreese Johnson—and to all the women of color fighting to escape mass incarceration.

Recently, scholars have drawn fruitfully on Orlando Patterson's concept of "social death"¹ to describe the experiences of African-Americans, Hispanics, and immigrants trapped within our nation's burgeoning prison nation.² Beginning with Nixon's racially coded avowals to "get tough on crime," which reached fruition with Ronald Reagan's "war on drugs," the United States has engaged in a veritable orgy of prison building and has preyed on its poor citizens of color to fill those prison beds. Thus, even as violent crime has been on the decline, we have thrown more and more of our citizens into prison, the vast majority of whom are African-American and Hispanic, for non-violent drug crimes: the US leads the world when it comes to jailing its inhabitants, with 2.2 million people in prisons or jails, representing a 500 percent increase over the last thirty years.³ As of 2010, 60 percent of those imprisoned in the US are racial and ethnic minorities.⁴ The news media have shown little interest in the drug war's catastrophic impact on poor communities of color because the targets of our prison nation are rendered socially dead, "desocialized and

depersonalized.”⁵ They are in the State but not of it—they are the walking dead.

The scholars paying attention to our racialized prison crisis have unfortunately missed in their analysis that the emphasis on Black men and boys has made doubly invisible the Black women and girls trapped in the juvenile and adult race to incarcerate. From 1977 to 2007, the number of women incarcerated in the United States increased by 832 percent.⁶ From 1980 to 2011, women’s incarceration increased at almost one and a half times the rate of men.⁷ In 2011, Black women’s incarceration rate was two and a half times that of white women.⁸ What activists and scholars alike, focusing on race to the exclusion of gender, have neglected is the extent to which the nation’s collective dominant narrative focuses on the white *male* citizen. Thus Black women are doubly Othered: first as a racialized other and second as a gendered other. As such, their social death is so complete that they are invisible even within the landscape of marginalization. While the vast majority of African-American women are not incarcerated, American society has neither noticed nor ameliorated the social injustices unique to imprisoned African-American women. I shall argue that by incarcerating, isolating, and punishing Black women, the US state is functionally enslaving Black women and pushing them into a genocidal form of social death. Once rendered totally socially invisible and expendable, African-American women in prisons are targeted for sexual abuse, reproductive control, and as sources of free or cheap labor, just as they were in the antebellum South. Thus I conclude that insofar as incarcerated Black women are effectively enslaved today, they experience the same kind of social death as earlier enslaved African-Americans.

I. PRISONS AND SOCIAL DEATH

The socially dead are excluded and lack respect from their fellow citizens; they are shut out of the collective conversation of democratic citizens and from the ideological narrative we spin to tell the story of America. When the United States was founded, the Constitution famously defined a slave as 3/5 of a person, for purposes of taxation; the law defined slaves as property. Supreme Court cases codified the status of African-Americans as chattel. These practices continued the process of genocidal social death. After the Civil War, Black codes and convict leasing effectively re-enslaved and terrorized newly freed African-Americans,⁹ effectively pushing back through racialized terror, rape, and forced labor against the half-hearted legal attempts to integrate former slaves into the nation’s social framework. Such laws even reached out to re-enslave children via “apprentice” statutes that placed allegedly orphaned or neglected African-American children in the hands of their former owners or other white adults until they were eighteen for females and twenty-one for males; in 1865 the “assistant commissioner of the Freedmen’s Bureau reported that, on the request of *any* citizen, justices of the peace and sheriffs would place children into the apprentice program regardless of the ability of their parents to provide for them.”¹⁰ The laws’ focus on removing children of freed slaves meets the 1948 UN definition of genocide: controlling the next generation destroys the social and cultural vitality of their racial group. Jim Crow laws stepped in to fill the gap when convict leasing fell out of

favor after World War II, ensuring the segregation of white and Black spaces and racial privileges for whites. African-Americans remained within a second-class status, without the privileges of full citizenship, including the right to vote and the rights to live, work, and marry as one chooses.

With the rise of the civil rights movement, a new legal mechanism was required to keep African-Americans in their place: the war on crime and drugs fit the bill. The drug war has allowed the majority of white citizens, especially the middle- and upper-class, to define themselves in opposition to a Black Other, much as they have from this nation’s founding. To be free and a full citizen has ever been to be white, male, property-owning and *not* Black, female, and poor. As Lisa Marie Cacho describes this process of meaning creation through negation of the Other, “to be ineligible for personhood is a form of social death; it not only defines who does not matter, it also makes mattering meaningful. . . . Racism is a killing abstraction. It creates spaces of living death and populations ‘dead-to-others.’”¹¹

Even release from prison does not allow former felons of color to attempt a repatriation into full-fledged citizenship, both because they were not socially alive *before* incarceration, and because being marked as a *felon* simply reifies their status as permanently Other. Indeed, Africans and African-Americans have been uniquely targeted for *state* control from their introduction as slaves during Colonial times, under Black Codes and via forced labor after the Civil War,¹² via Jim Crow laws through the Civil Rights Movement, and unto the present day with the creation of the drug wars. And all along the way, from individual owners to corporate owners and today’s for-profit prisons, Black servitude has enriched white capitalist citizens.

Writing from her own prison cell in 1971, Angela Y. Davis (who would later be acquitted), commented on how police officers all too often have functioned to keep Black Americans oppressed and imprisoned in either ghettos or jails, fulfilling their role within a racist state:

It goes without saying that the police would be unable to set in motion their racist machinery were they not sanctioned and supported by the judicial system. The courts only consistently abstain from prosecuting criminal behavior on the part of the police, but they convict, on biased police testimony, countless Black men and women. Court appointed attorneys, acting in the twisted interests of overcrowded courts, convince 85% of defendants to plead guilty. Even the manifestly innocent are advised to cop a plea so that the lengthy and expensive process of jury trials is avoided. This is the structure of the apparatus which summarily railroads Black people into jails and prisons.¹³

Acting as instruments of the state, police officers have targeted African-Americans as slaves, then as freed but *de jure* second-class citizens, then as freed but *de facto* second-class citizens, for various forms of social control, rather than protecting or serving them as equal members of American society.

Decades later, after a successful career as a philosophy professor and activist, Angela Y. Davis pointedly describes racialized mass incarceration in 2012:

When we consider the disproportionate number of people of color among those who are arrested and imprisoned, and the ideological role that imprisonment plays in our lives, I want to suggest that the prison population in this country provides visible evidence of who is not allowed to participate in this democracy, that is to say, who does not have the rights, who does not enjoy the same liberties, who cannot reach the same level of education and access, who cannot be party of the body politic, and who is therefore subject to a form of civil death.¹⁴

As part of the increasingly draconian drug laws, even non-violent felons are stripped of their right to vote in many states,¹⁵ and federal law permanently bars them from accessing public housing,¹⁶ food stamps, student loans, and other federal assistance that might allow them to escape poverty and re-integrate into society.¹⁷ Their formal disempowerment by the state is complete. As Davis argues, white supremacist goals shape the structure and function of punishment at their core; the prison system “in its present role as an institution . . . preserves existing structures of racism as well as creates more complicated modes of racism in US society.”¹⁸

II. INTERSECTIONALITY AND THE INVISIBILITY OF BLACK WOMEN

The Combahee River Collective of Black feminists, in their 1976 statement, spoke eloquently of Black women’s invisibility in both the women’s and civil rights movements:

Above all else, our politics initially sprang from the shared belief that Black women are inherently valuable, that our liberation is a necessity not as an adjunct to somebody else’s, because of our need as human persons for autonomy. This may seem so obvious as to sound simplistic, but it is apparent that no other ostensibly progressive movement has ever considered our specific oppression as a priority or worked seriously for the ending of that oppression.¹⁹

Recent Black feminists, such as Patricia Hill Collins, Kimberlé Crenshaw,²⁰ and bell hooks, have developed the Combahee Collective’s nascent intersectional analysis into a nuanced examination of how race, class, and gender work together to produce a form of oppression and social death ignored by many white feminists and African-American civil rights advocates alike. Black women are present only as absent: even as white supremacy defines its privilege through the negation of Blackness, patriarchy defines its privilege through the negation of women. As such, within the Black community, issues of justice focus on the plight of the Black male; indeed, as Jamila Aisha Brown poignantly commented in the wake of the anger over the Trayvon Martin murder, “if Trayvon Martin had been a young Black woman, no police chief would have resigned over a bungled investigation.

No CNN host would be discussing the case of her accused killer. And we wouldn’t be live streaming her murder trial and hanging on every word of each witness. The reality is we would probably never have heard of her,” as the Black community allows the erasure of Black women’s suffering from their struggle against police brutality.²¹

Indeed, when President Obama spoke following George Zimmerman’s acquittal of all charges in the case, he asserted “Trayvon Martin could have been me thirty-five years ago” and described the daily insults of racism Black men and boys face, he never invoked a single female image or pronoun (even though he has two young African-American daughters who have surely encountered racism in their lifetimes). The unique experiences of gendered racism Black women and girls face yet again is subsumed under the male experience—as seen in African-American journalist Charles M. Blow’s *New York Times* article the day after Obama’s speech: “we can never lose sight of the fact that bias and stereotypes and violence are part of a Black man’s burden in America, no matter that man’s station. We could all have been Trayvon.”²² The Black woman’s burden of invisibility remains, even within her own community.

Worse than merely ignoring white violence against Black women, some Black men play into the narrative of power as dominance when they exert sexist control over “their” women to prove their manhood. From Eldridge Cleaver advocating rape of Black and then white women to assert dominance and show up white men, through misogynistic rap and gang culture of the present day, too often Black manhood is reduced to power over Black women, and not to challenging the larger hierarchical, privilege-based system that disenfranchises all people of color, women and men alike. bell hooks laments that “black males, utterly disenfranchised in almost every arena of life in the United States, often find that the assertion of sexist domination is their only expressive access to the patriarchal power they are told all men should possess as their gendered birthright.”²³ As scholar Paul Murray sees it, “the Black militant’s cry for the retrieval of Black manhood suggests an acceptance of this stereotype, an association of masculinity with male dominance and a tendency to treat the values of self-reliance and independence as purely masculine traits.”²⁴

Whereas Michelle Alexander’s book *The New Jim Crow*, which focuses on African-American men trapped by the drug war, made the *New York Times* bestseller list, Beth Richie’s book examining the plight of African-American Women, *Arrested Justice: Black Women, Violence, and America’s Prison Nation*,²⁵ never received comparable popular or critical acclaim. Critical notice of the invisibility of Black women’s oppression (even within their own communities) comes in a recent report from the African American Policy Forum which challenges the dearth of outrage and attention given to the mass incarceration of Black women and girls:

While the conditions of Black males are certainly worthy of substantial investment, centering *only* the Black male condition has presented a zero-sum philanthropic dilemma, where private and public funding resources have prioritized in their

portfolios a number of efforts to improve the conditions of Black males without consideration for Black females, who share schools, communities, resources, homes and families with these males. For example, most philanthropic portfolios that support racial justice fail to include a gender analysis, and those portfolios that support gender issues often fail to center African American girls [and women]. Without a philanthropic investment in the status of Black girls that is comparable to that of Black boys, the historical framework associated with the invisibility of Black females persists, in which “all the women are white, all the Blacks are men, but some of us are brave. (Hull, Bell-Scott & Smith, 1982)²⁶

Black women and girls’ sufferings must not remain invisible.

The neglect of Black women and girls in larger social justice discussions of the neglect of communities of color stands in stark contrast to their hypervisibility as targets of white male aggression. The US has a long tradition of viewing African-American women’s bodies as inherently for the consumption and use of white men, beginning with slavery. Scholar Joy James notes that Black women activists fighting against legal execution and mob lynching of Black men for alleged sexual offenses against white women in the nineteenth century were well aware that white male assaults on Black women were tolerated and ignored.²⁷ Naming is power: in controlling and disseminating stereotypical images of African and African-American women as passive and obedient asexual Mammy, castrating and domineering Matriarchs, sexually promiscuous Jezebels, or slovenly welfare mothers, power elites relegate Black women to spaces of social death where they can be assaulted and exploited with virtual immunity.²⁸ As Patricia Hill Collins explains these “controlling images,” they “are designed to make racism, sexism, poverty, and other forms of social injustice appear to be natural, normal, and inevitable parts of everyday life.”²⁹ The African race became the deviant opposite of the superior white race, Black males the doppelgangers of the white property-owning males whom the Declaration of Independence rhapsodized about as the bearer of inalienable rights. And once Black women were Otherized and relegated to the permanent margins of society, their normalized inferiority became the opposite against which pure white womanhood shone all the brighter.

Images of African women as less-evolved and hypersexed justified the mass rape of slaves in the American South, whereby white men were portrayed as the innocent dupes of lascivious Black women. Indeed, the African woman’s animality allegedly made it easier for her to reproduce as profligately as she fornicated.³⁰ Just like the “Jezebel” of the Bible, this stereotype of the Black whore signaled both her wantonness and her danger to upstanding white men. After the Civil War, Black Codes continued to criminalize African-American women’s deviance from a mythical norm of pure white womanhood, charging them with crimes such as failure to keep a neat household. Such images also sustained the view of Black domestic workers as easy targets for their white male employers and their sons. The

predation of white men on African-American domestic help in the early- to mid-twentieth century was also rendered impossible because consent could always be assumed for Black women, presumed slutty by nature or essence. As legal scholar Kimberlé Crenshaw explains, the white judicial system presumed Black female promiscuity historically, with some states going so far as to instruct juries that “Black Women were not presumed to be chaste” and thus “the successful conviction of a white man for raping a Black woman was virtually unthinkable.”³¹

Even today, behaviors for which Black females routinely experience disciplinary response are related to their nonconformity with notions of white, middle-class femininity, for example, by their dress, their profanity, or by having tantrums in the classroom.³² In contemporary society, Black women remain more likely to be victimized yet less likely to report their rapes than white women—reflecting the reality that crimes against their bodies are less likely to be believed or punished.³³ Black women are essentialized as rapeable and inferior, subject to the law but not protected by it.³⁴ This is the essence of social death, to be viewed as “*ineligible for personhood*—as populations subjected to laws but refused the legal means to contest those laws as well as denied both the political legitimacy and moral credibility to question them.”³⁵ To combat Black women’s social death, we must acknowledge and understand the gender hierarchy even within the landscape of racialized rightlessness: to paraphrase Orwell, all the socially dead are rightless, but some of the socially dead are more rightless than others—those so invisible as to escape the notice even of their fellow dead.³⁶

III. MODERN PRISON CONDITIONS FOR BLACK WOMEN AND SOCIAL DEATH

Thus African-American women and girls are twice Other and twice socially dead—discounted by both the dominant white community and the dominant patriarchal focus of the African-American community. Such neglect allows a long tradition of incarceration as re-enslavement continues a tradition stretching back to the Black Codes and the Southern penitentiaries created often on former plantation grounds: at Mississippi’s notorious Parchman Penitentiary, founded in 1901, “women confined here, almost all of whom were Black, reproduced their earlier roles under slavery, forced into sexual unions with staff, and working in the cotton fields during harvest time.”³⁷

Kemba Smith, herself a victim of draconian drug sentencing laws (despite her minor involvement via a drug dealing boyfriend), and later pardoned by President Clinton, describes the profit derived from prisoners explicitly as a return to forced labor:

With the entering of the New Year, I want to give you the gift of vision, to see this system of modern-day slavery for what it is. The government gets paid \$25,000 a year by you (taxpayers) to house me (us). The more of us that they incarcerate, the more money they get from you to build more prisons. The building of more prisons creates more jobs. The federal prison system is comprised of

61% drug offenders, so basically this war on drugs is the reason why the prison-industrial complex is a skyrocketing enterprise. Many of its employees are getting paid more than the average school-teacher. All of this is to keep me and thousands like me locked down to waste, useless to our community because they want to label us a threat.³⁸

Wages paid for labor within the prison, including laundry, kitchen work, or educator, range from eight to thirty-seven cents an hour to sixty-three cents a day in some prisons; chain gangs for women have also been reintroduced.³⁹ Corporations such as Merrill Lynch, IBM, Motorola, Compaq, Texas Instruments, Honeywell, Microsoft, and Boeing—to name a few—also feed at the trough of prison labor profits.⁴⁰ Even more disturbing, private prisons have crafted contracts in twenty-one states wherein the state promises to guarantee an 80 to 100 percent filling of beds, lest they have to pay large fines. “This incentivizes states to send prisoners to private prisons rather than to state-run prisons in order to meet the bed guarantee, regardless of the prisons’ distance from families, their security level, or health conditions.”⁴¹ Some states have even agreed to guarantee filling private prison beds at 100 percent (Arizona, three facilities) or for periods as long as twenty years at 90 percent (Ohio). Is it any wonder that Corrections Corporation of America assures its investors that the “growing offender population” and “strong demand” will keep the bottom line fat for decades to come?⁴² In essence, the state now has a pecuniary interest to arrest and charge its own citizens. And rich private masters are reaping profits from the imprisonment and forced labor of Black bodies. Needless to say, those second-class citizens already viewed as socially dead will be the most attractive targets. And Black women are the invisible dead, even less likely to attract defense or protest.

Surely the racialized drug war’s assaults on African-American women and girls demand attention: between 1977 and 2004, the rate of women in prison for more than one year grew by 757 percent versus the 388 percent for men.⁴³ Indeed, sociologist Dr. Natalie Sokoloff argues that since African-American women make up more than half of the women in prison, despite making up only 12 percent of the population, the so-called war on drugs has become a “war on poor Black women.”⁴⁴ Yet a recent *New York Times* article highlighting the overcrowding and alleged civil rights violations within the California prison system, which houses the biggest number of prisoners of any state (and more than some nations), focused almost exclusively on male inmates.⁴⁵ Women remained invisible, despite the equally abysmal conditions in the Central California Women’s Facility at Chowchilla—operating at 180 percent of capacity—and protests by women prisoners and activists within and without the prison.⁴⁶

Sadly, hunger strikes and protests by California women prisoners do not merit inclusion in either the *New York Times* article or the opinion piece on the protest by ex-felon turned prize-winning African-American journalist Walter Rideau that followed a few days later, “When Prisoners Protest,” which only mentioned the male prisoners and opined that prison protests “are almost always the product

of what prisoners perceive to be officials’ abuse of arbitrary power. They are generally done by men made desperate by the lack of options to address their grievances.”⁴⁷ Ironically, male privilege contributed to the women’s overcrowding at Chowchilla: the closure of Valley State Prison for Women in order to turn it into a facility for men led to a large infusion of female prisoners at CCWF and to many being isolated in Administrative Segregation.⁴⁸ When women’s bodies are deemed doubly inferior as bodies of color, their abuse does not merit mention. In contrast, the abuse of male bodies, even those of men of color, draws some sympathy, albeit begrudging and in response to lawsuits.

When the Prison Rape Elimination Act of 2003 unanimously passed the House and Senate, and the National Prison Rape Elimination Commission was convened to study the crisis and formulate responses, women’s experiences were often subsumed under a focus on male rape; for example, the Justice Department’s PREA rules do not provide for access to emergency contraception or abortion in case of pregnancy resulting from rape of women inmates.⁴⁹ Consider also that

The culture of jokes about male inmates is juxtaposed with a discomfiting quiet about abuse in women’s facilities—a fact not addressed by NPREC as explicitly as it addressed the perception of male rape... [t]here is almost zero acknowledgement of sexual abuse perpetuated among inmates in female facilities... If anything, rape between female inmates is sexualized, as seen in such films as *Born Innocent*, *99 women*, *They Call Her One Eye*, *Last House on the Left*, and *Chained Heat 2*.⁵⁰

As such, assault of women by male prison staff, which is rampant, remains invisible; assault by women guards or other women inmates does not register as “real” assault, absent a penis,⁵¹ or the assault is sexualized into a titillating show for the presumed male gaze in the media. In any event, women’s perspectives and rights violations are erased.

A 2013 Department of Justice (DOJ) report estimates that approximately 200,000 prisoners were raped in prison in 2011–2012.⁵² A previous DOJ study reported that about half of the assaults against prisoners were perpetrated by guards and prison staff.⁵³ It can be difficult to get breakdowns by race and gender; but considering the high proportion of Black women in prison, one can safely surmise that much sexual abuse targets women of color, who have already been marked as socially dead, expendable, and rapeable. In addition, women prisoners tend to experience a higher proportion of abuse by staff than men do (though they are also abused by other inmates).⁵⁴ To take three recent examples, (1) in 2012 the DOJ found that the Mabel Basset Correctional Center in Oklahoma has the highest rape rate among US prisons; in July 2013, eleven women at the facility also filed a federal lawsuit alleging sexual assault at the hands of three guards;⁵⁵ (2) in 2014 the Department of Justice charged that the systematic rape and abuse of female prisoners at Alabama’s Julia Tutwiler Prison for women “violates the US Constitution’s prohibition against cruel and usual punishment, and calls

on Gov. Robert Bentley (R) to make immediate changes—or face a lawsuit.⁵⁶ The Alabama Department of Corrections was allegedly aware and did nothing to address the problem, ignoring complaints of abuse, a clear sign it did not view the women prisoners as having rights and thus as citizens. Indeed, 36 percent of all staff members were involved in various kinds of sexual abuse, from habitual rape and sodomy, to demanding sexual favors in return for clothing and other needed goods, to placing in solitary those who tried to report or resist the abuse.⁵⁷ And (3) a 2013 lawsuit alleges that a Texas sheriff's office created a "rape camp" at the county jail, where numerous guards—including the jail supervisor—raped and sexually tortured female inmates over a period of three years as other guards stood by and watched.⁵⁸ In addition, women were denied food and water and threatened with death to compel their participation.⁵⁹

IV. SLAVERY AND IMPRISONMENT AS GENOCIDE

Many scholars view it as no accident that the war on drugs has swept up so many people of color into prison. In her best-selling book, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*,⁶⁰ Michelle Alexander asserts that drug laws are simply the latest incarnation of judicial attempts to control African-Americans. Indeed, the United States was arguably founded on the double genocide of Africans and Native Americans. The United Nations' 1948 Convention on the Prevention and Punishment of the Crime of Genocide stipulates that

Genocide means any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; (e) forcibly transferring children of the group to another group.⁶¹

Relevant for my purposes is Claudia Card's interpretation of the last three clauses as making room for viewing state and individual actions as genocidal when they target groups for cultural death, in addition to or separate from physical slaughter.⁶² For example, scholar Andrea Smith has argued that the United States' twentieth-century practices of forced sterilization of Native women by the Indian Health Services and the practice of seizing Native children for compulsory attendance at boarding schools that denied them access to their languages, religion, and cultural practices both violate the UN Convention and count as genocide, even though they do not aim at murdering the women and children impacted (though the sterilization clearly serves as a kind of pre-emptive strike against the possibility of future Natives existing).⁶³ Likewise, Jeanne Flavin asserts that "as during slavery, contemporary efforts to regulate Black women's reproductive capacities encompass all aspects of reproduction from conception through child raising," including Medicaid encouragement to implant them with Norplant and other long-acting birth control (and later refusing to remove the devices), family

caps and punitive welfare restrictions, and increasingly swift moves to terminate their parental rights, as will be discussed below.⁶⁴

The slave trade was clearly genocidal, subjecting its victims to a massive death rate in the march from interior nations of African to ports for export, continuing with dehumanizing and murderous conditions on slave ships in the Middle Passage to various European and colonial destinations. In the American colonies, buyers turned African human beings into *tools to be used* for their master's ends, in violation of the Kantian ethical imperative never to turn a human being into a mere means for others in violation of his or her intrinsic dignity and worth.⁶⁵ Slave traders and owners thus intended to destroy, in whole or part, a national and racial group, killing them, inflicting extreme bodily and mental harm, subjecting them to conditions calculated to bring about cultural death, and seizing and enslaving all children of the enslaved for ongoing control and degradation. As Card describes, the keystone of genocide need not be mass killing as such, but rather cultural and social death: "social vitality is destroyed when the social relations—organizations, practices, institutions—of the members of a group are irreparably damaged or demolished."⁶⁶

The drug war's assault on Black women meets Card's criterion for genocide as destroying social vitality in its assault on Black women's "central roles in preserving and passing on the traditions, language, and (daily) practices from one generation to the next and in maintaining family and community relationships."⁶⁷ Women in prison have given birth in shackles,⁶⁸ despite the incredibly low likelihood of a woman in labor running off and the fact that most women are in prison for non-violent drug offenses. Despite a 2006 warning from the United Nations Committee Against Torture that shackling during labor and delivery violates the UN Convention against Torture (which the US signed), only thirteen states currently prohibit shackling during labor, and twenty states allow both leg irons and waist chains on women in labor.⁶⁹ Pregnant women in prison are routinely denied adequate prenatal care, have a higher miscarriage rate, often give birth in their cells before guards will grant them transport to the hospital,⁷⁰ and are quickly separated from their infants. Despite evidence that prison-based nursery programs lower recidivism rates of participants and facilitate bonding of mother-child at a crucial developmental stage, only nine states currently have nursery programs operating or in development.⁷¹ The utter control over and demeaning conditions imposed by the state on African-American women in labor are eerily reminiscent of the control and lack of care imposed under slavery and legal segregation.

Unlike most Black men, the majority of Black women entering the criminal justice system are single parent heads of households.⁷² More than 70 percent of the women entrapped in the prison system have children. Since they are also highly likely to come from impoverished neighborhoods lacking adequate social services and support networks, their loss devastates their children and undermines the entire community.⁷³ Since African-American women are disproportionately incarcerated, they are over-represented among mothers who lose their children

because of penal control. All mothers lose their children to the foster care system and state control upon entering prison, and the 1997 Safe Families Act (ASFA) mandates states to terminate parental rights if a child remains in foster care fifteen of the prior twenty-two months, virtually guaranteeing that mothers with sentences longer than a year will lose their children. Five states have laws rendering the period to termination of parental rights even shorter than fifteen months in foster care.⁷⁴

Restrictive visitation and phone privileges make it extremely difficult for even those mothers who have not lost parental rights to maintain a relationship with their children, as do mothers being moved to different facilities, children moving to different foster homes, or mothers' placement in remote facilities.⁷⁵ Those punished under increasingly arbitrary rules for solitary confinement lose all contact with anyone save prison staff and are isolated in a fashion that the UN has ruled to be a violation of human rights (the practice is also banned in most European nations). Those women lucky enough to be released, if poor—as the majority of those imprisoned for drug offense are—cannot even visit family members in public housing, lest they also be permanently ejected.⁷⁶

All mothers suffer under such conditions, of course, but considered as part of an ongoing *de facto* legal strategy to control and assault African-American social vitality, the drug war's undermining of Black women is genocidal and the coopting of their labor and sexual abuse of their bodies is twenty-first-century re-enslavement. Indeed, Dorothy Roberts has argued explicitly that "the current denial of Black women's reproductive autonomy is a badge of slavery that violates the Thirteenth Amendment."⁷⁷ Discussing a wide range of topics from criminalizing pregnant drug users to pressuring welfare users to get Norplant, Roberts builds a systematic case that these various government interventions into Black women's procreative rights has genocidal implications: these practices are dangerous because "they impose racist governmental judgments that certain members of society do not deserve to have children. . . . Governmental policies that perpetuate racial subordination through the denial of procreative rights, which threaten both racial equality and privacy at once, should be subject to the most intense scrutiny."⁷⁸

V. CONCLUSION

To those who balk at applying the term "genocide" or "re-enslavement" to the State's current treatment of Black women, I suggest that both a failure of philosophical imagination and willful self-deception may be to blame, similar to what Patterson calls the slaveholder's "ideological inversion of reality" wherein slaves were alleged to be akin to ignorant children needing control by the master's superior reason.⁷⁹ The slave owner's self-deception both justified the genocidal oppression of slavery and protected the master from admitting to himself his own condition as a morally bankrupt human parasite, dependent for his own survival on the forced labor of another.⁸⁰ Tim Wise, in his analysis of white privilege, has documented similar white delusion through US history: in early colonial newspapers through slave times and in public opinion polls in the early twentieth century through the present day, a large majority

of white Americans have continued to assert—in defiance of all objective data—that African-Americans had just as much of a chance to flourish and succeed educationally as whites.⁸¹ A 2011 Tufts University study found a majority of whites believe anti-white bias was worse than anti-Black bias,⁸² a 2016 study by the Robert Wood Johnson Foundation found that the majority of whites believe that whites face racial discrimination (though interestingly, only a small percentage reported that they had personally experienced the phenomenon).⁸³ Apparently neither enslavement, nor widespread lynching and re-enslavement via convict leasing, nor segregation and Jim Crow, nor a racially targeted prison nation can convince most white Americans that African-Americans are not to blame for their own unequal situation.

What could possibly explain such blatant self-deception if not deeply enculturated stereotypes used from colonial times to the present, of Blacks as pathologically lazy, stupid, and morally depraved? After all, if everyone has the same chance to make it in society, but one group persists in poverty and at disadvantage on all known measures of health, educational, and other outcomes, the explanation must be that group's inferiority. Even as racially targeted policing and racial disparities in sentencing produce the alleged evidence of Black criminality, various interlocking structural inequalities produce the alleged evidence of a more general Black inferiority. *De facto* segregation and racial discrimination persist in the nation's schools, neighborhoods, churches, synagogues, country clubs, fraternities and sororities, location of garbage dumps and nuclear waste, prisons, hospitals and doctor's offices, and loan offices.⁸⁴ A landscape of social death indeed that amounts to a genocidal assault on the civil, political, and human rights of both Black women and men—albeit to the second degree for the second sex. Black women and girls have faced rape and sexual harassment in schools, juvenile detention centers, and prisons; scapegoating in the drug war; racialized sentencing; a lack of educational, rehabilitative, and health resources in prison; as well as destruction of the mother/child bond and the scattering of family units while they serve out their sentences:⁸⁵ from the hull of the slave ship to the modern prison cell, the attempt to erase Black women's civil and personal lives continues into the twenty-first century. No nation should tolerate such entrenched injustice whilst claiming to be the home of the free.

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NOTES

1. Patterson describes the slave's creation as a social nonperson as dependent upon "natal alienation": "alienated from all 'rights' or claims of birth, he ceased to belong in his own right to any legitimate social order. . . . Not only was the slave denied all claims on, and obligations to, his parents and living blood relations but, by extension, all such claim and obligations on his more remote ancestors and on his descendants." Orlando Patterson, *Slavery*

- and *Social Death: A Comparative Study* (Cambridge: Harvard University Press, 1982), 5.
2. See, in particular, Lisa Marie Cacho, *Social Death: Racialized Rightlessness and The Criminalization of the Unprotected* (New York: New York University 2012); and Lisa Guenther, *Solitary Confinement: Social Death and Its Afterlives* (Minneapolis: University of Minnesota Press, 2013).
 3. "Incarceration," The Sentencing Project, N.d., accessed July 18, 2013, <http://www.sentencingproject.org/template/page.cfm?id=107>.
 4. P. Guerino, P. M. Harrison, and W. Sabol, 2011. "Prisoners in 2010," Washington, DC: Bureau of Justice Statistics, as cited in "Racial Disparity," The Sentencing Project, N.d., accessed July 18, 2013, <http://www.sentencingproject.org/template/page.cfm?id=122>.
 5. Patterson, *Slavery and Social Death: A Comparative Study*, 38.
 6. Heather C. West and William J. Sabor, *Prisoners in 2007*, National Prisoner Statistical Data Series conducted by the Bureau of Justice Statistics (Washington, DC: Bureau of Justice Statistics, 2008).
 7. M. Cahalan, *Historical Corrections Statistics in the United States, 1850–1984*. (Washington, DC: Bureau of Justice Statistics, 1986); Carson and Sabol, *Prisoners in 2011* (Washington, DC: Bureau of Justice Statistics, 2012); Beck and Karberg, *Prison and Jail Inmates at Midyear 2000* (Washington, DC: Bureau of Justice Statistics, 2001); Guerino, Harrison, and Sabol, *Prisoners in 2010* (Washington, DC: Bureau of Justice Statistics, 2011).
 8. Carson, as cited in "Incarcerated Women," The Sentencing Project, N.d., accessed July 17, 2013, <http://www.thesentencingproject.org>.
 9. See Douglas A. Blackmon, *Slavery By Another Name: The Re-enslavement of Black Americans from the Civil War to World War II* (New York: Anchor Books, 2008).
 10. Geeta Chowdhry and Mark Beeman, "Situating Colonialism, Race, and Punishment," in *Race, Gender, and Punishment: From Colonialism to the War on Terror*, ed. Mary Bosworth and Jeanne Flavin (New Brunswick: Rutgers University Press, 2007), 13–31, 25.
 11. Lisa Marie Cache, *Social Death: Racialized Rightlessness and the Criminalization of the Unprotected* (New York: New York University Press, 2012), 6–7.
 12. For more on convict leasing and re-enslavement, see David Oshinsky, *Worse than Slavery: Parchman Farm and the Ordeal of Jim Crow Justice* (New York: The Free Press, 1996).
 13. Angela Y. Davis, "Political Prisoners, Prisons, and Black Liberation," in *African American Philosophy: Selected Readings*, ed. Tommy L. Lott (Upper Saddle River: Prentice Hall, 2002), 347.
 14. Angela Y. Davis, *The Meaning of Freedom and Other Difficult Dialogues* (San Francisco: Open Media Series, 2012), 124–25.
 15. Jamie Fellner and Marc Mauer, *Losing the Vote: The Impact of Felony Disenfranchisement Laws in the United States* (New York, NY, and Washington, DC: Human Rights Watch and The Sentencing Project, 1998); Nicole D. Porter, *Expanding the Vote: State Felony Disenfranchisement Reform, 1997–2010* (Washington, DC: The Sentencing Project, 2010). Updates by Jeff Manza and Christopher Uggen, *Locked out: Felony Disenfranchisement and American Democracy* (Washington, DC: The Sentencing Project, 2006).
 16. Per the 1998 Quality Housing and Work Responsibility Act of 1998 and Housing and Urban Development Department rules.
 17. As per 1996 welfare reform legislation, the Temporary Assistance for Needy Family Program, which also introduced five-year lifetime limits on benefits and requires all welfare recipients, regardless of parental status or access to childcare, to work in order to get their benefits. Most college and university studies are no longer counted as "work," though some vocational programs do.
 18. Angela Y. Davis, "Racialized Punishment and Prison Abolition," in *A Companion to African-American Philosophy* (Malden: Blackwell Publishing, 2006), 368.
 19. Combahee River Collective, "A Black Feminist Statement," reprinted in *Theorizing Feminisms*, ed. Elizabeth Hackett and Sally Haslanger, 413–18 (New York: Oxford University Press, 2006).
 20. Kimberlé Crenshaw, "Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color," *Stanford Law Review* 43, no. 6 (1991): 1241–99.
 21. Jamila Aisha Brown, "If Trayvon Martin Had Been a Woman...," *Guardian* News, July 12, 2013, accessed July 17, 2013, <https://www.theguardian.com/commentisfree/2013/jul/12/trayvon-martin-female>.
 22. Charles M. Blow, "Barack and Trayvon," *The New York Times* Op-Ed, July 20, 2013, A19.
 23. bell hooks, "Seduced by Violence No More," in *Theorizing Feminisms*, ed. Elizabeth Hackett and Sally Haslanger, 333–335, 333 (New York: Oxford University Press, 2006).
 24. As cited in Patricia Hill Collins, *Black Feminist Thought: Knowledge Consciousness, and the Politics of Empowerment*, 2nd edition (New York: Routledge, 2000), 88.
 25. Beth Ritchie, *Arrested Justice: Black Women, Violence, and America's Prison Nation* (New York: New York University Press, 2012).
 26. Monique W. Morris, "Race, Gender, and the School-to-Prison Pipeline: Expanding Our Discussion to Include Black Girls," *African American Policy Forum*, October 1, 2012, accessed July 18, 2013, <http://www.aapf.org/wp-content/uploads/2012/08/Morris-Race-Gender-and-the-School-to-Prison-Pipeline.pdf>, 9.
 27. Joy James, "Sexual Politics: An Antilynching Crusader in Revisionist Feminism," in *African American Philosophy: Selected Readings*, ed. Tommy L. Lott (Upper Saddle River: Prentice Hall, 2002), 450–63. See also Darlene Clark Hine, *Hine Sight: Black Women and the Re-construction of American History* (Brooklyn: Carlson Publishing, 1994), 37–47 ("Rape and the Inner Lives of Black Women").
 28. Collins, *Black Feminist Thought: Knowledge Consciousness, and the Politics of Empowerment*, 70–78.
 29. *Ibid.*, 69.
 30. *Ibid.*, 78.
 31. Kimberlé Crenshaw, "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory, and Antiracist Politics," in *African American Philosophy: Selected Readings*, ed. Tommy L. Lott (Upper Saddle River: Prentice Hall, 2002), 208.
 32. Morris, "Race, Gender, and the School-to-Prison Pipeline: Expanding Our Discussion to Include Black Girls," 6. Here is just a sampling of recent cases where young African-American girls with natural hair or braids were suspended from school for being "distracting," as though Black hair itself constitutes an offense: <http://www.newsweek.com/wearing-braids-sends-black-girls-detention-malden-charter-school-608303>; <http://www.msnbc.com/the-last-word-94>; <http://www.khou.com/news/local/texas/mom-upset-after-school-reprimands-girl-for-wearing-afro-puff/166759670>.
 33. Collins, *Black Feminist Thought: Knowledge Consciousness, and the Politics of Empowerment*, 147–48; see also Crenshaw and Sarah Gill, "Dismantling Gender and Race Stereotypes: Using Education to Prevent Date Rape," *UCLA Women's Law Journal* 7, no. 1 (Fall/Winter 1996): section II. D.
 34. For more on this point, see Bat-Ami Bar On, "The 'Scottsboro Case: On Responsibility, Rape, Race, Gender, and Class,'" in *A Most Detestable Crime: New Philosophical Essays on Rape*, ed. Keith Burgess-Jackson (Oxford: Oxford University Press, 1995), 200–10.
 35. Cacho, *Social Death: Racialized Rightlessness and The Criminalization of the Unprotected*, 6.
 36. In *Animal Farm*, George Orwell's parable of fascist revolutions, the leaders move from the brother- and sisterhood of animal equality, to the double-speak of "All animals are equal, but some animals are more equal than others." George Orwell, *Animal Farm* (Orlando: Harcourt Inc., 2003), 80.

37. Vernetta D. Young and Zoe Spencer, "Multiple Jeopardy: The Impact of Race, Gender, and Slavery on the Punishment of Women in Antebellum America," in *Race, Gender, and Punishment: From Colonialism to the War on Terror*, ed. Mary Bosworth and Jeanne Flavin (New Brunswick: Rutgers University Press, 2007), 65-76, 73.
38. Kemba Smith, "Modern Day Slavery: Inside the Prison-Industrial Complex," in *Global Lockdown: Race, Gender, and the Prison-Industrial Complex*, ed. Julia Sudbury (New York: Routledge, 2005), 106.
39. Victoria Law, *Resistance Behind Bars: The Struggles of Incarcerated Women*, 2nd edition (Oakland: PM Press, 2012), 97-109.
40. Angela Y. Davis, "Masked Racism: Reflections on the Prison Industrial Complex," in *Race and Resistance: African Americans in the 21st Century*, ed. Herb Boyd (Cambridge: South End Press: 2002), 56-57.
41. Julia Bowling, "Do Private Prison Contracts Fuel Mass Incarceration?" Brennan Center for Justice, September 20, 2013, accessed May 31, 2014, <http://www.brennancenter.org/blog/do-private-prison-contracts-fuel-mass-incarceration>.
42. Nicole Flatow, "How Private Prison Firms Use Quotas to Fill Cells and Coffers," *ThinkProgress*, September 20, 2013, accessed April 19, 2018, <https://thinkprogress.org/how-private-prison-firms-use-quotas-to-fill-cells-and-coffers-fca033ca70e2/>.
43. Judith Greene and Kevin Pranis, *Hard Hit: The Growth in the Imprisonment of Women, 1977-2004*, Women's Prison Association, 2006, accessed April 19, 2018, <http://www.csdp.org/research/HardHitReport4.pdf>, 9.
44. Natalie Sokoloff, "Women Prisoners at the Dawn of the 21st Century," *Women in Criminal Justice* 16, no. ½ (2005): 127-37.
45. Jennifer Medina, "California Is Facing More Woes in Prisons," *The New York Times*, July 14, 2013, accessed July 26, 2013, <https://www.nytimes.com/2013/07/15/us/california-is-facing-more-woes-in-prisons.html>.
46. "Protests Against Prison Overcrowding Draws Hundreds," *The San Diego Union-Tribune*, January 26, 2013, accessed April 24, 2018, <http://www.sandiegouniontribune.com/sdut-protest-against-prison-overcrowding-draws-hundreds-2013jan26-story.html>; and Joshua Emerson Smith, "Groups Set to Protest Crowding at Chowchilla Women's Prison," *Merced Sun-Star*, January 27, 2013, accessed April 24, 2018, <http://www.mercedsunstar.com/news/local/article3273740.html>.
47. Wilbert Rideau, "When Prisoners Protest," *The New York Times*, July 17, 2013, accessed July 18, 2013, <https://www.nytimes.com/2013/07/17/opinion/when-prisoners-protest.html>. I only mention Rideau's race in support of my claim that the Black community ignores the plight of Black women in favor of focusing on Black men.
48. Sal Rodriguez, "Women in California Prison Isolation Units Face Overcrowding and Despair," *Solitary Watch*, July 1 2013, accessed July 18, 2013, <http://solitarywatch.com/2013/07/01/women-in-california-prison-isolation-units-face-overcrowding-and-despair/>.
49. Rachel Roth, "Will the Justice Department Stand Up for Women Raped in Prison?" *Women and Prison*, N.d., accessed July 17, 2013, http://womenandprison.org/sexuality/view/will_the_justice_department_stand_up_for_women_raped_in_prison/.
50. Anna Clark, "Why Does Popular Culture Treat Prison Rape As a Joke?" *Women and Prison*, N.d., July 17, 2013, http://womenandprison.org/prison-industrial-complex/view/why_does_popular_culture_treat_prison_rape_as_a_joke/.
51. Marilyn Frye has discussed, with humor and insight, the general inability to understand lesbian sex as "real" sex when looking at it from the dominant heterosexist paradigm in her chapter "Lesbian Sex" in *Willful Virgin: Essays in Feminism* (Freedom, CA: The Crossing Press, 1992): 109-19.
52. Allen J. Beck et al., *Sexual Victimization in Prisons and Jails Reported by Inmates 2011-12* (Bureau of Justice Statistics, May 2013).
53. Allen J. Beck and Candace Johnson, *Sexual Victimization Reported by Former Prisoners, 2008* (Department of Justice Statistics, May 2012), 5.
54. See Joey L. Mogul, Andrea J. Ritchie, and Kay Whitlock, *Queer (In)justice: The Criminalization of LGBT People in the United States* (Boston: Beacon Press, 2011), 101.
55. Graham Lee Brewer, "Female Prison in Oklahoma Has Highest Rape Rate in US," *News OK*, January 12, 2014, accessed May 31, 2014, <http://newsok.com/article/3922988>.
56. Carimah Townes, "Alabama Looked the Other Way as Prison Staff Habitually Raped Women, Demanded Sexual Favors, DOJ Finds," *ThinkProgress*, January 28, 2014, accessed May 31, 2014, <http://thinkprogress.org/justice/2014/01/28/3211551/horrifying-sex-crimes-alabama-womens-prison/>.
57. *Ibid.*
58. Hunter Stuart, "Texas Sherriff's Jail Ran 'Rape Camp,' Where Female Inmates Were Repeatedly Violated, Lawsuit Alleges," *Huffington Post*, June 19, 2013, accessed May 31, 2014, http://www.huffingtonpost.com/2013/06/18/texas-rape-camp_n_3459920.html.
59. *Ibid.*
60. Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2010).
61. Nehemiah Robinson, *The Genocide Convention: A Commentary* (New York: Institute of Jewish Affairs, World Jewish Congress, 1960), 147, as cited in Claudia Card, "Genocide and Social Death," in *Genocide and Human Rights*, ed. John K. Roth (New York: Palgrave MacMillan, 2005), 243. Space does not permit me to engage with the vast literature within Genocide Studies debating the meaning and relevance of each of the above clauses and varying candidates for the best definition of "genocide."
62. See Card, "Genocide and Social Death," 239 and 243-44.
63. Andrea Smith, *Conquest: Sexual Violence and American Indian Genocide* (Boston: South End Press, 2005). For further discussion of boarding school violence and sterilization abuse, see also Sarah Deer, Bonnie Clairmont, Carrie A. Martell, and Maureen L. White Eagle, eds., *Sharing Our Stories of Survival: Native Women Surviving Violence* (Lanham: Altamira Press, 2008).
64. Jeanne Flavin, "Slavery's Legacy and Black Women's Reproduction," in *Race, Gender, and Punishment: From Colonialism to the War on Terror*, ed. Mary Bosworth and Jeanne Flavin (New Brunswick: Rutgers University Press, 2007), 99.
65. Immanuel Kant, *Grounding for the Metaphysics of Morals* (Indianapolis: Hackett, 1981), 36, states the second version of the Categorical Imperative thus: "act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply as a means."
66. Card, "Genocide and Social Death," 244.
67. *Ibid.*, 250.
68. Anna Clark, "Giving Birth in Chains: The Shackling of Incarcerated Women during Labor and Delivery," *RHRC*, July 6, 2009, accessed April 27, 2015, <http://rhrefcheck.org/article/2009/07/06/giving-birth-chains-the-shackling-incarcerated-women-during-labor-and-delivery/>. According to the article, only four states currently have laws banning shackling women in labor and delivery.
69. "Laws Banning Shackling During Childbirth Gaining Momentum Nationwide," *Women's Prison Association*, N.d., accessed July 22, 2013, http://www.wpaonline.org/pdf/Shackling%20Brief_final.pdf.
70. Rachel Roth, "Pregnant, In Prison, and Denied Care," *The Nation*, December 10, 2009, accessed July 22, 2013, <http://www.thenation.com/article/pregnant-prison-and-denied-care>.
71. "Mothers, Infants and Imprisonment: A National Look at Prison Nurseries and Community-Based Alternatives," *Women's Prison Association*, May 2009, accessed April 19, 2018, <https://ncfy.acf.hhs.gov/library/2009/mothers-infants-and-imprisonment-national-look-prison-nurseries-and-community-based>.
72. Greene and Pranis, *Hard Hit*, 26.
73. *Ibid.*, 21-22.
74. Gail T. Smith, "The Adoption and Safe Families Act of 1997: Its Impact on Prisoner Mothers and Their Children," *Women and*

Prison, N.d., accessed July 22, 2013, http://womenandprison.org/motherhood/view/the_adoption_and_safe_families_act_of_1997_its_impact_on_prisoner_mothers_a/.

75. Flavin, "Slavery's Legacy and Black Women's Reproduction," 108.
76. The 1998 Quality Housing and Work Responsibility Act of 1998 allows public housing agents to exclude both drug offenders and felons "believed to be using illegal drugs or abusing alcohol—whether or not they have been convicted of a crime." Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, 142, original emphasis. In addition, the Housing and Urban Development Department (HUD) "one strike and you are out" guidelines adopted soon after this allows public-housing tenants who have a guest or member of their household engaging in criminal activity on or off the premises to be evicted, whether or not they knew of the criminal activity. Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, 142–44. Since felons are barred for at least five years following the felony from public housing, allowing them on the premises would constitute an eviction-worthy offense.
77. Dorothy Roberts, *Killing the Black Body: Race, Reproduction, and the Meaning of Liberty* (New York: Vintage Books, 1999), 304.
78. *Ibid.*, 308.
79. Patterson, *Slavery and Social Death: A Comparative Study*, 338–39.
80. See Patterson's insightful chapter, "Slavery as Human Parasitism," *ibid.*, 334–42.
81. Tim Wise, *White Like Me: Reflections on Race From a Privileged Son*, 2nd edition (Brooklyn: Soft Skull Press, 2008), 62–63.
82. Samuel Sommers and Michael Norton, "White People Think Racism Is Getting Worse. Against White People," *The Washington Post*, July 21, 2016, <https://www.washingtonpost.com/posteverything/wp/2016/07/21/white-people-think-racism-is-getting-worse-against-white-people/>.
83. Don Gonyea, "Majority of White Americans Say They Believe Whites Face Discrimination," *NPR*, October 24, 2017, <https://www.npr.org/2017/10/24/559604836/majority-of-white-americans-think-theyre-discriminated-against>.
84. For a wealth of data on all of these points, in the context of a philosophical analysis of the political perils of America's ongoing *de facto* racial segregation, see Elizabeth Anderson's excellent book, *The Imperative of Integration* (Princeton: Princeton University, Reprint edition, 2013), chapters one and two.
85. For discussion of the paucity of resources offered to women in prison, see Joanne Belknap, "Access to Programs and Healthcare for Incarcerated Women," *Federal Probation* 60, no. 4 (December 2006).

On Minor Publications, Thematic Divisions, and Biases in Philosophy: Insights from the Book Review Sections

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ON THE DATA SITUATION

In 2008, Sally Haslanger investigated, among other things, the underrepresentation of women's work in top philosophical journals by quantitatively examining the distribution of author gender. She concentrated on articles and discussions, finding contributions from female authors

to be underrepresented—about 12.36 percent on average—vis-à-vis the number of women in the philosophical discipline overall.

When Haslanger published her paper, there was no access to journal submission data, making it impossible to ascertain whether the problem stems from a difference in the submission or the acceptance rate (or both). Subsequently, new data have come to light, provided by the American and the British Philosophical Associations in 2014.² Gender-specific numbers were provided by *Mind*, *The Philosophical Quarterly*, *The European Journal of Philosophy*, *The Canadian Journal of Philosophy*, *The British Journal for the Philosophy of Science*, and *The British Journal for the History of Philosophy* for the time between 2011–2013/2014. According to this data the journals' acceptance rates are roughly equal for women and men.³ However, with the exception of the *Canadian Journal* (20 percent of submissions by women), the submission rates of women in all the journals were very low (10 percent, 14 percent, 11.84 percent, 12 percent, and 16 percent).

Both studies—Haslanger's paper and the APA/BPA survey—left us asking ourselves how women philosophers' books are treated in the book review sections of philosophical journals. In order to benefit from Haslanger's findings, we chose from her list those journals that include book review sections, i.e., *Ethics*, *Mind*, *The Journal of Philosophy*, and *The Philosophical Review*. However, the book review section in the *Journal of Philosophy* is so small that it did not allow for a workable amount of data (even if we went back until 2003). Thus, we focused on *Ethics*, *Mind*, and *Phil. Review* and examined their book review sections between 2008 and 2015 by collating the numbers of reviewed books authored by men and women as well as the numbers of male and female reviewers. We also correlated the number of female reviewers when a reviewed book was authored by a woman.

Before starting, let us issue two caveats. First, the three journals of this survey make only a small sample. Second, as the APA/BPA survey, Haslanger's survey, and our own survey all scrutinize different periods of time, combining them might not be unproblematic—not least since some philosophy journals' practices have changed in recent years, partly as a result of concerns about biases in review procedure. For example, two of the surveyed journals have triple- and one only double-blind review procedures: *Mind* started the editorial practice of triple-anonymity in 2005, *Ethics* even earlier, in 1991.⁴

Nevertheless, we hope and believe that these collections of data—each taken separately and all of them combined—may contribute to recent and new ideas on this issue, and we wish to stress that it would be very helpful if more editors, institutions, and researchers gathered and released (gender-specific) data in order to achieve a better understanding of the situation.

DATA FROM THE BOOK REVIEW SECTIONS

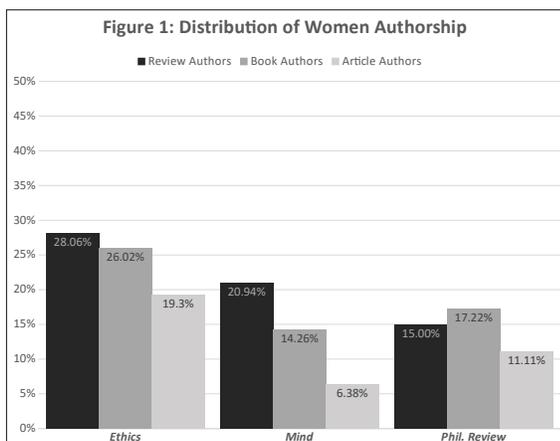
The survey of the book review sections points to the following three key points (at the very least).

(1) While one might expect women’s books to be underrepresented in the book review sections due to a bias against women’s work, the numbers collated here do not confirm such a bias in these journals’ book selections. In *Ethics*, 26.02 percent of the reviewed books are authored by women, in *Mind* 14.26 percent, and in *Phil. Review* 17.22%.⁵ Thus, the attention that women’s work receives appears particularly high in *Ethics*. Yet, this appearance may be deceptive since *Ethics* is a journal that addresses an area of philosophy in which women are actually overrepresented.⁶

Overall, the reviewed books authored by women come to an average of 18.33 percent.⁷ One might be tempted to interpret this finding as an indication of bias against women’s work in the selection of books by these philosophical journals, presuming that the representation of women’s work in the review sections should roughly correlate with their number in the community—so if we take the latter to be between 20 and 25 percent,⁸ the former should correspond accordingly. However, this interpretation has a number of problems.

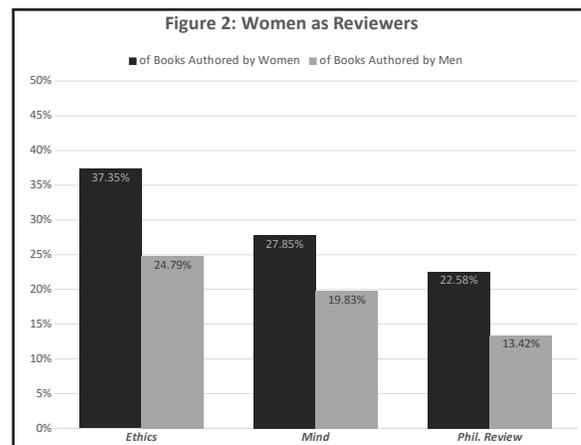
First, it should be kept in mind here that these top journals primarily consider work from people who are already part of “the establishment” and, thus, are perceived to be excellent. However, it is less common for women to reach these upper-career echelons than for men. Second, as mentioned above, the APA/BPA (2014) data reveals that women tend to submit significantly less than their male colleagues. Accordingly, women might also submit book manuscripts less often than men. In sum, we therefore wish to stress that the data does not suggest that there are biases against women’s work in the journals’ book selection. However, the data also does not provide grounds for a positive assessment of the selection of books by these journals (particularly *Mind*).

(2) Women are more strongly represented as review authors than article authors in all three journals (Figure 1). A potential explanation might be that women do not often decline requests for book reviews because, as a rule, they do not receive much support, have inadequate working conditions, and, hence, do not feel that they can afford to reject review requests. This would be in line with an “internalized negative self-evaluation” of women philosophers.⁹ Moreover, it would fit with the fact that



writing a book review counts more as “community service” than as a scientific achievement; it is a “minor publication.”¹⁰ At the same time, however, it is “considerably time consuming” while the reviews have a “shorter shelf life than articles, since they tend to relate the book to the current contextual environment.”¹¹ Thus, book reviews cause a significant amount of work and come with comparatively low prestige—a classic women’s task.¹²

(3) There is a notable tendency that the percentage of women reviewers is higher when the reviewed books are authored by women (Figure 2). Note, however, that the occurrence of same-gender constellations is significant only in *Ethics* ($p = .021$).¹³



Diverse factors could be in play here. Sometimes, men might tend to avoid reviewing women’s books for fear of having to be particularly considerate in their criticism due to otherwise appearing sexist and biased; on the other hand, women could tend to accept requests to review other women’s books more often for feminist reasons.

Yet, the most relevant factor seems to be a thematic division between “hard” (epistemology, philosophy of mind, and philosophy of language) and “soft” (ethics, applied ethics, social and political philosophy) areas of philosophy, the former reportedly more a domain of men, the latter reportedly more of women.¹⁴ Given that there is a statistically significant trend only in *Ethics* and also given the salient percentage of reviewed books authored by women in the same journal (28.06 percent), it seems that women have been able to establish a foothold in specific topics, particularly in ethics—e.g., care ethics, feminist bioethics, intersectionality, ecofeminism, embodiment, standpoint epistemology, or feminist science studies.¹⁵ Therefore, the trend in *Ethics* confirms the suspicion that there are gender-specific areas in philosophy because, if this is the case, there are more books on specific issues authored by women than by men, and more competent women than men are available for reviewing the respective books, meaning that editors simply can find more women experts on these topics.

SUMMARY AND FURTHER DISCUSSION

The most notable finding of this study is that women are more strongly represented as review authors than article

authors in all three journals. We argued that this exemplifies the well-known fact that women tend to do work of lesser prestige more often since book reviews count as “minor publications” while requiring a lot of work. Moreover, the data reveals a notable tendency that the percentage of women reviewers is higher when the reviewed books are authored by women. We argued that this supports the hypothesis that women philosophers tend to focus on specific thematic areas.

These points are interesting with respect to the discussion of gender biases in peer review. While proponents of implicit bias approaches have claimed occasionally that there is a propensity (of referees, editors, etc.) to reject women’s contributions to philosophical journals, the APA/BPA (2014) data does not support this suspicion. Still, in light of the low submission rates by women and the substantial gender differences in the book review sections, we wish to emphasize that this does not mean that gender bias does not play a role when it comes to the underrepresentation of women’s articles in philosophy journals.

Implicit and explicit biases against women and members of minority groups have been elucidated thoroughly by substantial current research.¹⁶ For this reason, we take it as given that there are gender biases playing a decisive role in causing the underrepresentation of women in all areas of academic philosophy including publications—even though most people might successfully take efforts to make unbiased decisions, e.g., when it comes to the evaluation of one’s work. Thus, it seems rather unlikely that biases keep editors away from accepting women’s submissions. However, gender biases are likely to lead to a “chilly climate,”¹⁷ inadequate working conditions,¹⁸ and “internalized negative self-evaluation,”¹⁹ which might interfere with and deflate women’s confidence and stifle their productivity.²⁰ This might very well explain why women philosophers do work of lesser prestige more often, focus on specific thematic areas (i.e., “thematic niches”),²¹ and submit substantially less often than their male colleagues. The empirical findings presented here add, once again, weight to this hypothesis.

ANNEX: DATA

Data are only taken for reviews of single-authored monographs when they are written by no more than two reviewers. Each reviewer of a co-authored review is counted as 0.5 in order to maintain an alignment between the total number of reviews and reviewers.

TABLE 1: BOOK REVIEWS IN ETHICS, 2008–2015, VOL. 118 (2)–VOL. 126 (1)

	Author (m)	Author (f)	Total
Reviewer (f)	58.5	31	89.5
Reviewer (m)	177.5	52	229.5
Total	236	83	319

TABLE 2: BOOK REVIEWS IN MIND, 2008–2015, VOL. 117–VOL. 124

	Author (m)	Author (f)	Total
Reviewer (f)	94	22	116
Reviewer (m)	380.5	57	437.5
Total	474.5	79	553.5

TABLE 3: BOOK REVIEWS IN PHILOSOPHICAL REVIEW, 2008–2015, VOL. 117–VOL. 124

	Author (m)	Author (f)	Total
Reviewer (f)	20	7	27
Reviewer (m)	129	24	153
Total	149	31	180

TABLE 4: ARTICLE DATA FROM HASLANGER (2008, 220)

Journal	Article authors	Female	Percentage
<i>Ethics</i>	114	22	19.30
<i>Phil Review</i>	63	7	11.11
<i>Mind</i>	141	9	6.38

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NOTES

1. Anna Leuschner is responsible for the data collection and interpretation, Anna Lindemann for the statistical evaluation.
2. *APA/BPA Journal Surveys*.
3. As Weisberg (“Journal Submission Rates by Gender: A Look at the APA/BPA Data”) has pointed out, the APA/BPA data has to be taken with a pinch of salt: “A good number of the usual suspects aren’t included, like *Philosophical Studies*, *Analysis*, and *Australasian Journal of Philosophy*. So the usual worries about response rates and selection bias apply. The data are also a bit haphazard and incomplete. Fewer than half of the journals that responded included gender data. And some of those numbers are suspiciously round.”

4. This information was very supportively provided by the journal editors, Prof. Adrian Moore and Prof. Thomas Baldwin (*Mind*), as well as Prof. Henry Richardson (*Ethics*). For more information on triple-anonymity in *Ethics*, see also Richardson, Editorial (*Ethics*); and "Announcing an Improvement to the Journal's Blind Review Process."
5. For the exact numbers, see annex. With regard to ambiguous names of authors, we checked homepages or other internet sources (conference websites, book descriptions, etc.) for pictures and personal pronouns.
6. Cf. Krishnamurthy et al., "The Underrepresentation of Women in Prestigious Ethics Journals"; Haslanger, "Changing the Ideology and Culture of Philosophy: Not by Reason (Alone)," 215; Schwitzgebel and Jennings, "Women in Philosophy: Quantitative Analyses of Specialization, Prevalence, Visibility, and Generational Change"; Wilhelm et al., "New Data on the Representation of Women in Philosophy Journals: 2004–2015"; and point (3) below.
7. The number of books written by women that received reviews divided by the total number of book reviews: 193/1053 = 18.33.
8. Women have held around 21 percent of available permanent positions in the 1990s (Norlock, "Update on the Report to the APA-CSW from 2006"), and recent estimates suggest that there has not been substantial improvement ever since. In particular, it has been shown that the underrepresentation increases significantly when moving up the academic hierarchy from lower to higher positions: women receiving a PhD in philosophy make up roughly 31 percent of recipients (Leslie et al., "Expectations of Brilliance Underlie Gender Distributions Across Academic Disciplines"; and Wilhelm et al., "New Data on the Representation of Women in Philosophy Journals: 2004–2015") and Schwitzgebel and Jennings ("Women in Philosophy") have shown that women comprise, at most, 25 percent of all the philosophy faculty, occupying 37 percent of assistant, 29 percent of associate, and only 20 percent of full professorships.
9. Bright, "Decision Theoretic Model of the Productivity Gap," 426; Dotson, "Tracking Epistemic Violence, Tracking Practices of Silencing"; Lee, "Revisiting Current Causes of Women's Underrepresentation in Science."
10. Valian, *Why So Slow? The Advancement of Women*, 261.
11. Griffiths et al., "Scholarly Communications in the History Discipline. A Report Commissioned by JSTOR," 6–7.
12. This is also supported by Wilhelm et al. ("New Data on the Representation of Women in Philosophy Journals: 2004–2015"), who have shown that women authors are better represented in discussion articles than in research articles. See, e.g., "Science and Gender: Scientists Must Work Harder on Equality."
13. For the exact numbers, see annex. The p-values for *Mind* ($p = .073$) and for *Philosophical Review* ($p = .153$) are not significant; p-values are calculated using Fisher's Exact Test.
14. See Dodds and Goddard, "Not Just a Pipeline Problem: Improving Women's Participation in Philosophy in Australia," 159; Haslanger, "Changing the Ideology and Culture of Philosophy," 215; Schwitzgebel and Jennings, "Women in Philosophy"; Wilhelm et al., "New Data on the Representation of Women in Philosophy Journals: 2004–2015."
15. Friedman, "Women in Philosophy: Why Should We Care?," 32.
16. See, e.g., Brownstein and Saul, *Implicit Bias and Philosophy: Metaphysics and Epistemology*; Crouch and Schwartzman, "Gender, Implicit Bias, and Philosophical Methodology"; Dotson, "Tracking Epistemic Violence, Tracking Practices of Silencing"; Hutchison and Jenkins, *Women in Philosophy. What Needs to Change?*; Kourany, "How Do Women Fare in Philosophy Journals?"; Lee and Schunn, "Social Biases and Solutions for Procedural Objectivity"; and Leslie et al., "Expectations of Brilliance Underlie Gender Distributions Across Academic Disciplines."
17. Brownstein, "On Williams and Ceci"; and Kidd, "Unthinkable: Why Should Men Care about Gender Inequality?";
18. Valian, *Why So Slow? The Advancement of Women*, 263.
19. Bright, "Decision Theoretic Model of the Productivity Gap," 426.
20. Antony, "Different Voices or Perfect Storm: Why Are There So Few Women in Philosophy?"; Bright, "Decision Theoretic Model

of the Productivity Gap"; Dotson, "Tracking Epistemic Violence, Tracking Practices of Silencing"; and Lee, "Revisiting Current Causes of Women's Underrepresentation in Science."

21. Sonnert and Holton, *Who Succeeds in Science? The Gender Dimension*, 152.

REFERENCES

- Antony, Louise. "Different Voices or Perfect Storm: Why Are There So Few Women in Philosophy?" *Journal of Social Philosophy* 43, no. 3 (2012): 227–55.
- APA/BPA. *APA/BPA Journal Surveys*. 2014. <http://www.apaonline.org/?page=journalsurveys>.
- Bright, Liam Kofi. "Decision Theoretic Model of the Productivity Gap." *Erkenntnis* 82 (2017): 421–42.
- Brownstein, Michael. "On Williams and Ceci." *Feminist Philosophers*. April 15, 2015. <https://feministphilosophers.wordpress.com/2015/04/15/michael-brownstein-on-williams-and-ceci/>.
- Brownstein, Michael, and Jennifer Saul, eds. *Implicit Bias and Philosophy: Metaphysics and Epistemology*. Oxford: Oxford University Press, 2016.
- Crouch, Margaret A., and Lisa H. Schwartzman, eds. "Gender, Implicit Bias, and Philosophical Methodology." Special Issue. *Journal of Social Philosophy* 43, no. 3 (2012): 205–362.
- Dodds, Susan, and Eliza Goddard. "Not Just a Pipeline Problem: Improving Women's Participation in Philosophy in Australia." In *Women in Philosophy. What Needs to Change?* edited by Katrina Hutchison and Fiona Jenkins, 143–63. Oxford: Oxford University Press, 2013.
- Dotson, Kristie. "Tracking Epistemic Violence, Tracking Practices of Silencing." *Hypatia* 26, no. 2 (2011): 236–57.
- Friedman, Marilyn. "Women in Philosophy: Why Should We Care?" In *Women in Philosophy. What Needs to Change?* edited by Katrina Hutchison and Fiona Jenkins, 21–38. Oxford: Oxford University Press, 2013.
- Griffiths, Rebecca, Michael Dawson, and Matthew Rascoff. "Scholarly Communications in the History Discipline. A Report Commissioned by JSTOR." 2006. <http://www.sr.ithaka.org/wp-content/mig/reports/4.11.1.pdf>.
- Haslanger, Sally. "Changing the Ideology and Culture of Philosophy: Not by Reason (Alone)." *Hypatia* 23, no. 2 (2008): 210–23.
- Hutchison, Katrina, and Fiona Jenkins, eds. *Women in Philosophy. What Needs to Change?* Oxford: Oxford University Press, 2013.
- Kidd, Ian James. "Unthinkable: Why Should Men Care about Gender Inequality?" *The Irish Times*. March 17, 2015. <http://www.irishtimes.com/culture/unthinkable-why-shouldmen-care-about-gender-inequality-1.2135389>.
- Kourany, Janet. "How Do Women Fare in Philosophy Journals?" An Introduction. *APA Newsletter* 10, no. 1 (2010): 4–5.
- Krishnamurthy, Meena, Shenyi Liao, Monique Deveaux, and Maggie Dalecki. "The Underrepresentation of Women in Prestigious Ethics Journals." *Hypatia* (forthcoming).
- Lee, Carole. "Revisiting Current Causes of Women's Underrepresentation in Science." In *Implicit Bias and Philosophy: Metaphysics and Epistemology*, edited by Michael Brownstein and Jennifer Saul, 265–82. Oxford: Oxford University Press, 2016.
- Lee, Carole J., and Christian D. Schunn. "Social Biases and Solutions for Procedural Objectivity." *Hypatia* 26, no. 2 (2011): 352–73.
- Leslie, Sarah-Jane, Andrei Cimpian, Meredith Meyer, and Edward Freeland. "Expectations of Brilliance Underlie Gender Distributions Across Academic Disciplines." *Science* 347, no. 6219 (2015): 262–65.
- Norlock, Kathryn J. (2011). "Update on the Report to the APA-CSW from 2006." <https://bit.ly/2xTQdSi>
- Richardson, Henry. Editorial. *Ethics* 120, no. 1 (2009): 1–7.
- Richardson, Henry. "Announcing an Improvement to the Journal's Blind Review Process." *Ethics* 127, no. 3 (2017): 519–20.
- Schwitzgebel, Eric, and Carolyn Dicey Jennings. "Women in Philosophy: Quantitative Analyses of Specialization, Prevalence, Visibility, and Generational Change." *Public Affairs Quarterly* 31 (2017): 83–105.
- Sonnert, Gerhard, and Gerald Holton. *Who Succeeds in Science? The Gender Dimension*. New Brunswick, NJ: Rutgers University Press, 2009.

Urry, Meg. "Science and Gender: Scientists Must Work Harder on Equality." *Nature* 528 (2015): 471–73.

Valian, Virginia. *Why So Slow? The Advancement of Women*. Cambridge, MA: MIT Press, 1998.

Weisberg, Jonathan. "Journal Submission Rates by Gender: A Look at the APA/BPA Data." (blog) June 6, 2017. <http://jonathanweisberg.org/post/A%20Look%20at%20the%20APA-BPA%20Data/>.

Wilhelm, Isaac, Sherri Lynn Conklin, and Nicole Hassoun. "New Data on the Representation of Women in Philosophy Journals: 2004–2015." *Philosophical Studies* (2017, online first). doi: 10.1007/s11098-017-0919-0.

BOOK REVIEWS

The Moral and Political Philosophy of Immigration

José Jorge Mendoza (Lanham, MD: Lexington Books, 2017). 140 pages. \$85.00 ISBN 978-1-0851-3.

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In *Moral and Political Philosophy of Immigration: Liberty, Security, and Equality*, José Jorge Mendoza argues for what he calls a "minimalist defense of immigrant rights." In particular, his minimalist defense entails that "the burden of proof ought to be on legitimate states to justify any immigration restrictions and not on immigrants to defend their movement across international borders" (xvi).

While he calls his proposal minimalist in nature, Mendoza advocates, in this book, a sweeping variety of "migrant-friendly" policies. Some examples of these include the following: (1) a rejection of "prevention through deterrence"—a policy adopted in the 1990s that served to militarize the Mexico-US border at urban ports of entry and funnel unauthorized migrants into the Sonoran desert, where they are far more likely to die of dehydration, starvation or assault; (2) a rejection of "attrition through enforcement," a complex strategy on the part of various actors and social institutions to make life so difficult for undocumented migrants that they "give up and deport themselves" (107, quoting Mark Krikorian); (3) amnesty for undocumented migrants; (4) the expansion of guest worker programs; (5) the rejection of deportations of legal permanent residents (including those who may have committed crimes); (6) a consideration of past injustices—such as colonialism—in the crafting of future immigration policy; and (7) a move toward immigration policies and reforms that "aim to make future immigration less a matter of necessity, and more a matter of an option for people" (128).

In addition to his stated goal of advocating a minimalist conception of immigrant rights, Mendoza also sets out to demonstrate that "immigration might be the most pressing issue that moral and political philosophers have to grapple with today" (xxi). Indeed, he states that "immigration is not simply a new riddle on which philosophers try out their competing conceptions of justice. Immigration is

an important issue to consider because it exposes the limits of our current conceptions of justice and in doing so challenges us to rethink them" (xxi). In this review, I will first explore Mendoza's project of conveying to readers the philosophical richness and urgency of "the immigration question." As I shall soon discuss, I believe that Mendoza is immensely successful in achieving this goal. Second, I shall turn to Mendoza's arguments for a minimalist conception of immigrant rights. While I am most sympathetic to Mendoza's arguments—and consider them to be a tremendously significant contribution to the ethics and political philosophy of immigration—I shall raise an objection to the scope of Mendoza's arguments and also identify some methodological questions that linger for me after reading the book.

Throughout *The Moral and Political Philosophy of Immigration: Liberty, Security, and Equality*, Mendoza takes the reader on something of a voyage through much of the history of political philosophy. He does this in order to demonstrate that the philosophical complexity of "the question of immigration" cuts deep into a range of broad, trenchant debates in which political philosophers have engaged. Mendoza argues that we (that is, the "we" of society, as well as the "we" of the historical and contemporary communities of political philosophers) have long been trapped in what he describes in terms of two dilemmas: a *liberty dilemma* and a *security dilemma*.

The "security concern and security dilemma" likely stems from early arguments from philosophers like Hobbes, who claimed that our desire for security in the state of nature has compelled us to relinquish a great deal of our autonomy to something like a powerful sovereign. Mendoza reads Hobbes—and the security concern and security dilemma—into the US Plenary Power Doctrine, which "allows the federal government to admit, exclude, and deport noncitizens as it sees fit," (10) without any judicial review or oversight. Engaging the work of Agamben, he argues that this effort to escape concerns about security in the so-called state of nature—particularly in the realm of immigration and the Plenary Power Doctrine—has brought about a "state of exception" in which the sovereign is exempt from the very laws it creates. This unchecked power of the sovereign actually makes citizens *more vulnerable* to the sovereign than they would have been under the State of Nature.

Mendoza then explains that in the United States, under the Plenary Power Doctrine, noncitizens are in a "constant state of exception," having "basically been abandoned by the United States government" (10). This should be an appalling conclusion, he argues, for anyone who believes that justice demands that "something be in place to protect all citizens against such absolute and arbitrary exercises of power" (10). Ultimately, Mendoza argues—partly by way of referencing key cases of immigration law, in which the Supreme Court came to the defense of noncitizens (and I'll add that this book is most noteworthy for its careful assessment of US immigration law in particular)—that we can escape the security dilemma through a functioning constitutional democracy that features both constitutional protections and judicial review (15).

Mendoza then turns to the *liberty dilemma*. He depicts it as a conflict over potentially competing understandings of liberty (namely, positive versus negative). Mendoza explores how the classical liberalism of figures like Locke has seemed to prioritize “individual freedom over universal equality and democratic self-determination” (47). On the other hand, the civic republicanism of figures like Rousseau has prioritized “democratic self-determination and universal equality over individual freedom” (47). This ultimately leads to questions about whether the rights and universal equality of immigrants and other noncitizens should be allowed to enter into conflict with the individual freedom of states and individuals who wish to exclude noncitizens.

Mendoza ultimately argues that Rawlsian political philosophy gets us closer to escaping the *liberty dilemma* without falling into a *security dilemma*. He suggests that Rawls’s use of the “veil of ignorance” thought experiment attends to the risk-averseness of Hobbesian political thought—securing in the process both basic liberties and individual inviolability. At the same time, Mendoza argues that Rawls’s “difference principle”—which would guarantee that inequalities benefit the worst-off in society—responds to the concerns of figures like Rousseau and Marx that “too much inequality undermines democratic self-determination, individual freedom, and also security” (46). Let me pause to note that another interesting feature of this book is that Mendoza takes something of a “bottom-up approach” to identifying his underlying theory of justice. In other words, rather than stipulating his working theory of justice at the outset and then making decrees about the ethics of immigration in a “top-down” fashion, Mendoza allows himself to “arrive at” a Rawlsian framework after surmising about ways to escape the liberty and security dilemmas of political philosophy.

However, while Rawls’s theory of justice may get us closer to escaping the liberty dilemma, Mendoza argues that it is not fully equipped to do so. This is because Rawls famously argued that his theory of justice only holds for closed/bounded societies—leaving philosophers with puzzles about what immigrants in a new society are owed at the bar of justice. Mendoza traces the development of a distinctive political philosophy of immigration over the past decades—particularly the respective contributions of Joseph Carens, Michael Walzer, and Michael Blake—in order to argue that “the issue of immigration brings moral and political philosophy back into a *liberty dilemma*.” In Mendoza’s words,

Philosophers who favor democratic self-determination believe that states should have the presumptive right to exclude foreigners, while philosophers who place greater emphasis on principles of individual freedom and universal equality believe that borders should be (fairly) open. (66)

By this stage of the book, I believe that Mendoza has successfully demonstrated the importance of immigration not just as an area of “applied ethics” but as a fundamental area, feature, and problem of political philosophy. For even

if we employ what appear to be our best philosophical tools for the purposes of resolving the liberty and security dilemmas—those of Rawls in a *Theory of Justice*, on Mendoza’s view—we are still left with the dilemma of whether liberty or security ought to be valued more strongly in the realm of international migration. *The Moral and Political Philosophy of Immigration* is an important read not only for those who are interested in the ethics of immigration but for anyone seeking to improve their understanding of the history of Western political thought. Mendoza’s work complements other texts in the ethics and political philosophy of immigration that provide practical arguments about immigration while delving into a range of connected debates in political philosophy (like Peter Higgins’s relatively recent book *Immigration Justice*, to name just one example).

The final chapters of this book are devoted to the development of Mendoza’s own proposal for achieving immigration justice. Mendoza frames his proposal as a response to Christopher Heath Wellman’s prominent “freedom of association” argument for closed borders. This is because, on Mendoza’s view, “Wellman’s argument is one of the best attempts to resolve the liberty dilemma within the immigration debate,” because “he argues that legitimate states . . . have a right to be democratically self-determined and . . . this right entails a presumptive right to control immigration” (90). In other words, Wellman seems to be able to develop a view that, in theory, both respects universal moral equality and democratic self-determination.

In particular, Wellman has argued that countries can exclude prospective migrants for the same reasons that individuals can, say, reject certain individuals as friends, marriage partners, and fellow country club members. First, we all have a right to associate with those with whom we please (provided that those with whom we wish to associate also desire to associate with us). Second, Wellman argues that a right to freedom of association necessarily includes a right *not to associate*. Just as we are justified in rejecting friendship or marriage proposals, Wellman argues, so too can states justly reject prospective immigrants. Note that Wellman presents his argument as liberal egalitarian in nature, and he therefore argues, by way of engaging the arguments of Michael Blake, that just states cannot reject prospective migrants on the basis of things like race and ethnicity. Doing so, Wellman maintains, would send a demeaning, inegalitarian message to current citizens of the state in question who happen to be members of the same ethnorracial group in question.

With this philosophical context in mind, I now turn to how Mendoza uses Wellman’s view as a springboard for the development of his own account of immigrant rights. While he applauds Wellman’s recognition that states should not discriminate against prospective immigrants on the basis of race and ethnicity if doing so sends a demeaning message to current citizens who are members of the same racial or ethnic group as the prospective immigrants in question, Mendoza argues that Wellman has failed to recognize the ways in which *internal*, immigration-related enforcement and expulsion strategies serve to marginalize US citizens who are members of the same ethnorracial group as the

targeted immigrants in question. Stated more broadly, Mendoza suggests that political philosophers have focused disproportionately on the question of justice in immigrant admissions, and have failed to reckon with the ethical complexities of internal enforcement and expulsion strategies.

He argues that “when minority communities are forced to bear a disproportionate amount of the surveying, identifying, interrogating, and apprehending that comes along with internal immigration enforcement, members of those particular minority communities become socially and civically ostracized” (96). In other words, *contra* Wellman, Mendoza argues that a commitment to universal moral equality rules out a “presumptive right to control immigration” on the part of states. This is because it can very reasonably be expected that internal methods of immigration enforcement and expulsion not be inegalitarian in nature.

This means, Mendoza argues, that Wellman has not successfully solved the liberty dilemma. That is, states cannot enjoy unfettered freedom of association while still upholding the moral equality of all of its citizens. As a result, he argues, the rights of states to control immigration “should be limited by presumptive duties (e.g., *equality of burdens* and *universal protections* standards) and its admissions and exclusions criteria must be determined, in part, by external factors such as social, historical and economic circumstances” (96). He ends with discussion of his “minimalist defense of migrant rights” that he uses to generate the concrete set of proposals that I identified at the outset.

I believe that Mendoza has very successfully demonstrated that philosophers of immigration need to grapple with the complicated realities of internal enforcement and expulsion strategies. Furthermore, his liberal egalitarian arguments to the effect that these strategies are unjust inasmuch as they marginalize US citizens and legal residents that are members of the same ethnorracial group as the targeted migrants are both important and compelling. Also praiseworthy is the fact that Mendoza points to a wide range of immigration policies that require careful philosophical evaluation, rather than focusing exclusively on the oft-debated question of immigrant admissions.

Bearing in mind these virtues of Mendoza’s praiseworthy book, I do wish to raise here two sets of concerns. The first pertains to the scope of Mendoza’s original argument for immigrant rights, and the second pertains to his methodology. First, let me turn to the scope of Mendoza’s positive argument for immigrant rights. Specifically, I wonder whether the range of important immigrant rights for which Mendoza strives to argue are fully supported by his argument in its present form (which is, again, an argument framed as a response to Wellman that makes important reference to the deeply inegalitarian nature of current internal enforcement and expulsion strategies in the United States).

To motivate my concern, I return to an objection I have raised elsewhere to his arguments against internal enforcement

and expulsion strategies in the context of immigration.¹ I previously argued that while Mendoza does, indeed, successfully demonstrate that internal enforcement and expulsion strategies are unjust inasmuch as they marginalize US citizens and legal residents who are members of the targeted migrant group (in particular, US citizen and legal resident Mexicans and Latina/o/xs who are taken to “look” illegal), he leaves unanswered some important questions about what undocumented migrants, *qua* undocumented migrants, are owed *themselves* (independently of how their treatment marginalizes and affects US citizens of the same ethnorracial and/or national group).

I continue to wish to hear more from Mendoza about possible forms of mistreatment of undocumented migrants that do not necessarily lead to unjust targeting of US citizens and legal residents. Take, for example, the failure to give amnesty to those undocumented migrants who have resided in the United States for an extended period of time. Joseph Carens has argued that long-term undocumented migrants should be granted amnesty on the grounds they have become *de facto* members of society over time, and that they are therefore owed formal membership.² While you will recall that Mendoza explicitly calls for amnesty for undocumented migrants, I remain curious about how such a right to remain follows from the type of arguments Mendoza makes against internal enforcement and expulsion strategies. While Mendoza had made a compelling case for the idea that internal enforcement and expulsion strategies violate the rights of US citizen Latina/o/xs and other communities of color, it is not entirely clear that denying long-term undocumented migrants citizenship and an official right to remain necessarily violates the “equality of burdens” or “universal protections” standards that all US citizens enjoy and to which Mendoza points in making his arguments. In other words, we may need a different type of argument to get to the conclusion that long-term undocumented migrants are owed amnesty.

This issue of the scope of Mendoza’s battery of immigrant rights is also rendered pressing, I believe, if we try to consider what is owed to undocumented migrants and other noncitizens who happen to be members of an ethnorracial group *that is not represented in the “new society” in question*. Recall that Mendoza calls upon the arguments of Wellman (where Wellman draws from Blake) to the effect that it is unjust to exclude prospective immigrants on the basis of race or ethnicity because so doing would send an inegalitarian message of disrespect to the citizens of that country who are members of the same ethnorracial group. However, Wellman is forced to concede—in a conclusion that Mendoza would himself surely regard as wrong-headed—that in those cases in which *no citizens of the country in question* are members of that particular ethnorracial group, the country can permissibly exclude members of that group on explicit ethno-racial grounds. Wellman himself states that “if I am right that restricting immigration according to racial, ethnic or religious criteria wrongs the current subjects in the banned groups, then only a state completely devoid of people in the banned category could permissibly institute this kind of immigration policy.”³ I consider this to be another problem with attaching the rights to undocumented migrants too directly and too

tightly to the rights of citizens of the same ethnoracial group.

My second set of concerns pertains to the *methodology* of the book. Here, I do not wish to raise objections; rather, I merely identify some questions that linger for me after reading this excellent book. Mendoza ultimately develops a liberal egalitarian defense of immigrant rights that is, in his view, “sympathetic to” an open borders position. I believe that readers will be left wondering whether Mendoza’s arguments ultimately boil down to a defense of open borders—and whether Mendoza himself is an open borders theorist. If this is not a “veiled open borders argument,” then I would like to hear more about how one could consistently defend a system of coercive borders while also accepting many of the specific proposals argued for in this book. On the other hand, if this is, indeed, ultimately an open borders treatise (or a pseudo-open borders treatise), then I would like to hear more about why, on a methodological level, Mendoza chooses to circumvent a great deal of the open borders debate in political philosophy in the development of his powerful arguments.

These sets of concerns and lingering curiosities aside, *The Moral and Political Philosophy of Immigration* is a powerful contribution to the field of immigration philosophy. While the book is not explicitly positioned in the area of feminist philosophy, it is of interest to feminist scholars given its analysis of the relationship between immigration enforcement and expulsion strategies and anti-Latina/o/x discrimination. I highly recommend that others read this book, engage the powerful arguments therein, and assign it to students of immigration and political philosophy.

NOTES

1. See Amy Reed-Sandoval, “Locating the Injustice of Undocumented Migrant Oppression,” *Journal of Social Philosophy* 47, no. 4 (2016): 372–98, partly in reply to José Jorge Mendoza, “Discrimination and the Presumptive Rights of Migrants,” *Critical Philosophy of Race* 2, no. 1 (2014): 68–83.
2. Joseph Carens, “Immigrants and the Right to Stay,” *Boston Review*, <http://bostonreview.net/br-book/immigrants-and-right-stay>.
3. Christopher Heath Wellman, “Immigration and Freedom of Association,” *Ethics* 119, no. 1 (2008): 33.

Beyond the Binary: Thinking About Sex and Gender

Shannon Dea (Ontario: Broadview Press, 2016). 202 pages. \$24.95. ISBN978-155481-283-7.

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Beyond the Binary: Thinking about Sex and Gender, a lively, engaging, and ambitious introductory text, grew out of an undergraduate course in philosophy and women’s studies taught by its author, Shannon Dea. While the course originally focused on primary texts, Dea supplemented these with her own notes and then expanded these notes to serve as a free-standing introduction to such questions

as “What is sex? What is gender? What is the relationship between those two categories? How many sexes are there? How many genders? Are sex and gender categories biological inevitabilities or historically contingent?” (xii). In the process of exploring these questions, Dea covers a dizzying array of topics: the myth of Aristophanes; Freudian and other nineteenth-century German understandings of same-sex desire; varieties of biodeterminism; historical, anthropological, and biological challenges to the sex- and gender-dimorphic model of humans; and the tension between radical feminists and trans activists. There is even a detailed discussion of the dueling conceptions of Eve to be found in *Genesis*. But while Dea draws on work from many disciplines, clearly this book was written by a philosopher. In addition to discussing Plato, Aristotle, St. Augustine, Michel Foucault, Judith Butler, and Simone de Beauvoir (among other philosophers), the introductory chapter presents a useful and penetrating discussion of categories, classificatory systems, and natural kinds, and the concluding one summarizes Ian Hacking’s thinking about social construction, which Dea then applies to the work of Susan Bordo.

Dea is an uncommonly good writer. It is no easy task to convey the views of so many complex thinkers in so few pages, much less paragraphs, without lapsing into empty abstractions, resorting to jargon, or generally getting lost in the weeds, but Dea has a knack for including just the right amount of conceptual detail and offering clear and provocative examples to illustrate the theories she presents. As a textbook, however, this volume faces some challenges. It is structured the way a thick anthology of primary texts might be, some sections organized around particular topics, others around the views of particular thinkers, and still others around particular debates. But while such anthologies present selections from primary texts, Dea’s text depends on synopses, often very brief and sometimes very superficial. To be sure, Dea makes connections throughout the book between the topics and texts she treats, and she returns often to central questions and themes, especially the debate about whether sex and gender categories are biologically determined or socially constructed. And at the beginning of the book, after an excellent discussion of the implications of dividing the world up in one way rather than another, she urges readers to be vigilant while they read about asking what ends the various categorial systems she surveys might serve. But these are difficult matters, and readers are left to navigate them on their own. Thus, Dea’s text might work best in the classroom; at twelve chapters, it would take about a semester to cover a chapter each week.

But there is still the vexed question of what is lost when synopses replace primary texts, especially in a volume that remains so anchored in these absent texts. In a work as short and extremely wide-ranging as Dea’s, oversimplifications are inevitable, but too many of Dea’s readings struck me as misleading or inaccurate. Sometimes she seems to force texts or thinkers into convenient theoretical pigeonholes they don’t quite fit into. For example, her description of Carol Gilligan as working within the “feminist essentialist tradition” is hasty, especially since Dea characterizes feminist essentialists as believing that there “really are

essential differences between men and women” and Gilligan’s view as holding that “women are naturally more nurturing and other-focused than men” (153). However, Gilligan, in her introduction to the classic work *In A Different Voice: Psychological Theory and Women’s Development*, denies this explicitly, making a point to say both that the association of nurturing with women is not absolute and that she “makes no claim about the origins of the differences described or their distribution in a wider population, across cultures, or through time.”¹ Granted, Dea mentions Gilligan only in passing, but she does something similar with the work of the historian Thomas Laqueur, to which she devotes an entire chapter. In *Making Sex: Body and Gender from the Greeks to Freud*, Laqueur argues that in the eighteenth century, a one-sex model of the human body, accepted in the West since Aristotle, was largely replaced by a two-sex model. Thus, the female body came to be understood no longer merely as an inferior or incompletely developed male one, but as a body of a qualitatively different sort. However, Laqueur claims, this shift came about *before* science discovered the facts about female anatomy that might have justified it, and so the change in perspective cannot be explained by this discovery. After an extensive discussion of “seeing as,” Dea concludes that Laqueur is “skeptical of the notion of scientific progress,” which, she claims, he “problematizes” along with “the idea that there are objectively true or false views” (147-8). But, again, this reading sits uneasily with what Laqueur himself says in the introduction to *Making Sex*: “There has clearly been progress in understanding the human body in general and reproductive anatomy and physiology in particular. Modern science and modern women are much better able to predict the cyclical likelihood of pregnancy than were their ancestors; menstruation turns out to be a different physiological process from hemorrhoidal bleeding, contrary to the prevailing wisdom well into the eighteenth century, and the testes are histologically different from the ovaries. Any history of a science, however much it might emphasize the role of social political, ideological, or aesthetic factors, must recognize these undeniable successes.”² Dea’s characterization of Laqueur is particularly puzzling in light of the space she devotes to Ian Hacking’s caution against invoking, in discussions of social construction, such “high level, abstract terms as ‘facts,’ ‘truth,’ reality,’ and ‘knowledge’”—“elevator words,” as Hacking calls them. “Once introduced,” Dea continues, “they quickly change the level of discourse. Put simply, the conversation takes a huge turn when interlocutors move from discussing, say, women and men, to discussing truth and reality” (167). But Dea herself seems to be the one doing this here, not Laqueur, whose claim, in the end, concerns the genealogy of the modern Western category of sex difference. Indeed, by presenting Laqueur as skeptical about science or “facts” in general, Dea begs the question about whether the biology of sex difference should be regarded on a par with, say, the laws of gravity. She also distracts from Laqueur’s actual argument—one based on historical fact.

Dea’s discussion of LGBTQ issues, especially the tension between a certain stripe of radical feminism and trans activism, is particularly strong, but questions arise here too. After claiming that Freud saw the origin of homosexuality in “improper childhood psychosexual development”(68)—

certainly an oversimplification of his view—she contrasts his “developmental” perspective with LGBTQ activists’ and scholars’ inclination to believe that their gender identities and sexual orientations are innate. (Dea also lays responsibility for “conversion therapy” at Freud’s door: after all, if gender and sexual orientation are not biologically determined and innate, they can be changed.) But Dea does not even mention Foucault’s very important alternative approach, neither biologically deterministic nor Freudian, to thinking about sexual orientation. This omission is surprising since Dea opens her chapter on methodology by stating that it “is arguably impossible to undertake the study of sex and gender without some awareness” of Foucault’s views (11). She discusses at some length the idea of a genealogical approach, taking Foucault’s argument about the repressive hypothesis as an example and presenting a clever example of how power, on Foucault’s view, can work by permission rather than prohibition: A landscape architect, Dea writes, rather than posting “do not enter” signs, “can lure people to the desired area by means of benches, bridges, and attractive ponds” (14). The example is illuminating as far as it goes, but just before this discussion of permissive power Dea states that for Foucault, “all social practices, including discursive practices, reflect the nature of the society in which they are produced, and in particular they reflect the nature of power relations within that society” (12). But surely “reflect” is not the best term here, especially combined with her brief account, just below in a shaded side-bar, of Foucault’s debt to neo-Marxist conceptions of ideology. Dea is wise not to get bogged down in a discussion of Marxist ideology, but Foucault clearly parts ways with a Marxist base-superstructure model in which ideologies arise from and *reflect* power relations. Instead, Foucault emphasizes that the discourse of sexuality, itself a consolidation of specific discourses with various histories, *produces* a network of power relations, which themselves are multivalent, shifting, and unstable. Perhaps as a way to limit the range of her discussion, Dea writes that Foucault applies genealogical analysis “to the kind of sex that we have” more than to “the kind of sex we are here interested in—sex as a category” (16). But this is to miss the connection that Foucault would make between these two kinds of sex and thus to understate the scope and power of his view. To expand on Dea’s landscape-design example, the pleasures of this garden may eventually bring into existence visitors’ very identities, as they come to regard themselves as furtive or proud pond-, bridge-, or bench-seekers. For Foucault, power is not only permissive but also productive—indeed, productive of the very categories Dea’s text examines.

While this book attempts not to take sides on the debates it discusses, it is perhaps more sympathetic to some perspectives than to others. It gives short shrift, for example, to the extreme biodeterminism of some evolutionary psychologists, but it may also shortchange, if more subtly, the view, presented by Judith Butler and the anthropologists Suzanne J. Kessler and Wendy McKenna, that “sex is socially constructed, just as gender is, and within the same system of power as gender is” (25). Dea’s discussion of Kessler and McKenna is cursory, and (perhaps not surprisingly, in light of her treatment of Laqueur and Foucault) Dea announces that she will “continue to distinguish between biological sex and socio-

cultural gender in a way that Kessler and McKenna and Butler reject"; she does so, she says, both for the sake of clarity and "in order to conveniently disambiguate between different kinds of data and concepts" (26). Dea does, nevertheless, urge readers to keep an open mind on this question, but the way she has stacked the deck makes this difficult, and confusing, to do.

Related challenges also arise in reconciling the various theoretical implications and assumptions of different portions of the book. In discussing India's hijras, for example, Dea cautions readers against trying to shoehorn the gender systems of other cultures into "North American" categories. In another chapter, though, she gives rules for how to apply categories like trans, cis, and intersex, along with reasons that the categories of hermaphrodite and transsexual are anachronistic and problematic. Such instructions are certainly useful for those who want to keep up with current usage and avoid giving offense. But are these categories supposed to be privileged in any other way? Or is Dea just describing the categories used in some precincts of "North America" at the present time? In her discussion of Aristophanes, Dea claims that while his famous myth about the origins of love is accepting of homosexuality, it leaves no room for bisexuality, asexuality, pansexuality, serial monogamy, or polyamory. "So while it is in some senses quite 'progressive' it is also conservative in many ways" (65). Despite the quotes around "progressive," one is left to wonder: Is the most progressive categorical system necessarily the one that recognizes the greatest number of categories and hence marginalizes the fewest people? And if so, does *this* imply that bisexuality, asexuality, pansexuality, serial monogamy, and polyamory should be understood to be transcultural and transhistorical? Or should this list of categories, and the identities they define, be understood more historically, as Foucault would have it? If the latter, it is no wonder Aristophanes didn't recognize these categories. In spite of the philosophically sophisticated treatment of categories with which this volume begins, its structure and scope invite many such unannounced shifts in the way it presents the categories it discusses. The effect is a kind of conceptual whiplash, at least if one reads closely.

Dea notes that there is no other philosophically oriented introductory text that addresses the questions she tackles, and this is no wonder. The challenges of writing such a book are formidable, and, in spite of the problems I note, Dea's text has many virtues. Besides introducing students to an enormous range of material, it captures the informality and freshness of an engaging classroom discussion, complete with interesting asides and examples. Students, who are sure to enjoy reading it, will learn a great deal, and their instructors will be challenged to rethink the basic questions it examines. However, I believe that this text is best used in conjunction with the relevant primary sources—and with care.

NOTES

1. Carol Gilligan, *In a Different Voice: Psychological Theory and Women's Development* (Cambridge: Harvard University Press, 1982), 2.
2. Thomas Laqueur, *Making Sex: Body and Gender from the Greeks to Freud* (Cambridge Harvard University Press, 1990), 16.

Women in Later Life: Critical Perspectives on Gender and Age

Martha Holstein (Lanham, MD: Rowman and Littlefield, 2015). 316 pages. \$34. ISBN: 978-1-4422-2287-8.

Louise Collins

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Martha Holstein's impressive work is infused with the wisdom acquired through a lifetime's ongoing critical engagement with the study of ageing in America. She defines two central goals for this book: "to consider how women experience late life as uniquely shaped by their life course and by contemporary cultural norms and political ideologies" (3), and by "revealing our strengths as women and possible fractures in the social and political context, [to] . . . look for opportunities to resist what harms us and thus create the potential for change" (3-4). Holstein's work speaks powerfully to questions of perennial ethical interest: What is the meaning of life? How should we think about our own mortality? It is also timely, as political debate continues over the social safety net and responses to the changing age structure of the population in America.

Holstein draws on empirical findings from many disciplines—sociology, biology, geriatric medicine, public policy—but she interrogates such research with a critical, intersectional feminist lens. Without such critical reflection, she notes, positivist biomedical and social science risk reinforcing the status quo (92). And empirical research alone cannot answer questions of the meaning of life in old age (103). She is also cautious to avoid overgeneralizing from her own, situated experience to universal claims. For these reasons, she supplements personal reflection on her own life with insights from conversations with working-class women at a retirement community, literary fictions, and memoirs by women in late life.

Holstein is clear about her own evaluative commitments. She criticizes the shortcomings of the dominant neoliberal worldview in American political culture, as it interacts with sexism, classism, and racism, by drawing on the insights of feminist and critical theory. She documents the harmful impact of neoliberal policies in real people's lives, especially old women's lives, and contrasts that with more inclusive and egalitarian goals of public policies based on feminist care ethics. Holstein also embraces an ethical ideal that all parts of human life should be valued and valuable, and is committed to "reclaiming 'old' as a valued and important time in human life," where one may be free to define one's life on one's own terms (5). She exhorts feminists to ensure that deep old age, which is predominantly a woman's experience, can be a time replete with meaningful possibilities of flourishing, even though old age may involve real loss, pain, and decline.

Holstein locates the origins of contemporary neoliberalism in 1980s conservatism and identifies its goals as "radically reducing the size of the state; privatizing services, including Social Security and the military; expanding the role of the free market; diminishing the power of organized

labor; elevating individual responsibility; and effectuating deregulation" (176). Neoliberal values of liberty and hyper individualism have displaced solidarity across generations and appeal to the common good in American political culture, with dire effects for vulnerable groups, including old women. However, neoliberalism relies on an implausible notion of the self as only contingently dependent (152), thereby marginalizing both those who need care and those who give care. Instead, Holstein defends a feminist, relational account of the self that acknowledges and embraces vulnerability and interdependence.

With other feminist care ethicists, Holstein argues that the right to receive care and the responsibility to contribute to caring should be more equally distributed in America. This would require changing deep-seated assumptions about family, gender roles, and what counts as valuable work, as well as shifts in public policy. At present, public policy is made by unrepresentative elites, mostly rich, white men, resulting in grave harms and injustice to vulnerable others. Drawing on feminist epistemology, Holstein critiques the "privileged ignorance" of these powerful elites, whose limited moral imagination reflects their standpoint at the intersection of multiple privileges (153; 177-78). She argues that the gendered division of care work renders its importance invisible to those who can "command care" because of their wealth and sex, with deleterious effects on public policy and women's well-being.

Against this background, each chapter focuses on one aspect of women's experience of aging in America, beginning with the physical changes of aging, how women experience these changes, and the social meanings imposed upon such changes. Holstein notes that "Bodies matter . . . because how we see our bodies and how others interpret them inform our relationships with individuals and with institutions" (44) and "the body is the most visible locus of exclusionary practices that constitute societal ageism, which we experience in multiple ways" (60). Those who reach old age do so marked by a lifetime framed by intersecting and persistent inequalities—notably, gender, class, and race-based inequalities—that structure American society. In a sexist society where women's worth is often reduced to their conformity to restrictive norms of youthful, feminine, physical beauty, the biological changes of aging are overlaid with social and personal significance, of which we must make sense. As in subsequent chapters, Holstein invites women to "exercise [our] autonomy competency in groups" (59) by engaging in critical conversations together to construct our own more positive counterstories about our old age.

Holstein's second chapter explores various definitions of ageism, explains ageism's negative effects, especially on old women, and considers strategies for resisting ageism in America today. Ageism involves both negative stereotyping and discrimination against those marked as old, and privileges those seen as young or youthful. Justice and enlightened self-interest alike should motivate us to dismantle ageism. Instead of strategies of denial and deferral—such as assertions that "you're only as old as you feel"—we should dismantle the negative connotations of "old." Women should reclaim the meaning of old age

by "redefining 'old' in our own [positive] terms . . . not by valorizing the exceptional. . . . By [narrating] the complex identities, the many pleasures but also the pains, and the ways of life that constitute old age" (88-89). Resources for such projects of reclamation include old women's memoirs and biographies as well as group conversations modeled on Second Wave consciousness-raising.

Chapter three maps the transformation of the notion of a "Third Age," as it moved from academic discourse into public policy and popular culture. In part, it offers a cautionary tale to well-intentioned academics. Researchers in the late 1970s coined the term to capture the observation that many Americans were living longer and healthier lives after retirement, and also to push back against an established view of old age as a time of decline and loss, to be endured passively by old people. Instead, the Third Age imagined a time of continued health and productivity, through "encore careers" or civic involvement. Researchers and marketers alike were eager to provide people with tools and methods to extend their enjoyable and productive years. Early advocates of positive aging disregarded the effects of structural inequalities in shaping individual life chances. Hence, when the "Third Age" morphed into a new cultural norm of "successful aging," it implied that individual people were to blame if they failed to arrive at retirement in good health, with savings and pensions in hand. Policy makers then deployed this idea to scapegoat old people who rely on state support to survive, and to blame "greedy geezers" for reductions in state support for youths in need, rather than acknowledging the consequences of their own policy decisions to reduce spending on the social safety net. Holstein concludes that "Third Age" is too narrow and exclusive an ideal, being premised on a life-course open only to a few, privileged individuals, whose lives have been untouched by the negative forces of sexism, racism, or poverty. Further, the ideal fails to explore "the unique developmental possibilities of late life" (105) and "the potential for strength and personal growth, even when and if one is frail and dependent" (106).

In chapter four, Holstein turns to the reality that old age may feature chronic physical and cognitive impairments that are hard to integrate into our identities, and challenge our ability to experience our lives as meaningful. Women tend to live longer than do men, so we are more likely to face an old age with chronic impairments, and heterosexual women are more likely to outlive their partners, thus facing the task of sustaining their identities alone. Instead of focusing solely on the need for biomedical interventions to manage the physical aspects of chronic illness, Holstein urges that society should also consider how to support elders in the existential tasks of integrating identity and supporting meaning in old age, even in the context of physical and cognitive decline.

In chapter five, Holstein tackles challenges arising from the shift to community-based care for old people in contemporary America. American society has yet to construct policies and resources to ensure that all who need care are cared for without exploiting others, including those—mostly women—who gladly embrace a caring role, but at great cost to themselves. This arises due to a set

of deeply held assumptions about values, family, and gender roles, namely, that female family members, and not the state, are primarily responsible for caring for old people's needs, despite women's other obligations to engage in paid work and save for their own old age, as well as other costs to caregivers' personal well-being (152). Holstein notes that truly valuing caregivers' work has direct policy implications, including "assuring that, as workers, caregivers receive credit towards Social Security, that they are given generous sick leave and vacation time, and that they have an opportunity to participate in a supplemental public pension plan akin to a 401(k) but with the government assuming the employer role" (170).

Chapter six examines women's chances for economic security in old age. Holstein argues that feminists should agitate to ensure that the opportunity for a secure retirement is open to all. She is deeply concerned about efforts to dismantle Social Security, one of the most effective anti-poverty programs in American history: "Today, Social Security covers 95 percent of all retirees, scores of spouses and children of deceased workers, and people with serious disabilities who are unable to work" (179). She argues that, given sufficient political will, the so-called crisis in the funding of Social Security could be resolved, in part by raising taxes on the most wealthy. However, as a large-scale government program, Social Security has been under sustained attack by conservatives since the 1980s. Neoliberal solutions such as deferring the retirement age, or privatization, reflect the privileged ignorance of wealthy elites, whose material security in old age is already assured by pensions, investments, and savings. Those who have spent a lifetime working minimum-wage jobs or prioritizing care work for family are unlikely to have such sources of income in retirement, and they are less likely to be able or willing to continue working in late life. As Holstein says, "The irony by now is familiar—powerful people, predominantly men and generally affluent, casually accept the rightness of benefit reductions that will have little or no effect on them or promote and extended work life for people whose jobs are not anything like theirs" (177-78). Holstein argues that feminists and progressives should fight to ensure that all Americans have the chance for a dignified old age, and that requires preserving Social Security.

Chapter seven considers what is required to live out the end of one's old age well. National conversation about end-of-life has focused too narrowly on access to, and compliance with, advance healthcare directives. This focus, and the social taboo on death, distract Americans from deeper reflection about what we want at the end of life, and how society can support what matters to the dying patient in her own terms, whether through hospice, in-home care, nursing homes, or access to physician-assisted suicide. As old women are more often single and poorer than their male counterparts, and most hands-on care work for elders is assigned to women, from nursing home aides, to daughters at home, gender matters crucially in this conversation.

Holstein's book concludes by collating strategies to ensure that old women have the chance to live well in old age, from telling counterstories to entering politics and building

cross-generational alliances to supporting a public ethic of care.

Overall, Holstein's important book is deeply researched, humane, and wise. She draws on a broad range of empirical sources and theoretical insights to launch her concluding call to action. Holstein makes reference to race throughout the work, but a chapter focused on race and aging would have been a particularly useful addition.

CONTRIBUTORS

Mechthild Nagel is professor of philosophy and director of the Center for Gender and Intercultural Studies (CGIS) at the State University of New York, College at Cortland and research fellow at the Institute of Philosophy of the Czech Academy of Sciences. She is author of seven books, including *Masking the Subject: A Genealogy of Play* (Lexington, 2002); and co-editor of *Race, Class, and Community Identity* (Humanities, 2000), *Prisons and Punishment: Reconsidering Global Penalty* (Africa World Press, 2007), and *The End of Prisons: Voices from the Decarceration Movement* (Rodopi, 2013). Her recent coedited book is titled *Diversity, Social Justice, and Inclusive Excellence: Transdisciplinary and Global Perspectives* (SUNY Press, 2014). She has taught in area prisons in New York State and established a prison education program at a prison in Fulda, Germany.

Susan Peppers-Bates is an associate professor in the Department of Philosophy at Stetson University. Her current research focuses on both Nicolas Malebranche and on the intersections of feminism and the philosophy of race. She published *Nicolas Malebranche: Freedom in an Occasionalist World* (Continuum 2009) and "The Satanic Nature of Racist 'Christianity,'" *The Journal of the Black Catholic Theological Symposium*, Volume VI (2012). She is currently working on an article on Malebranche and Quietism for the forthcoming *Oxford Handbook on Malebranche* (ed. Sean Greenberg) and "Desegregation and the Goals of Democracy: Why Reciprocal Regard Is Not Enough to Make Black Women's Lives Matter" with Dr. Joshua Rust.

Anna Lindemann studied literature, history, and philosophy at the University of Bielefeld (Germany), and earned her PhD in the history of science at the University of Vienna (Austria). Her recent book on "Sigmund Freud, Cocaine, and the Morphine Addicts: A Contribution to the History of Scientific and Clinical Practices in Dealing with Addictive Substances (1850–1890)" will be published this year (ed. by Volker Hess & Johanna Bleker). Apart from her research in the history of psychology and on psychopharmacology, she teaches psychology at the Sigmund Freud University (Vienna).

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Sally Markowitz is professor of philosophy and women’s and gender studies at Willamette University. She specializes in gender, critical race theory, and the philosophy of art and aesthetics.

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APA NEWSLETTER ON

Hispanic/Latino Issues in Philosophy

CARLOS ALBERTO SÁNCHEZ, EDITOR

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FROM THE GUEST EDITORS

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The present issue of the newsletter opens with Francisco Gallegos's article "Surviving Social Disintegration: Jorge Portilla on the Phenomenology of *Zozobra*," winner of the 2017 APA Prize in Latin American Thought. In the article, Gallegos argues Jorge Portilla's conception of *zozobra*, of the anxiety that arises when a community's shared "horizon of understanding" becomes disintegrated and the basic norms that govern life in a society become unstable, is not merely *psychological* but *existential* in nature, and as such, it undermines our freedom at a deep, structural level, while giving rise to tendencies toward quietism, cynicism, nostalgia, and apocalyptic thinking. He further argues that Portilla's analysis of *zozobra* sheds light on the current situation in the US in the wake of the extremely divisive 2016 presidential election, and that it can help us evaluate various strategies for engaging in cultural politics.

We then turn to a series of discussion articles focused on immigration. While immigration is now a mature topic in the philosophical literature, political philosophers working on the issue have largely ignored how immigration law is in fact enforced. Despite a rich and substantial literature, there has been little sustained discussion of detention, deportation, or raids, or of the significant role private organizations and foreign governments play in enforcing domestic immigration policies. What work has touched on these topics has tended to remain highly abstract and to not closely deal with existing institutions and practices. The result is that morally and politically salient issues—often the issues that immigrant communities and activists consider the most salient—have largely escaped philosophers' scrutiny. The papers included in this issue of the *APA Newsletter on Hispanic/Latino Issues in Philosophy* hope to remedy this to a degree, and to spark more philosophical interest in examining how immigration law actually functions in a number of different situations.

In the first article, José Jorge Mendoza explores the serious problems that arise when criminal law and immigration law are comingled. Although it may seem to make intuitive sense to combine the systems, especially in an attempt to remove so-called "criminal aliens," the costs of doing so, Mendoza shows, are high. By attaching immigration

consequences—deportation—to criminal offenses, non-citizens arguably face unjust double punishment if they commit a crime. Furthermore, the interaction between immigration and criminal law greatly limits the legal options available to non-citizens charged with crimes, as many plea bargains, a typical way to address a criminal charge in countries such as the US, would result in a removal order. Finally, the fact that immigration decisions are adjudicated in administrative law courts which lack full independence and many other procedural protections further highlights the dangers of combining immigration and criminal law. This mixture also makes it difficult for law enforcement to function well in immigrant communities because of fear and distrust of the police, interaction with whom may lead to immigration consequences. These concerns suggest that strong walls are needed between criminal law and immigration law, and that the lower level of civil rights protections found in immigration courts and in the way that immigration law is made should be revised.

Stephanie J. Silverman examines the system of detention used in the UK to both discourage unauthorized migration and to prevent those awaiting deportation or status determination from absconding, and finds them wanting. Using detention as a means of deterrence is not empirically supported, Silverman argues, and also violates both liberal values and basic human rights principles. It is also at best unclear, Silverman shows, that detention is either a necessary or even effective means of pursuing compliance with immigration proceedings. Given the high moral and fiscal costs of immigration detention to both the state and to those detained, there is therefore good reason to seek alternatives.

Alex Sager addresses the growing number of ways that states have "externalized" border enforcement. States use a variety of different methods to externalize border control, including interdiction at sea, paying foreign governments (or those in control of territory) to divert or detain groups seeking to migrate, transferring would-be asylum seekers to offshore detention facilities, and providing strong financial incentives, in the form of potential fines, to airlines and others providing travel, to check for visas and other transit documents. All of these tactics, Sager argues, extend states' power over the lives of migrants while simultaneously making border enforcement less visible and less accountable. The results have been predictable—human rights abuses and failure to live up to international treaty obligations. Moreover, serious consideration of the externalization of border control demands that we rethink how we conceive immigration enforcement and consider new metaphors and models for the regulation of human mobility.

Matthew Lister addresses the question of how a society should respond to unauthorized immigration, considering the question through the lens of the theory of civil disobedience. Using the protests and public self “outings” by young unauthorized immigrants brought to the US as children—the “Dreamers”—as a starting point, Lister asks what we can learn from the theory of civil disobedience to respond to unauthorized immigration. In at least some instances, he argues, this perspective provides a justification for applying prosecutorial discretion in favor of unauthorized immigrants in the short term, and for solidarity in seeking to change laws to support the legalization of the unauthorized in the longer term. We can see the protests led first by the Dreamers and followed later by others as being within the civil disobedience tradition, asking the larger society to recognize the injustice of their situation and demanding that a change—a change that those protesting cannot bring about on their own—be made.

As the philosophical literature on immigration has become more mature, it has moved from abstract speculation with little close attention to or connection with actual immigration policies to more and more detailed and careful discussion of real immigration practice. This is a trend the contributors to this symposium support. This development in the philosophical literature had not yet, however, typically addressed the actual enforcement of immigration law. We hope that these contributions will help spark further development in this area, including work addressing immigration enforcement in other jurisdictions.

SUBMISSION GUIDELINES

The *APA Newsletter on Hispanic/Latino Issues in Philosophy* is accepting contributions for the spring 2019 issue. **Submissions are due November 15.** Our readers are encouraged to submit original work on any topic related to Hispanic/Latino thought, broadly construed. We publish original, scholarly treatments, as well as reflections, book reviews, and interviews.

Please prepare articles for anonymous review. All submissions should be accompanied by a short biographical summary of the author. Electronic submissions are preferred. All submissions should be limited to 5,000 words (twenty double-spaced pages) and must follow the APA guidelines for gender-neutral language and the *Chicago Manual of Style* formatting.

All articles submitted to the newsletter undergo anonymous review by members of the Committee on Hispanics.

BOOK REVIEWS

Book reviews in any area of Hispanic/Latino philosophy, broadly construed, are welcome. Submissions should be accompanied by a short biographical summary of the author. Book reviews may be short (500 words) or long (1,500 words). Electronic submissions are preferred.

DEADLINES

The deadline for spring issues is November 15. Authors should expect a decision by January 15. The deadline for fall issues is April 15. Authors should expect a decision by June 15.

Please send all articles, book reviews, queries, comments, or suggestions electronically to the editor,

Carlos Alberto Sánchez, at carlos.sanchez@sjsu.edu, or by post: Department of Philosophy
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FORMATTING GUIDELINES

The *APA Newsletters* adhere to the *Chicago Manual of Style*. Use as little formatting as possible. Details like page numbers, headers, footers, and columns will be added later. Use tabs instead of multiple spaces for indenting. Use italics instead of underlining. Use an “em dash” (—) instead of a double hyphen (--). Use endnotes instead of footnotes. Examples of proper endnote style: John Rawls, *A Theory of Justice* (Cambridge: Harvard University Press, 1971), 90. See Sally Haslanger, “Gender and Race: (What) Are They? (What) Do We Want Them to Be?” *Noûs* 34 (2000): 31–55.

THE 2018 ESSAY PRIZE IN LATIN AMERICAN THOUGHT

The APA’s Committee on Hispanics cordially invites submissions for the 2018 Essay Prize in Latin American Thought, which is awarded to the author of the best unpublished, English-language, philosophical essay in Latin American philosophy/thought. The purpose of this prize is to encourage fruitful work in this area. Eligible essays must contain original arguments and broach philosophical topics clearly related to the specific experiences of Hispanic Americans and Latinos. The winning essay will be published in this newsletter.

A cash prize accompanies the award along with the opportunity to present the prize-winning essay at an upcoming division meeting. Information regarding submissions can be found on the [APA website](#). Please consider submitting your work and encourage colleagues or students to do the same. Feel free to pass this information along to anyone who may be interested. **The deadline is June 5, 2018.**

The Committee is also soliciting papers or panel suggestions for next year’s APA three divisional meetings. The deadline for the Eastern APA committee session requests is rapidly approaching. Please send any ideas to Grant Silva (grant.silva@marquette.edu) who will relay these suggestions to the rest of the committee.

ARTICLES

Surviving Social Disintegration: Jorge Portilla on the Phenomenology of Zozobra

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In the wake of the extremely divisive 2016 presidential election, many US Americans are feeling deeply unsettled by the sense that the basic norms that govern life in our society are in a state of flux. Indeed, as the sociologist Arlie Hochschild reports, many people on both the political right and left are feeling like “strangers in their own land”—confused, disturbed, and alienated by the image of the country we see reflected on our screens.¹ What kind of a nation are we? What values do we stand for? Many of us feel as though we no longer recognize the country we live in. We may feel at home in our intimate circles, but those who live on the other side of the political divide often seem completely foreign to us, and their version of the country feels utterly alien. In short, many of us increasingly struggle with the sense of being out of place in our own society, as though we have suddenly found ourselves in a foreign country whose language and customs we do not understand.

How can we best describe and analyze the experience of living in a society so divided, a society whose very normative structure seems to be *disintegrating*? What problematic behaviors might arise in this situation? And how ought we to work for positive social change in this context? In this essay, I explore insights into these issues that may be found in Jorge Portilla’s recently translated essay, “Community, Greatness, and Misery in Mexican Life.”² According to Portilla, when a society’s normative structure begins to lose its cohesion and integrity, everyday life becomes marked by *zozobra*, a profound kind of anxiety that is not *psychological* but *existential* in nature. Portilla argues that *zozobra* undermines our freedom for meaningful action and gives rise to quietism, cynicism, nostalgia, and apocalyptic thinking. After examining Portilla’s analysis of *zozobra*, I conclude by exploring the relevance that his work may have for us today.

Portilla also lived at a time when his society’s norms were in a state of flux.³ In the decades following the bloody revolution of 1910, Mexico had engaged in a project of nation-building, using every means at its disposal to construct a unified sense of *mestizo* national identity that could bind together the various social groups in the country.⁴ This nationalist ideology represented Mexico as having a homogenous language, culture, and race—a preposterous fantasy in a country where the population speaks at least fifty-six different languages, not to mention hundreds of dialects.⁵ By Portilla’s time, Mexico’s project of nation-building was severely strained, even as intense forces of modernization were displacing communities and forcing people to migrate to cities for work.⁶ Thus, from Portilla’s vantage point in Mexico City in the 1950s and ’60s, the promise of a national rebirth after the revolution of 1910

had faded, and Mexican society was gripped by a poignant sense that there was no shared “horizon of understanding” to unite this set of individuals into a genuine *community*.

Portilla’s term for the experience of lacking a communal horizon of understanding—“*zozobra*”—was a word that was on the minds of his contemporaries as well. His fellow philosophers in Mexico City were alarmed by what Emilio Uranga described as a widespread sense of anxiety, uneasiness, or even anguish—a painful and peculiar sense of not being at home in the world—that permeated everyday life in Mexico.⁷ However, Portilla’s contemporaries tended to analyze *zozobra* in *psychological* terms, often describing “the Mexican mind” in ways that may strike today’s reader as being ridiculous or offensive. For example, in *The Labyrinth of Solitude*, Octavio Paz argues that the Mexican personality is constructed around a tragic *machismo*, which he diagnoses as being a defensive reaction to Mexico’s cultural *mestizaje*—a reaction to being part colonizer and part colonized, and simultaneously loving and hating both sides. In his view, the internal conflict produced by these competing attachments manifests in violence, self-destruction, and a nihilistic worldview. In his famous essay “The Sons of La Malinche,” Paz writes:

The Mexican does not want to be either an Indian or a Spaniard. Nor does he want to be descended from them. He denies them. And he does not affirm himself as a mixture, but rather as an abstraction: he is a man. He becomes the son of Nothingness. . . . That is why the feeling of orphanhood is the constant background of our political endeavors and our personal conflicts.⁸

In a similar vein, Uranga describes the Mexican way of being as marked by the oscillation between conflicting extremes, a painful “convergence-repulsion of the ‘Christian and the indigenous,’ of ‘hypocrisy and cynicism,’ of ‘brutality and gentleness,’ of ‘fragility and toughness,’ and so on.”⁹

What makes Portilla’s analysis of *zozobra* uniquely insightful is that, unlike his contemporaries, he saw *zozobra* not as a *psychological state* but as an *existential condition*—not a state of mind generated by conflicting attachments but a state of existing in a world in which there is a lack of any real communal horizon of understanding. Because *zozobra* is not merely *psychological*, it is something no amount of therapy could address: its source is not an individual’s mind or conflicting attachments but the disintegration of the normative structure of society itself.

To understand Portilla’s existential-phenomenological account of *zozobra*, we must first understand his externalist views regarding the meaning of actions. For Portilla, the meaning of any action (as distinct from mere bodily movements or behaviors) is socially constructed. For example, whether your speech act constitutes a humorous joke or a cruel insult, whether your behavior at work is a sign of an industrious work ethic or contemptible servility, the significance of any action is determined by the socially instituted norms and concepts that constitute a society’s framework of interpretation, or what Portilla calls a “horizon of understanding.” For this reason, he says, whenever

we perform an action, we must rely on a background understanding of the norms and concepts that define the meaning of our action. We must anticipate how others will interpret our behavior because this social interpretation will determine what the meaning of our action will be. As Portilla puts it,

our action . . . is not carried out in the middle of the desert, but in community. We cannot project any action whatsoever without counting on others. . . . Our action is inconceivable to ourselves if a somewhat precise halo is not attached to it, one of approval or reproach, of incentive or of obstacle, whose source is the community, those “others.”¹⁰

Just as a writer cannot write without implicitly imagining a reader, every one of our actions—from the way we speak, to the way we dress, to the way we eat, and so on— involves an implicit anticipation of how others will receive our action.¹¹

When things are going well, we tend to take this interpretive horizon for granted. Indeed, we typically only notice its importance when things go wrong. When we travel to a foreign country, for example, we may discover that the norms and concepts in this place are quite different than those we are accustomed to and that our actions are interpreted in ways we did not expect. In this case, we may find it difficult to properly make a joke, give a compliment, and do things that express our character. Likewise, when the interpretive horizon within a community changes over time, a person from an older generation may find, to his dismay, that what once counted as a funny joke or a nice compliment is now interpreted as an instance of racism or sexual harassment. As such experiences illustrate, “These horizons [of understanding] have critical importance for human action. One of their primary functions is that of serving as walls against which bounce the echoes that carry the meaning of our actions”—a fact that becomes painfully obvious to us when the “echo” that bounces back “makes it evident that our [action] did not have the exact meaning that we were giving to it.”¹²

In large and complex societies like Mexico, a person may be located within many overlapping communities at the same time. As Portilla puts it,

we always live in a multiplicity of communal horizons that mix and weave with each other and that remain always potential or actual, depending on whether our action reveals or conceals them. We live always simultaneously immersed in a national community that can take various forms, from the political to the aesthetic: in a professional community; in a guild; in a class; in a family.¹³

These various, smaller horizons of understanding, Portilla says, may be more or less tightly “integrated” within a larger horizon of understanding that binds together the society as a whole. In this way, Portilla imagines a spectrum between a “sub-integrated” society and “super-integrated” society. He suggests that Germany, for example, may be an instance of a “super-integrated” society, where the

norms and concepts governing a person’s national identity are clearly defined, stable, and coherent, thus providing clear and substantive guidance for people as they seek to interpret the meaning of a given action. In this super-integrated society, the various social roles a person may occupy—worker, parent, music-lover, and so on—all fit together in a tight, cohesive package, so that all of a person’s activities work together to express the national way of life.¹⁴

Portilla argues that people in this kind of super-integrated society enjoy a certain kind of freedom, which we might call “agential freedom”—namely, the freedom to anticipate the meaning of any given action—so that they can simply set their minds to acting as they are willing and able to act. In this society, Portilla says, the “atmosphere seems to be a space of incredibly open opportunities for individual action, something like a paradise for the industrious man.”¹⁵ On the other hand, he argues, people in a super-integrated society suffer from a pronounced lack of a different sort of freedom, which we might call “normative freedom”—the freedom to alter the norms and concepts that determine the meaning of their actions. They may do things that violate social norms, of course, but they do not enjoy the kind of freedom that comes from occupying a social space in which the norms and concepts that govern the meaning of their actions are more vague, inchoate, and open to innovation.¹⁶

In Portilla’s view, Mexico is on the other side of this spectrum of social integration—it is a “sub-integrated” society. As he puts it, in Mexico “everything happens as if these structures of transcendence that we have named horizons of community suffered . . . from a lack or in-articulation.”¹⁷ Although Mexicans are not “smothered” by rigid social norms (and so enjoy an abundance of normative freedom), in Portilla’s view, the interpretive horizons in Mexico are so unclear and poorly defined that basic conditions for the possibility of meaningful action are undermined (together with the possibility of agential freedom). In other words, at a certain point, the freedom from being governed by social norms is not liberating at all but disorienting—and indeed, when normative freedom is taken to the extreme so that there is no stable normative horizon to resist one’s interpretations of the meaning of actions, it becomes unclear whether one’s actions can have any social meaning whatsoever. For this reason, Portilla describes the state of sub-integration as “a species of social malnutrition that forms a thin yet suffocating spiritual atmosphere for whomever must form their personality within it.”¹⁸

Thus, on Portilla’s view, *zozobra* arises from the disintegration of a society’s horizon of understanding. This state of affairs is existential rather than merely psychological, and as such, it undermines our freedom for meaningful action at a deep, structural level. However, although *zozobra* is not primarily a psychological phenomenon, Portilla notes that *zozobra* tends to manifest psychologically in three distinctive ways. First, the experience of *zozobra* tends to make people hesitant to take action of any sort.

In effect, if the community’s reception or response in regard to our action cannot be determined with

a certain amount of clarity, it is likely that we will indefinitely postpone the demanded action until the horizon clears up and, if this does not happen, we will carry it out only when the circumstances themselves turn it into a demand that cannot be postponed, and then it will probably carry within itself the mark of improvisation. Nothing slows down the impetus toward action more than uncertainty in regard to the manner in which the work to be done will be received.¹⁹

Second, hand-in-hand with this sort of *quietism* comes a tendency toward *cynicism* that is also characteristic of *zozobra*.

Thus, in a disarticulated community such as ours, the man of action, and even the intellectual, will find himself affected by a certain cynicism which is nothing more than a defensive maneuver or a movement of self-affirmation, which can be described with the analogy of whistling or humming in the dark so as to forget one's fears.

It is clear that a failed, unnatural, or badly interpreted action will turn us into introverts, melancholic and hopeless. Action becomes imaginary: everyday conversation in Mexico is filled with stories about men who attempted a noble act, who tried to realize a useful or noble endeavor, an act that was ultimately crushed by the harshness of the external world, or invalidated by collaborators who were inept or of bad faith.²⁰

Another way cynicism expresses itself, Portilla says, is in a tendency toward introversion, sentimentality, and nostalgia—a desire to escape into fantasy or into memories of a bygone era when life made sense.²¹

Lastly, Portilla argues, the experience of *zozobra* manifests itself in an apocalyptic imagination and a profound sense of the fragility and contingency of life. In a fascinating passage, Portilla compares what it is like to live without a clear and stable communal horizon of understanding to the situation of an "explorer or sailor working with a malfunctioning compass. Her horizon, in this case a geographical horizon, has become confusing and more than likely threatening."²² Likewise, he says, a person who is attempting to navigate everyday life in a disintegrated society must contend with an anxiety-provoking sense of disorientation and fragility.

The individual, prevented from securely founding his being on the web of human relations, finds himself painfully exposed to the cosmic vastness. We live always simultaneously entrenched in a human world and in a natural world, and if the human world denies us its accommodations to any extent, the natural world emerges with a force equal to the level of insecurity that textures our human connections.²³

Our sense of security, in other words, is largely a function of our sense of community. When the horizon of

understanding in our society is fragmented and weak, how can we feel capable of coping with the disasters that seem to be impending at every turn?

By way of conclusion, then, I will briefly mention some ways that Portilla's work might shed light on the current political moment in the US. First, Portilla's analysis of *zozobra* can help us to understand our own tendencies to indulge in quietism, cynicism, nostalgia, and apocalyptic thinking. These are understandable but ultimately unhelpful reactions to the lack of clarity in the norms and concepts that govern everyday life in our own society.²⁴ Likewise, Portilla's work can help us understand one reason why people on both the political right and left sometimes react with outrage to the language and attitudes expressed by their fellow citizens, even when no one is directly harmed by these expressions. When the people in our community act in a way that disrupts the horizon of understanding governing everyday life, these disruptions in the normative order can constitute a genuine and profound loss of freedom for us. Just as when we visit a foreign country and find ourselves unable to act effectively in the world or freely express our character, when we do not understand or identify with the norms and concepts that govern everyday life in our own society, we are truly less free.²⁵ When this happens, it is as though we are living in a foreign country, except there is nowhere to return that is more familiar and understandable; we are strangers in our own land.

Portilla's work may also help us to be a bit wiser in choosing our strategies for engaging in cultural politics in a society whose communal horizon of understanding seems to be disintegrating. For example, it may make us more skeptical of the value of satirical political comedy in this particular context. This comedy often expresses contempt for people on the other side of the political divide, and to the extent that such expressions of contempt further erode our shared horizon of understanding, they may only exacerbate our *zozobra* and ultimately undermine our freedom. Instead, it may be wise for those who seek to work for positive social change in this context to take up a strategy that Portilla calls "Socratic irony." In Socratic irony, we maintain sincere fidelity to the mainstream values of our society, even while we subtly shift the expectations regarding what upholding these values actually requires of us—as Socrates did when he maintained his loyalty to the *polis* even while questioning what justice and piety requires.²⁶ In a similar way, Portilla suggests, social critics within disintegrating societies can position themselves as giving voice to mainstream, non-partisan positions, even while calling for change in particular policies and practices.

By choosing to articulate our concerns as expressions of mainstream concerns and intuitions—rather than as radical critiques of the mainstream launched from the margins of the society (as philosophers often do)—this strategy may promote positive change in ways that reinforces our fragile normative order, rather than destabilizing it. Radical critique is appropriate and necessary in moments of relative social stability. But when a society's horizon of understanding disintegrates, basic democratic forces, such as communal deliberation about important matters, can get no grip.

In these ways, Portilla's work, which reveals zozobra as an existential condition grounded in social disintegration, is a valuable resource for navigating the contemporary world.

NOTES

1. Arlie Hochschild, *Strangers in Their Own Land: Anger and Mourning on the American Right* (New York: The New Press, 2016).
2. Jorge Portilla, "Community, Greatness, and Misery in Mexican Life (1949) by Jorge Portilla," in *Mexican Philosophy in the 20th Century: Essential Readings*, ed. Carlos Sánchez and Robert Sánchez (Oxford: Oxford University Press, 2017), 178–95.
3. For an excellent discussion of Portilla and his historical and intellectual context, see Carlos Sánchez, *Contingency and Commitment: Mexican Existentialism and the Place of Philosophy* (Albany, NY: SUNY Press, 2015).
4. See Mary Kay Vaughn, *Cultural Politics in Revolution: Teachers, Peasants, and Schools in Mexico, 1930–1940* (Tucson, AZ: University of Arizona Press, 1997).
5. Jorge Hernández-Díaz, "National Identity and Indigenous Ethnicity in Mexico," *CRSN* 21, no. 1-2 (1994): 71–81.
6. For an in-depth discussion of Mexico's post-revolutionary nation-building project, see Gavin O'Toole, *The Reinvention of Mexico: National Ideology in a Neoliberal Era* (Liverpool: Liverpool University Press, 2010).
7. Emilio Uranga, *Análisis del ser del mexicano y otros escritos sobre la filosofía de lo mexicano (1949–1952)*, ed. Guillermo Hurtado (Mexico City: Bonilla Artigas Editores, 1952).
8. Octavio Paz, *The Labyrinth of Solitude*, trans. Lysander Kemp, Yara Milos, and Rachel Phillips Belash (New York: Grove Press, 1985), 26–27.
9. Emilio Uranga, *Análisis del ser del mexicano y otros escritos sobre la filosofía de lo mexicano (1949–1952)*, ed. Guillermo Hurtado (Mexico City: Bonilla Artigas Editores, 1952), 82. Quoted in Sánchez, *Contingency and Commitment*, 69.
10. Portilla, "Mexican Greatness, Misery, and Community," 187.
11. *Ibid.*, 190.
12. *Ibid.*, 184.
13. *Ibid.*, 183f.
14. *Ibid.*, 187f.
15. *Ibid.*, 189. He continues, "a paradise that frequently transforms itself into the dominion of the predator."
16. In this vein, Portilla quotes a German academic who, after visiting South America, wrote: "Central Europeans of today, who are at the point of smothering our healthy members with a system of well intentioned bandages and of making ourselves immobile by force of organization, can take example in the free spirit of independence of the Latin American" (*ibid.*).
17. *Ibid.*
18. *Ibid.*, 131.
19. *Ibid.*, 187.
20. *Ibid.*, 188.
21. *Ibid.*
22. *Ibid.*, 184.
23. *Ibid.*, 189.
24. I have not offered much argument for my claim that the US is what Portilla would call a "sub-integrated society." It is beyond the scope of this article to address this important issue in more depth, but I will note here two questions that would need to be answered in order to make this argument persuasively. First, while it is clear that the US is a polarized society, this does not necessary make it a society whose basic normative framework is unstable or disintegrating. What is the relationship, then, between political polarization and social disintegration—in general, and in the case of the US? Second, the people who Hochschild reports

as feeling like "strangers in their own land" tend to be white, Christian, and heterosexual, and her work confirms that much of their feeling of alienation stems from their sense that the social group to which they belong no longer enjoys unquestioned social supremacy. Does their experience of zozobra simply track the relative privilege and power of their social group, rather than reflecting a genuine disintegration of their society's horizon of understanding?

25. One might object here that this analysis overemphasizes the importance of a society's horizon of understanding. Even if our country is in a state of social disintegration at a national level, perhaps we should not necessarily expect there to be a widespread sense of zozobra, so long as people continue to be at home in their more local communities. Why, then, does Portilla place so much importance on the stability of a society-wide horizon of understanding? Addressing this question is also beyond the scope of this article, but it is clear Portilla would insist that "we cannot, in any way, place ourselves outside of our national community, in the same way that we cannot truly situate ourselves outside of our own familial community" (*ibid.*, 182).
26. Jorge Portilla, "The Phenomenology of *Relajo*," in *The Suspension of Seriousness: On the Phenomenology of Jorge Portilla*, ed. Carlos A. Sánchez (Albany, NY: SUNY Press, 2012), 171ff.

DISCUSSION ARTICLES

The Contradiction of Crimmigration

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INTRODUCTION

On July 1, 2015, Juan Francisco López-Sánchez recklessly fired a handgun in San Francisco's crowded Embarcadero district. The bullet ricocheted off the concrete, striking Kathryn "Kate" Steinle in the back and ultimately ending her life. If López-Sánchez were a US citizen or if this were his only serious lapse of judgment, this horrific incident might have long been forgotten. Today, however, it serves as a rallying point for two draconian amendments to the US Immigration and Nationality Act. The first takes its name from Steinle, Kate's Law, and would increase the fines and prison time undocumented immigrants with criminal convictions face if they reenter the US without authorization. The second, entitled the No Sanctuary for Criminals Act, aims to inhibit the autonomy of "sanctuary cities," a status indicating that the particular city does not allow its local public institutions (e.g., police or schools) to be used in the enforcement of federal immigration law. The No Sanctuary for Criminals Act would bar federal grants from going to "sanctuary cities" and allow the victims of crimes perpetrated by undocumented immigrants to sue the city if the city is a "sanctuary city."

So how are these two proposed amendments related to the fateful events of July 1, 2015? Prior to that night, López-Sánchez already had seven prior felony convictions and had been deported from the US five times. López-Sánchez is therefore the poster child for the "criminal alien," one of the "bad hombres" that Donald Trump—first as a presidential hopeful and now as president of the United States—has constantly cited as proof that the US needs stricter immigration enforcement. Supporters of Kate's Law argue that if something like this law had been in place,

López-Sánchez would not have been on the Embarcadero that fateful night.

Supporters of these laws also believe that if the San Francisco Sheriff's Department (SFSD) had simply handed over López-Sánchez to US Immigration and Customs Enforcement (ICE), Steinle would be alive today. Instead, since San Francisco is a "sanctuary city," SFSD ignored ICE's request and released López-Sánchez after charges against him were dropped. The aim of the No Sanctuary for Criminals Act is therefore to pressure cities to cooperate with the federal government in immigration enforcement matters.

The death of Kathryn Steinle is nothing short of a tragedy, and one cannot help but wonder if something could or should have been done to prevent it. The two proposed pieces of legislation seem tailor-made to address such tragedies, and given that their primary targets are "criminal aliens," it might initially seem very difficult to find the harm in passing such legislation. One possible response might be to point out that the killing of Steinle is more of an anomaly than a regular occurrence. By and large, immigrants commit far fewer crimes than citizens, and there is no evidence that the crime rate among immigrants, especially violent crime, is dramatically on the rise.¹ So instead of addressing a threat to public safety, it turns out that these laws are really aimed at generating a kind of negative perception or fear of immigrants, which can then play a key role in future debates about immigration reform.²

Still, we cannot deny that there are troubling cases like the death of Steinle, and regardless of whether or not these sorts of cases are the exception rather than the rule, many believe that if combining immigration enforcement with criminal law enforcement—a trend that has come to be known as "crimmigration"³—could prevent even a fraction of these cases from occurring, then we have an obligation to do so. I want to suggest in this essay, however, that there are other reasons, in addition to the worries about stoking xenophobia, for rejecting an approach like this. Crimmigration sets up a situation where we, in fact, get the worst of all worlds: where those facing criminal penalties are denied important constitutional protections that should be afforded to all persons at risk of losing life, liberty, or property; where those who have already been punished for their offenses stand to face still further penalties that in most other contexts would be considered cruel and unusual (i.e., indefinite imprisonment or exile); and where tactics aimed at protecting and serving local communities get usurped by the federal government in ways that conflict with, if not outright violate, the Constitution. I will therefore try to show that even if crimmigration could bring about some good consequences (e.g., saving the lives of people like Kathryn Steinle), there are nonetheless weightier concerns that need to be taken into account and that speak in favor of rejecting this conflation of criminal law enforcement with immigration law enforcement.

DEPORTATION AND PUNISHMENT

At the end of the nineteenth century, a series of cases known as the Chinese Exclusion Cases went before the US Supreme Court. Now infamous in the annals of US immigration law, these cases upheld the constitutionality

of excluding Chinese nationals on racist grounds. The Chinese Exclusion Acts have since been repealed, but the precedent set by these cases, known as the "plenary power doctrine," has yet to be overturned. This doctrine holds that the US federal government has almost complete discretionary control over matters concerning immigration. In other words, the federal government (and not state or local governments) has the ultimate say in determining which noncitizens may be admitted, excluded, or removed, and most importantly (and too often underappreciated), this power is largely beyond the scope of judicial review. What this means is that immigration courts in the US are *not* technically part of the judicial branch. They are a part of the Department of Justice (DOJ), which falls under the executive branch and is part of administrative law. Furthermore, decisions in immigration court are not made by a jury of one's peers, but by judges appointed by the DOJ rather than confirmed through Congress or elected by the people.

This is an enormous amount of unchecked power for any one branch of the federal government to have, so how has such a doctrine continued to pass constitutional muster, especially given the US's deep commitment to individual liberty and a government of checks and balances? It has done so largely because it rests on a distinction between criminal offenses (e.g., murder, robbery, or assault) and administrative violations (e.g., overstaying a visa or unlawfully entering the country). This distinction was clarified in the 1896 Supreme Court case *Wong Wing v. United States*. At stake in the case was whether Wong Wing could be sentenced to sixty days of hard labor and subsequently deported without having received a trial by jury. The court ruled that there was nothing unconstitutional about deporting Wing without a jury trial. Deportation, after all, was merely an administrative matter and was not taking away his life, liberty, or property. The sixty-day hard labor provision, however, was unconstitutional because it would deprive Wing of his liberty without proper due process. So regardless of the fact that Wing was an immigrant, and therefore subject to removal at the discretion of the federal government, he was still a person and thereby entitled to the full range of constitutional protections if the government sought to take his life, liberty, or property.⁴

In short, the *Wong Wing* decision formalized a kind of trade-off that makes the plenary power doctrine consistent with a federalized form of government built on a respect for individual rights and a system of checks and balances. In cases where the government can potentially exercise the maximum amount of coercion (i.e., taking away a person's life, liberty, or property) individuals ought to be entitled to the maximum set of protections, but in cases where the government is not (at least not technically) coercing individuals, then those individuals are not necessarily entitled to the maximum range of protections. Also key here is that immigration regulation is considered to be exclusively within the domain of the federal government, so state and local governments have no right to admit (e.g., develop their own guest-worker program), exclude (e.g., keep immigrants out of their territory who have already been admitted into the US), or remove (e.g., create their own immigration enforcement taskforce) immigrants.⁵ In

other words, state and local governments are *not* in the immigration business.

I have argued elsewhere that the plenary power doctrine is unjust and that a commitment to individual freedom and universal equality ought to entitle immigrants to a much wider set of rights than they currently enjoy.⁶ However, for the purposes of this essay I will assume that something like the plenary power doctrine is justifiable. In other words, that national states (not supra or subnational governments) have a near-absolute right to admit, exclude, and remove noncitizens. For constitutional democracies, exercising such unchecked power can be tricky, but whatever tensions arise from its exercise can be, as we saw in *Wong Wing*, ameliorated if the use of such power is confined to an area that does not violate the rights of citizens (i.e., immigration) and so long as the consequences are noncoercive (i.e., the penalties are administrative not criminal). Crimmigration, however, seems to upset this very delicate balance.

CRIMMIGRATION

According to immigration law professor César Cuauhtémoc García Hernández, there are three aspects that come together to make up the phenomenon now known as crimmigration:

1. Criminal convictions carrying immigration consequences
2. Violations of immigration law leading to criminal punishments
3. Criminal law enforcement tactics being used for immigration enforcement⁷

In this section, I would like to offer some reasons for why each of these aspects is morally (and, for some people, existentially) worrisome. I will conclude by suggesting that the only consistent way of dealing with the problems raised by crimmigration is either to maintain the strict separation between immigration enforcement and criminal law enforcement on which the plenary power doctrine is built, or to reject the plenary power doctrine altogether. Either choice, however, limits the discretion the federal government is normally thought to have in matters concerning immigration and would grant immigrants more rights (especially more protections from removal) than they currently enjoy.

There is nothing necessarily new about the first aspect of crimmigration, about criminal convictions having immigration consequences. What is new, however, is the number of crimes that today carry immigration consequences and the vague criteria (e.g., moral turpitude) called upon to determine whether a crime amounts to a removable offense. Incentivizing immigrants to obey the law by threatening them with deportation might, for some, have a kind of intuitive appeal. This approach, however, raises at least three interrelated worries: Do such consequences not essentially punish a person twice for the very same offense? Do they not alter the process and procedure for determining a person's guilt or innocence? And should they not always be off the table (i.e., be

considered "cruel and unusual")? The worries I raise here, just to be clear, have nothing to do with feeling sympathy for folks like López-Sánchez but have everything to do with a sense of fairness and a desire to avoid creating parallel justice systems.

In determining matters of guilt or innocence, justice requires that the procedures we use to determine the fate of the accused be the same for everyone regardless of their race, sex, or even immigration status. Attaching immigration consequences (i.e., deportation) to criminal convictions puts immigrants in a very difficult position when trying to defend themselves in criminal proceedings. Immigrants cannot, for example, accept most plea bargain deals as such agreements would lead to their automatic deportation. Yet given the way the US criminal justice system has developed, the accused are now often strongly encouraged to take plea agreements—even when they are innocent—rather than risk taking their case to court where they could be hamstrung by inadequate council and stand to face much longer jail sentences.⁸ For long-term immigrant residents, the immigration consequences they face (e.g., deportation) for a criminal conviction (which is what a plea agreement would be) are often far worse than the maximum sentence they could receive for almost any crime. Again, this is not to say that people who commit crimes should never suffer any repercussions for their actions. This is to say that regardless of a person's immigration status, they should have access to the same system of justice—with all its kinks and nuances—and that punishments that are deemed too cruel and unusual for citizens (e.g., exile) should also be seen as too cruel and unusual for noncitizens.

The second aspect of crimmigration has to do with the criminalization of immigration violations. A little known fact about the US is that before 1929 it was not actually a crime to enter the country without authorization. Today, immigration law violations and, in particular, illegal reentry constitute the largest category of federal offenses.⁹ There are strong reasons for thinking that immigration violations, much like parking violations, should rarely, if ever, be treated as criminal offenses. This is because they are not merely different in degree but different in kind. But even if we put these sorts of reasons aside, we should recall that the federal government's power to control immigration (i.e., the plenary power doctrine) is based on such a distinction. The problem with increasingly criminalizing migration, as the court in *Wong Wing* was correct in observing, is that it lets the federal government have its cake and eat it too. It allows the federal government to take away a person's liberty on a conviction obtained through its very own special court (DOJ), not a regular judicial court, and in a manner that does not extend to the accused the full set of constitutional protections. In short, if violations of immigration law are to have coercive consequence (i.e., jail time), then we need to radically rethink the current setup, which today gives the federal government virtually all the power and the accused (i.e., immigrants) almost none.

Finally, there is the use of criminal law enforcement tactics for the purposes of immigration enforcement. There are at least two places where this can become very problematic.

The first is when civilians whose only infraction is a potential immigration violation are held in custody for an indefinite period of time without proper due process.¹⁰ The second is partnerships between local police and federal immigration enforcement. These partnerships tend to have bad consequences, as they sow mistrust among immigrant communities and police. When police function as auxiliary immigration enforcement agents, immigrants are less likely to call them when they are the victims of crime or come forward as witnesses to help police solve crimes. Also, citizens who live in mixed households are less likely to call or talk to police for fear that interactions with police might lead to the deportation of family or friends. Despite these consequences, there is also a deeper question about federalism: Can the federal government force state and local governments to assist in an area where it—and not state and local governments—has exclusive control, especially when this kind of cooperation could undermine the very aims those state and local institutions are designed to achieve? This is the reason some cities have chosen to become “sanctuary cities.” They believe that the federalism enshrined in the US Constitution¹¹ allows them to prioritize the equal protection and education of their residents over and above assisting the federal government in an area like immigration.

CONCLUSION

As I have tried to show in the last section, there are reasons to be alarmed about collapsing the distinction between immigration and criminal law enforcement. Notably, these concerns are not hypothetical but are being lived in cities and towns across the US today. These concerns should prompt us either to reject the plenary power doctrine entirely or to be stricter about maintaining the separation between criminal law and immigration law. I grant that the death of Steinle presents us with a very difficult case, but as the old adage goes, hard cases make for bad laws. In short, whatever good could come from laws like Kate’s Law and No Sanctuary for Criminals Act, it will be far outweighed by the potential injustices those laws will give rise to.¹²

NOTES

1. Richard Pérez-Peña, “Contrary to Trump’s Claims, Immigrants Are Less Likely to Commit Crimes,” *New York Times*, January 26, 2017, <https://www.nytimes.com/2017/01/26/us/trump-illegal-immigrants-crime.html?mcubz=0>.
2. See Christopher N. Lasch, “Sanctuary Cities and Dog-Whistle Politics,” *New England Journal on Criminal and Civil Confinement* (forthcoming).
3. See Juliet Stumpf, “The Crimmigration Crisis: Immigrants, Crime, and Sovereign Power,” *American University Law Review* 56.2 2006.
4. *Wong Wing v. United States*, 163 U.S. 228 (1896).
5. See, for example, the Supreme Court’s ruling in *Arizona v. United States*, 567 U.S. ___ (2012).
6. See José Jorge Mendoza, *The Moral and Political Philosophy of Immigration: Liberty, Security, and Equality* (Blue Ridge Summit, PA: Lexington Books 2016).
7. See César Cuauhtémoc García Hernández, *Crimmigration Law* (Chicago IL: American Bar Association Publishing, 2015).
8. Jed S. Rakoff, “Why Innocent People Plead Guilty,” *The New York Review of Books*, November 20, 2014, <http://www.nybooks.com/articles/2014/11/20/why-innocent-people-plead-guilty>.

9. Hernández. *Crimmigration Law*, 11.
10. For more on the injustice of this practice, see Stephanie J. Silverman’s contribution to this symposium.
11. See, for example, the Tenth Amendment to the United States Constitution.
12. Special thanks to Matt Lister, Alex Sager, and Stephanie J. Silverman for their invaluable comments and suggestions that made this piece much better.

Under the Umbrella of Administrative Law: Immigration Detention and the Challenges of Producing Just Immigration Law

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Immigration detention is the lynchpin enabling immigration control. Lacking a universal legal definition, detention can be understood as the incarceration of people who the state knows, or suspects, to have broken immigration rules. Similar in some ways to the more familiar pretrial detention in the criminal justice system, detention’s legitimacy is premised on its role as a mechanism to facilitate deportation. Although mostly operating out of sight, the common understanding of detention is that it is natural and unavoidable, when it is visible at all. States position detention to respond to, and bolster, the untrue idea that irregular immigration is a crime. The effect of detention on migrants is to feel like punishment¹ and for citizens to shore up the idea that migrants can never be like “us.”²

Picking up from these ideas, this contribution aims to unravel the British State’s “regrettable but necessary”³ justification for detention into its key components: first, deterrence of future migrants, and, second, as a means to prevent absconding, also known as flight risk. I will argue that neither component of this justification is credible. The end result is to denaturalize and challenge the propriety of practicing long-term detention in a liberal community.

I operate here within the “Conventional View” on borders, asylum, and immigrants. The view holds that the state has a moral right to adjudicate who crosses its borders and who gets to live permanently inside its territory.⁴ One could challenge that assumption, of course, but to understand the phenomenon of detention and even to appreciate the internal tensions it generates within liberal democratic states like the UK, it is helpful to work within the Conventional View. I am also referring to detention of forty-eight hours or more.

1. INCARCERATING IMMIGRANTS AND DRAWING LINES

Simultaneously a policy and a practice, detention has historically been positioned as innocuous and unavoidable. The state detains people in order to more efficiently realize other immigration-related goals, usually deportation. The

Conventional View suggests that, barring some exceptions, the state is morally justified in using violence to preserve citizens' rights and privileges at the expense of those of noncitizens. On this view, the "usual rules" about incarceration and prisoners' rights fall away: although it is undoubtedly confinement, detention is governed through a palimpsest of laws, rules, regulations, statutes, and emergency legislations. The peculiar nature of detention allows it to operate outside of, parallel to, and often overlapping with judicial incarceration at, within, and beyond the state's borders.⁵ With little to no foresight or planning, detention grows from omission.

As part of administrative law, there is little judicial oversight over detention. Its lawfulness is usually adjudicated through tribunals and internal review mechanisms where the issues are procedural not fundamental or natural justice, a distinction that I think is misplaced given the grave harms of long-term detention. In theory, international law curbs the harshest edges of detention and ensures that each detention is subject to a series of individualized tests with respect to the justification of that detention. One implication of these requirements is that it is not permissible under international law to detain immigrants, even those who have arrived without authorization, for the purpose of discouraging others from migrating.

The UK typifies troubling trends across the liberal, democratic world in its approach to developing and implementing immigration policy: it defaults to detention in a context of enforcement-focused and militarized immigration control; it exhibits substantial legal and conceptual crossovers between criminal justice and immigration detention as well as between punishment and administrative convenience; and it typifies poor caseworking on migrant files, leading to people becoming "lost" or "forgotten" in the detention estate.⁶

Immigration detention in the UK is ordered mostly at the discretion of individual officers, vested in power by the Home Office, and whose decisions are directed by statutory and internal guidelines. The number of people recorded as entering UK detention increased from 250 in 1993 to 28,900 in 2016⁷ with an average of 30,000 detainees annually over the past couple of years. Almost half are people seeking asylum.⁸ The majority of detainees are men hailing from former British colonies, most notably Bangladesh, India, Jamaica, Nigeria, and Pakistan.⁹

The UK Home Office justifies detention as an appropriate measure when there is "a realistic prospect of removal within a reasonable time."¹⁰ Surprisingly, then, two-thirds of long-term detainees are released into the community and not removed from Britain.¹¹ The consequences of the futility of long-term detention is redoubled by the global medical literature's finding that the negative impact of detention on the mental health of detainees increases the longer detention persists.¹² As Stephen Shaw concluded in this government-commissioned review of the UK detention estate, "there is too much detention; detention is not a particularly effective means of ensuring that those with no right to remain do in fact leave the UK."¹³

2. DETERRENCE PARADIGM AND LOGIC OF THE ABSCONDING JUSTIFICATION

The two key rationales repeated by British officials to justify detention are (i) that the threat of detention and its harms can deter people from undertaking dangerous migration journeys, shorthanded here to detention-as-deterrence; and (ii) that detention, coupled with the power of deportation, can discourage migrants from absconding from the status regularization process. While both uses are, indeed, preventive detention for deterrence, I separate the (i) justification as being directed at foreigners abroad while the (ii) justification is for noncitizens inside the state's territory. I will use my remaining space to explain why both justifications are related to crimmigration and neither is credible.

Since the use of civil or administrative detention as deterrence is illegal, state officials justify detention-as-deterrence by pointing to the riskiness of the migrant's journey to the West. In response to the domination of European political debate and media coverage of the perceived "crisis" of Syrian refugees fleeing to Europe in 2015,¹⁴ European governments implemented deterrence strategies. Sager, in this collection, explains how these governments committed valuable resources towards disrupting smuggling networks, preventing departures of migrant-carrying boats from Libya, and transferring refused asylum seekers amongst themselves and Turkey.

The argument for deterring people from migrating for their own good is superficially appealing. The deaths of migrants in the Mediterranean Sea and across the land routes are tragic.¹⁵ There are indeed no lawful pathways to permanent residence for some people who arrive without prior authorization. However, the idea of detention-as-deterrence fails on plausibility. There is no credible link between detention-as-deterrence and reduced immigration, nor can it filter out the criminal aliens who are allegedly the priority for arrest and return.¹⁶ A variation of the detention-as-deterrence justification runs that mass detention of incoming groups can net the smugglers who are ferrying the migrants and causing great distress to them and their families along the way. Research, however, calls this into question by showing that the agent travels *near to* the border, *not up to or across* the border where detention occurs; migration flows are often "mixed" with refugees, economic migrants, and others coming together to travel; and that the "smuggler" is often a passenger assisting others to reach safety, including his own family members. A major research report suggests that "State officials, the military, law enforcement and border guards were also involved in smuggling" along the land and sea routes to Europe.¹⁷ A more nuanced, grounded understanding of "smuggling" is slowly but surely being reflected in legal decisions,¹⁸ thereby calling into question crimmigration's representation of smugglers as criminals and undermining a key rationale for immigration detention. In more general terms, the global rise of detention has coincided with increased migration, and many states hosting robust detention systems experience large immigration flows.

On the topic of *future* migrants, any links between detention and deterrence are purely speculative or conjecture: it is virtually impossible to prove that the threat of detention caused someone not to migrate precisely because they did *not* migrate, and no one factor in decision-making is definitive due to the complexity of the push-pull dynamics of global migration and control. Further still, even if detention were demonstrated to be effective as a deterrent, it would still be incompatible with the principles that liberal states claim to respect and with international law. Liberal societies are not supposed to deprive people of their liberty if they have not committed a crime, and especially if they pose no threat to society if they are left free. Even in the extreme case of terrorists, the judicial application of principles of proportionality insists that preventive detention cases be screened for rationality and less restrictive means for achieving the goal.¹⁹ Moreover, as I have observed previously, under international law, it is not permissible to detain some in order to deter others. Ultimately, it is wrong to detain in an effort to thwart unknown people's migrations and mobilities, and detention-as-deterrence is not credible.

The second justification for detention is to thwart absconding. The underlying assumption of this argument is that some noncitizens will not willingly comply with the requirements of immigration hearings, procedures, and outcomes. Absconding matters to state bureaucracies because loss of contact disrupts deportation; it matters to political actors because it speaks to, amplifies, and provides a ready response to public anxieties about "foreign criminals" roaming the streets.²⁰ For example, in 2014, the Ministry of Justice introduced secondary legislation that denies notification of lost appeals to refused asylum seekers, a measure taken "to prevent the parties absconding."²¹

Given the Conventional View's prerogative that states are entitled to control immigration, it makes sense that they undertake to prevent or thwart absconding. The problem is that the thresholds of evidence to identify a potential absconder are low and shaky. Again, the onus of proof is reversed from the criminal justice context and the migrant must show a disinclination to abscond. Further, data on absconding is scarce. In 1995 the British government acknowledged that the absconding rate of refused asylum seekers was 0.59 percent; since then, the Home Office has remained silent, with no other credible, primary research on the rates of absconding in the UK being published. On the other hand, scholarly research finds that asylum seekers who have arrived in destination states like the UK "rarely abscond while awaiting the outcome of a visa application, status determination, or other lawful process."²² Likewise, a global survey of programs facilitating conditional release from detention found that more than 90 percent of enrollees did not abscond.

From a moral perspective, it is important to note that absconding is rarely a deliberate choice or decision; rather, it is often the result of bureaucratic delays or obstacles, and a lack of information or comprehension of duties and responsibilities. This is because living underground or

clandestinely is onerous with probable risks of poverty and destitution. Absconders often become dependent on the charity of friends, strangers, and religious or community organizations for survival.

Further, I argue that states like the UK provoke many of the minority of migrants into absconding through making compliance onerous if not virtually impossible. This is accomplished in at least three ways that snowball into an often-untenable situation: (i) the UK policy objective of rendering asylum seekers destitute, particularly those whose refugee claims have been refused; (ii) the undermining of a trust relationship between asylum seekers and the state, significant because trust is a necessary condition for a fair hearing and for guaranteeing compliance during the immigration and refugee status regularization processes; and (iii) using detention as an animating threat to force compliance, thereby further damaging trust and heightening fears of destitution. Through recognizing that legal, bureaucratic, and policy instruments can overlap into provoking some people into absconding, it is possible to argue that the state provokes people to abscond, but then points to the perceived threat of absconders as a justification for detention. This tautology is unreasonable and must be destabilized to reveal state complicity in prompting absconding and the overall unnaturalness and impropriety of practicing long-term detention in liberal communities.

NOTES

1. Mary Bosworth, and Gavin Slade, "In Search of Recognition: Gender and Staff Detainee Relations in a British Immigration Removal Centre," *Punishment and Society* 16, no. 2 (2014): 169–86.
2. *Ibid.*, 182.
3. Stephanie J. Silverman, "'Regrettable but Necessary'? A Historical Study of the UK Immigration Detention Estate and Its Opposition," *Politics and Policy* 40, no. 6 (2012): 1131–57.
4. Joseph H. Carens, "An Overview of the Ethics of Immigration," *Critical Review of International Social and Political Philosophy* 17, no. 5 (2014): 538–59.
5. Stephanie J. Silverman and Amy Nethery, "Understanding Immigration Detention and Its Human Impact," in *Immigration Detention: The Journey of a Policy and Its Human Impact*, ed. Amy Nethery and Stephanie J. Silverman, 1–12 (London: Routledge, 2015), 1.
6. Sarah Turnbull, "'Stuck in the Middle': Waiting and Uncertainty in Immigration Detention," *Time and Society* 25, no. 1 (2016). Eiri Ohtani and Jerome Phelps, "Without Detention: Opportunities for Alternatives," 2016, [http://detentionaction.org.uk/wordpress/wp-content/uploads/2016/09/Without Detention.pdf](http://detentionaction.org.uk/wordpress/wp-content/uploads/2016/09/Without%20Detention.pdf).
7. UK Home Office, "National Statistics: Detention: 3 March 2016," 2016, <https://www.gov.uk/government/publications/immigrationstatistics-october-to-december-2015/detention>.
8. Stephanie J. Silverman, "Immigration Detention in the UK," *Migration Observatory Briefings* (Oxford: Migration Observatory, 2016).
9. Emma Kaufman and Mary Bosworth, "The Prison and National Identity: Citizenship, Punishment, and the Sovereign State," in *Why Prison?*, ed. David Scott, 170–88 (Cambridge: Cambridge University Press, 2013).
10. UK Home Office, "Government Response to Stephen Shaw's Review into the Welfare in Detention of Vulnerable Persons," 2016b, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/492227/gov_paper__2_.pdf.

11. Jerome Phelps, "No Return, No Release, No Reason: Challenging Indefinite Detention," 32 (London: London Detainee Support Group, 2010).
12. Mary Bosworth, "The Impact of Immigration Detention on Mental Health: A Literature Review," in *Centre for Criminology Reports*, 37 (Oxford: University of Oxford, 2016).
13. Stephen Shaw, "Review into the Welfare in Detention of Vulnerable Persons: A Report to the Home Office," London: UK Home Office, 2016, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/490782/52532_Shaw_Review_Accessible.pdf.
14. Heaven Crawley, Franck Düvell, Katharine Jones, Simon McMahon, and Nando Sigona, "Destination Europe? Understanding the Dynamics and Drivers of Mediterranean Migration in 2015," *Unraveling the Mediterranean Migration Crisis (MEDMIG) Final Report*, 2016, p. 12, <http://www.medmig.info/research-brief-destination-europe.pdf>.
15. The International Organization for Migration estimates that 1,011,712 refugees and migrants crossed the Mediterranean Sea to Europe in 2015, of whom nearly 4,000 are thought to have died trying to make this journey (Crawley et al., 2017, 12).
16. Robyn Sampson, "Does Detention Deter?" *IDC Working Papers* (Sydney: International Detention Coalition, 2015); Robyn Sampson, Grant Mitchell, and Lucy Bowring, *There Are Alternatives: A Handbook for Preventing Unnecessary Immigration Detention* (Melbourne: International Detention Coalition and the La Trobe Refugee Research Centre, 2011).
17. Crawley et al., "Destination Europe," p. 12.
18. In Canada, for example, after the Supreme Court decided *In R. v. Appulonappa*, 2015 SCC 59, [2015] 3 S.C.R. 754 that the criminal definition of human smuggling is too broad, the British Columbia Supreme Court acquitted four Sri Lankan men of those charges in relation to their arrivals to Canada 72 other migrants on the MV Ocean Lady ship in October 2009. The men said they are relieved they can finally lodge their claims for asylum in Canada (The Canadian Press, 2017).
19. Kent Roach, "Must We Trade Rights for Security? The Choice between Smart, Harsh, or Proportionate Security Strategies in Canada and Britain," *Cardozo Law Review* 27, no. 5 (2005): 2151–222.
20. No discussion of this issue in Britain would be complete without mentioning the infamous "foreign national prisoners scandal" of April 2006 that led to the dismissal of then-Home Secretary Charles Clarke. In response to—and thereby heightening—the public anxieties stoked by fears of "rapists" and "murderers" released from prison, the British State continues to enact harsher legislative measures, bureaucratic practices, and penal policy to ensure that the perceived "threats" of "foreign criminals" are neutralized in detention centers (see, e.g., Kaufman and Bosworth, "The Prison and National Identity," 173–75).
21. David Barrett, "Ministers Announce New Moves to Stop Failed Asylum Seekers Absconding," *The Daily Telegraph* June 9, 2014, <http://www.telegraph.co.uk/news/uknews/immigration/10887982/Ministers-announce-new-moves-to-stop-failed-asylum-seekers-absconding.html>.
22. Sampson, Mitchell, and Bowring, *There Are Alternatives*, 17.

Private Contractors, Foreign Troops, and Offshore Detention Centers: The Ethics of Externalizing Immigration Controls

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EXTERNALIZATION

On February 3, 2017, European Union leaders met in Malta to discuss strategies to close the Central Mediterranean route from Libya. According to the International Organization for Migration, 181,436 migrants arrived in Italy in 2016 using the route. 4,576 died on the journey.¹ The majority of migrants in 2015 came from Eritrea (25%), Nigeria (14%), Somalia (8%), Sudan (6%), Gambia (6%), and Syria (5%), all countries with significant refugee flows.² Europe's response was the Malta Declaration³ in which the EU agreed to give 200m euro to Libya to help prevent migrants from attempting to cross to Europe.⁴

The decision to enlist a failed state torn between rival government forces and militia groups is shocking even to those inured to Europe's callous refugee policy.⁵ The well-documented human rights abuses of migrants in Libya encompass murder, rape, forced labor, and slavery⁶ and include accusations that Libya's coast guard has murdered migrants. Moreover, Libya has no process that allows refugees to apply for asylum.⁷ Despite disingenuous remarks that the Europe only seeks to prevent smuggling, the Malta Declaration is a cynical attempt for Europe to eschew its responsibilities toward refugees.⁸ It is also part of a broader trend in which EU member states take active measures to prevent asylum seekers from lodging claims at their borders by relocating mobility controls abroad.

Attempts to prevent migrants from arriving by outsourcing enforcement to foreign governments are not restricted to Europe. In the 1980s, the United States began intercepting and turning back boats from Haiti after the 1991 military coup, culminating in the repatriation of over 40,000 Haitians without giving them an opportunity to seek asylum.⁹ The US also capitalized on the sea journeys of Haitian refugees to pioneer offshoring asylum processing and detention in Guantanamo Bay.¹⁰ In recent decades, Australia has used offshore detention to deter immigrants and refugees from arriving by boat with horrific results.¹¹

These are all instances of the externalization of migration in which wealthy states seek to prevent migration and avoid their legal and moral obligations by moving the administration of migration elsewhere. Despite the prevalence of externalization, much work in the ethics of immigration assumes that the admission of immigrants is determined by state immigration officials who decide whether to admit travelers at official crossings. This assumption neglects how decisions about entrance have been increasingly relocated abroad—to international waters, consular offices, airports, or foreign territories—often with nongovernmental or private actors, as well as foreign governments functioning as intermediaries.

Mechanisms that allow for externalization include interceptions at sea, carried out by the state itself, a private contractor such as FRONTEX, or a foreign state.¹² In some cases, such as with Australia, interception is combined with offshore detention either in another state or in a territory or in a jurisdiction defined as outside of the territory such as Guantanamo Bay. Visa regimes require foreign nationals to acquire a visa before travel, carrier sanctions leveled against airplane and other transport firms prevent people without the appropriate documents from boarding a plane, even if those documents are being purposefully withheld from them.¹³ Visa regimes are typically imposed on countries in which large numbers of people have a legitimate case for asylum, making it illegal for them to travel to countries where they might seek safety. The result is that much migration enforcement takes place outside of legal and democratic practices. Matthew Gibney vividly summarizes the situation:

With only mild exaggeration one might say that a thousand little Guantanimos have been created in the last two decades: centers of power where states (and their formal and informal agents) act free from the constraints imposed on their activities by the courts, international and domestic law, human rights groups, and the public at large.¹⁴

WHY EXTERNALIZATION IS MORALLY PROBLEMATIC

Externalization poses a fundamental challenge to achieving just migration policies. To begin, externalization reliably harms vulnerable people. Most obviously, the externalization of migration control prevents refugees from receiving protection. Rather than presenting themselves to state officials tasked to determine whether there is a credible case for persecution, refugees find themselves trapped in transit or in camps, forced to resort to smugglers to continue their journeys. Refugees may be returned to regions where they risk unjust imprisonment, torture, or death. By externalizing enforcement, governments effectively undermine the institutions necessary to grant people claiming asylum a right to a fair hearing. Gibney writes, “We have reached the *reductio ad absurdum* of the contemporary paradoxical attitude towards refugees. Western states now acknowledge the rights of refugees but simultaneously criminalize the search for asylum.”¹⁵

Furthermore, the externalization of immigration enforcement leads to human rights abuses. Immigration enforcement is a violent business even when carried out inside countries with a strong commitment to bureaucratic professionalism and rule of law. When it is outsourced to countries that pay little heed to human rights or to private actors who face few repercussions for abuses, the result is predictably grim. Sadly, this result is often intended. As William Maley has noted in the Australian context, “The logic of deterrence has a devastating implication: to be effective as a deterrent, it is necessary that those who are detained suffer in the process.”¹⁶

Harms and human rights violations are compounded by the ways in which externalization allows states to exercise

power without accountability. Again, this is at least partly intentional: states use externalization to pass responsibility on to other actors and thus avoid public scrutiny. Ruben Andersson has noted the political usefulness of what he calls “illegality industry,” namely, that externalization “dissipates blame and accountability across a multitude of actors and over a large geographical area.”¹⁷

The dissipation of blame and accountability creates a serious lacuna in assigning moral responsibility. It undermines accounts that seek to capture extraterritorial migration controls in terms of a principal-agent relationship in which states (the principal) delegate authority to other agents to meet their goals.¹⁸ Under this conception, states are morally responsible when they delegate enforcement to agents that do not respect human rights. For example, Lori A. Nessel holds that states that outsource refugee protection and use external border controls should be liable for human rights violations inflicted on migrants.¹⁹ She makes an analogy between the practice of extraordinary rendition—the outsourcing of torture—and the outsourcing of responsibility toward refugees to countries that do not or cannot respect the Refugee Convention.²⁰ In her view, states that purposely outsource their responsibilities to these countries violate important human rights guarantees such as the right to nonrefoulement and the right to freedom from torture.

While there are cases where it makes sense to think of external migration controls in terms of a principal-agent relationship, this underestimates the extent to which these controls are exercised by multiple, overlapping, sometimes competing organizations. Some are, in theory, accountable to a democratic public, others are indirectly accountable as state proxies, while others have no meaningful accountability whatsoever. This creates a democratic deficit and gives state and nonstate actors the power to interfere in the lives of migrants who have no realistic recourse to contest decisions and policies. Since the loci of responsibility and accountability are indeterminate, it is not clear *who* they would address their concerns to.

THE PARADOX OF EXTRATERRITORIALITY FOR POLITICAL LEGITIMACY

How might we reconcile externalization and a just migration policy? One response is to forgo the externalization of migration policy except to actors which we can ensure are accountable. Though theoretically sound, this proposal is practically unfeasible. Externalization is very much a response to changes in technology and information that facilitate migration: it is a rational way of achieving migration restrictions that could not be achieved by allowing migrants to present their case to state authorities at official borders. Giving up externalization would entail that states publicly endorse a much more generous immigration policy to a skeptical public.

Another response is to create international and/or global institutions to bring migration management under legal and democratic control. Arash Abizadeh has argued from democratic principles and the coercive nature of immigration enforcement that states should not be

permitted to unilaterally control their borders. He calls for “the formation of cosmopolitan democratic institutions that have jurisdiction either to determine entry policy or legitimately to delegate jurisdiction over entry policy to particular states (or other institutions).”²¹ Similarly, Javier Hidalgo provides evidence that immigration policies unilaterally decided by states are likely to be marred by predictable biases and epistemic deficits that cause or allow harm. He argues that to mitigate the risk of unjust harms, states should transfer decision-making authority to international institutions that would have the authority to regulate states’ immigration policies and would provide feedback and accountability mechanisms, opportunities for citizens of recipient states and potential migrants to contest policy, and impartial adjudication.²²

Would these proposals effectively address the problems of accountability and harm brought about by the externalization of migration policy? Abizadeh and Hidalgo frame border control as an issue of entry policy in which states could be instructed by a higher authority to let people in. Though authority is delegated to an international or global institution, their conception of migration regulation is still very much state-centered and underestimates the extent to which regulation is, in fact, carried out by a dispersed, transnational polyarchy of actors and not just at the border. These include multinational corporations, NGOs, international organizations, and substate groups. In the case of Libya, this includes smugglers and militias. Externalization blurs lines among domestic, international, and transnational policy and makes it difficult to distinguish who is regulating migration and to what ends.

In the absence of a solution, it is worth taking a step back and thinking carefully about our models and metaphors. In particular, we need to diagnose the reasons why states have turned to extraterritorial enforcement. As I suggested above, externalization is a rational approach given certain views about migration. One reason for externalization is securitization: immigrants have been construed primarily as risks and threats.²³ As long as fears about security guide state policy, externalization is a predictable strategy: it seeks to prevent potential threats from reaching the territory.

A second reason for externalization is the conviction that mobility is abnormal. This conviction is part of the cognitive bias of sedentarism that informs much of the social sciences.²⁴ If migration is abnormal, then it should be possible—and likely desirable—to prevent it, either through the use of force or by removing incentives for people to leave. If, in contrast, migration is seen as a normal, human process, then it makes more sense to ask how best it can be supported to maximize benefits and minimize burdens.

A third reason for the attraction of external enforcement comes from the conviction that states with successful immigration policies must be able to prevent immigration (if they desire). The failure to stop immigration when desired is seen as a failure in policy. But regulation does not necessarily entail prevention. For example, successful transportation policy facilitates movement. Instead of thinking about immigration policy as selection combined

with prevention, we should think of it in terms of facilitating human mobility. This will require supranational and transnational institutions, but they needn’t be conceived as to-down or primarily coercive. Nor should their goal be to prevent migration, but rather to work with networks and to correct market failures. If we can radically and progressively change how we think about migration and modify how we imagine its regulation, we can begin to see how externalization could be compatible with justice.

NOTES

1. International Organization for Migration, “Mediterranean Migrant Arrivals Top 363,348 in 2016; Deaths at Sea: 5,079,” January 6, 2017, <https://www.iom.int/news/mediterranean-migrant-arrivals-top-363348-2016-deaths-sea-5079>.
2. The number of Syrians has recently fallen as they have been diverted to the Eastern Mediterranean route. International Organization for Migration, “The Central Mediterranean Route: Deadlier than Other,” Data Briefing Series, Geneva, Switzerland, 2016, https://publications.iom.int/system/files/pdf/gmdac_data_briefing_series_issue3.pdf.
3. European Council, “Malta Declaration by the Members of the European Council on the External Aspects of Migration: Addressing the Central Mediterranean Route,” 2017, <http://www.consilium.europa.eu/en/press/press-releases/2017/01/03-malta-declaration/>.
4. Al Jazeera, “EU Leaders Ink Deal to Stem Refugee Flow from Libya,” February 3, 2017, <http://www.aljazeera.com/news/2017/02/eu-leaders-ink-deal-stem-refugee-flow-libya-170203151643286.html>.
5. Admittedly, it has Italy’s cooperation with the Gaddafi regime as a precedent. See Violeta Moreno-Lax, “*Hirsi Jamma and Others v Italy* or the Strasbourg Court versus Extraterritorial Migration Control?” *Human Rights Law Review* 12, no. 3 (2012): 575–76, for discussion, as well as the Global Detention Project 2015.
6. United Nations Support Mission in Libya, “Detained and Dehumanised: Report on Human Rights Abuses against Migrants in Libya,” United Nations Human Rights, 2016, <https://unsmil.unmissions.org/Portals/unsmil/Documents/Migrants%20report-EN.pdf>; Emma Graham-Harrison, “Migrants from West Africa Being ‘sold in Libyan Slave Markets,’” *The Guardian*, April 10, 2017, <https://www.theguardian.com/world/2017/apr/10/libya-public-slave-auctions-un-migration>.
7. Katie Kuschminder, “Libya Is Not Turkey: Why the EU Plan to Stop Mediterranean Migration Is a Human Rights Concern,” *The Conversation*, February 15, 2017, <https://theconversation.com/libya-is-not-turkey-why-the-eu-plan-to-stop-mediterranean-migration-is-a-human-rights-concern-72823>.
8. Amnesty International, 2016, “Euro Risks Fueling Horrific Abuse of Refugees and Migrants in Libya,” <https://www.amnesty.org/en/latest/news/2016/06/eu-risks-fuelling-horrific-abuse-of-refugees-and-migrants-in-libya/>; Human Rights Watch, “EU: Put Rights Above Politics Outsourcing Migration Responsibility to Libya Fraught with Risks,” *Human Rights Watch*, February 1, 2017, <https://www.hrw.org/news/2017/02/01/eu-put-rights-above-politics>; Médecins Sans Frontières, 2017, “Migration: MSF Warns EU about Inhumane Approach to Migration Management,” <http://www.msf.org/en/article/migration-msf-warns-eu-about-inhumane-approach-migration-management>.
9. Interceptions continue, including the return of 102 migrants to Haiti in July 2017. See Lori A. Nessel, “Externalized Borders and the Invisible Refugee,” *Columbia Human Rights Law Review* 40, no. 625 (2009): 693. As is often the case, the US Coast Guard frames the interdiction as acting on behalf of the migrants’ safety and characterizes their flight in terms of “illegal immigration,” see Tonya Alanez, “Coast Guard Returns 102 Migrants to Haiti in Biggest Interception in a Year,” *Sun Sentinel*, July 12, 2017, <http://www.sun-sentinel.com/news/florida/fl-reg-haitian-repatriation-20170712-story.html>.
10. Harold Hongju Koh and Michael J. Wishnie, “Sale v. Haitian Centers Council: Guantanamo and Refoulement,” in *Human Rights Advocacy Stories*, ed. Deena Hurwitz and Douglas Ford (Foundation Press, 2008).

11. Paul Farrell, Nick Evershed, and Helen Davidson, "The Nauru Files: Cache of 2,000 Leaked Reports Reveal Scale of Abuse of Children in Australian Offshore Detention," *The Guardian*, August 10, 2016, <https://www.theguardian.com/australia-news/2016/aug/10/the-nauru-files-2000-leaked-reports-reveal-scale-of-abuse-of-children-in-australian-offshore-detention>.
12. Bernard Ryan and Valsamis Mitsilegas, eds., *Extraterritorial Immigration Control: Legal Challenges*, Immigration and Asylum Law and Policy in Europe, v. 21 (Leiden; Boston: Martinus Nijhoff Publishers, 2010).
13. Tendayi Bloom and Verena Risse, "Examining Hidden Coercion at State Borders: Why Carrier Sanctions Cannot Be Justified," *Ethics and Global Politics* 7, no. 2 (2014).
14. Matthew Gibney, "A Thousand Little Guantánamos: Western States and Measures to Prevent the Arrival of Refugees," in *Displacement, Asylum, Migration: The Oxford Amnesty Lectures 2004*, ed. Kate E. Tunstall, 139–69 (Oxford; New York: Oxford University Press, 2006); Global Detention Project, "Libya Immigration Detention," Geneva, Switzerland, 2015, <https://www.globaldetentionproject.org/countries/africa/libya?platform=hootsuite>.
15. *Ibid.*, 143.
16. William Maley, *What Is a Refugee?* (Oxford and New York: Oxford University Press, 2016), 190.
17. Ruben Andersson, "Europe's Failed 'Fight' against Irregular Migration: Ethnographic Notes on a Counterproductive Industry," *Journal of Ethnic and Migration Studies* 42, no. 7 (2016): 1066.
18. Virginie Guiraudon and Gallya Lahav, "A Reappraisal of the State Sovereignty Debate: The Case of Migration Control," *Comparative Political Studies* 33, no. 2 (2000): 163–95; Javier Hidalgo, "The Case for the International Governance of Immigration," *International Theory* 8, no. 1 (2016): 140–70.
19. Nessel, "Externalized Borders and the Invisible Refugee," 629.
20. *Ibid.*, 682.
21. A. Abizadeh, "Democratic Theory and Border Coercion: No Right to Unilaterally Control Your Own Borders," *Political Theory* 36, no. 1 (2008): 48.
22. Hidalgo, "The Case for the International Governance of Immigration."
23. Jef Huysmans, "The European Union and the Securitization of Migration," *Journal of Common Market Studies* 38, no. 5 (2000): 751–77.
24. Liisa H. Malkki, "National Geographic: The Rooting of Peoples and the Territorialization of National Identity among Scholars and Refugees," *Cultural Anthropology* 7, no. 1 (1992): 24–44.

“Dreamers” and Others: Immigration Protests, Enforcement, and Civil Disobedience

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In this short paper I hope to use some ideas drawn from the theory and practice of civil disobedience to address one of the most difficult questions in immigration theory, one rarely addressed by philosophers or other theorists working on the topic: How should we respond to people who violate immigration law?¹ This paper is a work in non-ideal immigration theory. I will not be addressing the question of what an ideal or fully just immigration policy will be, and I will not address the question of open borders at all. For the sake of this paper, I will assume that states have some degree of authority to set immigration policies but also accept that these policies are all, currently, less

than ideal and less than fully just. My question is how we should respond to violations of immigration law, given this situation. My hope is that in at least some cases, thinking about civil disobedience can give us some guidance here.

I will start with what I take to be the easiest case for my approach—that of so-called “Dreamers”—unauthorized immigrants in the US who were brought to this country while still children (often as infants) and who have spent the majority of their lives in the US. Members of this group have engaged in wide-scale protests, making the civil disobedience paradigm all the more plausible. I will then move on to the case of unauthorized immigrants who have engaged in protests, but who do not fall into the “Dreamer” category. Finally, I will consider whether thinking about immigration law violations from the perspective of civil disobedience—and the proper response to that—can help us think about immigration enforcement more generally.

DREAMERS AND IMMIGRATION PROTESTERS

In 2011, the Dream Act, which would have provided legalization and a path to citizenship if desired for certain unauthorized immigrants in the US who had entered the country as children and who had lived there for a significant period of time, failed to pass in Congress yet again.² In response to this latest failure, several “Dreamers”—would-be beneficiaries of the failed bill—began to engage in a particular sort of protest, publicly “outing” themselves as unauthorized immigrants and daring the government to take action against them. These acts took place at public rallies, at university- and school-sponsored events,³ and, most spectacularly, in the pages of the *New York Times*. Jose Antonio Vargas, a prize-winning journalist, published a story in the *New York Times* about how he had been living in the US without authorization since he was sent to the US from the Philippines by his parents when he was twelve years old.⁴ Vargas soon published other pieces, drawing considerable attention to the case. Soon after this time, large-scale protests, often including large numbers of unauthorized immigrants who were not Dreamers, were staged calling for immigration reform in the US more generally.⁵

HOW SHOULD WE RESPOND TO IMMIGRATION PROTESTS?

Soon after the above noted events, the Obama administration put in place the so-called “DACA” program, a policy of granting “deferred action”—a type of prosecutorial discretion—to young, unauthorized immigrants who would have otherwise benefited from the Dream Act. This was seen by some conservatives as an end-run around Congress, an attempt at executive aggrandisement, and, as such, a possible violation of the rule of law. I want to consider both the protests and the response by the Obama administration through the lens of civil disobedience theory.

I draw here from a classic, relatively conservative, account of civil disobedience provided by John Rawls.⁶ Rawls characterizes civil disobedience as a “public, nonviolent, conscientious yet political act contrary to law usually done with the aim of bringing about a change in the law or policies of the government.”⁷ With only slight modifications, the actions of Vargas and the Dreamers who outed

themselves fit nicely within this paradigm. While the action of announcing one's self as an unauthorized immigrant is, of course, not itself illegal, it is still an act done so as to draw attention to a contrary-to-law act. It is to announce, "we are here, and we are not going to leave unless we are forced." This is a political act done with the intention of changing the law. The goal is clearly to force the population to see that the only way to consistently enforce the current immigration law is to engage in repugnant actions. This therefore seems like a classic case of civil disobedience.

Was civil disobedience an appropriate tactic in this case (and others like it)? Rawls makes a point of saying that civil disobedience is only appropriate when the law at issue is unjust. Furthermore, the law ought not be "merely" unjust, or somewhat unjust, it ought to be particularly unjust, and it must not be possible, or at least feasible, to change the law in the normal way. Several features of this account are here relevant. While some might debate the issue, the situation faced by the Dreamers is one of the more plausible cases of clear injustice in the current US immigration system. Because they did not engage in any plausible wrongdoing in being brought to the US as children, and because it is a plausible wrongful harm to forcefully deprive someone of the context in which they have been raised and developed, it is not hard to find a significant injustice here. Furthermore, because the people involved here are noncitizens, most of the normal ways to try to change the law are not open to them. (We might here make a parallel with the de facto, even if not de jure disenfranchisement of African-Americans in the Jim Crow era, noting how this helped justify the use of civil disobedience to attack that system.) While most traditional accounts of civil disobedience assume that it is addressed by one citizen to another, and we, formally, lack that here, we can see these actions as saying, in part, that people who ought to have the chance to be citizens are being prevented from having the opportunity.

If the above account is correct, what does it tell us about how to respond to these protests? The right thing to do here would be to change the law to grant, on generous terms, access to full membership to this group. We have, unfortunately, failed to do this. The law hasn't changed. Now, officials typically have a duty to enforce laws against all that they apply to. So should we be rounding up and deporting the Dreamers who have outed themselves, thereby making it unnecessary for the officials to find them? This path has been followed, to a degree, by the Trump administration, with growing fear, even before the proposed ending of DACA, that it will become the norm.⁸ However, even if the law cannot be changed, the uniform enforcement of it may not be required by the rule of law.

As Rawls notes, it can be reasonable to suspend punishment or the enforcement of the law in the face of civil disobedience. The fact that it seems inhumane to punish these people helps to show that our sense of justice has been invoked, and because of this, prosecutorial discretion is plausible. Prosecutorial discretion is not without problems. It may be used in an ad hoc way that allows unjust laws to be used against minorities or unpopular groups, while shielding majorities or favored groups from harm. (This is arguably the case with the application of many drug laws in the

US.) So prosecutorial discretion needs some justification before it is applied. Often this could be because the law is uncertain and there are reasonable disagreements as to what it requires, or because enforcing the law would require people to act against their conscience, as well as the banal reason that we must often direct limited resources to the most important cases. At most, only the last of these reasons clearly applies here. But we might also think that punishment, or other harsh treatment such as deportation, is appropriate only if it will do some good that outweighs the harm done to the people the law is applied to. I claim here that this burden can be met, sometimes easily, in many cases of immigration law, though it seems especially plausible in the case of the Dreamers, making prosecutorial discretion especially plausible here until a more satisfactory, permanent, solution can be reached. This conclusion supports the appropriateness of the DACA program and suggests that it should remain in place until a permanent change to the law is made.

A more difficult case arises when we consider the now-stalled attempts by the Obama administration to extend the protections of the DACA program to other groups of unauthorized immigrants, in particular to people who had entered as adults, but who have US citizen or permanent resident family members. One possible difficulty can be dealt with quickly. While fewer members of this wider group have been involved in protests that are clearly understandable as appeals to our public conscience than have Dreamers, this need not be any more of a problem than was the fact that only a minority of African-Americans were involved in actual civil rights protests. In both cases, those actively involved in protests can stand in for the wider group.

A more difficult issue arises in that this group is less clearly subjected to an injustice, at least if we do not assume all immigration laws are unjust. Unlike the Dreamers, those in this group came to the US (or remained there) in violation of immigration laws as adults, and so could normally be seen as properly held responsible for this action. This might make us wonder if the civil disobedience paradigm is the right one here. However, when we consider another aspect of Rawls's account, a way forward appears. Rawls held that one of the roles of civil disobedience is to signal that fair terms of cooperation have been violated. This claim is particular relevant in this case. We may start by noting that, while the people at issue here have made contributions to society—it's doubtful that large parts of the US economy would function well without their labor; they pay a significant amount of taxes, often without receiving benefits; and they break the law at a rate significantly below average—they have been excluded from many of the benefits and advantages of full membership. Furthermore, if there was no demand for their presence on our part, then there would be many fewer of the people in this class here now. (Recent trends in the unauthorized population in the US suggest this, both the declining overall numbers, and the difficulties faced by agricultural employers and others in light of fear caused by increased enforcement by the Trump administration.⁹)

I argue that it is at least plausible that, in a situation like that which the US has faced for quite some time—where there is a strong demand for immigrant labor that is not met and can't be met through legal means—that it is unreasonable to treat those who do meet the demand as if they were garbage or worn-out machines to be thrown away when they become less useful. Some might argue that deportation is reasonable because, whether their labor was needed or not, the people in question did violate immigration laws. But if, following Rawls, we think that the mere existence of an institution doesn't give rise to obligations unless the institution is reasonably just, this claim would be too quick. And if we think that it may be reasonable to violate the law when fair terms of cooperation are not followed, this may indicate that it is unreasonable to enforce immigration laws here, at least in respect to some unauthorized migrants, and at least until we can come to a more just situation. Importantly, this follows from the logic behind civil disobedience, even if we do not reject the rights states may have to enforce immigration laws altogether. Lack of space prevents me from being able to try to fully determine which unauthorized immigrants the above argument should apply to, but it is at least a significant group.

One final argument must be considered before closing. While civil disobedience often inconveniences the larger population, it is harder to justify when it involves significant wrongdoing itself, or where it is done to seek protection from significant wrongdoing. So we must ask if those who violate immigration laws have engaged in seriously blameworthy acts. Popular rhetoric often suggests this with the use of terms like "line-jumpers." However, there is reason to think that many cases of unauthorized immigration are not seriously blameworthy. First, for many unauthorized immigrants, there is no line which they are jumping. They are not eligible for immigrant (or often temporary labor) visas, and so are not, in any plausible way, "cutting ahead" of anyone else. Secondly, the fact that people enter without inspection does not prevent people who are eligible for visas from entering and gaining what they have some right to. Therefore, they are not plausibly denying anyone else of anything they have a right to. I do not claim that this shows that all enforcement of immigration law is wrong. But these facts ought to make us slow to condemn violators and more willing to treat them humanely and as people who are merely seeking better opportunities and a more just society. When we see this, as looking at these issues through the lens of civil disobedience theories suggests we should, then we can see that even in the case of "typical" immigration violators, we have good reason to not treat them as if they were criminals or willful noncooperators. This does not mean that we must stop all immigration enforcement until we have a just world order. Doing so might well prevent the creation of a just world order. But it does at least suggest that we need, even in this case, humane and reasonable enforcement policies, not the militarized ones that treat immigration violators as criminals that are found in the US and in many other wealthy countries, and may further show the need to struggle to improve immigration laws in wealthy countries.

NOTES

1. An exception to this claim is found in the work of Javier Hidalgo. See, in particular, "Resistance to Unjust Immigration Restrictions," *Journal of Political Philosophy* 23, no. 4 (2015): 450–70; and "The Duty to Disobey Immigration Laws," *Moral Philosophy and Politics* 3, no. 2 (2016). Hidalgo would extend a right to resist immigration laws considerably beyond that discussed in this paper, to a degree that seems unwarranted and incompatible with general principles of liberal democracy, but which fit better with his own libertarian views. I cannot further pursue the differences between our views here.
2. Various versions of the Dream Act had been submitted for several years only to be rejected by Republicans in Congress. This particular version of the Dream Act included requirements that the beneficiaries have no significant criminal record, and that they achieve certain educational standards or enrol in the military.
3. I started significantly thinking about this topic when a University of Pennsylvania undergraduate publicly "outed" herself as an unauthorized immigrant at a Penn student event on immigration reform where I was a panel member.
4. See Jose Antonio Vargas, "My Life as an Undocumented Immigrant," *New York Times Magazine*, June 22, 2011.
5. The threat of ending the DACA program by the Trump administration has revitalized immigration protests around the dreamers. I return briefly to these developments below.
6. I draw on this account not necessarily because I think it is the best available, but because it is well established and "conservative" in the sense of requiring fewer controversial premises than some other accounts of civil disobedience.
7. John Rawls, *A Theory of Justice*, 364.
8. See, e.g., Rory Carroll, "Deportation of 'Dreamer' to Mexico appears to be first under Trump," *The Guardian*, April 18, 2017, <https://www.theguardian.com/us-news/2017/apr/18/trump-first-deportation-dreamer-daca-mexico>; Adam Clark, "ICE Summons Rutgers 'Dreamer,' Stirring Fear of Deportation," *NJ.com*, May 1, 2017, http://www.nj.com/education/2017/05/rutgers_student_ice_meeting_deportation_fears.html. The second story is perhaps especially relevant, as it suggests Dreamers may be targeted for their protest actions.
9. See, e.g., Jens Manuel Krogstad, Jeffrey S. Passel, and D'Vera Cohn, "5 Facts about Illegal Immigration in the US," *PewResearch.org*, <http://www.pewresearch.org/fact-tank/2017/04/27/5-facts-about-illegal-immigration-in-the-u-s/>.

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APA NEWSLETTER ON

Native American and Indigenous Philosophy

AGNES B. CURRY, EDITOR

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FROM THE MANAGING EDITOR

Agnes B. Curry
UNIVERSITY OF SAINT JOSEPH

This edition of the newsletter continues a focus on pedagogy and outreach—of teaching Native American and Indigenous philosophy and of creating supports for Native American and other underrepresented students so that more see college and further study of philosophy as live options for themselves.

The first article, by Andrea Sullivan-Clarke of Bellevue College, details Native students' responses to their experience at the Inclusive Summer High School Institute for Philosophy (ISHIP) a week-long summer enrichment program in philosophy designed for underrepresented high schoolers held in 2017 at DePauw University. The insights offered by these students support Sullivan-Clarke's claim that "if institutions of higher learning are serious about encouraging Native youth to pursue their academic goals, they should create and support more opportunities pre-college enrichment programs like ISHIP."

The second continues our project of highlighting innovative syllabi designed to bring Native American and Indigenous philosophy into undergraduate philosophy classrooms. Alexander Guerrero of Rutgers University details the genesis of his course combining African, Latin American, and Native American philosophy and designed to raise for philosophical consideration the issues, themes, and challenges these perspectives share.

Finally, Rachel Phillips offers a detailed review of Delphine Red Shirt's study of the warrior narratives of George Sword and makes the case that these narratives could be seen as primary source material for examining issues in ontology and epistemology, as well as philosophy of language, philosophy or literature, and philosophy of culture. George Sword was an Oglala Lakota (1846–1914) who learned to write in order to transcribe and preserve his people's oral narratives. Phillips is an independent scholar and musician in the San Francisco Bay area; her presentations include "Joint Intentionality at a Pow Wow" given at the Berkeley Social Ontology Group in fall 2014. Phillips also assists in communication projects for Lakota Red Nations (<http://lakotarednations.com/>) and wants to note her indebtedness to both Lakota Red Nations founder Kelly Looking Horse and author Delphine Red Shirt, as well as to Jennifer Hudin and John Searle "for their insight and constancy in fusing rigorous philosophical thought with contemporary concerns."

As opening the doors to our profession certainly counts as an urgent contemporary concern, we hope you find the perspectives offered in this issue useful for sparking your own thinking. We welcome responses to these or past articles.

SUBMISSION GUIDELINES

We invite you to submit your work for consideration for publication in the fall 2018 newsletter.

We welcome work that foregrounds the philosophical, professional, and community concerns regarding Native American philosophers and philosophers of all global Indigenous nations. We welcome comments and responses to work published in this or past issues. Editors do not limit philosophical methods, modes, or literatures, as long as the work engages in substantive and sustained re-centering of the philosophical conversation to focus on Native American and Indigenous concerns. Nor do we limit the format of what can be submitted: we accept a range of submission formats, including and not limited to papers, opinion editorials, transcribed dialogue interviews, book reviews, poetry, links to oral and video resources, cartoons, artwork, satire, parody, and other diverse formats. In all cases, however, any references should follow the *Chicago Manual of Style* and include endnotes rather than in-text citations except for extensive reference to a single source.

For further information, please see the Guidelines for Authors available on the APA website. **The submission deadline for the fall 2018 newsletter is June 15, 2018.** Please submit copies electronically to Agnes Curry at acurry@usj.edu.

ARTICLES

Listening to Our Future: On Pre-College Outreach and Enrichment for Native Youth

Andrea Sullivan-Clarke
BELLEVUE COLLEGE

With the generous support provided by a Diversity and Inclusion Grant from the American Philosophical Association (APA), I—along with a dedicated team at the Janet Prindle Institute for Ethics—spearheaded the development of a

summer enrichment program for high school students from social groups historically underrepresented in philosophy. Affectionately dubbed the *Inclusive Summer High School Institute for Philosophy* (ISHIP 2017), the program took place on the campus of DePauw University from June 25 to July 2, 2017. The primary goal of the program was to introduce the discipline of philosophy and its utility to a select group of high school juniors with the hopes of encouraging students to apply to college, especially those who were first-generation students. ISHIP created a philosophically inclusive space for all of its participants, and the program especially benefited from the expertise of a diverse faculty—Rachel McKinnon (College of Charleston), Robin Dembroff (Yale University), and Timothy Brown (University of Washington)—who engaged students through classes, activities, and their own research. The student participants of ISHIP 2017 not only learned about what philosophy has to offer, but they also enjoyed the college experience by attending courses, living in the dorms, and using the dining facilities.

Of the eighteen students who participated in ISHIP 2017, two students identified as Native American, Amy (Navajo Nation) and Ellen (Muskogee Nation).¹ Making space for Native students in pre-college enrichment programs is important if we want to see more Native students attending college. According to the most recent report from the National Center for Education, the numbers concerning Native students—such as whether they live in poverty, actually graduate from high school, are accepted into college, and graduate with a two- or four-year degree—are disheartening but understandable.² The effects of colonialism have been devastating. Most of us are familiar with the general history: tribes were removed to remote areas of the country, and a lack of opportunities coupled with the psychological effects of abusive social policies have left Native communities to deal with depression, PTSD, alcoholism, substance abuse, and violence. In addition, policies that contributed to the creation of urban Indians or Native people without tribal affiliation/support (like termination and tribal relocation) have made it difficult for Native high schoolers to know their own culture and language, let alone provide the opportunities to interact and learn from other Native students. For these reasons—the need for comraderie, cultural exchange, and the development of cultural capital regarding academia—I actively sought Native participants for ISHIP 2017 by advertising in Native American media, tribal education offices, and social media groups.

In this paper, I present the feedback and viewpoints of Amy and Ellen.³ As we shall see, each has a unique perspective regarding the benefits of ISHIP, but they both agree that participating in ISHIP positively contributed to their personal identity as Native Americans. After considering the multiple advantages of the program, I suggest that if institutions

of higher learning are serious about encouraging Native youth to pursue their academic goals, they should create and support more opportunities for pre-college enrichment programs like ISHIP.

Amy and Ellen both identify as being mixed-race Native American, and although each retains membership in her tribe, neither lives in the local area of the tribe’s community. Amy resides in an urban area in Arizona, and Ellen is the daughter of a military family and has never lived in the lands (eight counties in Oklahoma) of the Muskogee Nation.⁴

Both students are active both in and outside of their schools. Amy is a member of the Morning Star Leaders, Inc. (MSL) and has served as president of the MSL Youth Council.⁵ An aspiring activist, she has previously condemned the use of “Redskin” as a team mascot in the National Football League and has been critical of others using this issue to divide Native peoples. After completing ISHIP, Amy planned to travel, speaking on other issues facing Native Americans today.

Like most high schoolers, Amy had only a brief introduction to Western philosophy; she was quick to point out that the traditional canon seemed so different from the teachings in her tribe. She further noted that her parents were not familiar with the materials she was studying at school. She looked forward to attending ISHIP and expressed an interest in learning more about philosophy, particularly to compare it with the traditional ways of her people.



One of the attractions of ISHIP for Amy was to join other, like-minded students from different cultures and experiences to exchange information and work toward “making the world a better place” for everyone.⁶

Students attended small group “classes” during the day, and these conversations often spilled over into meal times. The dining hall was a hub for the exchange of ideas and philosophical discussions on topics like argumentation, free will, and epistemic injustice.

Amy appreciated not only having another Native student to exchange ideas with, but she also noted that having a Native American faculty member serve as a role model and mentor was inspiring. I had the opportunity to have one-on-one dinner conversations with several of the students at ISHIP. During one of these conversations, Amy and I talked about my impression of teaching Native American philosophy for the first time and what my non-native students did not know about history. I shared some of my research on Native identity and how a distinctly Native American philosophy exists in the creation stories of Native tribes. We talked about the divisiveness that often appears in tribal membership practices.

Amy is very interested in researching what tribes might overlook if they focus strictly on the movement to indigenize

and decolonize practices and thoughts. She notes, “sometimes we get so caught up in trying to decolonize that we ignore the Western knowledge out there”—knowledge that may be useful to those whose daily life involves navigating the Western and the traditional ways of being. She is optimistic that Western knowledge has its uses for learning to maintain the balance that Native youth have to do regularly. Not only is it important to have Native faculty as role models, but “they can give insight into a Native student’s background . . . understand where they’re coming from and advocate for them.”⁷

The need for a diverse and inclusive space was the primary attraction for Ellen. In her application, Ellen wrote that she had been introduced to philosophical concepts, like utilitarianism or deontological ethics, at her high school but had not had formal training in philosophy. For example, a teacher might introduce trolley problems to motivate a discussion, but they did not venture into the theories underwriting the motivations for choosing whether or not to pull the switch. Ellen plays a leadership role in the high school jazz choir and she is a member of an after-school service organization and works part-time at a fitness club. Her reason for applying to ISHIP was that it offered the opportunity to learn about a novel subject in a nonthreatening and welcoming environment. She was not sure what to expect. After all, school counselors, parents, and teachers often talk about attending college, but for a high schooler, the thought of college can be overwhelming. ISHIP was a chance to make applying and attending college a little less threatening.

Living in an upper middle-class suburban area, Ellen attends a predominantly white high school. As Ellen observes, her school lacks substantive diversity in terms of faculty, students, and even curriculum. Because she is mixed-race, any claim to Native heritage is often greeted with, “you don’t look like an Indian.” At her school, Ellen notes that it isn’t easy holding certain views given the homogeneity of the student body. “We talk about diversity all the time, but we are not a diverse place.”⁸ For example, student groups that support historically marginalized individuals (like the Queer Student Alliance) struggle to keep attendance, and the school has experienced some racial tension, such as “It is okay to be white” posters appearing on or near school grounds.

Another benefit of ISHIP was that it afforded Ellen the chance to participate in her first ethics bowl. As part of the program, ISHIP students were separated into three teams and provided with the training to compete in an ethics bowl at the end of the program. Students in the teams formed close bonds throughout the week by “helping develop each other’s thoughts and responses to the case studies” and “anticipating the responses from other teams.”⁹ The positive experience at ISHIP gave Ellen the confidence to establish an ethics bowl team at her own school. Even though it is only in the development stage, such a project provides leadership opportunities as well as confidence.

Like Amy, Ellen appreciated having conversations with both Native faculty and another Native student, especially one from a different tribe. According to Ellen, “having another

Native American was so cool because talking to them and listening to their experiences made you open up your mind to other ways of thinking.” In addition, Ellen added, “I think more Native students would be interested in participating in this program if they thought there’d be at least one other Native American there.” Through the grant provided by the APA and the Prindle Institute, ISHIP generously covered travel expenses for our students; Amy and Ellen both traveled from the Western US to attend. They risked trying something new, and they were rewarded with the friendships and mentors they discovered in the program.

For Amy and Ellen, ISHIP not only enabled them to interact with students and faculty in an informal environment, it also helped them prepare for their college applications. All ISHIP students were asked to create a short list of their prospective colleges and to research the essay requirements of each. The assistance given concerning writing the essay for the college application was particularly useful for students who were the first in their family to apply to college.

When talking to students and faculty about the college application process at the end of the program, both described how valuable and worthwhile it was. For example, Ellen was not sure what to expect when writing an essay for the college application. Being introduced to the Common App questions and how to organize an outline was very helpful. While in small groups, students were able to share their initial apprehensions about writing for an unfamiliar audience; most had only written papers for their high school instructors. The faculty proved themselves invaluable by providing one-on-one attention to their students. If we think about the number of Native students that graduate from high school and continue on to college, in addition to the number of those who are first-generation college students, the additional assistance with preparing college applications is one way to help ensure the success of our Native students. It is easy to see how philosophy could be useful in this area, and what better way to encourage more majors than by introducing the discipline to students before they come to college?

In general, the ISHIP program was well received by its student and faculty participants. The faculty was amazed at the cohesiveness of the group. In fact, ISHIP students have created their own ISHIP Snapchat and they have a Facebook page. The involvement of ISHIP faculty was not limited to the weeklong program. They have maintained contact with and have provided encouragement to their students as they send off their college applications. Currently, we are waiting to hear our students report on the status of their college applications.

In the future, I envision other programs, like ISHIP, to help Native students learn about philosophy and how to use it to achieve their dreams. I am currently teaching at a local college, and I have had a couple of students come up to let me know that they are Native and very excited to read works from Native philosophers. Wouldn’t it be great to meet these students before they come to college? Personally, I want to be able to provide them the support that I did not have when I first applied to college. Pre-college enrichment programs are one way in which we can support and follow

the success of our Native students. As I excitedly await the reports from our students concerning the colleges they will attend next year, I am also thinking of the future students who might apply to a summer program and receive the boost they need to begin their higher education.

NOTES

1. While this seems like a very small number, bear in mind that often the Native population at a typical university is one student (less than 1 percent). In addition, the students' names have been changed to protect their identities.
2. According to a 2008 report using data from 2006, 27 percent of American Indian and Alaska Natives live in poverty as compared to only 13 percent of the general US population. Seventy-five percent of Native American and Alaska Natives receive the High School diploma as compared to 91 percent of their white peers and 93 percent of Asian Pacific Islanders. At 78 percent, fewer Native American students have access to a computer at home; other groups range from 82 percent to 96 percent. Although enrollment is on the increase, Native Americans and Alaska Natives are only 1 percent of the total enrollment at colleges and universities and less than 1 percent are on the faculty of degree granting universities. See <https://nces.ed.gov/pubs2008/nativetrends/highlights.asp>.
3. I wish to thank these wonderful students for taking time from their busy schedules to provide this information. When told that this article and others would be used to garner support for future ISHIP programs, their response was overwhelming.
4. Full disclosure, Ellen is related to the author.
5. Morning Star Leaders, Inc. is a multi-tribal organization that serves as "a vital community resource to support tribal youth who lived off-reservation residing in urban areas" (Morning Star Leaders, Inc.). See <https://morningstarleaders.org/aboutus/>.
6. Stated in her ISHIP application.
7. Recent conversation, January 2018.
8. Per after ISHIP feedback questionnaire.
9. Recent conversation, January 2018.

A Brief History of a New Course at Rutgers University: Philosophy 366—African, Latin American, and Native American Philosophy

Alexander Guerrero
 RUTGERS UNIVERSITY

1

Let me start by saying something very general about philosophy. I am with Socrates in thinking that everyone can be a philosopher. You can go up to anyone and start talking philosophy, doing philosophy. Not because it is easy, but because we all are, at least sometimes, trying to understand the world and our place in it, to make sense of our lives, to consider what is meaningful and valuable and beautiful, to evaluate how we ought to live with other people and the other creatures of our world, what is right, fair, good, and to question and scrutinize the answers we give to these questions, and to ask how it is that we can come to know any of these things.

Related to this, we should expect to find philosophy—in various forms and guises—in every place and every time

that we find people. Some might dispute this. They might say things like, in some societies, free thinking about these matters is or was discouraged; conformity to traditionally held beliefs is or was required.

It is true that we could place specific historical and contemporary communities along a kind of continuum: on one end, a very traditional, conformity-encouraging, critical-thinking-discouraging approach; on the other end, a kind of each on her own, figure-it-out-as-you-go-for-yourself approach to answering these questions. Call the former "traditionalist" communities. Call the latter "critical questioning" communities. There are a few things to note, even if we accept this picture. First, it is an empirical question where any particular community ought to be placed on this continuum, and there is a history of racist assumptions about different historical and contemporary communities in this regard. Second, even in relatively traditionalist communities, there may still be individuals who press against this general cultural norm or expectation—there may still be philosophers everywhere, even if they are required to be secretive or subtle in how and when they develop their philosophical ideas. Third, even in relatively traditionalist communities, there is still significant philosophical work to be done in developing the tradition, assessing what the tradition actually holds or what guidance it should be understood to provide as new cases are presented, testing whether parts of the tradition come into conflict, and figuring out what the right response is in the case of conflict. Finally, traditionalist answers to these questions are still answers, and we should be open to the possibility that they are correct, perhaps reflecting subtle refinement over time, as we might think in the case of our own local values and views.

Along with thinking that there are philosophers everywhere, engaging with foundational questions about the world and human existence in recognizably philosophical ways, my own view is that there are better and worse answers to these foundational philosophical questions. There might even be correct and incorrect answers to them. As soon as one goes in for that, though, some worries emerge. Do I think what I do about these issues just because of the way I was raised, the people and schools and society and culture around me, the testimony and other kinds of evidence I have encountered just by walking an ordinary path through this time-slice of the world? Why think that I will have found the truth along the way, along this very *particular* way? How lucky that would be!

There is a familiar joke (or parable, or thought experiment) that goes like this. A police officer sees a drunk person searching for something under a streetlight. The officer asks the drunk person what he is looking for. The drunk person says he is looking for his house keys. The two look under the streetlight together for a while. After a few minutes, the officer asks whether the drunk person is sure he lost them here by the side of the road under the streetlight. The drunk person replies, "no, I lost them in the park across the street." The officer, puzzled, asks why he is searching here in the road. The drunk person replies, "this is where the light is."

The “streetlight effect” is the name of a kind of observational or investigational bias that occurs when people are searching for something but look only where it is easiest, rather than all the places where the thing might be.

There may be many reasons to study and teach and engage with African, Latin American, and Native American philosophy. My reasons have been connected to the above ideas: the best, most interesting, and even the correct answers to philosophical questions that interest me might be found anywhere. They might be found in places that others have not spent much time looking. If we think there are genuine answers here, we should be concerned about parochialism. And we should be concerned about the streetlight effect.

There are other reasons that might resonate with students and professional philosophers. Work in these philosophical traditions has been ignored or neglected for racist reasons, and so engaging with this work has a political dimension. Perhaps a person has personal ties to African, Latin American, or Native American people or traditions and so the work is of personal interest. Also, it is genuinely enjoyable and exciting to encounter perspectives that are significantly different from one’s own, and it is similarly exciting to see significant commonality across apparently very different communities—at least that has been my experience.

2

This is the short description for the course (which I believe is the first of its kind):

This course is an introduction to indigenous and contemporary philosophical work from Africa, Latin America, and Native America, covering topics in ethics, metaphysics, epistemology, philosophy of mind, aesthetics, social philosophy, and political philosophy. This philosophical work has largely been excluded from the study and practice of philosophy in North America, Europe, and Australia. The course aims to give work from these traditions greater exposure and to provide a chance for students to encounter work that might spark an interest in future research. We will cover in some depth philosophical views from the Akan, Andean, Aztec/Nahua, Dogon, Igbo, Iroquois, Lakota, Maya, Navajo, Ojibwa, and Yoruba traditions.

When I talk to people about the course, I get three main reactions.

First, people seem interested. Maybe people are just being nice, but I generally sense genuine interest and excitement. Others are interested, but it seems to come from a more skeptical place: Are these philosophical topics, traditions, subfields, what? But there is a lot of emotion and engagement.

Second, people often say something like, how is it that you are competent to teach this? Where did you learn this material? People say this, too, with varying degrees of suspicion.

Third, people often want to know why teach all of these three—African, Latin American, and Native American philosophy—together.

Let me say here what I have said to people in person.

On the first, let me just comment that I think there is a great deal of potential interest in these subjects, both among professional philosophers and students. (I think there is a supply problem, not a demand problem—a point I will come back to.) Some of that is the feeling that interesting ideas might come from anywhere. A bit of it might be a troubling form of exoticization. But I think much more comes from the feeling that racism and imperialism and Eurocentrism have played a large role in explaining why many people working in philosophy have never encountered work from any of these traditions. Philosophy is far behind other academic and humanistic fields such as literature, art, religion, music, and history on this front. I think a big part of the reaction I get is just, I’ve never heard of work in these areas; I’ve never encountered it in a class; what is it all about? So my sense is that there are real opportunities here. At both the University of Pennsylvania (where I first was developing the idea for the course) and then at Rutgers University (where I moved last year), the idea for the course was met with nothing but interest and enthusiasm from everyone to whom I spoke: students, other faculty, and those responsible for approving new courses.

On the second, the question of how I am qualified or competent to teach this course, the short answer is that I’m not. At least not if the requirement for being competent to teach a course is that one is researching in an area or at least that one has taken a course or two in the area. Happily, there aren’t any requirements quite like that in any official sense. One reason that is a good thing is that we would otherwise be in a bit of a catch-22 situation, since far too few people have been exposed to African, Latin American, or Native American philosophy in their own philosophical educations. There will need to be a generation or two of professors who teach the subjects while being a bit out of their depth. Or at least that is my thinking in teaching the course. I was fortunate enough to learn much of what I know about African philosophy from K. Anthony Appiah. He very generously offered to teach an independent study course to a few undergraduates, including me, on the subject. What I know of Latin American and Native American philosophy I have learned through my own reading and talking to experts. There are many wonderful resources out there, including the *APA Newsletters*, the *Stanford Encyclopedia of Philosophy* (which is slowly getting more coverage of these areas), a number of fantastic edited anthologies, and syllabi that have been posted online and in venues like this one. After that, it’s just a matter of digging in and doing one’s best to learn and engage with the material.

On the third question—Why these three areas together?—I think there are two main sets of reasons. The first are boring practical reasons: I think all of this material is very interesting, but there are few, if any, places where there might be courses regularly offered on each of the three areas. My hope is to give people some basic framework

and orientation to each of the three areas so that they might go further in depth if their interest is piqued.

But the second set of reasons is more philosophically motivated. There are interesting interconnections, issues, themes, and obstacles that help justify teaching a course covering all three of African, Latin American, and Native American philosophy together. In particular, there are a number of related meta-philosophical issues that emerge with work from all three areas, allowing for interesting cross-discussion. Some of these issues are as follows: Are these really proper subfields of philosophy? How do we make sense of the idea of African (or Latin American, or Native American) philosophy as a field? Are there philosophically important differences between oral traditions and written traditions? What kinds of texts and artifacts can present philosophical views? How should we understand “ethnophilosophy” and cultural worldviews as philosophical contributions? How should we distinguish philosophical views from religious ones? How should we think of the “sage” figure in relation to philosophy? How do these traditions engage discussions of identity, authenticity, autonomy, and postcolonialism? Should this work be incorporated into the mainstream philosophical canon?

I don’t think there are simple answers to these questions, but I do think that engaging in a detailed way with this work is a necessary first step to thinking about them in a serious way and helps us to think more about what philosophy is and ought to be. I will be teaching the course for the first time this upcoming year; I would welcome questions or comments on the syllabus or related issues. There are many choices that I expect to revisit after offering the course a few times, including whether it makes sense to integrate discussion of philosophical views from these different traditions on specific topics more throughout the course.

PHILOSOPHY 366: AFRICAN, LATIN AMERICAN, AND NATIVE AMERICAN PHILOSOPHY

Catalog Description: Introduction to contemporary and indigenous philosophy from Africa, Latin America, and Native America, covering topics in ethics, metaphysics, epistemology, mind, and social and political philosophy. Philosophy from Akan, Andean, Aztec/Nahua, Dogon, Igbo, Iroquois, Lakota, Maya, Navajo, Ojibwa, and Yoruba traditions will be discussed. Meta-philosophical issues will also be discussed, including: written v. oral traditions, ethnophilosophy v. individualism, parochialism v. universalism.

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 Office 516

COURSE DESCRIPTION

This course is an introduction to indigenous and contemporary philosophical work from Africa, Latin America, and Native America, covering topics in ethics, metaphysics, epistemology, philosophy of mind, aesthetics, social philosophy, and political philosophy.

This philosophical work has largely been excluded from the study and practice of philosophy in North America, Europe, and Australia. The course aims to give work from these traditions greater exposure and to provide a chance for students to encounter work that might spark an interest in future research.

We will cover in some depth philosophical views from the Akan, Andean, Aztec/Nahua, Dogon, Igbo, Iroquois, Lakota, Maya, Navajo, Ojibwa, and Yoruba traditions.

We will read work by a variety of authors and philosophers, including:

African Philosophy: Kwame Gyekye, Barry Hallen, Ptah-hotep, Paulin Hountondji, Julius Nyerere, Nkiru Nzegwu, Henry Odera Oruka, J. Olubi Sodipo, Zera Yacob

Latin American Philosophy: Gloria Anzaldúa, Enrique Dussel, Jorge J.E. Gracia, James Maffie, Alexus McLeod, Susana Nuccetelli, Mariana Ortega, Carlos Alberto Sanchez, Ofelia Schutte, José Vasconcelos

Native American Philosophy: Sa-Go-Ye-Wet-Ha, John (Fire) Lame Deer, Vine Deloria, Jr., Frank Black Elk, Gregory Cajete, Irving Hallowell, George Hamell, Kent Nerburn, Marianne Nielsen, Anne Waters

Throughout, we will also engage with related meta-philosophical issues that emerge with work from all three areas, allowing for interesting cross-discussion. Are these really proper subfields of philosophy? How do we make sense of the idea of African (or Latin American, or Native American) philosophy as a field? Are there philosophically important differences between oral traditions and written traditions? What kinds of texts and artifacts can present philosophical views? How should we understand ethnophilosophy and cultural worldviews as philosophical contributions? How should we distinguish philosophical views from religious ones? How should we think of the “sage” figure in relation to philosophy? How do these traditions engage discussions of identity, autonomy, and postcolonialism? Should this work be incorporated into the mainstream philosophical canon?

REQUIRED TEXTS

There are no required texts. Readings will be made available online through the Sakai site for the course and through course reserves in the library.

METHOD OF ASSESSMENT

- (A) 2 Short Papers (10% each, 20% total)
 - 1,000 to 1,500 words
 - details to follow in class
- (B) 3 Quizzes (10% each, 30% total)
 - multiple choice and true-false quizzes
- (C) In-Class Group and Individual Participation (25% total, roughly 1% for each day of class)
 - Attendance is necessary, but not sufficient!
 - Based on engagement and effort in argument groups (more on this in class)

- (D) Longer Paper (25% total)
 - 2,000 to 2,500 words
 - details to follow in class

LEARNING OUTCOME GOALS FOR THE COURSE

- (1) to be able to read and understand philosophical views presented in a variety of forms
- (2) to be able to present (in discussion and in writing) views that differ from your own, and to do so in a way that is fair to the proponents of those views
- (3) to acquire the critical skills necessary for evaluating ideas and arguments
- (4) to be able to construct coherent arguments in support of your views
- (5) to be able to write clearly and in an organized manner
- (6) to be able to discuss complex philosophical ideas with others in ways that are respectful to each other and to the material

PLAGIARISM AND ACADEMIC INTEGRITY

You are expected to be familiar with and adhere to the Rutgers University policies on plagiarism and academic integrity. Penalties for violations of these policies can be severe, including an automatic failing grade for the course and worse. This document provides a comprehensive overview of those policies:

https://slwordpress.rutgers.edu/academicintegrity/wp-content/uploads/sites/41/2014/11/AI_Policy_2013.pdf

ACCESSIBILITY

I want this class to be a great and educational experience for all of you, and all of you are entitled to equal access to educational opportunities at Rutgers.

Disabled students are encouraged to speak with me if that would be helpful and to avail themselves of the services provided by the Office of Disability Services: <https://ods.rutgers.edu/>

PLAN FOR COURSE AND READINGS

All readings are posted on Sakai on the course website.

Day	Topic	Reading
1	Introduction: What is Philosophy? Is there really _____ Philosophy?	<ul style="list-style-type: none"> • Susana Nuccetelli, "Latin American Philosophy," in <i>A Companion to Latin American Philosophy</i> • Vine Deloria, Jr., "Philosophy and the Tribal Peoples," in <i>American Indian Thought: Philosophical Essays</i>
Part I – African Philosophy		
2	The Long History: What is "African" Philosophy?	<ul style="list-style-type: none"> • Barry Hallen, <i>A Short History of African Philosophy</i>, Chapter 1, "The Historical Perspective" • Ptah-hotep, "The Moral Teachings of Ptah-hotep" • Zera Yacob, <i>Hatata</i> (excerpts)
3	The Early 20th Century: Anthropology and/or Philosophy	<ul style="list-style-type: none"> • Marcel Griaule, <i>Conversations with Ogotemmêli</i> (excerpts) • Placide Tempels, <i>Bantu Philosophy</i> (excerpts)
4	Independence and Ordinary Language Philosophy: Yoruba Epistemology	<ul style="list-style-type: none"> • J. Olubi Sodipo and Barry Hallen, <i>Knowledge, Belief, and Witchcraft</i> (excerpts)
5	Independence and Ordinary Language Philosophy: Akan Philosophy of Mind	<ul style="list-style-type: none"> • Kwame Gyekye, <i>An Essay on African Philosophical Thought: The Akan Conceptual Scheme</i> (excerpts)
6	Independence and Ordinary Language Philosophy: Yoruba Ethical Theory	<ul style="list-style-type: none"> • Barry Hallen, <i>The Good, The Bad, and The Beautiful: Discourse about Values in Yoruba Culture</i> (excerpts)
7	The Charge of "Ethnophilosophy"	<ul style="list-style-type: none"> • Paulin Hountondji, <i>African Philosophy: Myth and Reality</i> (excerpts)
8	Response to "Ethnophilosophy": Refined Method	<ul style="list-style-type: none"> • J. Olubi Sodipo and Barry Hallen, <i>Knowledge, Belief, and Witchcraft</i>, Afterword

9	Response to "Ethnophilosophy": Sage Philosophy and Philosophical Individualism	<ul style="list-style-type: none"> Henry Odera Oruka, <i>Sage Philosophy: Indigenous Thinkers and the Modern Debate on African Philosophy</i> (excerpts) Henry Odera Oruka, "Sagacity in African Philosophy"
10	Response to "Ethnophilosophy": Contemporary Philosophical Individualism	<ul style="list-style-type: none"> Julius Nyerere, "Ujamaa: The Basis of African Socialism" Nkiru Nzegwu, <i>Family Matters: Feminist Concepts in African Philosophy of Culture</i> (excerpts)
Part II – Latin American Philosophy		
11	Pre-Columbian Philosophy: Introduction	<ul style="list-style-type: none"> James Maffie, "Pre-Columbian Philosophies," in <i>A Companion to Latin American Philosophy</i> Alexus McLeod, <i>Philosophy of the Ancient Maya: Lords of Time</i> (excerpts)
12	Maya Philosophy	<ul style="list-style-type: none"> Alexus McLeod, <i>Philosophy of the Ancient Maya: Lords of Time</i> (excerpts)
13	Aztec Philosophy (1)	<ul style="list-style-type: none"> James Maffie, <i>Aztec Philosophy: Understanding a World in Motion</i> (excerpts)
14	Aztec Philosophy (2)	<ul style="list-style-type: none"> James Maffie, <i>Aztec Philosophy: Understanding a World in Motion</i> (excerpts)
15	Mexican Existentialism	<ul style="list-style-type: none"> Carlos Alberto Sanchez, <i>Contingency and Commitment: Mexican Existentialism and the Place of Philosophy</i> (excerpts)
16	Philosophy and Liberation	<ul style="list-style-type: none"> Enrique Dussel, <i>Philosophy of Liberation</i> (excerpts) David Ignatius Gandolfo, "Liberation Philosophy" in <i>A Companion to Latin American Philosophy</i>
17	Philosophy and Liberation	<ul style="list-style-type: none"> Ofelia Schutte, <i>Cultural Identity and Social Liberation in Latin American Thought</i> (excerpts)
18	The Complexity of Identity	<ul style="list-style-type: none"> Jose Vasconcelos, <i>The Cosmic Race</i> (excerpts)
19	The Complexity of Identity	<ul style="list-style-type: none"> Jorge J.E. Gracia, "What Makes Hispanics/Latinos Who We Are? The Key to Our Unity in Diversity," in <i>Latin American Philosophy for the 21st Century</i>
20	The Complexity of Identity	<ul style="list-style-type: none"> Gloria Anzaldúa, <i>Borderlands/La Frontera: The New Mestiza</i> (excerpts) Mariana Ortega, <i>In-Between: Latina Feminist Phenomenology, Multiplicity, and the Self</i> (excerpts)
Part III – Native American Philosophy		
21	Approaching Native American Philosophy	<ul style="list-style-type: none"> Sa-Go-Ye-Wet-Ha, "Speech at Council at Buffalo Creek," in <i>American Philosophies: An Anthology</i> Anne Waters, "Language Matters — A Metaphysic of NonDiscreet NonBinary Dualism"
22	Native American Epistemology and "Eco-Philosophy"	<ul style="list-style-type: none"> Gregory Cajete, <i>Native Science: Natural Laws of Interdependence</i> (excerpts)

23	"Eco-Philosophy" and Science	<ul style="list-style-type: none"> Gregory Cajete, <i>Native Science: Natural Laws of Interdependence</i> (excerpts)
24	Iroquois Metaphysical Views	<ul style="list-style-type: none"> George Hamell, "The Iroquois and the World's Rim: Speculations on Color, Culture, and Contact"
25	Ojibwa Views on Existence and Personhood	<ul style="list-style-type: none"> Irving Hallowell, "Ojibwa Ontology, Behavior, and World View"
26	Lakota Ethical Theory	<ul style="list-style-type: none"> Frank Black Elk, "Observations on Marxism and Lakota Tradition" John (Fire) Lame Deer, <i>Lame Deer: Seeker of Visions</i> (excerpts) Kent Nerburn, <i>Neither Wolf Nor Dog: On Forgotten Roads with an Indian Elder</i> (excerpts)
27	Navajo Legal and Political Philosophy: Peacemaking and Justice	<ul style="list-style-type: none"> Marianne Nielsen and James Zion, <i>Navajo Nation Peacemaking</i> (excerpts)
28	The Future of Indigenous Philosophy	<ul style="list-style-type: none"> Anne Waters, "Structural Disadvantage and a Place at the Table" Linda Tuhiwai Smith, "The Indigenous Peoples' Project: Setting a New Agenda," "Articulating an Indigenous Research Agenda," and "Twenty-Five Indigenous Projects" in <i>Decolonizing Methodologies: Research and Indigenous Peoples</i>

BOOK REVIEW

George Sword's Warrior Narratives: Compositional Processes in Lakota Oral Tradition

Delphine Red Shirt (University of Nebraska Press, 2016). 360 pp. ISBN: 978-0-8032-8439-5 (Hardcover, 2016); 978-1-4962-0156-0 (Paperback, 2017).

Reviewed by Rachel Phillips
INDEPENDENT SCHOLAR

INTRODUCTION

One approach to teaching philosophy is to introduce students to three concepts that absorb much of philosophical inquiry: ontology, epistemology, and philosophy of language.¹ The challenge for instructing Indigenous philosophy is how to convey an account of an Indigenous perspective and experience of those concepts. Oral narratives, translated, transcribed, and examined hermeneutically is one such approach. However, great care is needed to avoid displacing the original content, which transmits important cultural knowledge. How should these narratives be examined? How should they be interpreted? Is there a methodology that can be used that elucidates the text of these narratives in a way that does not disrupt or distort the original intent of the narrator or the cultural matrix from which it is derived?

Delphine Red Shirt's *George Sword's Warrior Narratives: Compositional Processes in Lakota Oral Tradition* demonstrates that this can be done and shows us how. Specifically, she writes that the purpose of her study is to "describe and examine the practice or oral narrative poetry in the work of George Sword in order to identify the factors that make a certain form necessary and then to analyze that form in detail."² Broadly, Red Shirt adapts methods of oral literary theory—of analyzing oral narratives so as to examine the formulaic patterns of Lakota oral narratives in particular. While remaining consistently focused on Lakota narratives and even more specifically on the written narratives of George Sword (Oglala Lakota 1846–1914), Red Shirt develops critical methods which can be used to evaluate other oral narratives in other Indigenous cultures. The book primarily contributes to discussion in oral literary theory, especially for Indigenous narratives in which oral tradition recently—or even up to now—constitutes a significant portion of the collected narratives, poetry, and songs. While dense with literary analysis, Red Shirt's study is also rich in cultural content and accessible to any reader familiar with or interested in history and literature. Historians may find the book of interest, as the author diligently refers to markers that situate the narratives in a historical-cultural setting from a Lakota perspective. Readers interested in a closer analysis and multi-layer interpretation of texts of Indigenous context and perspective will also find the book thoughtfully engaging.

My purpose in summarizing and reviewing *George Sword's Warrior Narratives* is to demonstrate why I recommend it as a primary resource book in developing curricula in

Indigenous/Native American/American Indian philosophy broadly or narrowly construed. Studying primary source material can be of tremendous value for students in understanding a people's self-understanding. Yet, without sufficient commentary from someone who has a deep understanding of the language and cultural context of which the source material forms a part, an attempt at an analysis of any sort would be topical at best and distorted at its worst. By summarizing the chapters, I aim to demonstrate the usefulness of the material due to the multiple layers of linguistic, cultural, and historical insight provided by Red Shirt. By briefly drawing attention to the challenges of teaching Indigenous culture from an Indigenous perspective, I hope to reinforce the commitment necessary to do so and, further, to suggest that the author of *George Sword's Warrior Narratives* makes strides in that direction through her diligent analysis and commentary. By commenting further on a selection of George Sword's narratives and Red Shirt's commentary, I hope to illustrate how the book, with its literary translations and commentary, establishes a hermeneutical model by which an exegesis of Lakota text can be formulated—as the author has accomplished and for which reason I recommend it be part of a syllabus treating philosophy from an Indigenous/Native American/American Indian perspective.

The book comprises an introduction, seven chapters, and four appendices of text in Lakota and English, together with analysis and commentary. Red Shirt includes discussions of how the methods she used to analyze and evaluate the narratives serve as principles of hermeneutics for further research in American Indian studies as well as the direction that this research could take. In other words, this book charts a possible course or, to use a more accurate metaphor, blazes a trail for scholars in American Indian studies. Scholars specializing in Indigenous philosophy will find *George Sword's Warrior Narratives* useful as a compendium in working with primary source material. Instructors could find it useful as a supplementary or even primary textbook for doing philosophy comparatively or for introducing ontological, epistemic, and philosophy of language concepts from a specifically Lakota perspective.

ADDITIONAL PRELIMINARY CONSIDERATIONS

Early in the book Red Shirt establishes the framework of her study. She intends to demonstrate how Lakota oral narratives reflect formulaic structures similar in purpose to those used in oral narratives of European literature. American Indian literature is misunderstood, she observes, because it is not evaluated in its original context. Further, scholars may find it difficult to conceptualize an American Indian oral tradition since they do not recognize the formulaic structures that are used to generate the narratives. These structures may not resemble those of Western European tradition. Thus, she suggests that by analyzing the patterns in Lakota oral narratives that are culturally specific, one can determine the formulas used to structure them. Her working assumption, broadly construed, is that the Lakota, like other Indigenous people, had an oral tradition including poetry and narratives. She notes how oral narratives shifted slightly with European contact and the introduction of writing. Finally, as she states in the book's introduction, the purpose of her study is to prove that the Lakota narratives

that are now transcribed or recorded are oral in character, and to show how the formulaic structure of the narratives support this claim.³

SUMMARY AND EVALUATION OF THE INTRODUCTION, AND CHAPTERS ONE THROUGH SEVEN

In the book's introduction, Red Shirt summarizes the scope of her research. She examines narratives written late in the nineteenth century by George Sword, Oglala Lakota, in his native language. She makes a selection of these narratives for further examination and analysis. To do this she uses her own deep knowledge of the Lakota language and culture. While there was extensive research on American Indian literature, Red Shirt notes that there was little by way of explaining the origins and structures of narratives, which were created and transmitted *orally*; the literary traditions are derived from an oral one. Red Shirt then asks, how are formulaic structures and expressions used in Lakota oral narratives? A study of style is insufficient, she notes. It is necessary to develop a method of assessing the selection and use of words and phrases for *specific semantic purposes*.⁴ Red Shirt turns to the literary theories of Milman Parry (1902–1935) and Albert Lord (1912–1991), whose combined research in the transition from orality to literature is known as the Parry-Lord thesis or theory.⁵ She further explains in the introduction how Parry's research demonstrated that early transcriptions of epic poetry and song of European/Asian tradition were oral in origin and that the written transcriptions, which came much later, are usually singular representation of an oral account. Parry's work, and later Lord's, demonstrated that oral narratives contain formulaic expressions that structure and shape them. Red Shirt adapts Parry-Lord's method and develops a model to use for her own analysis of the George Sword narratives. These narratives are examined and analyzed first in the Lakota language and then in English as translated by Red Shirt, herself a tribally enrolled Oglala and a fluent speaker of Lakota. Included in the introduction is a brief survey of some of the first texts written in Lakota. Red Shirt further explains her choice of the narratives of George Sword, a nineteenth-century Oglala Lakota who learned to write so he could preserve the oral traditions of the Lakota in their native language. As she relates, James Riley Walker (1896–1914), the Pine Ridge Agency physician, convinced George Sword he needed to record the legacy of his people so it could be remembered in the new period of cultural upheaval.⁶ George Sword recognized the usefulness of learning to read and write so he could record oral narratives that were important to the Lakota people, as these narratives shaped their understanding of the world and their place in it.⁷

As Red Shirt points out, an underlying assumption is that oral accounts precede written accounts. Oral narratives provided cohesion to a people's cultural identity. But how are these narratives constructed, revised, expanded, and transmitted? How do they maintain integrity through intergenerational transmission? What language devices are repeatedly used and why? Red Shirt notes that these questions are common in considering many if not all pre-literature cultures.

Red Shirt saw similar construction patterns in Lakota narratives and asked if this method of analysis might be applied to George Sword's narratives in order to better understand his and, by extension, other Lakota narratives about themselves.⁸ She goes further by analyzing original Lakota texts and asking, how can Lakota literature be defined, and why does this matter? In responding to these questions, she brings her own deep knowledge of Lakota language and culture to this study. Her exegesis is as rigorous as it is insightful.

While providing sufficient context to situate the narratives from a Western historical perspective, Red Shirt further explains in the introduction that she uses the Lakota's *winter counts*, a method of record keeping, to corroborate the life and times of George Sword. By doing so, she underscores the importance of referencing time and events in accordance with Lakota thought. She is also providing a decolonized approach enabling a deeper understanding of cultural context as well as a stance from which to look more closely at what is classified as American Indian/Native American/Indigenous literature and what may be left out on current rubrics. She raises important questions about ways of defining and analyzing oral narrative from an Indigenous and tribally specific perspective. She briefly acknowledges the different schools of thought and work that continues to be done. She reiterates her hopes that the method she developed to analyze Lakota literature can be adapted to study other Indigenous literature. She writes: "Presently there is no one Indigenous theory or approach to the definition and interpretation of oral narratives by Indigenous peoples, and what is proposed in this work is a beginning step in the right direction."⁹

George Sword's Warrior Narratives provides primary source material and commentary that could be useful in a seminar examining or critiquing methodology and theory of traditional philosophy and its relevance for examining Indigenous wisdom literature. Citing anthropologist Michael F. Brown, Red Shirt summarizes the dilemma scholars face:

Within this environment, Indigenous scholars are pressured to rely on existing methodological approaches and Indigenous practices or to completely break free, reject theory, and in the process find new ways to frame the necessary questions and to identify new methods for analysis based on Indigenous methodologies. Such an approach is based on American Indian intellectual sovereignty that in turn relies on political and cultural sovereignty.¹⁰

Red Shirt reminds the reader that it is important to examine oral narratives within the cultural context in which they evolved. Her fluency in the language and first-person experience of contemporary Lakota culture enables her to provide a profound analysis of Sword's warrior narratives.¹¹ She gently but consistently takes an Indigenous approach to this study, for example, consulting the "tribal history of the Lakota people in corroborating George Sword's life history. [In this way] through this account of his life George Sword fully emerges as the individual he is rather than as an 'object of study.'"¹² She notes further, "the inclusion of

his name in the title of this book was a conscious effort to attribute to George Sword, the individual, the telling of these narratives."¹³

The book's introduction also clearly summarizes the subsequent chapters. Taken separately, each of them provides sufficient material to examine philosophical concepts of being and knowing in light of a cultural tradition that relied almost exclusively on oral transmissions of experience and knowledge. Each of the four appendices contains a narrative in Lakota, followed by a literary translation. Closer hermeneutics of passages are introduced and explained in the chapters of the book.

Chapter one, "Lakota Tradition," introduces the reader to some of the problems related to extrapolating linguistic forms of speech which could be constituted as *tradition* and, more specifically, Lakota storytelling. Red Shirt explains key components of oral narratives in general and how structure of the narrative is important in understanding what Lakota oral tradition is in particular. As stated previously, Red Shirt concurs with Parry that tradition determines design and demonstrates how this is reflected in Sword's narratives. In this chapter she discusses the importance of repetition, a literary device to emphasize and reinforce core concepts. Here, she explains that the narratives that she selected were written in the Lakota language using the English alphabet between 1896 and 1910, but in fact, they are derived from a much older oral tradition. These narratives often were sung and in some cases were accompanied by dance, which further explicated the content of the narrative.

Red Shirt also introduces the reader to important elements of syntax in Lakota language as spoken in the latter part of the nineteenth century.¹⁴ After introducing key syntactical patterns, Red Shirt emphasizes that even while making written transcriptions of the narratives, George Sword is "bound by the traditional Lakota style he used," which, she notes, is comprised by an older form of the Lakota language spoken prior to reservation life. She notes, and explains to the reader, the importance of key objects which receive special emphasis through intentional linguistic patterns. These objects, certain animals or landmarks, for example, become an embodiment, as it were, of important cultural information, necessary for survival.¹⁵ She writes:

Cultural knowledge is encoded in each word, including information about the position each creature occupies in the cultural landscape and narrative tradition such as the role of *tusweca*, the dragonfly, in Lakota cultural life and imagination. It is as if he knew that one day the Lakota people would cease to remember ordinary words used to describe the cohabitants of their cultural homelands.¹⁶

A commentary follows on what she views is a generally insufficient understanding of Lakota culture due to early translations of oral narratives that failed to grasp the semantic significance or original intent of the narratives. Surveys of narratives have been compiled without sufficient analysis of what and how they should be considered Indigenous in the first place.¹⁷ Much of this is due to poor

understanding of American Indian oral tradition, in some cases perhaps coupled with a bias to limit literature to the scope of written text as the etymological root of the word suggests. It's important to recognize that there is "a possibility that pre-literary form of intellectual expression existed before [European] contact."¹⁸ She seeks to provide a deeper understanding of how that expression takes shape in Lakota oral narratives. She acknowledges that Walker, in encouraging Sword to write down the narratives, was aware of the importance of transcription as close to the original intent and perspective of the narrator as possible, and for this reason they are recommended for further research and commentary.¹⁹ The chapter ends with another iteration of the summary of the subsequent chapters as they expand her focus on forms of the compositional process of George Sword's Warrior Narratives.

Chapter two, "Lakota Practice," explains further how form emerged from practice in Lakota oral narratives and linguistic shifts that occurred during George Sword's time as a result of European contact and the practice of written Lakota language. Here she gives a brief summary of the process. As in other cultures, oral narratives gave way to written accounts as reading and writing was adopted by many Lakota people. Prayer books and the Bible were translated into Lakota, thus expanding a repository of written Lakota text. Lakota performers traveling to Europe, for example, in William Cody's Buffalo Bill's Wild West show, wrote letters to their relatives. Yet even during this period, oral narratives were in use as in other cultures, and rhythmical speech was relied on as a mnemonic device.²⁰

For those who may be unfamiliar with the importance of oral narratives in American Indian tradition, Red Shirt frequently reminds the reader that it is not possible to grasp the full significance of written text without understanding the context. Storytelling was paramount in transmitting knowledge of varied sorts but significant and necessary for survival and cultural practice. In this chapter she introduces the reader to formulaic structures that comprised the oral narratives used by George Sword and, by inference, his contemporaries for imparting knowledge. George Sword belonged to the *akicita* society, which was responsible for assisting with order in Lakota life.²¹ As a warrior, George Sword had a responsibility to pass on knowledge of duties as a Lakota who protects the people. Thus, for example, in the narratives George Sword conveys significant information, including how one fulfills certain practices in a *heyoka* ceremony and how a warrior makes a vow and fulfills it at a sun dance.²²

Chapter three, "George Sword," introduces the reader to the life and times of George Sword and provides commentary that helps the reader understand the historical events from a Lakota perspective. To do this, Red Shirt includes references ranging from a government briefing of 1891, documenting influential men of the bands of the Teton including George Sword,²³ to the written records of Lakota winter accounts "which provide some historical evidence from the Lakota people themselves as to what he [George Sword], recorded."²⁴ She gives a brief overview of the organization of the bands of the Tetons, "one of the seven council fires that allied to form political units in

which they kept their independence but acted together for purpose of defense."²⁵ Throughout this chapter, Red Shirt does a tremendous service to her readers by weaving an immensely rich historical context from a Lakota perspective, while providing events, dates, and places more commonly used in US history books. Thus, for example, she includes No Ears' reference to the cholera epidemic of 1849–1850, which impacted the Plains, named by the Lakota record keeper as the "*nawicatipa*, "cramps," a time when everyone died from the disease.²⁶

Red Shirt summarizes George Sword's life, as he himself told it, in a transcription currently held in the Colorado Historical Society Walker Collection, ledger 108:1: "I was born on Muddy Water, the Missouri River, near the mouth of Big Water, the Niobrara River. It was during the *Moon of the Raccoon* [in] February, in the winter when *Eagle Crow was Stabbed*, A.D. 1847." Red Shirt adds that this location is "near the present-day Yankton Indian Reservation and Santee Sioux Indian Reservation"²⁷ and also refers to winter accounts of other Lakota record keepers to add description and corroboration of the winter account of No Ears.

Red Shirt includes George Sword's own remembrance of his father:

[he was] [*w]asica [w]akan*, a shaman and he was a *pezuta wicasa*, a medicine man. He was a bear medicine man. He was *ozuye wicasa*, a war man, and in the camp he was *akicita*, [a] marshall. He was a Fox, and order among the Oglala Sioux, and a bearer of the *itazipi wakan*, mysterious bow, the banner of the Foxes, the bearer of it on a war party holds a position of especial honor. I have never borne the mysterious bow on a war party. When I was living as an Indian I wished very much to bear the mysterious bow.²⁸

She informs the reader that George Sword's father, who died prior to 1856, "seems to have assumed many responsibilities within the tribe, like many of the Oglala Lakota men at that point in tribal and cultural history."²⁹ Red Shirt notes how Sword states why he was qualified to speak about the Lakota way of life:

I know the old customs of the Lakotas, and all their ceremonies for I was a *wicasa wakan*, and I have conducted all the ceremonies. I have conducted the Sun Dance, which is the greatest ceremony of the Lakotas. The scars on my body show that I have danced the Sun Dance, and no Lakota will dispute my word. . . . I was also a *blota hunka* and have led many war parties against the enemy, both of Indians and white men. The scars on my body show the wounds I have received in battle. So I know the ceremonies of war. I have been on the tribal chase of the buffalo, and know all the ceremonies of the chase. (Walker, *Lakota Belief* 74)³⁰

In subsequent pages Red Shirt guides the reader in understanding the significance of George Sword's autobiographical accounts, including his vision quest, from a Lakota perspective. From other accounts, which are

carefully documented for further reference, she chronicles the different names of George Sword (changes of names being a common practice³¹) and that he was a nephew of Red Cloud. Red Shirt briefly summarizes other significant events in Sioux history, including the Peace Commission at Fort Leavenworth in 1867–1868, an eclipse of the sun, 1869–1870, the ongoing battles on the Plains, and the murder of Crazy Horse, which “alone marked the defeat of the Oglala people.”³²

Red Shirt elaborates further on the significance of name changing in Lakota tradition to mark significant events of in life:

Thus, in what appears to be a mere stating of his name, George Sword in true cultural form, tells of his new identity: “my name is George Sword. My name was given to me when I quit the ways of the Indians and adopted those of the white people. I was then first called Sword. Then when they put my name on the rolls they gave me the name of George. “I took the name *Mila Wakan*, which means mysterious knife.” (Walker Collection, ledger 108:1)³³

Subjected to reservation life imposed by the US government, Red Shirt notes that as early as August 1874, George Sword and others, including Sitting Bull, were given responsibilities at the Red Cloud Agency, “located on the banks of the White River near Fort Robinson (close to present day Chadron, Nebraska),”³⁴ corroborating the event with the winter account of American Horse. Red Shirt includes a further description of the role of an *akicita* prior to reservation life; these were men who had specific responsibilities in Oglala camps for maintaining peace and order, preventing senseless murder, and coordinating buffalo hunts and camp moves.³⁵ Red Shirt’s description underscores how *akicitas*, including Sword, swiftly adapted their skills to help the people through the tumultuous time of forced relocation to the reservations, which culminated tragically in the Wounded Knee Massacre, December 29, 1890. Red Shirt succinctly but poignantly describes Sword’s life in the years that follow, adding commentary and insight that helps the reader understand the complexity of Lakota life in this time period. She cites references documenting Sword’s role as the leader of the US Indian Police until he retired in 1892 at the age of forty-five. He also became a deacon in the Episcopal Church. Here she acknowledges that some scholars question to what extent the writings of Lakota belief by George Sword and his contemporary Nicholas Black Elk were influenced by their acquired religion of Christianity. Red Shirt notes that during this time (up until 1978 with the passing of the American Indian Religious Freedom Act), the Lakota people were forbidden to practice their traditional religious practices under the threat of physical imprisonment. Without opining on the sincerity of their acquired belief and practice of Christianity, Red Shirt stresses that both Black Elk and Sword sought to give an authentic rendition of traditional Lakota religious ritual and practice. Both felt the responsibility of passing on the knowledge of the people to future generations of the Lakota and others. She notes that the form of these narratives are in the old Lakota and informs the reader that

the language and form demonstrate the moral authority of the narratives:

Thus using Lakota oral tradition, he wrote primarily for those fluent in the Lakota language. The evidence for this is in the language itself, which uses sophisticated grammar and syntax. He shares this power with Black Elk and others who spoke the same language and shared many of these beliefs and rituals that were passed from one generation to another through Lakota oral tradition.³⁶

The chapter contains many more details concerning George Sword’s life, his influence as the captain and later major of an all-Indian police at the Red Cloud agency until his retirement in 1892, his participation in a delegation to Washington, DC, to inform the government of the grievances for failure to deliver the annuities as promised in the treaties, and, finally, his ongoing collaboration with Dr. James R. Walker³⁷ in creating a written repository of Lakota culture. Sword died in 1911–1912, according to, as the author notes, the winter account of No Ears.

Before ending the chapter on the life of George Sword, the author returns to the question, “*who was George Sword?*” She reiterates her previous commentary concerning the translation from the Lakota language Sword used, and the difficulty in formulating adequate translations. Sword stated,

The young Oglalas do not understand a formal talk by an old Lakota because the white people have changed the Lakota language, and the young people speak it as the white people have written it. I will write of the old customs and ceremonies for you. I will write that which all the people knew.³⁸

Walker also was aware of the difficulty of accurate translations of George Sword’s accounts. George Sword had completed his objective “[of producing] a manuscript to ensure the survival of his language and culture at a particular time in history.”³⁹ Red Shirt illuminates George Swords’ dilemma—the translation and recording of cultural knowledge at the risk of diminishing personal identity—as illustrated by this instance in which George Sword instructs Walker:

“The common people of the Lakotas call that which is the wrapping of a *wasicun*, *wopiye*. Most of the interpreters interpret this *wopiye* as medicine bag. That is wrong, for the word neither means a bag nor medicine. It means a thing to do good with. A good interpretation would be that it is the thing of power” (Walker, *Lakota Belief* 80).⁴⁰

Red Shirt concludes,

After all was said and done, George Sword firmly believed that the reason he did not want to offend this “thing of power” [referring to the sacredness of what the “medicine bag” entailed], the power to do good, was because “the spirit of an Oglala may go to the spirit land of the Lakota” (Utley 34),

a place he wanted to make sure his spirit would go as an Oglala Lakota *wicasa*.⁴¹

In the next three chapters Red Shirt demonstrates how Parry and Lord's method of determining the formulaic structures in oral narratives can be applied to Lakota oral narratives. "Themes," Red Shirt writes, "are what Parry and Lord in oral theory, call the groups of ideas regularly used in telling a story in the formulaic style of traditional song (Lord, *Singer of Tales*, 68: chapter 6)."⁴²

Chapter four, "Lakota Formulas," begins with a comparison of two narratives, one from George Sword and the other from Black Elk, as recorded by John G. Neihardt. Both concern visions the two Lakotas had as youths. First, Red Shirt notes the differences and in the case of Black Elk's account, the scholarly difficulties the Neihardts' work poses. Black Elk spoke in Lakota, which was translated to Neihardt and transcribed by Neihardt's daughter before Neihardt arranged and compiled it in a prosaic and perhaps embellished literary form in English.⁴³ Red Shirt acknowledges that it is not possible to determine from Neihardt's account the exact words Black Elk spoke. Here she suggests that there is more work to be done by future scholars working with source materials in original language or context. Despite the limitations in Neihardt's transcriptions of Black Elk's vision, Red Shirt identified structures and manner of expressions remarkably similar to those of George Sword. After a close exegesis of both accounts, Red Shirt summarizes,

The basic story pattern in both narratives is: the narrator travels to a spirit world in a dream-like state; he awakens there; his mind clears and he regains consciousness; an important message is given to him by older beings; and he brings this knowledge back to this world for the *oyate*, or people.⁴⁴

She informs the reader that the themes of both visions are similar and according to Lakota tradition, were understood to be visions of those called to be *heyokas* (a role in Lakota society conferring certain obligations and practices). Both Black Elk and George Sword were *heyokas*, and the responsibility that both these men bore is reflected in the way they convey their visions.⁴⁵

Next, Red Shirt examines patterns found in both texts of phrases or references to objects indicating an intentional processes on part of the narrator. There are several, including repetition of key words and the use of rhythmic words or endings. Red Shirt concludes that these are devices contributing to the formulaic structures of the narratives. These patterns, while being distinctively Lakota in perspective, have the same function of formulaic structures in oral narratives as per the Parry-Lord model.⁴⁶ In the second half of the chapter, Red Shirt expands Parry's definition of "formula" to include not only repeated words and word groups but also meter and length, as they would shape the narrative in Lakota song. Here Red Shirt draws from her own knowledge of the language as she also acknowledges the research of others who have contributed to deeper understanding of meter in the context of Lakota

poetry and song. As she notes, many narratives, those of the Lakota included, were intended to be performed in song and accompanying dance or gestures. Similar to other traditions, a singer or performer will rely on prefixed formulas to shape and guide the performance—in this case, the recitation of the narrative in spoken word or song. Here Red Shirt makes a close analysis of how the formulas, including word groups used by Sword in his narratives, conform to Parry's descriptions of what constitutes a formula of oral narration.⁴⁷ The next section of this chapter explains how verbs function in creating structure in the narrative. Again, Red Shirt demonstrates that the patterns George Sword uses are intentional and hence comply with Parry and Lord's description of what constitutes formulas in oral narratives.

Chapter five, "Textual Analysis," is, as the title indicates, a textual analysis of two selections of George Sword's narratives including the Sun Dance narrative. In the conclusion of the previous chapter, Red Shirt advances the argument for "the need for a method of composition that differs from the way we generally think of narration as developing using written forms."⁴⁸ In this chapter she reminds the reader that "for most, if not all, Native American oral tradition-based cultures, including the Lakota-speaking peoples, formula analysis means textual analysis."⁴⁹ She reminds the reader that as per Parry's observation, it is the sound of the language and hence the sound groups produced from the recitation of the narrative that is of primary interest. In this analysis Red Shirt underlines patterns that she has identified as formulaic in Lakota oral tradition. She indicates the basic organizational patterns of the stanzas and notes, "The use of verbs reflects a culture that does not reserve a place in its grammar for the passive voice."⁵⁰ Her exegesis of the original Lakota (English literary translation is provided in appendices 1–4) is rich in explanation of images used and meanings conveyed. These images would be understood within a cultural context with far-reaching implications and cannot be adequately summarized here. Implicitly, she is reiterating the case for interpreting narratives from the perspective of the narrator and the intended audience. Words, word units or phrases, and rhythmic verbs contribute to underlining patterns in the narrative, thus constituting formulaic devices employed by the narrator according to traditional practice recognized and understood by the listeners. In closing this chapter, Red Shirt reiterates how George Sword employs formulas to structure the narratives. In Red Shirt's view, George Sword's narratives meet the necessary and sufficient conditions for what constitutes a system of formulas according to Parry's description of oral narratives. Red Shirt concludes this chapter by briefly examining whether or not George Sword varies formulas or styles, and she concludes that he does not. Nevertheless, George Sword lends his own particular style, shaped by the oral tradition from which the narratives emerge.⁵¹

Chapter six, "Lakota Theme," elucidates the central themes in the narratives. Upon examining the textual examples commented upon in the previous chapter (that is, stanzas 14–21 of narrative 3 and stanzas 75–93 of the Sun Dance narrative), Red Shirt identifies several themes, including a war council; a warrior's feast; preparations for war; the

scouts (surveying enemy territory), which constitute narrative 3; and in the Sun Dance, the vows, prayers, and actions associated with this sacred ritual. Using Parry and Lord's description of how themes emerge from poetry of the epic tradition, Red Shirt examines the thematic material in Sword's narratives in conjunction with another Lakota narrative describing a sun dance, that of Pretty Weasel.⁵² Once again Red Shirt's knowledge of Lakota language and culture provides an in-depth analysis and commentary which enables the reader to recognize the similar thematic material as well as the skills of the orator in presenting them. In discussing the differences between the accounts of Pretty Weasel and George Sword, Red Shirt notes,

Generally, Pretty Weasel's account is from a bystander's viewpoint whereas George Sword's narrative is full of rich detail that only a participant could provide. An example is in stanza 89, where George Sword describes that eagle bone whistle precisely as a *wanbliirupahu hohu*, that is used like a small flute. . . . George Sword's skill is of the type that Lord describes as acquired from generations of singers and narrators who practiced the technique of building themes (Singer 81).⁵³

Red Shirt demonstrates George Sword's mastery in conveying multiple themes in a narrative of considerable length, similar to epic poetry and songs studied by Lord, and concludes, "George Sword treats themes fully and adeptly in his long Sun Dance narrative, where those themes required by Lakota oral tradition are present and the quality of his descriptions matches that of any singer or narrator in oral epic tradition."⁵⁴ She summarizes Lord's description of how narrators make use of themes as a cohesive structure:

Although the themes lead naturally from one to another to form a song which exists as a whole in the singer's mind with Aristotelian beginning, middle, and end, the units within this whole, the themes, have a semi-independent life of their own. The theme in oral poetry exists at one and the same time in and for itself and for the whole song. . . . The [singer's] task is to adapt and adjust it to the particular song that he is re-creating. It does not have a single "pure" form either for the individual singer or for the tradition as a whole. Its form is ever changing in the singer's mind, because the theme is in reality protean. . . . It [the song] is not a static entity, but a living, changing, adaptable artistic creation. (Singer 94)⁵⁵

Red Shirt notes Lord's observation of how patterns and structures within a song (Lord's study was of Croation-Serbian songs and poetry recorded in the early twentieth century), also contributed to the structure and placement of thematic material within a song or poem. "These complexities are held together internally both by the logic of the narratives and by the consequent force of habitual association" (Singer 96-97).⁵⁶ In concluding this chapter Red Shirt demonstrates how Lord's analysis of the force of patterns that are both linear and nonlinear and the "habitual associations of themes" can be applied to Sword's narratives. She compares the end of narrative 3,

stanza 23, describing a warrior scout's account of enemy territory, with those in the Sun Dance narrative when the warriors approach the sacred pole to fulfill their vow. Since the same words are used to introduce both the description of the scout returning from enemy territory and the warriors seeking the pole, Red Shirt suggests that the sacred pole becomes, as it were, "an entity that represented the enemy in embodiment."⁵⁷ For those unfamiliar with the ceremony, a warrior is tethered to the pole; literally, his flesh is pierced by a pin at the end of ropes tied to the pole. He breaks free from the tension of the cord as the pins are torn from his flesh. It would seem that Red Shirt deliberately chose this stanza to illustrate the tension and *hidden force* that keep the themes of the narratives together. She writes:

The forces that hold groups of themes together internally are both linear and non-linear, according to Lord—logic and habit, both strong forces. In Lakota oral narrative, these forces are evident, as shown in the examples described in this chapter and the two previous ones.⁵⁸

Chapter seven, "Traditional Implications," is a summary and review of the work of the previous chapters. Red Shirt reexamines her analysis, this time pointing out to the reader the significant differences between poetry and narratives that are oral in origin. Once again, she reiterates that her study of George Sword's narratives "uses methodology originally developed by Parry and elaborated upon or further advanced by Lord."⁵⁹ She notes that according to Parry's methods, a scholar or researcher should acquire specialized knowledge of the language in which the oral narratives are compiled so as derive a deeper understanding of the text within its cultural tradition. She notes how John Miles Foley extended Parry and Lord's initial research on Serbo-Croatian epic traditions by further studying the speaking styles of South Slavic poets. He noted that these poets used a distinctive register; specific choices of words, phrases, and motifs, which Foley calls "idiomatic expressions" (Foley, *How to Read*, 14), which convey cultural traditions. Foley notes how these expressions together with a particular register convey South Slavic poetry of an epic sort as distinguished from the language of every day. Red Shirt notes similar techniques and patterns in Sword's narratives:

Using Parry and Lord's work, as well as more recent analysis, an inference can be made that certain theories are in fact applicable to George Sword's work and that these narratives are derived from an older tradition, especially through a comprehensive analysis of the Lakota language used in the narratives.⁶⁰

Red Shirt describes the difficulties scholars like Foley encounter in analyzing oral texts in any specific cultural tradition other than Western. As Foley writes, "What is oral poetry? What is an oral poem?" (Foley, *How to Read*, 29). Added to that is performance practice. Red Shirt notes an observation that Foley and other scholars have made: oral composition and performance are usually not included in the definition of poetry. She concurs with Foley, who "proposes opening up the poetic line or the poetic genre examining the oral versus written dichotomy, and looking

at media dynamics" (Foley, *How to Read*, 30). Citing Foley, Red Shirt notes that conducting research in oral poetry along these lines is still in preliminary stages. In short, oral narratives may have been transcribed and recorded so as to preserve their integrity, but for the most part they are buried in archives, unresearched and unpublished. By commenting extensively on the problems of research in narratives and oral poetry and demonstrating how this impacts research in Native American or Indigenous literary forms, Red Shirt continues to refine the Parry-Lord method, coupled with Foley's insights suggesting how these methods can be adapted to language-specific cases. Once again she demonstrates how this was done in her own study of George Sword's narratives.

This study recognizes the importance of his work as an oral tradition-based narrative. Within its own context, the language of the narrative is a special register based on Lakota oral tradition (Foley, *How to Read*, 60). Thus these narratives preserve a way of composing Lakota oral narrative; what is lost is the way in which Sword spoke and expressed himself through voice and gestures in the telling of these narratives.⁶¹

Red Shirt recognizes that even with the transcription of the narratives in Lakota, written by George Sword, what is lost is the performance practice, which included gestures and dance, and dynamic interaction with the listeners. It is Red Shirt's intent "to bring about an appreciation and understanding of the characteristics of Lakota oral tradition that have been passed from generation to generation and are inherent in the Lakota language in which George Sword told his narratives."⁶² Red Shirt notes that George Sword himself is appealing to tradition when he stated, "I will write that which all the people knew" (Walker Collection, ledger 108:1). Through this statement, George Sword affirms ties to the traditional way of telling narratives among the Lakota people.⁶³ Red Shirt comments on the work of several scholars working with culturally specific oral narratives with the aim of interpreting them on their own terms as she is doing. An ethnopoetic approach combined with Richard Bauman's performance theory is helpful, as she suggests, in arriving at a deeper understanding of original intent of the narratives from the perspective of the narrators and their listeners, and the contextual framework by which to interpret figurative speech. She writes,

When George Sword describes the Sun Dancers in figurative language he invokes performance and creates a traditional frame of reference. He does so in one of his last descriptions of a Sun Dancer, who lay like a fish out of water, gasping for breath, after freeing himself from the sacred pole, or in his description of a Sun Dancer from the Hunkpapa tradition hanging by four ropes attached to skin on his chest and back, his legs swinging in the air as he hangs suspended from four poles. George Sword describes these events vividly, alerting the audience to what is occurring and to how they should receive these images.⁶⁴

CONCLUSION

While suggesting that *George Sword's Warrior* is a valuable resource text for instruction in philosophy, examples of how this could be done is beyond the scope of this review. Instead, I end with Red Shirt's literary translation—stanzas four to six—of the first of the four narratives in the book.⁶⁵ Inherent in these lines are possible questions on being and knowing, which, when posited from an Indigenous perspective, contribute to a broader spectrum of ontological and epistemic thought: What is the ontological structure of things in the world? What kind of causality is at work? How are different forms of knowledge acquired? Might a phenomenological approach be of use in examining these and other, similar texts? What do we learn from this description of experiencing the world?

Wakinyan, are beings like us; resemble us. Everything is transparent to them; they are all-knowing. All of the earth they see as they travel with the rain.

And everything on earth is made to grow and flourish; and animals and men, too. The places on earth where it is putrid, there a cleansing comes.

And that is why the horse is the one in charge of all animals because he belongs to Wakinyan.

Red Shirt's book will be more immediately acknowledged for its contribution to literary theory treating oral traditions of Indigenous language and culture. Scholars developing an Indigenous approach or perspective of doing philosophy would enrich their work by a careful and thoughtful read of *George Sword's Warrior Narratives*.

NOTES

1. Andrea Sullivan-Clarke, "Tips for Teaching Native American Philosophy," *APA Newsletter on Indigenous Philosophy* 17, no. 1 (2017): 9–14; and Alejandro Santana, "Syllabus for Philosophy 336 Metaphysics: Native American Philosophy," *APA Newsletter on Indigenous Philosophy* 17, no. 1 (2017): 14–21 provide further insight and practical suggestions for introducing students to Indigenous thought.
2. Red Shirt, *Delphine George Sword's Warrior Narratives*, 161.
3. Red Shirt, *Delphine George Sword's Warrior Narratives*, Introduction.
4. *Ibid.*, xiv.
5. For topical reference on Milman Parry, Albert Lord and the Parry-Lord thesis see https://en.wikipedia.org/wiki/Oral-formulaic_composition.
6. Dr. James Riley Walker (1849–1925), Red Shirt, *Delphine George Sword's Warrior Narratives*, Introduction, xx.
7. "At first George Sword utilized an interpreter to convey cultural information to Walker, but later he began his own writing to record narrative and son in the Lakota Language." *Ibid.*, xx–xxi.
8. *Ibid.*, xx–xxi and Notes, 247–56. Extensive reference to the work of Lord and Parry is made throughout the book, which anchors her study while providing a framework to develop methods relevant to indigenous narratives, reflective of their worldview.
9. *Ibid.*, 13. Red Shirt acknowledges work that is currently being done in this field.
10. *Ibid.*, 26, References, 311. Michael F. Brown, *Who Owns Native Culture?* (Cambridge: Harvard University Press, 2003).

11. *George Sword Warrior Narratives*, 258, Notes to pages 4–7. Delphine Red Shirt is an enrolled member of the Oglala Sioux nation, located on the Pine Ridge Indian Reservation where George Sword composed these narratives.
12. *Ibid.*, 28, citing Devon A. Mihesuah, *Natives and Academics: Researching and Writing about American Indians* (1998).
13. *George Sword's Warrior Narratives*, 266, Notes pages 28–30, n. 63.
14. *Ibid.*, 7–8; due to the impact of colonization and forced relocation to reservations.
15. *Ibid.*, 9.
16. *Ibid.*, 10.
17. *Ibid.*, 16.
18. *Ibid.*, 20, in response to an earlier citation reference to Eric Cheyfitz, who opines that there is no Native American literature in the strict sense of the term since prior to European contact (14–15).
19. *Ibid.*, 24.
20. *Ibid.*, 33. Citing David E. Bynum, she writes, "Rhythmical speech was the world's first great medium of communication for complex ideas and there were certainly media men of astonishing skill long before anyone on earth knew how to write."
21. *Ibid.*, 33. Red Shirt explains how older the Lakota term gave way to a newer word, *can sa* or short stick, as the men like George Sword had to take on new forms of law enforcement, a consequence of reservation life under US government agencies.
22. *Ibid.*, 34.
23. *Ibid.*, 51.
24. *Ibid.*, 52. A more complete description of Winter Counts, a system used by the Lakotas for marking time and events important to them is detailed here. No Ears, an Oglala Lakota, provided recorded summary entitled, "Oglala Sioux Names for Years from AD 1759–AD 1919."
25. *Ibid.*, 51. The confederation included the Dakota and Nakota speaking bands. The Lakota speaking Tetons were comprised of seven bands, the Oglala being the largest band.
26. *Ibid.*, 54.
27. *Ibid.*
28. *Ibid.*, 55.
29. *Ibid.*
30. *Ibid.*, 56.
31. *Ibid.*, 63.
32. *Ibid.* Crazy Horse, Oglala, was killed soon after surrendering and being taken prisoner at Fort Robinson, Nebraska, September 5, 1877.
33. *Ibid.*, 63.
34. *Ibid.*, 64.
35. *Ibid.*
36. *Ibid.*, 71. In Note 13, page 276, Red Shirt quotes Parry, who argues that while knowledge of writing may have some bearing on the text of a poem or its recording, it will not have an effect on its style. Milman Parry, "Studies in the Epic Technique of Oral Verse Making. I. Homer and Homeric Style," *Harvard Studies in Classical Philology* 41 (1930): 73–148. Article available online at <https://chs.harvard.edu/CHS/article/display/5501>.
37. *Ibid.*, 73. Walker became agency physician at Pine Ridge in 1896. He took a deep interest in understanding Lakota life and practice from a Lakota perspective, and to this end consulted with older Oglala Lakotas, including Sword, to compile and systemize Lakota belief and cultural practices. Red Shirt includes details from the published and archival material of Walker's work.
38. *Ibid.*, 77.
39. *Ibid.*
40. *Ibid.*
41. *Ibid.* Throughout this chapter, Red Shirt uses Lakota terms and phrases and provides the reader with information to aid in grasping nuanced distinctions.
42. *Ibid.*, 79.
43. *Ibid.*
44. *Ibid.*, 82.
45. *Ibid.*
46. *Ibid.*, 84–85.
47. *Ibid.*, 94–95.
48. *Ibid.*, 99.
49. *Ibid.*, 100.
50. *Ibid.*
51. *Ibid.*, 118–19.
52. *Ibid.*, 133. *Pretty Weasel*, From *Lakota Tales and Text*.
53. *Ibid.*, 135. Similarly scale, order, and balance in conveying themes are reflected in the narrator's skill, according to Lord. Red Shirt demonstrates how Sword accomplishes this in narrative 3.
54. *Ibid.*, 136.
55. *Ibid.*, 137.
56. *Ibid.*, 188.
57. *Ibid.*, 138.
58. *Ibid.*
59. *Ibid.*, 140.
60. *Ibid.*, 141.
61. *Ibid.*, 148.
62. *Ibid.*, 150.
63. *Ibid.*, 152–53.
64. *Ibid.*, 151.
65. *Ibid.*, Appendix 1, 163 (Lakota) 168 (English literary translation). See pp. 37–38 for further literary translation and commentary. She writes: "Wakinyan empowers all living things to grow. Wakinyan cleanses the earth of all impurities. This is the cultural information George Sword imparts to the listener."



APA NEWSLETTER ON

Philosophy and Computers

PETER BOLTUC, EDITOR

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FROM THE EDITOR

Philosophy in Robotics

Peter Boltuc

UNIVERSITY OF ILLINOIS SPRINGFIELD AND WARSAW SCHOOL OF ECONOMICS

This note provides an opportunity for reflection on the role of the Committee on Philosophy and Computers as well as this newsletter. It also provides an introduction to this complex, highly interdisciplinary, intergenerational, international and even intercultural issue, which pertains primarily to, broadly defined, philosophy in robotics.

What is our committee, and the newsletter, all about?

We started in close association with the International Association of Computing and Philosophy (IACAP). The committee was led by Robert Cavalier who starts his 2001 Report from the Chair by saying, "During 2000–2001 the committee sought to investigate and advance the relation between 'philosophy and computers' by working closely with the Steering Committee of the Computing and Philosophy conference in order to encourage the development and expansion of CAP. The PAC committee also sponsored special sessions at the Division Meetings of the APA." The newsletter, led by Jon Dorbolo, published primarily book reviews; it also introduced topics notes in Computer Ethics and a note presenting Herbert A. Simon's work. Some of the tasks were as simple as encouraging some of our colleagues to use email and computers as word processors. But there were already conversations about using automatic proof checkers in teaching critical thinking and logic. There were controversies about the role of online information, but also early stages of conceptual maps, and always abundant problems in computer ethics. I joined this committee in 2003 as a pioneer of e-learning in philosophy. Many of those problems are still present (see the block of five papers on e-learning in philosophy in the fall 2011) though only computer ethics seems to keep its centrality to the field.

Today, and for the last decade, we seem to be facing slightly bigger challenges, philosophical and social. The role of AI in our society, as exemplified by the ethics of artificial companions (discussed in past issues of this newsletter by Luciano Floridi 2007, Marcello Guarini 2017), is one of the most tangible philosophical concerns of our times. How should we treat robotic caregivers for children and the elderly, robotic workers, self-driving cars and weapon systems, even robotic lovers? Other

philosophical issues include the ontology of virtual beings (Lynn Rudder Baker, 2018; Amie L. Thomasson, 2008; Roxanne M. Kurtz 2009, 2017), ontology of the net (Harry Halpin, 2008; László Ropolyi, 2018) and even computer art (Dominic Mciver Lopes, 2009). We face the need of phenomenology for conscious machines (Gilbert Harman 2007, 2008; Stan Franklin, Bernard Baars, and Umma Ramamurthy, 2007; Igor Aleksander, 2009; P. Boltuc, 2014), computerized epistemology (Jean-Gabriel Ganascia, 2008), or metaphysical foundations for information ethics (Terrell W. Bynum, 2008). Those are the kinds of topics barely ever tackled by strictly philosophical journals, and are rarely present at the APA meetings, outside of the session organized by this committee—since they are essentially interdisciplinary, closely related both to philosophy and also AI.

It may seem that there must be new, vibrant journals in this domain. But in fact, the only journal that covers a similar area is *Minds and Machines*, which started in 1991 and is primarily focused on Artificial Intelligence, and *Ethics and Information Technology*, which started in 1999; there are also a couple of well-established journals in philosophy of engineering. Yet, both the committee and this newsletter are facing certain problems. One of the shortcomings of APA Newsletters that—after the reform of APA website in 2013, which deleted access to single articles—publications in our newsletters are practically nonsearchable by standard web engines. This is a problem, especially since we have some **legacy articles** worth broad attention, such as two original articles by the late **Jaakko Hintikka**: his "Function Logic and the Theory of Computability," published in the fall of 2013, and "Logic as a Theory of Computability," fall 2011, and **John Pollock's** "Probabilities for AI," published posthumously, thanks to the initiative of Terry Horgan, who was searching for a prestigious open-access publication for this final masterpiece of Pollock's distinguished career.

Those and many other issues standing in front of the committee, and this newsletter, are in need of discussion. I would like to invite members of this committee (past and present), as well as the readers, to engage in this debate, and to send me your contributions to my email epetebolt@gmail.com.

The current issue of the newsletter exemplifies many aspects of the breath and the scope of this committee, thus of the newsletter. We open with the article by Jean-Gabriel Ganascia, Catherine Tessier, and Thomas M. Powers (the former chair of this committee) that examines the threat

posed by the so-called killer robots. The article is related to An Open Letter from AI & Robotics Researchers on Killer Robots, promoted by Elon Musk among many others. The authors share some of the concerns by the signatories of that now well-known open letter; they also point out the number of open questions and conceptual issues in need of clarification. The paper is a call for further discussion of this important topic in military ethics.

Then we present the article New Developments in the LIDA Model by Stan Franklin and his team. Several graduate students and researchers wonder about recent progress of this important cognitive architecture that allows AI to exhibit many of the functionalities of human brain. This is a great informal presentation of those developments, appropriate for philosophers, that covers a number of philosophical topics such as motivations, action and language communication. I find the most interesting the section about the self, where LIDA cognitive architecture follows Shaun Gallagher's (2013) pattern theory of the self.

After those two iconic articles, we have two papers by beginning scholars. Jonathan R. Milton follows up on the article by Troy D. Kelley and Vladislav D. Veksler, "Sleep, Boredom, and Distraction—What Are the Computational Benefits for Cognition?" featured in the fall 2015 issue of this newsletter. In his paper, "Distraction and Prioritization: Combining Models to Create Reactive Robots," Milton provides a more applied instrumentation of Kelley and Veksler's idea that "distractability" is sometimes a beneficial feature for a robot; he also singles out some broader philosophical questions. LIDA turns out to be one of the three main cognitive architectures used for the task. In one of the most controversial papers published in this newsletter, Sky Damos argues that quantum erasers can be used to test animal/robot consciousness. The paper violates a few dogmas of contemporary quantum physics harking back on the state of the theory from *circa* 1950s. At the very least, the paper provides an interesting conceptual possibility how quantum effects, under the traditional Bohr interpretation, could have been used to diagnose consciousness in animals (and, today, in robotic cognitive agents).

We follow up with the paper by Pentti Haikonen, who summarizes the main argument from his recent Finnish-language book devoted to "a new explanation for phenomenal consciousness." Interestingly, Haikonen touches on "the detection problem," but unlike Damos, the author argues that "the actual phenomenal inner experience cannot be detected as such by physical means from outside; it is strictly personal and subjective." In much of his argument, Haikonen zeroes in on the physical interpretation of qualia. Simon Duan also tackles the issue of unification of consciousness and matter within a metacomputational framework. The author proposes a model that assumes the existence of an operating computer in Platonic realm. The physical universe and all of its contents are modeled as processing output of the Platonic computer.

Next is a paper by László Ropolyi, which uses an Aristotelian framework for building philosophy. The author uses very divergent philosophical traditions that include not only

Aristotle but also phenomenology and postmodernism.

Last but not least, Jean-Paul Delahaye and Clément Vidal argue that "that random complexity and organized complexity" are two distinct concepts. By introducing the framework of evolutionary history of the universe the authors attempt to attain a "general measure of complexity." This seems like an important step not only in the theory of complexity, but also in philosophical debate, for instance on Luciano Floridi's non-standard notion of entropy.

Different readers may find different articles in this issue interesting, even fascinating, or deeply disturbing, not worth attention. We have iconic AI figures from the US and France; experts (as well as beginning scholars) in computer ethics, theory of computability, or machine consciousness from France, USA, Finland, Belgium, China, Hungary, and the UK. Many top journals struggle with a very low percentage of accepted paper by non-native speakers, ranging below 5 percent—and even those are often from just a few countries with very strong English education, such as Germany, Israel, Italy, and Scandinavia. The benefit of our publication is to facilitate dialogue between disciplines, traditions, and also regional discourses. Of course, we need to reject a number of articles, but in some cases we work with the authors on different versions of their work, even for years—sometimes to no avail. I feel bad about a noted author from India whose paper went for several rewrites but discourse-specificity, and some of the pre-argumentative givens, seemed overly hard to fit with the general discourse of philosophy. There are always challenges and judgment calls to be made. Yet, interdisciplinary and intercultural dialogue allowed on our forum seems rare and hard to replicate. I find it refreshing how computer scientists try to handle centuries-old philosophical problems with different means while we philosophers may sometimes be able to provide a brainstorming kind of feedback for AI experts and programmers.

FROM THE CHAIR

Marcello Guarini
UNIVERSITY OF WINDSOR

THE 2017 BARWISE PRIZE GOES TO JACK COPELAND

We are pleased to announce that the APA Committee on Philosophy and Computers has awarded the 2017 Barwise Prize to Jack Copeland. Professor Copeland is the world-wide expert on Alan Turing and a leading philosopher of AI, computing and information. He is an author of influential books (2017, 2013, 2012, 2010, 2006, 2005, 2004, 1996, 1993). He has published over a hundred articles, including pioneering work on hypercomputing, which is based on Turing's work but goes far beyond it. He authored the

influential entry, “The Church-Turing Thesis” for the *Stanford Encyclopedia of Philosophy*.

Jack is Distinguished Professor of Philosophy, and Department Head, at the University of Canterbury, New Zealand, where he is Director of the Turing Archive for the History of Computing. He is co-founder and Co-Director of the Turing Centre Zürich (TCZ) at the Swiss Federal Institute of Technology (ETH Zürich), where he is a permanent International Fellow. He is also Honorary Research Professor at the University of Queensland in Australia. He has been a visiting professor at a number of top universities world-wide and keynote speaker at numerous major conferences in the areas of Philosophy and Computing and Philosophy and Cognitive Science. In 2016, he received the international Covey Award, recognizing “a substantial record of innovative research in the field of computing and philosophy.”

In terms of his direct connections to the APA Philosophy and Computers Committee, Jack co-organized with this committee the 2005 and 2006 meeting of the Society for Machines and Mentality at the APA. At the 2005 session he gave a paper entitled “Ontic versus epistemically embedded computation.”

CURRENT ACTIVITIES OF THE COMMITTEE

As well as deliberating over the Barwise Prize, the Philosophy and Computers Committee has been busy organizing sessions for the 2018 Central and Pacific APA meetings. As was announced in the previous edition of our newsletter, committee member Peter Boltuc chaired a session at the Central APA in February, and Fritz McDonald will be chairing a session at the Pacific APA in March.

Readers of the newsletter are encouraged to contact the committee chair (Marcello Guarini, mguarini@uwindsor.ca) if they are interested in proposing a symposium at the APA that engages any of the wide range of issues associated with philosophy and computing. We are happy to continue facilitating the presentation of high quality research in this area.

As most who are reading this newsletter already know, the weather at the 2018 Eastern APA meeting was not exactly accommodating. Thanks to those who were able to make it to our Barwise Prize session to see the 2016 winner of the award, Ed Zalta, give his talk. Many thanks to everyone involved in making that session happen.

FUTURE OF THE COMMITTEE

Piotr Boltuc has been elected the next associate chair of the philosophy and computers committee. Piotr’s term will begin on July 1, 2018. On July 1, 2019, Piotr will become chair of the committee. Daniel Susser and Jack Copeland will join the committee on July 1, 2018, for two-year terms. Thanks to all three for taking on these responsibilities. Fritz McDonald and Gualtiero Piccinini will be coming to the end of their terms in 2018—many thanks to both of them for all their efforts.

As most of you have heard, the APA board of officers has voted to dissolve the “philosophy and X committees.” This

includes the philosophy and law committee, the philosophy and medicine committee, and, yes, even our own philosophy and computers committee. The announcement can be found at <http://www.apaonline.org/news/388037/Changes-to-APA-Committees.htm>.

Our own Piotr Boltuc, in his opening contribution to this issue of the newsletter, makes a very strong case for the continued relevance of the committee. I look forward to continuing to work with Piotr and others to ensure that the issues engaged by our committee continue to be represented in the discourse of the APA. Obviously, many of us hope this takes the form of the APA allowing our committee to exist beyond June 30, 2020—the scheduled phase-out date. Failing that, we hope the interests and concerns of the committee will be included in other committees or APA activities. Please keep looking for our sessions at APA meetings; we have plans to continue organizing them at least through 2020.

ARTICLES

On the Autonomy and Threat of “Killer Robots”

Jean-Gabriel Ganascia

SORBONNE UNIVERSITY; MEMBER OF THE INSTITUT UNIVERSITAIRE DE FRANCE, CHAIRMAN OF THE CNRS ETHICAL COMMITTEE

Catherine Tessier

ONERA AEROSPACE LAB, FRANCE; INFORMATION PROCESSING AND SYSTEMS DEPARTMENT

Thomas M. Powers

UNIVERSITY OF DELAWARE; DEPARTMENT OF PHILOSOPHY AND CENTER FOR SCIENCE, ETHICS & PUBLIC POLICY

INTRODUCTION

In the past, renowned scientists such as Albert Einstein and Bertrand Russell publicly engaged, with courage and determination, the existential threat of nuclear weapons. In more recent times, scientists, industrialists, and business leaders have called on states to institute a ban on what are—in the popular imagination—“killer robots.” In technical terms, they are objecting to LAWS (Lethal Autonomous Weapons Systems), and their posture seems similar to their earlier, courageous counterparts. During the 2015 International Joint Conference on Artificial Intelligence (IJCAI)—which is the premier international conference of artificial intelligence—some researchers in the field of AI announced an open letter warning of a new AI arms race and proposing a ban on offensive lethal autonomous systems. To date, this letter has been signed by more than 3,700 researchers and by more than 20,000 others, including (of note) Elon Musk, Noam Chomsky, Steve Wozniak, and Stephen Hawking.

In the summer of 2017, at the most recent IJCAI held in Melbourne, Australia, another open letter was presented,

signed by the heads of many companies in the fields of robotics and information technologies, among whom Elon Musk was very active. This second letter urged the United Nations to resume its work toward a ban on autonomous weapons, which had been suspended for budgetary reasons.

It is no doubt incumbent on every enlightened person, and in particular on every scientist, to do everything possible to ensure that the industrialized states give up the idea of embarking on yet another mad arms race, the outcome of which might escape human control. This seems obvious, especially since, according to the authors of these two open letters, we would be at the dawn of a third revolution in the art of war, after gunpowder and the atomic bomb.

If these positions appear praiseworthy at first, should we not also wonder about the actual threats of these lethal autonomous weapon systems? To remain generous and sensitive to great humanitarian causes, should we not also remain rational and maintain our critical sensibilities? Indeed, even though considerable ethical problems arise in the evolution of armaments—from landmines to drones, and recently to the massive exploitation of digitized information and electronic warfare—it appears on reflection that this third revolution in the art of war is very obscure. Where the first two revolutions delivered considerable increases in firepower, we find here an evolution of a very different order.

Moreover, the so-called “killer robots” that have been the targets of three years of numerous press articles, open letters, and debates seem to be condemned by sensational and anxiety-laced arguments, mostly to the exclusion of scientific and technical ones. The term “killer robot” suggests a robot that would be driven by the *intention* of killing and would even be *conscious* of that intention, which at this stage in the science does not make sense to attribute to a machine—even one that has been designed for destroying, neutralizing, or killing. For instance, one does not speak of a “killer missile” when it happens that a missile kills someone. “Killer robot” is a term that is deployed for rhetorical effect, that works to hinder ethical discussion, and that aims at manipulating the general public. Do the conclusions of these arguments also hold against “killing robots”? Is there an unavoidable technological path from designing “killing robots” to deploying “killer robots”?

To get a better understanding of these questions, we aim here to put forward a detailed analysis of the 2015 open letter, which was one of the first public manifestations of the desire to ban LAWS. Our reservations concerning the declarations that this letter contains should help to open the scientific and philosophical debates on the controversial issues that lie at the heart of the matter.

THE ARGUMENT FOR A BAN

The 2015 open letter was revealed to journalists and, by extension, to a broad audience during the prestigious IJCAI in Buenos-Aires, Argentina. In its first sentence, the letter warned that “[a]utonomous weapons select and engage targets without human intervention,” and concluded after four short paragraphs by calling for a ban on offensive

forms of such weapons. This public announcement had been preceded by an invitation for signatories within the AI scientific community and beyond, including a wider community of researchers, technologists, and business leaders. Many of the most prominent AI and robotics researchers signed it, and outside the AI community many prominent people brought their support to this text. Initially, the renown and humanitarian spirit of the co-signers may have inclined many people to subscribe to their cause. Indeed, the possibility of autonomous weapons that select their targets and engage lethal actions without human intervention appears really terrifying.

However, after a careful reading of the first open letter, and in consideration of the subsequent public statements on the same topics—e.g., the IJCAI 2017 (second) open letter and video¹ that circulated widely on the web towards the end of 2017—we think a closer analysis of the deployed arguments clearly shows that the letter raises many more questions than it solves. Despite the fame and the scientific renown of the signatories, many statements in the letter seem to be questionable from a scientific point of view. In addition, the text encompasses declarations that are highly disputable and that will certainly be belied, very soon, by upcoming technological developments. These are the reasons why, as scientists and experts in the field, it seems incumbent upon us to scrutinize the claims that these public announcements contain and to re-open the debate. We are not disparaging the humanitarian aims of the authors of the letter; we do, however, want to look more closely at the science and the ethics of this issue. Even though we share the same feeling of unease that has likely motivated the authors and the signatories of these open letters, we want to bring into focus where, we believe, the scientific case is lacking for the normative conclusion they draw.

For ease of reference, the content of the 2015 Open Letter has been appended to this article, with numbered lines added to facilitate comparison between our text and theirs.

The first paragraph (l. 10–17) describes recent advances in artificial intelligence that will usher in a new generation of weapons that qualify as autonomous because they “*select and engage targets without human intervention.*” These weapons will possibly be deployed “*within years, not decades*” and will constitute “*the third revolution in warfare, after gunpowder and nuclear arms.*” The next paragraph (l. 18–33) explains why a military artificial intelligence arms race would not be beneficial for humanity. The two main arguments are, first, that “*if any major military power pushes ahead with AI weapon development, a global arms race is virtually inevitable,*” and second, as a consequence, “*autonomous weapons will become the Kalashnikovs of tomorrow*” (i.e., they will become ubiquitous because they will be cheap to produce and distribution will flow easily from states to non-state actors). In addition, this paragraph warns that autonomous weapons are “*ideal*” for dirty wars (i.e., “*assassinations, destabilizing nations, subduing populations and selectively killing a particular ethnic group*”). The third paragraph (l. 34–40) draws a parallel between autonomous weapons and biological or chemical weapons, the development of which most scientists have rightly shunned. AI researchers, it is implied, would “*tarnish*

their field” by developing AI weapons. Finally, the last paragraph (l. 41–44) summarizes the content of the letter and then calls for a ban on offensive autonomous weapons.

Our perplexity comes from these four aspects of the general argument, as developed in the letter:

- 1) The notion of “autonomous weapon” that motivates the letter is obscure; its novelty and what distinguishes it from AI weapons in general are sources of confusion. At least this much is certain: not all AI weapons are autonomous, according to the definition given by the authors (selecting and engaging targets without human intervention). Contrary to what is claimed, the technical feasibility of autonomous weapons deployment in the near future is far from obvious.
- 2) Despite the dramatic illustrations given in the letter and repeated in the video to which we referred above, the specific noxiousness of autonomous weapons that makes them “ideal” for dirty military actions and that differentiates them from current weapons is not obvious from a technical point of view.
- 3) The analogy between the current attitude of AI scientists faced with the development of autonomous weapons and the past attitude of scientists faced with the development of chemical and biological weapons is far from clear. Besides, the parallel between the supposed outbreak of autonomous weapons in contemporary military theaters and the advent of gunpowder or nuclear bombs in warfare is highly debatable.
- 4) Lastly, the ban on offensive autonomous weapons is not new and is already being discussed by military leaders themselves, which makes this declaration somewhat irrelevant.

The remainder of this article is dedicated to a deeper analysis of the four points above.

AUTONOMOUS WEAPONS

What exactly is the notion of “autonomous weapon” to which the letter refers? Autonomy is the capability for a machine to function independently of another agent (human, other machine) exhibiting non-trivial behaviors in complex, dynamic, unpredictable environments.² The autonomy of a weapon system would involve sensors to assist in automated decisions and machine actions that are calculated without human intervention. Understood in this way, autonomous weapons have already existed for some time, as exemplified by a laser-guided missile that “hangs” a target.

The current drones that are operated and controlled manually at more than 3,000 km from their objectives use such autonomous missiles. If this were the meaning of “autonomous weapons” in this letter, the notion would correspond only to a continuous progression in military techniques. In other words, this would just be

an augmentation in the distance between the “soldier” (or, more precisely, the operator) and its target. In this respect, among a bow and arrow, a musket, a gun, a canon, a bomber, and a drone, there is just a difference in the order of magnitude of the arms’ ranges. However, the text of the open letter does not say this, but rather claims that (l. 10) *[a]utonomous weapons select and engage targets without human intervention*. The question, then, is not about the range of action but about the “logical” nature of the weapon: until now, and for centuries, a human soldier aimed at the target before firing, while in the future, with autonomous weapons, the target will be abstractly specified in advance. In other words, the mode of designating the target changes. While up to now, the objective, i.e., the target, was primarily an index on which the human aimed, in the near future it will just become an abstract symbol designated by a predefined rule. Since no human is involved in triggering the lethal action, this evolution of warfare seems terrifying, which would justify the concerns of the open letter.

Let us note that the concept of “autonomy” is problematic, firstly because various stakeholders (among them, scientists) give the term multiple meanings.³ An “autonomous weapon” can thus designate a machine that reacts automatically to certain predefined signals, that optimizes its trajectory to neutralize a target for which it has automatically recognized a predefined signature, or that automatically searches for a predefined target in a given area. Rather than speaking of “autonomous weapons,” it seems more relevant to study which functions are or could be automated, which is to say, delegated to computer programs. Further, we should want to understand the limitations of this delegation, in the context of a sharing of authority (or control) with a human operator, which sharing may vary during the mission.

Guidance and navigation functions have been automated for a long time (e.g., automatic piloting) and have not raised significant questions. These are non-critical operational functions. But automatic identification and targeting are more sensitive functions. Existing weapons have target recognition capabilities based on predefined models (or signatures): the recognition software matches the signals received by the sensors (radar signals, images, etc.) with its signature database. This recognition generally concerns large objects that are “easy” to recognize (radars, airbases, tanks, missile batteries). But the software is unable to assess the situation around these objects—for example, the presence of civilians. Targeting is carried out under human supervision, before and/or during the course of the mission.

INELUCTABILITY

The authors seem to suggest that this evolution is ineluctable because, if specification of abstract criteria and construction of the implementing technology is cheaper and faster than recruiting and training soldiers, and assuming that modern armies have the financial and technical wherewithal to make these weapons, then autonomous weapons will eventually predominate. This complicated point deserves some more in-depth analysis, since the definition of the *criteria* to which the open letter refers appears sometimes

very problematic, despite the progress of AI and machine learning techniques. Many problems remain to be solved. For instance, how will the technology differentiate enemies from friends in asymmetric wars, where the soldiers don't wear uniforms? More generally, when humans are not able, on the basis of a given set of information, to discriminate cases that meet criteria from cases that don't, how will machines do better? If humans cannot discern, from photos, which are the child soldiers and which are children playing war, it is illusory to hope to build a machine that automatically learns these criteria, on the basis of the same set of information. Will algorithms be able to recognize a particular individual from their facial features, a foe from their military uniform, a person carrying a gun, a member of a particular group, a citizen of a particular country whose passport will be read from a remote device? It will be impossible to build a training set.

In recognition of these remaining problems, it seems that the supposed ineluctability of the evolution that would spring from the AI state of the art is debatable, and certainly not "*feasible within a few years*" as the letter claims. It would have been more helpful had the authors of the letter elaborated on what precisely will be feasible in the near future, especially as far as automated situation assessment is concerned. The assertion that full-blown autonomous weapons are right around the corner would then have been placed in context.

ON THE FORMAL SPECIFICATIONS OF AUTONOMY

Current discussions and controversies focus on the fact that an autonomous weapon would have the ability to recognize complex targets in situations and environments that are themselves complex and would be able to engage (better than can humans) such targets on the basis of this recognition. Such capabilities would suppose the weapon system has the following abilities:

- to have a formal (i.e., mathematical) description of the possible states of the environment, of the elements of interest in this environment, and of the actions to be performed, even though there is no "standard situation" or environment
- to recognize a given state or a given element of interest from sensor data
- to assess whether the actions that are computed respect the principles of humanity (avoid unnecessary harms), discrimination (distinguish military objectives from populations and civilian goods), and proportionality (adequacy between the means implemented and the intended effect) of the International Humanitarian Law (IHL)

Issues of a philosophical and technical nature are related to the ability of the system to automatically "understand" a situation, and in particular to automatically "understand" the intentions of potential targets. Today, weapon system actions are undertaken with human supervision, following a process of assessment of the situation, which seems

difficult to formulate mathematically. Indeed, the very notion of agency, when humans and non-human systems act in concert, is quite complicated and also fraught with legal peril.

Beyond the philosophical and technical aspects, another issue is whether it is ethically acceptable that the decision to kill a human being, who is identified as a target by a machine, can be delegated to this machine. More specifically, with respect to the algorithms of the machine, one must wonder how and by whom the characterization, model, and identification of the objects of interest would be set, as well as the selection of *some* pieces of information (to the exclusion of some others) to compute the decision. Moreover, one must wonder who would specify these algorithms and how it would be proven that they comply with international conventions and rules of engagement. And as we indicated above, the accountability issue is central: Who should be prosecuted in case of violation of conventions or misuse? It is our contention that these difficult formal issues will delay (perhaps indefinitely) the advent of the sort of autonomous weapons that the authors so fear.

Finally, it is worth noting that the definition of autonomous weapons (*Autonomous weapons select and engage targets without human intervention* (l. 10)) comes from the 2012 US Department of Defense Directive Number 3000.09 (November 21, 2012. Subject: Autonomy in Weapon Systems). Nevertheless, the authors of the letter have truncated it. As a matter of fact, the complete definition given by the DoD directive is the following: *Autonomous weapon system: a weapon system that, once activated, can select and engage targets without further intervention by a human operator. This includes human-supervised autonomous weapon systems that are designed to allow human operators to override operation of the weapon system, but can select and engage targets without further human input after activation.*

From the DoD directive, one learns in particular that (3) "*Autonomous weapon systems may be used to apply non-lethal, non-kinetic force, such as some forms of electronic attack, against materiel targets*" in accordance with DoD Directive 3000.3. Therefore, we should bear in mind that a weapon (in general) should be distinguished from a lethal weapon. Indeed, a weapon system is not necessarily a system that includes lethal devices.

Hence, the proffered, alarming example of what autonomous weapons technology could bring—"armed quadcopters that can search for and eliminate people meeting certain pre-defined criteria" (l. 11–12)—seems more fitting for the tabloid press. For this example to be taken seriously, some of those targeting criteria should be made explicit, and current and future technology should be examined as to whether a machine would be able to assign instances to criteria, with no uncertainty, or with less uncertainty than a human assessment. For example, the criterion "target is moving"—for which no AI or autonomy is required—is very different from the criterion "target looks like this sketch and attempts to hide."

HARMFULNESS

The second paragraph (l. 18–33) is mainly focused on the condemnation of automated weapons.

THE ETHICS OF ROBOT SOLDIERS

From the beginning, this paragraph seems intended to measure the costs and benefits of autonomous weapons, but it proceeds too quickly by dismissing debates about the possible augmentation or diminution of casualties with AI-based weapons. While the arguments for augmentation rely upon the possible multiplication of armed conflicts, the arguments for diminution seem to be based on the position of the roboticist Ronald Arkin.⁴ According to Arkin, robot soldiers would be more ethical than human soldiers because autonomous machines would be able to keep their “blood cold” in any circumstance and to obey the laws of the conduct of a just war. Note that this argument is suspect because the relevant part of just war laws—the conditions for just conduct or *jus in bellum*—are based on two further principles. As we indicated above, the principle of *discrimination*, according to which soldiers have to be distinguished from civilians, and the principle of *proportionality*, which limits a response to be proportional to the attack, are both crucial to building an ethical robot soldier. Neither discrimination nor proportionality can be easily formalized, so it is unclear how robot soldiers could obey the laws of just war. The problem is that, as mentioned in the previous section, there is no obvious way to extract concrete objective criteria from these two abstract concepts. However, interestingly, the open letter never mentions this formal problem, even though it could help to reinforce its position against autonomous weapons.

IDEAL WEAPONS FOR DIRTY TASKS

The main argument concerning the harmfulness of autonomous weapons is that they “are ideal for tasks such as assassinations, destabilizing nations, subduing populations, and selectively killing a particular ethnic group.” The different harms belonging to this catalog appear to be highly heterogeneous. What is common to these different goals? Further, the adjective “ideal” is particularly obscure. Does it mean that these weapons are perfectly appropriate for the achievement of those dirty tasks? If that is the case, it would have helped to give more details and to show how autonomous weapons would facilitate the work of assailants. Such an elaboration would have been important because, at first glance, there is no evidence that autonomous weapons will be more precise than classical weapons (e.g., drones) for assassination or selective killing of a particular ethnic group. Indeed, it is difficult to imagine how autonomous machines could select, more efficiently than other weapons, the individuals that are to be killed, or discern expeditiously members of human groups, depending on their race, origin, or religion. Finally, the underlying premise of the “harmfulness” argument is worth questioning, for it is not clear that those conducting “dirty wars” care much about precision or selectivity. Indeed, this “not caring” may be a central trait of the “dirtiness” of such aggression.

NECESSARY DISTINCTIONS

Underlying the discussion of these loosely related “dirty” tasks and a possible arms race, there is a confusion

between three putative properties of autonomous weapons that, taken one by one, are worth discussing: firepower, precision, and diffusion. Despite the reference to gunpowder and nuclear weapons (l. 16–17, 24, 40), there is no direct relation between autonomy of arms and their firepower. Further, it is not any more certain that autonomous weapons would reach their targets more precisely than classical weapons. The series of “drone papers”⁵ shows how difficult it is to systematize human targets selection and to automatically gather exact information on individuals by screening big data. Lastly, the argument about the diffusion of autonomous weapons is in contradiction with the supposed specific role of major military powers in autonomous weapon development. More precisely, the problem appears when we consider the following claims:

- 1) *If any major military power pushes ahead with AI weapon development, a global arms race is virtually inevitable* (l. 21–23), (which we consider to be probable)
- 2) *autonomous weapons will become the Kalashnikovs of tomorrow* (l. 24), (which is also possible)

However, even if claims 1 and 2 above are plausible separately, they seem jointly implausible. (By comparison, the development of nuclear weapons *did* start an arms race, but also kept nuclear armaments out of the hands of all but the “nuclear club” of nations.) There may even be an antinomy between 1 and 2, because if *only* major military powers would be able to promote scientific programs to develop autonomous weapons, then it is likely that these scientific programs would be too costly to develop for industries, without rich state support, or for poor countries or non-state actors, which means that these arms couldn’t so quickly become sufficiently cheap that they would spread throughout all humankind. Some weapons might be more easily replicated, once information technologies have been developed, and military powers could act as pioneers in that respect. However, nowadays, it appears that military industries are not guiding technical development in information technologies, as was the case in the twentieth century (at least until the end of the seventies), but that more often the opposite is the case: information technology industries (and dual-purpose technologies) are ahead of the military technologies. Undoubtedly, information technology industries would become prominent in developing autonomous weapons technologies if there were a mass market for autonomous weapons, as the authors of this open letter assume. Lastly, if these technologies were potentially so cheap that they could be spread widely, there would be a strong incentive for the major military powers to keep “a step ahead” to ensure the security of their respective populations.

The paragraph ends with a rather strange sentence (l. 32–33): “*There are many ways in which AI can make battlefields safer for humans, especially civilians, without creating new tools for killing people.*” This suggests that AI would benefit defense whereas autonomous weapons would not. Nevertheless, what has been argued previously against autonomous weapons can fit all other AI applications in

defense in the same way. Moreover, and to add to the confusion in this claim, the terms *autonomous weapon* (l. 10, 15, 18, 24, 29, 43), *AI weapon* (l. 22, 35) and *AI arms* (l. 21, 31, 42) seem, for the authors, to be interchangeable or synonymous phrases. Yet equipping a weapon, whether lethal or not, with some AI (e.g., a path-planning function) does not necessarily make it autonomous, and conversely, some forms of autonomy (e.g., an autopilot) may hinge on automation without involving any AI.

ANALOGIES WITH OTHER WEAPONS

A third central claim in the general argument concerns military analogies with other weapons: nuclear weapons on the one hand and biological and chemical weapons on the other. All of these parallels are troublesome.

THIRD REVOLUTION IN WARFARE

It is announced (l. 15–17) that the development of autonomous weapons would correspond to a third revolution in warfare, after gunpowder and nuclear weapons. Later, the analogy with nuclear weapons is repeated twice (l. 24 and l. 40) in order either to draw connections or to underline differences. Based on our observations above, it does not seem that autonomous weapons will lead to an augmentation in firepower but, instead, to an increase in the distance between the soldier and his/her target. If there is something innovative in autonomous weaponry, it is in *range* rather than *power*. Therefore, it would have been better to compare autonomous weapons with the bow and arrow, the musket, or the bomber drone instead of with weapons for which incidence range is totally heterogeneous.

PARALLEL WITH CHEMICAL AND BIOLOGICAL WEAPONS

The third paragraph draws a parallel between autonomous weapons and weapons that have been considered morally repugnant, such as the chemical and biological weapons that scientists don't develop anymore, because they "have no interest in building" them, and they "do not want others to tarnish their field by doing so" (l. 34–36).

The comparison is questionable. Indeed, historically, it is mostly German and French chemists who developed many chemical weapons (mustard gas, phosgene, etc.) during the Great War. Similarly, Zyklon B had been conceived by Walter de Heerd, a student of Fritz Haber, recipient of Nobel Prize in Chemistry, as a pesticide. The ban on chemical and biological weapons did not spring from scientists but from the collective consciousness, after the First World War, of the horrors of their use.

In a somehow different register, the scientific community didn't oppose, as a whole, the development and deployment of nuclear weapons. The presence of a large number of great physicists in military nuclear research centers attests to this fact.

In terms of the parallel, it is far from clear that AI will lead to autonomous weapons, and far from clear that autonomous weapons will be widely viewed as morally abhorrent, compared to the alternatives.

THE BAN CLAIM

A BAN ON OFFENSIVE AUTONOMOUS WEAPONS

The final paragraph proposes a "ban on offensive autonomous weapons beyond meaningful human control" (l. 43–44). Nonetheless, the authors should know that many discussions have already taken place, that scientists have barely participated in these discussions, and that in the United States, in 2012, the Defense Department already decided on a moratorium on the development and the use of autonomous and semi-autonomous weapons for ten years (see above reference to the DoD Directive 3000.09). For several years, the United Nations has also been concerned about this issue. It is therefore difficult to understand the exact position of the scientific authors of the letter, especially if it does not invoke the debates that have already taken place, and to the extent that it relies on some not-altogether-germane considerations—precision, ubiquity, illicit use, firepower, etc.—such as we have explained above.

In short, the conclusion of a ban does not seem to be justified by the general argument of the letter (given the problems we have noted), nor by the novelty of the position they are staking out. There is a ban, and states are not racing ahead to deploy offensive, lethal, autonomous weapons systems. But might we be missing something? Might the authors foresee a deeper reason for scientists and technologists to eliminate the *very possibility* of an unlikely but terrifying threat?

Such would be the conclusion of an argument from the "precautionary principle," which could be the motivating principle of the ban. The precautionary principle is often invoked in environmental ethics, especially in assessing geo-engineering to combat climate change. The idea is that, while new technologies promise benefits, the threat of them going astray is so cataclysmic in terms of their costs that we must act to eliminate the threat, even when the likelihood of cataclysm is very small. The imagined threat here would be the continued development of autonomous weapon systems leading to a military AI arms race, or the mass proliferation of AI weapons in the hands of unscrupulous non-state actors, as the authors of the open letter envision.

Wallach and Allen discussed a similar argument against AI in their 2009 book *Moral Machines*.⁶

The idea that humans should err on the side of caution is not particularly helpful in addressing speculative futuristic dangers. This idea is often formulated as the "precautionary principle" that if the consequences of an action are unknown but are judged to have some potential for major or irreversible negative consequences, then it is better to avoid that action. The difficulty with the precautionary principle lies in establishing criteria for when it should be invoked. Few people would want to sacrifice the advances in computer technology of the past fifty years because of 1950s fears of a robot takeover.

In answer to the "precautionary" challenge to autonomous weapons, it seems that Wallach and Allen provide the

right balance between ethical concern and scientific responsibility:

The social issues we have raised highlight concerns that will arise in the development of AI, but it would be hard to argue that any of these concerns leads to the conclusion that humans should stop building AI systems that make decisions or display autonomy. [. . .] We see no grounds for arresting research solely on the basis of the issues presently being raised by social critics or futurists.

SCIENTIFIC AUTHORS

Let us end by going to the beginning—with a consideration of the title (l. 8–9): “Autonomous Weapons: An Open Letter from AI & Robotics Researchers.”

Who exactly are the AI and Robotics Researchers who wrote the open letter? As a matter of fact, nothing in their presentation allows those who wrote the letter to be distinguished from those who have signed it. The question is all the more important, as some tensions within the arguments of the text suggest that some negotiations took place. In any case the open letter cannot appear as coming from all AI and robotics researchers. Some members of this community, both in Europe and in the United States—not to mention the authors of this present article—have already disagreed with the content of the open letter.

To conclude, scientists and members of the artificial intelligence community may not wish to adhere to the position expressed in the open letter, not because they are interested in developing autonomous weapons or are not “sufficiently humanitarian,” but because the arguments conveyed in the letter are not sufficiently grounded in science. We think it is our duty to publicly express our disagreement because when scientists communicate in the public sphere, not as individuals, but as a scientific community as a whole, they must be sure that the state of the art of their scientific knowledge fully warrants their message. Otherwise, such public pronouncements are nothing more than expressions of one opinion among others, and may lead to more misinformation than comprehension—they may generate “more heat than light.”

It is also worth sounding another cautionary note here. When scientists decide to take the floor in the public arena, they ought to ensure that their scientific knowledge fully justifies their declarations. In these times, which some commentators have declared as a “post-truth era,” the rigor of scientists’ arguments is more important than ever in order to fight fake-news. This can only be ascertained after they engage in debate in their respective scientific communities, especially when some of their colleagues are not in agreement with them. Otherwise, without such open dialogue—discussions which are crucial in scientific communities to establish claims of knowledge—the public may come to doubt future declarations of scientists on ethical matters, especially if they concern technological threats. Any scientific pronouncement, whether meant for an expert community or addressed to the public, ought to take utmost care to preserve scientific credibility.

APPENDIX

- 1 Embargoed until 4PM EDT July 27 2015/5PM Buenos Aires/6AM July 28 Sydney
- 2 This open letter will be officially announced at the opening of the IJCAI 2015 conference
- 3 on July 28, and we ask journalists not to write about it before then. Journalists who wish
- 4 to see the press release in advance of the embargo lifting may contact [Toby Walsh](#).
- 5 Hosting, signature verification and list management are supported by FLI; for
- 6 administrative questions about this letter, please contact tegment@mit.edu.
- 7
- 8 **Autonomous Weapons: An Open Letter from AI & Robotics**
- 9 **Researchers⁷**
- 10 Autonomous weapons select and engage targets without human intervention. They
- 11 might include, for example, armed quadcopters that can search for and eliminate people
- 12 meeting certain pre-defined criteria, but do not include cruise missiles or remotely
- 13 piloted drones for which humans make all targeting decisions. Artificial Intelligence (AI)
- 14 technology has reached a point where the deployment of such systems is—practically if
- 15 not legally—feasible within years, not decades, and the stakes are high: autonomous
- 16 weapons have been described as the third revolution in warfare, after gunpowder and
- 17 nuclear arms.
- 18 Many arguments have been made for and against autonomous weapons, for example
- 19 that replacing human soldiers by machines is good by reducing casualties for the owner
- 20 but bad by thereby lowering the threshold for going to battle. The key question for
- 21 humanity today is whether to start a global AI arms race or to prevent it from starting. If
- 22 any major military power pushes ahead with AI weapon development, a global arms
- 23 race is virtually inevitable, and the endpoint of this technological trajectory is obvious:
- 24 autonomous weapons will become the Kalashnikovs of tomorrow. Unlike nuclear
- 25 weapons, they require no costly or hard-to-obtain raw materials, so they will become
- 26 ubiquitous and cheap for all significant military powers to mass-produce. It will only be
- 27 a matter of time until they appear on the black market and in the hands of terrorists,
- 28 dictators wishing to better control their populace, warlords wishing to perpetrate ethnic
- 29 cleansing, etc. Autonomous weapons are ideal for tasks such as assassinations,
- 30 destabilizing nations, subduing populations and selectively killing a particular ethnic
- 31 group. We therefore believe that a military AI arms race would not be beneficial for
- 32 humanity. There are many ways in which AI can make battlefields safer for humans,
- 33 especially civilians, without creating new tools for killing people.
- 34 Just as most chemists and biologists have no interest in building chemical or biological
- 35 weapons, most AI researchers have no interest in building AI weapons—and do not
- 36 want others to tarnish their field by doing so, potentially creating a major public
- 37 backlash against AI that curtails its future societal benefits. Indeed, chemists and
- 38 biologists have broadly supported international agreements that have successfully
- 39 prohibited chemical and biological weapons, just as most physicists supported the
- 40 treaties banning space-based nuclear weapons and blinding laser weapons.
- 41 In summary, we believe that AI has great potential to benefit humanity in many ways,
- 42 and that the goal of the field should be to do so. Starting a military AI arms race is a bad
- 43 idea, and should be prevented by a ban on offensive autonomous weapons beyond
- 44 meaningful human control.

NOTES

1. <https://www.youtube.com/watch?v=9CO6M2HsoIA>
2. Alexei Grinbaum, Raja Chatila, Laurence Devillers, Jean-Gabriel Ganascia, Catherine Tessier, and Max Dauchet, “Ethics in Robotics Research: CERN Recommendations,” *IEEE Robotics and Automation Magazine* (January 2017). doi: 10.1109/MRA.2016.2611586.
3. Vincent Boulanin and Maaïke Verbruggen, “Mapping the Development of Autonomy in Weapon Systems,” Stockholm International Peace Research Institute (SIPRI) (November 2017) https://www.sipri.org/sites/default/files/2017-11/siprireport_mapping_the_development_of_autonomy_in_weapon_systems_1117_0.pdf.
The IEEE Global Initiative on Ethics of Autonomous and Intelligent Systems. Ethically Aligned Design: A Vision for Prioritizing Human Well-Being with Autonomous and Intelligent Systems, Version 2. IEEE, 2017, http://standards.ieee.org/develop/indconn/ec/autonomous_systems.html.
4. Ronald Arkin, *Governing Lethal Behavior in Autonomous Robots* (Chapman & Hall/CRC Press, 2009).
5. A series of papers published by an online publication (“The Intercept”) details the drone assassination program of US forces in Afghanistan, Yemen, and Somalia. Available at <https://theintercept.com/drone-papers/>.
6. Wendell Wallach and Collin Allen, *Moral Machines: Teaching Robots Right from Wrong* (Oxford University Press, 2009), 52–53.
7. <https://futureoflife.org/open-letter-autonomous-weapons/>

New Developments in the LIDA Model

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INTRODUCTION

Systems-level cognitive models are intended to model minds, which we take here to be control structures¹ for autonomous agents.² The LIDA (Learning Intelligent Decision³ Agent) systems-level cognitive model is intended to model human minds, some animal minds, and some artificial minds, be they software agents or robots. LIDA is a conceptual and partly computational model that serves to implement and flesh out a number of psychological theories,⁴ in particular the Global Workspace Theory of Baars.⁵ Hence any LIDA agent, that is, any agent whose control structure is based on the LIDA Model, is at least functionally conscious.⁶ Research on LIDA has entered its second decade.⁷ This note is intended to summarize some of the newer developments of the LIDA Model.

THE LIDA TUTORIAL

The LIDA Model is quite complex consisting of numerous independently and asynchronously operating modules (see Figure 1). It has been described in more than fifty published papers, presenting a considerable challenge to any would-be student of the model. Thus the recent appearance of a LIDA tutorial paper summarizing the contents of these earlier papers, as well as new material, is a significant new LIDA development.⁸ The tutorial reduces the fifty some-odd papers into only fifty some-odd pages of text and figures.

AI: ITS NATURE AND FUTURE

In 2016, Oxford University Press published philosopher/cognitive scientist Margaret Boden's *AI: Its Nature and Future*, which pays considerable attention to our LIDA Model.

Pointing out that LIDA "arises from a unified, systems-level theory of cognition," Boden goes on to speak of LIDA as being "deeply informed by cognitive psychology, having been developed for scientific, not technological, purposes," and "designed to take into account a wide variety of well-known psychological phenomena, and a wide range of experimental evidence." She says that "integrating highly

diverse experimental evidence," LIDA is used "to explore theories in cognitive psychology and neuroscience." She also says that "the philosophical significance of LIDA, for instance, is that it specifies an organized set of virtual machines that shows how the diverse aspects of (functional) consciousness are possible." And Boden points out that the LIDA Model speaks to the "binding" problem, to the frame problem, and avoids any central executive.⁹

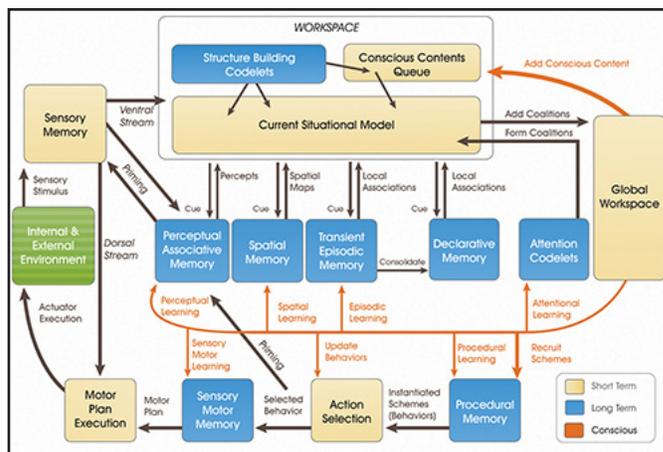


Figure 1. The LIDA Cognitive Cycle.

ACTION EXECUTION

The LIDA Model attempts to model minds generally, providing an architecture for the control structure of any number of different LIDA-based agents. Thus, the LIDA Model in its general form must remain uncommitted to particular mechanisms or specifications for senses, actions, and environments. Each of its many independent and asynchronous modules, mentioned above, must allow for implementation so as to serve various agents with a variety of senses, actions, and environments.

Two of LIDA's most recently developed modules are devoted to action execution, which is concerned with creating a motor plan for a selected goal-directed behavior, and executing it. A motor plan template transforms a selected behavior into a sequence of executable actions. The Sensory Motor Memory (see Figure 1 above) learns and remembers motor plan templates.¹⁰ Based on the subsumption architecture,¹¹ our LIDA agent testing this module adds analogs of the visual system's dorsal and ventral streams to the model. Given an appropriate motor plan for the selected behavior, the Motor Plan Execution module instantiates a suitable motor plan and executes it.¹² Together the two modules allow a LIDA-based agent to execute a selected action, quite important for any autonomous agent.

We have also introduced a new type of sensorimotor learning to the LIDA Model.¹³ Using reinforcement learning, it stores and updates the rewards of pairs of data, motor commands, and their contexts, allowing the agent to output effective commands based on its reward history. As is all learning in LIDA, this sensorimotor learning is cued by the agent's conscious content. A dynamic learning

rate controls the effect of the newly arriving reward. The mechanism controlling the learning rate is inspired by the memory of errors hypothesis from neuroscience.¹⁴ Our computer simulations indicate that using such a dynamic learning rate improves movement performance.

SPATIAL MEMORY

In any cognitive system, memory is most generally defined as the encoding, storing, and recovery of information of some sort. The storage can be over various time scales. Cognitive modelers, and cognitive scientists in general, tend to divide the memory pie in many different ways. The LIDA Model has separate, asynchronous modules for memory systems of diverse informational types. (In Figure 1, the modules for various long-term memory systems are dark colored.) Much earlier research was devoted to Perceptual Associative Memory, Transient Episodic Memory, Declarative Memory, and Procedural Memory. (In all these cases, there is much left to be done.) Recent work on Sensory Motor Memory was discussed in the preceding section.

Over the past couple of years we have begun to think seriously about how best to represent data in Spatial Memory, representations of spatial information concerning objects in the agent's environment, and its location within it. We picture long-term Spatial Memory as consisting of hierarchies of cognitive maps, each representing the size, shape, and location of objects, and the directions and distances between them. In addition to long-term spatial memory, LIDA's working memory may contain one or a few cognitive map segments and facilitate planning and updating. Inspired by place and grid cells involved in spatial representations in mammalian brains, cognitive map representations in LIDA also consist of hierarchical grids of place nodes, which can be associated with percepts and events. We have implemented prototype mechanisms for probabilistic cue integration and error correction to mitigate the problems associated with accumulating errors from noisy sensors (see the section on uncertainty below). So far we have only experimented with how human agents mentally represent such cognitive maps of neighborhoods.¹⁵

MOTIVATION

Every autonomous agent, be it human, animal, or artificial, must act in pursuit of its own agenda.¹⁶ To produce that agenda requires motivation. Actions in the LIDA Model are motivated by feelings, including emotions—that is, feelings with cognitive content.¹⁷ An early paper lays this out and relates feelings in this context to both values and utility.¹⁸ More recent work fleshes out just how feelings play a major role in motivating the choice of actions.¹⁹ Feelings arise in Sensory Memory (see Figure 1), are recognized in Perceptual Associative Memory, and become part of the percept that updates the Current Situational Model. There they arouse structure building codelets to produce various options advocating possible responses to the feeling, in accordance with appraisal theories of emotion.²⁰ The most salient of these wins the competition for consciousness in the Global Workspace and is broadcast, in particular, to Procedural Memory. There schemes proposing specific actions to implement the broadcast option are instantiated

and forwarded to Action Selection, where a single action is selected as a response to the original feeling. Thus, feelings act as motivators.

SELF

Any systems-level cognitive model such as our LIDA Model that aspires to model consciousness must attempt to account for the notion of self with its multiple aspects. We have made one attempt at describing how a number of different "selves" could be constructed within the LIDA Model.²¹ These include the minimal (or core) self with its three sub-selves, self as subject, self as experiencer, and self as agent. The sub-selves of the extended self are comprised of the autobiographical self, the self-concept, the volitional (or executive) self, and the narrative self.

More recently we have begun to augment this account by combining these constructs with key elements of Shaun Gallagher's pattern theory of self, namely, his meta-theoretical list of aspects.²² These include minimal embodied aspects, minimal experiential aspects, affective aspects, intersubjective aspects, psychological/cognitive aspects, narrative aspects, extended aspects, and situated aspects. We explore the use of the various aspects of this pattern theory of self in producing each of the various selves within the LIDA Model. The three types of minimal self are all implemented using only minimal embodied aspects and minimal experiential aspects. All of these can be created within the current LIDA Model. The four types of extended self will require all eight aspects in the list. Some of these will require additional processes to be added to the LIDA Model.

This use of pattern theory is helping us to clarify various theoretical issues with including various "selves" in the LIDA Model, as well as open questions such as the relationships between different sub-selves. Using pattern theory also can enable us to set benchmarks for testing for the presence of various types of self in different LIDA-based agents.

CYCLIC TO MULTICYCLIC PROCESSES

The LIDA Model begins its fleshing out of Global Workspace Theory by postulating a cognitive cycle (see Figure 1 for a detailed diagram), which we view as a cognitive atom from which more complex cognitive processes are constructed. A LIDA agent spends its "life" in a continual, cascading (overlapping) sequence of such cognitive cycles, each sensing and understanding the agent's current situation, and choosing and executing an appropriate response. Such cycles occur five to ten times a second in humans.²³ The first decade or more of our research was devoted to trying to understand what happens during a single cognitive cycle, taking in humans 200 to 500 ms. Now, having at least a partial overall discernment of the activity of a single cycle, we feel emboldened to turn some of our attention to more complex multi-cyclic processes such as planning, reasoning, and deliberation.

LANGUAGE

LIDA has been criticized for focusing on low intelligence tasks, and lacking high cognitive functions such as language understanding.²⁴ To overcome this gap, and initiate language processing in the LIDA architecture,

learning the meaning of the vervet monkey alarm calls was simulated. Field studies revealed the existence of three distinct alarm calls.²⁵ Each call is emitted to warn the rest of the group of the danger from a predator in the vicinity. Upon hearing a particular alarm call, vervet monkeys typically escape into safe locations in a manner appropriate to the predator type signaled by that alarm. A LIDA-based agent that learns the meaning of these alarm calls has been developed.²⁶ LIDA's perceptual learning mechanism was implemented to associate each alarm call with three distinct meanings: an action-based meaning, a feeling-based meaning, and a referential-based meaning. This multiple-meaning-assessment approach aligns with our ultimate goal of modeling human words that must convey multiple meanings. A manuscript describing this research has been submitted, reviewed, revised, and resubmitted.²⁷

LIDA'S HYPOTHESIS REGARDING BRAIN RHYTHMS

Marr proposed three levels of analysis for cognitive modeling—the computational, the representational/algorithmic, and the implementational.²⁸ As a general model of minds, LIDA's core concepts possess an applicability that spans many possible domains and implementations. Accordingly, LIDA's primary area of interest lies within Marr's computational and algorithmic levels. However, many classes of biological mind fall within LIDA's purview, and modeling biological minds from the perspective of the LIDA Model requires careful attention to the available evidence and the competing theories regarding the way in which brains affect control structures for behavior in humans and certain non-human animals.

A helpful metaphor may be found in the example problem of reverse engineering a software program. The primary goal is to uncover the algorithms that carry out the software's computations, but this might require, or at least be facilitated by, investigation of the operations carried out in the hardware during the program's execution. We frequently assert that LIDA is a model of minds rather than brains. Having said that, we find that understanding those biological minds of interest to LIDA requires close and frequent reference to the way brains carry out computations. In practice, this has meant examination of biological minds at the implementation level as well as the algorithmic and computational levels.

While neuroscience manifests a solid theoretical consensus regarding the basic tenets of neuroanatomy and neuronal physiology, considerable controversy continues to pervade investigations into the cognitive aspects of neural function. The vast proliferation of evidence resulting from recent decades' technological advances have thus far failed to converge on a consensual framework for understanding the neural basis of cognition. Nonetheless, LIDA's perspective on biological minds currently commits to a particular collection of theoretical proposals situated squarely within the broader controversy. While a detailed treatment of these proposals lies outside the scope of the present discussion, we give a brief overview as follows.

The Cognitive Cycle Hypothesis and the Global Workspace Theory (GWT) of Consciousness form the backbone of the LIDA Model. GWT, originally a psychological theory,²⁹ was recently updated into a neuropsychological theory known as Dynamic Global Workspace Theory (dGWT).³⁰ Per dGWT, a global workspace is "a dynamic capacity for binding and propagation of neural signals over multiple task-related networks, a kind of neuronal cloud computing."³¹ Per LIDA's Cognitive Cycle Hypothesis, the global workspace produces a quasiperiodic broadcast of unitary and internally consistent cognitive content that mediates an autonomous agent's action selection and learning, and, over time, comprises the agent's stream of consciousness.

The theoretical proposals of Freeman's Neurodynamics provide the framework most harmonious with LIDA's central hypotheses.³² Within this framework, a cognitive cycle comprises the emergence of a self-organized pattern of neurodynamic activity. LIDA's Rhythms Hypothesis postulates that the content of a cycle's broadcast from the global workspace manifests in experimentally observable brain rhythms as gamma (30-80 Hz) frequency activity scaffolded within a slow-wave structure of approximately theta (4-6 Hz) frequency that tracks the rhythm of successive broadcasts. Elaboration of this hypothesis within the framework of Freeman's neurodynamical theory is quite complex and is the subject of a publication currently under preparation.

MENTAL IMAGERY, PRECONSCIOUS SIMULATION, AND GROUNDED COGNITION

Most humans report the ability to have sensory-like experiences in the absence of external stimuli. They describe experiences such as "having a song stuck in our heads" or "listening to our inner voices" or "seeing with our mind's eye." In the literature cited below, these phenomena are referred to as "mental imagery." Many experiments have been performed that suggest mental imagery facilitates, and may be critical for, a broad range of mental activities including prediction,³³ problem solving,³⁴ mental rehearsal,³⁵ and language comprehension.³⁶ Cognitive models are needed to help explain the processes that underlie mental imagery. We have begun to leverage the LIDA model to gain insight into how the fundamental capabilities needed for mental imagery could be realized in artificial minds and to apply these insights toward the construction of software agents that utilize mental imagery to their advantage.

Mental imagery is by definition a conscious process; however, there is an intriguing possibility that the same mechanisms underlying mental imagery also support preconscious cognitive processes and enable grounded (embodied) cognition. The psychologist and cognitive scientist Lawrence Barsalou defines "simulation" as the "re-enactment of perceptual, motor, and introspective states acquired during experience with the world, body, and mind," and hypothesizes that

[simulation] is not necessarily conscious but may also be unconscious, probably being unconscious even more often than conscious.

Unconscious [simulations] may occur frequently during perception, memory, conceptualization, comprehension and reasoning, along with conscious [simulations]. When [simulations] reach awareness, they can be viewed as constituting mental imagery.³⁷

It is a goal of our research program to explore the possibility of a unified set of mechanisms supporting mental imagery, preconscious simulation, and grounded cognition. The LIDA Model provides an ideal foundation for exploring these topics, as it is one of the few biologically inspired cognitive architectures that attempts to model functional consciousness, and is firmly committed to grounded cognition.³⁸

REPRESENTING AND COMPUTING WITH UNCERTAINTY IN LIDA

Cognition must deal with large amounts of uncertainty due to a partially observable environment, erroneous sensors, noisy neural computation, and limited cognitive resources. There is increasing evidence for probabilistic mechanisms in brains.³⁹ We have recently started exploring probabilistic computation for LIDA, as of now for the specific purpose of dealing with spatial uncertainty and complexity in navigation.⁴⁰ Work is underway to augment LIDA's representations (inspired by Barsalou's perceptual symbols and simulators⁴¹) with a representation and computation mechanism accounting both for the uncertainty in various domains as well as approximately optimal inference given cognitive, time, and memory limitations.

LIDA FRAMEWORK IN PYTHON

In 2011, Snaider et al. presented the "LIDA Framework," a software framework written in the Java programming language that aims to simplify the process of developing LIDA agents.⁴² The LIDA Framework implements much of the low-level functionality that is needed to create a LIDA software agent and provides default implementations for many of the LIDA modules. As a result, simple agents can often be created with a modest level of effort by leveraging "out of the box" functionality.

Inspired by the success of the LIDA Framework, a sister project is underway to implement a software framework in the Python programming language, which we refer to as lidapy. One of lidapy's primary goals has been to facilitate the creation of LIDA agents that are situated in complex and "real world" environments, with the eventual goal of supporting LIDA agents in a robotics context. Toward this end, lidapy has been designed from the ground up to integrate with the Robot Operating System, a framework developed by the Open Source Robotics Foundation (OSRF) that was specifically designed to support large-scale software development in the robotics domain.⁴³

NOTES

1. S. Franklin, *Artificial Minds* (Cambridge, MA: MIT Press, 1995), 412.
2. S. Franklin and A. C. Graesser, "Is It an Agent, or Just a Program?: A Taxonomy for Autonomous Agents," *Intelligent Agents III* (Berlin: Springer Verlag, 1997), 21–35.

3. For historical reasons, this word was previously "distribution." It has been recently changed to better capture important aspects of the model in its name.
4. A. D. Baddeley, "Working Memory and Conscious Awareness," in *Theories of Memory*, ed. A. Collins, S. Gathercole, Martin A. Conway, and P. Morris, 11–28 (Howe: Erlbaum, 1993); L. W. Barsalou, "Perceptual Symbol Systems," *Behavioral and Brain Sciences* 22 (1999): 577–609; Martin A. Conway, "Sensory-Perceptual Episodic Memory and Its Context: Autobiographical Memory," *Philos. Trans. R. Soc. Lond B.* 356 (2001): 1375–84; K. A. Ericsson and W. Kintsch, "Long-Term Working Memory," *Psychological Review* 102 (1995): 211–45; A. M. Glenberg, "What Memory Is For," *Behavioral and Brain Sciences*, 20 (1997): 1–19; M. Minsky, *The Society of Mind* (New York: Simon and Schuster, 1985); A. Sloman, "What Sort of Architecture Is Required for a Human-Like Agent?" in *Foundations of Rational Agency*, ed. M. Wooldridge and A. S. Rao, 35–52 (Dordrecht, Netherlands: Kluwer Academic Publishers, 1999).
5. Bernard J. Baars, *A Cognitive Theory of Consciousness* (Cambridge: Cambridge University Press, 1988).
6. S. Franklin, "IDA: A Conscious Artifact?" *Journal of Consciousness Studies* 10 (2003): 47–66.
7. S. Franklin and F. G. J. Patterson, "The LIDA Architecture: Adding New Modes of Learning to an Intelligent, Autonomous, Software Agent," *IDPT-2006 Proceedings (Integrated Design and Process Technology)*: Society for Design and Process Science, 2006.
8. S. Franklin, T. Madl, S. Strain, U. Faghihi, D. Dong, et al., "A LIDA Cognitive Model Tutorial," *Biologically Inspired Cognitive Architectures* (2016): 105–30. doi: 10.1016/j.bica.2016.04.003.
9. M. A. Boden, *AI: Its Nature and Future* (Oxford, UK: Oxford University Press, 2016), 98–128.
10. D. Dong and S. Franklin, "Sensory Motor System: Modeling the Process of Action Execution," paper presented at the Proceedings of the 36th Annual Conference of the Cognitive Science Society, 2014.
11. R. Brooks, "A Robust Layered Control System for a Mobile Robot," *IEEE Journal of Robotics and Automation* 2, no. 1 (1986): 14–23.
12. D. Dong and S. Franklin, "A New Action Execution Module for the Learning Intelligent Distribution Agent (LIDA): The Sensory Motor System," *Cognitive Computation* (2015). doi: 10.1007/s12559-015-9322-3.
13. D. Dong and S. Franklin, "Modeling Sensorimotor Learning in LIDA Using a Dynamic Learning Rate," *Biologically Inspired Cognitive Architectures* 14 (2015): 1–9.
14. D. J. Herzfeld, P. A. Vaswani, M. K. Marko, and R. Shadmehr, "A Memory of Errors in Sensorimotor Learning," *Science* 345, no. 6202 (2014): 1349–53.
15. Tamas Madl, Stan Franklin, Ke Chen, Daniela Montaldi, and Robert Trappl, "Towards Real-World Capable Spatial Memory in the LIDA Cognitive Literature," *Biologically Inspired Cognitive Architectures* 16 (2016): 87–104; Tamas Madl, Stan Franklin, Ke Chen, Robert Trappl, and Daniela Montaldi, "Exploring the Structure of Spatial Representations," *PLoS ONE* 11, no. 6 (2016): e0157343.
16. Franklin and Graesser, "Is It an Agent, or Just a Program?"
17. Victor S. Johnston, *Why We Feel: The Science of Human Emotions* (Reading MA: Perseus Books, 1999).
18. S. Franklin and U. Ramamurthy, "Motivations, Values, and Emotions: Three Sides of the Same Coin," *Proceedings of the Sixth International Workshop on Epigenetic Robotics*, Vol. 128 (Paris, France: Lund University Cognitive Studies, 2006), 41–48.
19. R. McCall, *Fundamental Motivation and Perception for a Systems-Level Cognitive Architecture*, PhD Thesis, University of Memphis, Memphis, TN, USA, 2014; R. J. McCall, S. Franklin, U. Faghihi, and J. Snaider, "Artificial Motivation for Cognitive Software Agents," submitted.
20. Franklin et al., "A LIDA Cognitive Model Tutorial."
21. U. Ramamurthy and S. Franklin, "Self System in a Model of Cognition," paper presented at the Machine Consciousness Symposium at the Artificial Intelligence and Simulation of Behavior Convention (AISB'11), University of York, UK, 2011.

22. S. Gallagher, "A Pattern Theory of Self," *Frontiers in Human Neuroscience* 7, no. 443 (2013): 1–7.
23. T. Madl, B. J. Baars, and S. Franklin, "The Timing of the Cognitive Cycle," *PLoS ONE* 6, no. 4 (2011): e14803. doi: 10.1371/journal.pone.0014803.
24. W. Duch, R. Oentaryo, and M. Pasquier, "Cognitive Architectures: Where Do We Go From Here?" in *Artificial General Intelligence, 2008: Proceedings of the First AGI Conference*, ed. P. Wang, B. Goertzel, and S. Franklin, 122–37 (2008).
25. R. Seyfarth, D. Cheney, and P. Marler, "Monkey Responses to Three Different Alarm Calls: Evidence of Predator Classification and Semantic Communication," *Science* 210, no. 4471 (1980): 801–03.
26. N. A. Khayi-Enyinda, "Learning the Meaning of the Vervet Alarm Calls Using a Cognitive and Computational Model," Master of Science, University of Memphis, 2013.
27. N. Ait Khayi and S. Franklin, "Initiating Language in LIDA: Learning the Meaning of Vervet Alarm Calls," *Biologically Inspired Cognitive Architectures* 23 (2018): 7–18. doi: 10.1016/j.bica.2018.01.003.
28. D. C. Marr, *Vision: A Computational Investigation into the Human Representation and Processing of Visual Information* (New York: Freeman, 1982).
29. Baars, *A Cognitive Theory of Consciousness*.
30. B. Baars, S. Franklin, and T. Ramsøy, "Global Workspace Dynamics: Cortical 'Binding and Propagation' Enables Conscious Contents," *Frontiers in Consciousness Research* 4, no. 200 (2013). doi: 10.3389/fpsyg.2013.00200.
31. Baars et al., "Global Workspace Dynamics," 1.
32. W. Freeman, *Neurodynamics: An Exploration in Mesoscopic Brain Dynamics* (Springer Science & Business Media, 2012); W. J. Freeman and R. Kozma, "Freeman's Mass Action," *Scholarpedia* 5, no. 1 (2010): 8040.
33. S. T. Moulton and S. M. Kosslyn, "Imagining Predictions: Mental Imagery as Mental Emulation," *Philosophical Transactions of the Royal Society of London B: Biological Sciences* 364, no. 1521 (2009): 1273–80.
34. Y. Qin and H. A. Simon, "Imagery and Mental Models in Problem Solving," paper presented at the Proc. AAAI Symposium on Reasoning with Diagrammatic Representations, Stanford, CA, 1992; P. Shaver, L. Pierson, and S. Lang, "Converging Evidence for the Functional Significance of Imagery in Problem Solving," *Cognition* 3, no. 4 (1975): 359–75.
35. J. E. Driskell, C. Copper, and A. Moran, "Does Mental Practice Enhance Performance?" American Psychological Association, 1994; P. E. Keller, "Mental Imagery in Music Performance: Underlying Mechanisms and Potential Benefits," *Annals of the New York Academy of Sciences* 1252, no. 1 (2012): 206–13.
36. B. K. Bergen, S. Lindsay, T. Matlock, and S. Narayanan, "Spatial and Linguistic Aspects of Visual Imagery in Sentence Comprehension," *Cognitive Science* 31, no. 5 (2007): 733–64; R. A. Zwaan, R. A. Stanfield, and R. H. Yaxley, "Language Comprehenders Mentally Represent the Shapes of Objects," *Psychological Science* 13, no. 2 (2002): 168–71.
37. L. W. Barsalou, "Simulation, Situated Conceptualization, and Prediction," *Philosophical Transactions of the Royal Society of London B: Biological Sciences* 364, no. 1521 (2009): 1281–89.
38. S. Franklin, S. Strain, R. McCall, and B. Baars, "Conceptual Commitments of the LIDA Model of Cognition," *Journal of Artificial General Intelligence* 4, n. 2 (2013): 1–22. doi: 10.2478/jagi-2013-0002.
39. N. Chater, J. B. Tenenbaum, and A. Yuille, "Probabilistic Models of Cognition: Conceptual Foundations," *Trends in Cognitive Sciences* 10, no. 7 (2006): 287–91; A. Clark, "Whatever Next? Predictive Brains, Situated Agents, and the Future of Cognitive Science," *Behavioral and Brain Sciences* 36, no. 03 (2013): 181–204; D. C. Knill and A. Pouget, "The Bayesian Brain: The Role of Uncertainty in Neural Coding and Computation," *TRENDS in Neurosciences* 27, no. 12 (2004): 712–19.
40. T. Madl, S. Franklin, K. Chen, R. Trappl, and D. Montaldi, "Exploring the Structure of Spatial Representations," *PLoS ONE* (2016); T. Madl, S. Franklin, K. Chen, D. Montaldi, and R. Trappl, "Towards Real-World Capable Spatial Memory in the LIDA Cognitive Architecture," *Biologically Inspired Cognitive Architectures* 16 (2016): 87–104, doi: 10.1016/j.bica.2016.02.001.
41. Barsalou, "Perceptual Symbol Systems."
42. J. Snider, R. McCall, and S. Franklin, "The LIDA Framework as a General Tool for AGI," paper presented at the Artificial General Intelligence (AGI-11), Mountain View, CA, 2011.
43. M. Quigley, K. Conley, B. Gerkey, J. Faust, T. Foote, J. Leibs, et al., "ROS: An Open-Source Robot Operating System," paper presented at the ICRA workshop on open source software, 2009.

Distraction and Prioritization: Combining Models to Create Reactive Robots

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In this paper, I intend to present a theoretical framework for combining existing cognitive architectures, in order to fully and specifically address the areas of distraction and prioritization in autonomous systems. The topic of this paper directly addresses an issue which was raised by Troy Kelley and Vladislav Veksler in their paper "Sleep, Boredom, and Distraction: What Are the Computational Benefits for Cognition?"¹ Specifically, I intend to focus mainly on the theme of "distraction" with regard to their paper, as that is the area Kelley and Veksler seemed to have the most difficulties with, regarding the compatibility of various design options.

As researchers at the US Army Research Laboratory, Kelly and Veksler are trying to create a robot that has the ability to prioritize goals in consistently unpredictable environments. In their paper, Kelley and Veksler show how the ability to become distracted turns out to be a critical component of how humans prioritize their goals. Kelley and Veksler would like their robot to be able to be appropriately distracted from any initial prime mission focus whenever urgent and unexpected changes occur within the robot's operational environment. Their argument on behalf of distraction, along with their stated goals, has led me to explore possible cognitive structures that could allow for task-specific concentrations to be combined with outside world information processing, in order to allow for effective goal prioritization. I intend to show that task-specific concentrations can be instilled through procedural learning and habituation, while simultaneous outside world information processing can occur with the added help of specially installed processors. The intent is that these special processors will operate in a manner that appears to mimic the seemingly innate abilities in humans, which often assist us with intuitively predicting physical reactions, as well as with identifying potentially dangerous situations.

As with other cognitive-science-related fields, the study of artificial intelligence regularly involves an interdisciplinary approach in conjunction with philosophy. The main topics discussed in this paper, as they relate to philosophy, are the areas of artificial emotions and innate knowledge. This paper undoubtedly takes a cognitive appraisal view

of emotions in that emotional experiences in machines are probably best described as being determined by the evaluation of a certain stimulus.² Beliefs, desires, and judgments are generally not involved in the descriptions of emotional states involving machines. The emphasis regarding emotional content in machines is usually focused on processes and perceptions, as opposed to the subjective experience of a biologically produced emotional state. The cognitive appraisal view of emotions is widely accepted in both the fields of psychology and philosophy, and while debate certainly still exists on the matter (mainly involving propositional attitudes), I do not anticipate too many objections to the strict adherence to the cognitive appraisal view in this instance. Furthermore, this paper undoubtedly assumes that innate knowledge is an indispensable feature for developing the superior cognitive abilities found in humans. While reliable research exists to add weight to the claim of humans having at least some form of innate knowledge, I do not intend to present an argument for that particular position. Rather, the focus on innate knowledge in this paper is to show how it could be used as an invaluable shortcut for giving autonomous machines certain abilities, based on the needs of their particular function.

The goal of this paper is to show that existing models could hypothetically be combined into one autonomous machine which would allow for distractibility and adaptive prioritization. For the sake of providing some direction to this design project, let us say that our hypothetical robot (who we'll call PARS, Priority-based Adaptive Reaction System) is to be a combat robot designed for protecting buildings and rooms, as in the example provided by Kelley and Veksler.

To accomplish the goals outlined above, I intend to draw attention to models such as LIDA,³ Argus Prime,⁴ and IPE,⁵ in order to show how elements of these three systems can be combined to produce a model that more specifically suits the hypothetical robot design for the purposes outlined below. My focus as far as inspiration from the field of neuroscience will, like the LIDA model, rely heavily on Bernard Baars's *global workspace theory* (GWT).

WHY IS DISTRACTION IMPORTANT?

People may not realize that distraction actually plays a vitally important role in how priorities and goal selections are created. Humans get mentally distracted sometimes without consciously realizing it, and as Kelley and Veksler point out in their paper, goal forgetting actually occurs when an agent's focus of attention shifts, due to either external cues or tangential lines of thought. Without distraction, humans could potentially begin a task—for whatever reason—and that task would become their all-consuming priority regardless of its importance. Furthermore, the task in question would remain a person's sole focus until it was completely finished. If a person's goal was to clean up their bedroom, then they would clean their bedroom until their task was complete, ostensibly even if their house was engulfed in flames around them.

As Kelley and Veksler also address in their paper, "novelty" is a highly important feature for redirecting attention, when

needed, and consistently serves to prevent boredom. Furthermore, stressful situations can create a sense of urgency and lessen the chances of one being distracted through a phenomenon known as "cognitive tunneling." As will be discussed later in this paper, less stressful situations can create a more comfortable and largely predictable environment, which would allow for the natural emphasizing of contrasts.

At first glance, distractedness seems to be a suboptimal and inefficient aspect of human cognition; however, as Kelley and Veksler have correctly pointed out, being able to be distracted and thus adjust one's priorities turns out to be a critically important feature of human consciousness.

TRANSFERENCE TO ROBOTS

Since emphasis has now been placed on the importance of distraction for human operations and activities, we should naturally be able to see how that same feature can be beneficial for any machines that humans may attempt to design and ultimately entrust with extremely important responsibilities. There seems to be some difficulty, however, when it comes to actually giving machines this crucial ability. The difficulty appears to lie in assigning specific tasks to robots, yet also giving these robots the ability to adjust their priorities whenever necessary. In other words, how do we tell a machine to do one task, yet allow that machine to become distracted and select a different, yet appropriate, task/goal without specifically commanding the robot to do so? As stated above, the goal of this paper is to try and design a robot model that could allow for necessary distractedness, and then ultimately achieve effective goal prioritization.

INNATE ABILITIES

I would like to begin the design process by focusing on the topic of innate abilities. The topic of innate abilities in humans has been studied and debated for centuries, and rather than revisit those debates here, my aim is to draw particular attention to the seemingly innate knowledge of *physical reasoning* and *physical scene understanding* in humans. Believe it or not, infants as young as two months old display a basic understanding that physical laws exist, as well as an expectation that those laws will always be obeyed. Research being conducted by top contemporary psychologists show that physical scene understandings appear in humans at such an early age that it gives the appearance of humans possessing innate concepts and specialized learning mechanisms.⁶ It would seem almost like a natural conclusion that the most effective way to create a machine that is capable of mimicking the human cognitive abilities of being distracted, assessing situations, prioritizing goals, etc., would be to try and recreate the functional processes by which humans acquire those abilities in the first place. If innate abilities appear to be a fundamental aspect of human cognition, then why should we not try and come up with a design that could seemingly imitate that process in intelligent machines?

SPATIOTEMPORAL EMPHASIS

An additional important topic worth discussing is placing an emphasis on spatiotemporal processing as being a critical aspect of early developmental learning in machines.

Most machine-learning literature I have researched tended to focus mainly on feature detection for object recognition, while spatiotemporal awareness appears to be viewed as an assumed consequence of robots interacting with their environments. While there is a great deal of focus and research dedicated to spatial-temporal processing in machine vision, there seems to be a persistence of emphasizing—or natural relying upon—feature detection as being the most vital component of identifying objects.

In “Objects and Attention: The State of the Art,” Brian Scholl writes how spatiotemporal features could be more “tightly coupled” with object representations than surface-based features such as “color and shape.” In fact, when it comes to human development, Scholl highlights studies, that show how ten-month-old infants will use spatiotemporal information, but not featural information, in order to assess an object’s unity.⁷ Scholl further explains that typically, once an infant reaches twelve months, studies then show that the infant will begin to use both spatiotemporal and featural information processing for object recognition, which then becomes the persistent interactive object recognition process that carries into adulthood.

All of that said, it seems that a more natural development of machine vision/intelligence systems should approach training robots by first focusing on spatiotemporal information processing, and then moving on to using an interaction-type process of both spatiotemporal and feature-detection processing for object recognition. In my opinion, this ideal achievement would be critical for the successful operation of PARS in the developmental stage, especially when the goal is to then install existing models to be used to mimic the “special innate processes” that are so vital to the way humans analyze the world around them.

BACKGROUND ON MODEL EXAMPLES USED

Turning attention back to our hypothetical robot design, after a basic developmental stage (focusing first on spatiotemporal processing, as outlined above), I would like to address the specific models that could be used to give PARS the seemingly innate abilities of humans, which can then be used to assist with accomplishing specific tasks, while also allowing for distraction. I will briefly state—and then outline below—that I believe a pre-programmed *intuitive physics engine* (or IPE) and an object motion classification processor such as the Argus Prime could potentially help PARS to perform procedural tasks faster by identifying items more quickly, and ultimately select goals more efficiently after a distracted period. Furthermore, the most important operational model is the LIDA, as it would serve as the foundational model that the other two aforementioned models would be used in conjunction with.

1) LIDA

The LIDA model was designed at the University of Memphis under the direction of Stan Franklin. The LIDA team draws inspiration from Bernard Baars’s *global workspace theory* by creating a coalition of small pieces of independent codes called *codelets* (or sometimes referred to as “processors”). These codelets search out items that interest them—such as novel or problematic situations—which can then

be broadcast as vital messages to the entire network of processors in order to recruit enough internal resources to handle a particular situation.⁸ The LIDA seems like an ideal scheme for my intentions, and I will draw on this model quite heavily. I intend to rely on specific areas of the LIDA such as its ability to do the following:

- a) Use episodic memory for long-term storage of autobiographical and semantic information
- b) Use its serial yet overlapping cognitive cycles to facilitate perception, local associations (based off of memories and emotional content), codelet competition (used for locating novel or urgent events), conscious broadcasting (the network recruitment of processors to handle novel/ urgent events), setting goal context hierarchy, and, finally, selecting and taking appropriate action.

2) Argus Prime

The Argus Prime model was designed at George Mason University by Michael Schoelles and Wayne Gray for the purpose of operating in a complex simulated task environment. Argus Prime is tasked with performing functions similar to a human radar operator. Argus Prime must complete subtasks such as identifying, classifying, and reacting to targets/threats. Argus Prime is based off of the ACT-R/PM process of parallel elements of cognition, perception, and motor movement.

3) Intuitive Physics Engine (IPE)

This model was outlined by research scientists at the Brain and Cognitive Sciences Department at Massachusetts Institute of Technology and should probably, and more accurately, be called the Open Dynamics Engine used in conjunction with a Bayesian Monte Carlo simulation approach. The intent of this model is actually to *mimic* the human IPE that most accurately describes how we use our understanding of “geometries, arrangements, masses, elasticities, rigidities, surface characteristics and velocities” to predict probable outcomes in complex natural scenes.⁹

LIDA AND THE COGNITIVE CYCLE

Before describing how these models could be combined to suit PARS’s operational needs, I would like to first outline exactly how these models could theoretically fit together in the design stage.

The LIDA model is highly complex, and it should be stated upfront that in order to fully understand how this model functions, one really should take the time to read Stan Franklin and Co.’s description of it (see references). For my purposes, I will present only an abbreviated description of LIDA’s cognitive cycle, in addition to the basic operational features outlined above. The serial process of LIDA’s cognition cycle begins with an external stimulus which travels through specific modules for certain purposes, such as the *perceptual associative memory* module for category representation; the *workspace* module for creating the temporary structures which are used to potentially distribute information to the requisite processors; the

episodic, declarative, and procedural memories modules for different storage and use purposes; and, lastly, an *action selection* module. Reasoning and problem-solving occur over multiple cognitive cycles in the LIDA model, and included in those multicyclic processes are the features of *deliberation, voluntary action, non-routine problem-solving, and automatization*.¹⁰

Given that LIDA relies on a coalition of special processors to work together for a specific task, then it seems quite feasible that additional space could be made for the insertion of processors containing specifically constructed subsets of data, in order to create the predisposition in PARS towards a particular approach when conducting outside world information processing. This ingrained approach would be the quality that gives PARS the appearance of having innate attributes, as the tendency towards that particular approach would not be the result of a “learned process.”

Since we can now feasibly include additional processors into the pre-existing LIDA design, then why not seek out existing models to serve as the specially added processors which can address the areas needed for PARS’s specific purpose of function? Enter the IPE and AP models for physical scene understanding and threat classification, respectively. Threat classification and physical scene understanding should naturally stand out as two critical and necessary abilities required for any agent tasked with providing physical security. This is because visually acquiring and identifying potential threats is probably the most important task required of a security agent. Furthermore, any potential action/physical response by a security agent that has identified a threat would need to undergo an analysis of what can and cannot be physically done in that particular operational environment (more on this later).

Given that the two features outlined above are so critical to the specific operations of PARS, it seems quite reasonable that the IPE and AP models would be better emphasized as their own *modules* or *sub-modules* within the actual LIDA cognitive cycle. This would allow these vital modules to work directly with the *workspace* module on a constant basis. For example, the IPE and AP classifier could be placed alongside the *transient episodic memory* module and the *declarative memory* module in the existing LIDA model diagram (see Figure 1); or they could potentially fit as automatically involved sub-modules alongside the *structure building* and *attention codelet* modules. Either way, the intent would be for both of those critical areas to be visited mandatorily once every cognitive cycle, which already happens at around once every 380ms.¹¹

At this point, it seems necessary to draw attention to the actual data content that will be present in the AP and IPE models/modules that will be used in PARS. The IPE model seems perfectly suited as it is, for our purposes, and a special processor with just the data required for a functioning IPE can be installed as is, on top of the current LIDA model, with communication pathways linked between the IPE module and the LIDA workspace module (see lower left portion of Figure 1).

The AP-styled model/module would operate similar to the IPE, and contain pre-programmed data which could be installed onto the LIDA model. However, the data in the AP “like” model for our purposes would be somewhat different from the Argus Prime in that the threat element data in PARS would need to consist of a catalog of weapons and other potential threat components, as well as how those weapons and threat components normally function. This differs to a significant degree from the original AP model, which simply tries to determine the position and velocity of potential threats. The newly updated weapons data catalog for PARS will be accumulated and stored in this specific AP-like processor from the very first moment PARS becomes operational. Furthermore, the ACT-R/PM-based design of the AP model would seem to be an easily compatible processor for use within the larger LIDA operational design, as both models are serial-based systems that still allow for parallel information processing.¹²

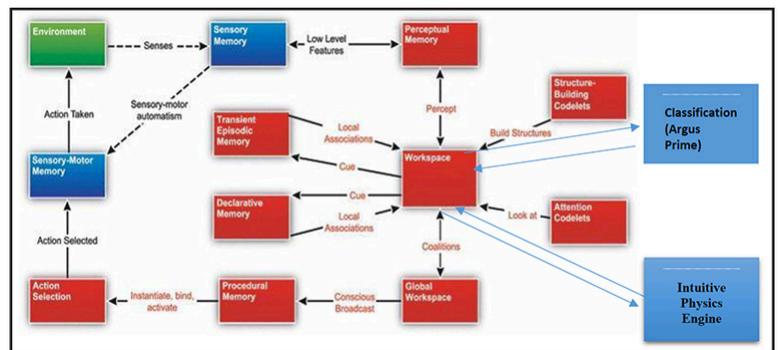


Figure 1. Current LIDA cognitive cycle diagram with added modules.

DISTRACTION

Hopefully, at this point it is clear that

- a) Distractibility is an important aspect of prioritization and goal selection.
- b) Innate abilities appear necessary to mimic human cognitive abilities.
- c) Feasible options exist to combine models in order to potentially achieve both a & b in autonomous machines.

Turning attention back to the issue of distractibility, I would like to present a detailed description of how the functional process of PARS would work to allow for distractedness and goal context hierarchy in a given operational environment. In order to better understand how PARS would become distracted, it might help to first analyze how it is that humans tend to become distracted.

Looking at the most common examples of what causes distraction in humans, I think most people would agree that unfamiliar objects and/or novel situations can create a sense of intrigue, which can lead to distracted mental states. This is especially true if those novel items/situations have the potential to become *emotional stressors*, by presenting a physical threat to an object or being that a person has conditioned a deep attachment toward. Humans always

seem to be on something like a subconscious standby mode, which is contingent on potential threats directed at things we value the most like our loved ones, personal safety, treasured belongings, etc. A threat toward any of those items (to name a few) would most likely trigger emotional stress and alter whatever priorities we may have held prior to noticing the potential threat. Therefore, emotional stress is an extremely effective way to create a distraction.

Another example of instances that create distractions in humans would be observing anything that offends our IPE (such as a floating table, or a person who walks through brick walls, etc.). Extraordinary physical anomalies will almost always turn our attention from one object/situation to another.

Lastly, humans tend to get comfortable with the familiar and the mundane. Whenever humans are repeatedly exposed to a particular stimulus, they will eventually start to have diminishing emotional reactions to that stimulus. In the field of psychology, this experience is referred to as *habituation*. If a person develops habituation within a certain environment, then encountering something new or unfamiliar within that environment will often grab a person's attention (to some degree), and normally distract said person away from any previously engaged activity.

The elements of habituation and facilitating emotional stress are where I think the GWT-structured LIDA system can be immensely beneficial for the function of PARS. Addressing the area of habituation first, the LIDA model's perceptual associated and episodic-oriented memory can be used to allow us to get PARS well accustomed to its operational environment via multiple walkthroughs. Furthermore, the LIDA model strives for automatization, which is ideal for the design of PARS in that procedural tasks (such as roaming/guarding a building perimeter) are learned to a point where they can be accomplished without constant conscious attention/focus. Operating successfully along those lines, any significant anomaly produced in PARS's operational environment would most likely be noticed, and therefore hopefully distract PARS's attention from its automatized task and initiate a potential threat-assessment sequence.

Whenever potentially distracting elements appear as noticeable irregularities within an operational environment, then those irregularities should serve as "cues" to initiate a process that puts elements of PARS's cognitive cycle on alert. This "alert" status of cognitive processing is where the LIDA design begins to recruit additional processors in order to determine how it will handle novel situations. The framework of commonly used cognitive processors is already functioning due to its conditioned use in the regular operational activities formed during the procedural learning process; however, additional processors can now be recruited in order to handle novel situations. Depending on the evaluation of any newly observed stimulus, these newly recruited processors may potentially produce an emotionally stressed state, allowing for intense focus via cognitive tunneling.

Similarly to what was outlined in the preceding paragraphs regarding habituation for perceptual familiarity, the LIDA model uses an "attachment period" to build emotional attachments. These attachments can also be used as primary motivators in the learning environment.¹³ Emotional stressors could be things such as potential threats toward familiar building occupants that PARS is assigned to protect, as well as potential threats to sensitive objects and equipment that PARS has been conditioned to see as critically important. Any increased threats to those items would increase emotional stress in PARS, and potentially produce the cognitive tunneling that would block out any lesser important external information processing. It must be stated that the cognitive tunneling ability could have a potential downside to it and expose PARS to vulnerabilities when it comes to intentional deceptions. Admittedly, this is a challenge. Yet, it is no different than challenges that currently exist when humans become too narrowly focused on a given task/priority.

PRIORITIZATION

Once PARS can notice environmental anomalies and emotional cues, then there is room to now advance on to the analysis phase and determine if any differences in the operational environment are worthy of PARS alternating its priorities from its primary task, which in this case would be to guard/patrol a specific route in an important building. It is worth explaining for the sake of clarification that a necessary feature of being "distracted" is *prioritization*, as one without the other would simply be a description of being aimless. An agent only becomes distracted when its attention has been drawn from one task or idea to another, and a distracted period only ends when an agent realizes the distraction and makes a goal selection in accordance with the agent's top priorities. Therefore, prioritization sequencing must be a necessity for anyone attempting to create effective distractibility in autonomous machines. The prioritization sequencing process used for PARS is approached by focusing on three specific goals:

- 1) Have PARS identify the most important danger (or potential catastrophe) in its environment by using a *classification* system that identifies threats and other dangerous situations.
- 2) Utilize a framework—much like a physics engine—that allows PARS to simultaneously observe and analyze large numbers of objects and events in order to *determine* the most likely *outcomes* of the observed situation.
- 3) Process all of the observations and analysis outlined in areas 1 and 2 by using the two additional models in conjunction with the LIDA cognitive cycle to facilitate deliberation in order to determine the following:
 - a) Goal context hierarchy.
 - b) Actions chosen/taken.

GOAL 1: THREAT CLASSIFICATION

The Argus Prime (AP) model outlined above is able to recognize and analyze threats based on a variety of spatial and motion elements that must be taken into account, such as range, speed, course, and altitude. This is done in order to partly classify the threat level of the object that Argus Prime is observing/analyzing. For PARS’s purposes, I would like to focus on specific threat classifications outlined and emphasized in advance through the “innate-like” inclusion of the AP-styled module/sub-module in the cognitive cycle portion.

Once PARS possesses a threat classification system for both motion (speed, range, vector, etc.) as well as for spatial residence (i.e., the exact spatial location the threatening agent occupies), we can then turn our focus towards increasing PARS’s knowledge of threat components. These threat elements/components can be items such as knives, guns, grenades, hatchets, etc. Ideally, a comprehensive training data set of threat components for PARS would be immediately accessible in order to allow it to quickly identify specific weapons and/or threat components, as well as physical objects which could potentially be used as weapons, before determining overall threat levels.

In order to recognize specific threat objects, such as weapons and other dangerous physical objects, an ontological object-recognition classifier can be combined with Argus Prime to improve PARS’s threat classification abilities. As a specific example, we can hypothetically add an ontological-based classification (OBC) system, similar to the OBC outlined by Bin Liu, Li Yao, and Dapeng Han in their paper “Harnessing Ontology and Machine Learning for RSO Classification.”¹⁴ Ontology-based classifiers exist for a multitude of informational analysis categories, such as natural language processing, written text information retrieval and data mining and medical diagnoses,¹⁵ as well as physical object recognition. OBCs tend to be more effective than classic machine-learning algorithms for object recognition, as ontology classifiers consistently avoid a common machine-learning problem of algorithms overfitting data, which can lead to both inaccurate classifications and cost-function errors.¹⁶

Additionally, local area information would be necessary for context when it comes to threat components, as good guys carry weapons too. For this, PARS would need to be able to establish familiarity and trust, and I think this could come from the habituation process when acclimating PARS to its operational environment via the LIDA-based reinforced learning approach.

The LIDA-based portion can also implement emotional stressor aspects to be used in conjunction with the classification system already in place to create varying stress levels dependent on the amount of threat components present. These emotional stress levels can achieve the “cognitive tunneling” aspect mentioned previously and prevent less important distractions from influencing PARS during intense situations. For example, if a threat was present and happened to be carrying a hatchet, one AK-47, and two grenades, then a higher threat classification would be applied to that person than to a threatening person who

was just carrying one knife. That comparison example should illustrate how the amount of emotional stress in PARS would correlate to the particular threat classification in order to emphasize the severity of a given situation. Lastly, PARS’s emotional state would not be influenced solely by threat components present but could also be directly influenced by the number of vulnerable targets present for whom PARS is assigned to protect. For the sake of reassurance—as well as to try and avoid a utilitarian debate similar to the “Trolley Problem”—there probably would be a similar stress level applied toward threats against any amount of vulnerable humans, yet the overall point here is to highlight how a threat analysis process would be undertaken given the increase in vulnerable targets as they relate to PARS’s potential “emotional state.”

GOAL 2: OUTCOME PREDICTABILITY

The second goal is for PARS to understand its surroundings by analyzing the interactions of objects within those surroundings in complex, nonlinear ways in order to make approximate predictions of what happens next.¹⁷ For effective distraction and prioritization, PARS needs to not only understand the elements that make up threat classifications in goal 1, but it is *imperative* that PARS be able to understand the *probability* of specific outcomes based on those threats. The IPE-modeled system that Battaglia and his colleagues used to determine outcome predictions regarding physical objects would seem to fit our general requirement, and, as previously outlined, the IPE would serve as an important sub-module within the LIDA cognitive cycle. To more clearly understand the concept of physical scene predictability that I am trying to describe, it actually might help to imagine a physics engine (if unfamiliar with what a physics engine is, then I would suggest doing a quick internet search on the topic and viewing some of the video examples that are widely available). Similarly to how a physics engine is able to predict and display simulated physical reactions, the goal for PARS is to be able to accomplish a similar task, but with the purpose of allowing those predictions to influence PARS’s priority assessments.

Since approximate probabilistic simulation plays a key role in the human capacity for scene understanding, it is critical that PARS also be able to predict how objects would fall, react when struck by another specific object, resist the force or weight of another object, etc.

Necessary additions outside of just physical scene understanding would also be required for the specific purpose of PARS. These additions would consist of how the specific threat components/weapons a person is carrying operate, as well as what are the threat components’ maximum effective range, how many potential targets are vulnerable for attack, etc. Additionally, PARS would need to identify any obstacles that may exist between combatants and targets. Given the success of physics engines like the IPE model outlined by the research team at Massachusetts Institute of Technology, it seems reasonable that a similar framework can be adopted for the purposes of PARS.

GOAL 3: PRIORITIZE AND ACT

Now that PARS is able to (1) notice an object/person/action that is out of place/norm within its operational environment, (2) identify and classify the potential threat level of the element in question, (3) experience an emotional response that emphasizes the severity of the situation and prevents less important distractions from interfering, and (4) make a reliable prediction of what the next event is going to be, PARS should be able to move into the final phase of prioritizing the most important goal within its environment and determine what its next action is going to be.

The LIDA’s design is that after observing, identifying, and broadcasting important information across all sub-process networks, the workspace in the cognitive cycle sets out to recruit additional resources to respond to the broadcasts. From there, the cycle moves to goal context hierarchy. This is where the recruited schemes—including emotions— increase their activation and determine an appropriate action. Having given PARS the seemingly innate ability to quickly identify threat components and to predict the most likely physical outcomes, the emotional elements of the LIDA design should begin to influence priorities and action selections based off of those emotional responses. Remember, the emotional attachments should be the product of the procedural learning and familiarization phase of PARS’s development. Also, when we hear the words “emotional attachment” we tend to think of a subjective experience that produces something similar to, say, affection, which is misleading in this sense. I only mean “emotional attachment” as an item which would create *any* emotional response within PARS. For example, you may have zero affection for your office computer, but if somebody threw it out of a window, you would most likely have an emotional response to the loss of many important documents contained in that computer. In that example, you might see how your emotional response could be similar to PARS in that in it is most likely the result of an evaluation of a perceived event, and how that event affects you, and your ability to function. Similarly, PARS would develop attachments to people or objects which it is tasked with protecting, and, again, any threat directed at either increases PARS’s attention level and inspires PARS to adjust its goals.

CRITICISM

After hearing this proposal, some people might naturally arrive at the question, “Why not just use LIDA by itself?” I do believe the LIDA framework to be the most useful for our purposes, and after doing research on this topic, I do favor the LIDA designers’ approach in emphasizing perceptual learning along with episodic and procedural learning for building emotional attachments. However, for the sake of either immediate practicality, or a failsafe device, or as simply a reassurance provider for a robot functioning in a highly dangerous environment, I do feel that certain innate-like features should be present within the LIDA process.

Outside of just the perceptual, episodic, and procedural learning/memory design of the LIDA, PARS will always retain critical information for quick retrieval, regardless of how closely familiar PARS is with its operational environment. Rather than strict reliance on the processor

recruitment design of the LIDA, the goal is for PARS to be able to skip the recruitment process of the most critically important features that pertain to PARS’s overall purpose of function (recognizing and reacting to potential threats), thus optimizing response times. Recency/frequency-based memory systems would naturally seem to lag during the processes of problem-solving whenever they encounter elements of a situation that may not be familiar to them, such as unfamiliar weapons or potential threat components. I believe PARS’s design can overcome that limitation, as retrieval of that type of specific information would be automatic and threat analysis would continuously occur mandatorily at approximately once every 400 milliseconds.

I also believe this approach has the potential to assist the challenges of trying to get autonomous systems to simultaneously retain focus on an assigned task-oriented goal, while also processing outside world information in a manner which mimics the seemingly innate and subconscious features of human cognition.

Additional criticism may also focus on the current abilities (or inabilities) of technology to achieve the goals I have laid out. Based on personal communication with Troy Kelley, “current robot technology is not capable of identifying things like knives and guns.” Outside of object-recognition issues, I am also not sure if the current technology for “novelty detection” is where it needs to be in order to suit PARS’s needs. For the purpose of this essay, I am going to leave those challenging elements in, in the hopes that the technology to produce them is not far off. With object-recognition technology continuing to grow by leaps and bounds through new deep learning architectures—such as convolutional neural networks and recurrent neural networks—I am hopeful that the technology needed to address those issues will be available in the not-too-distant future. Additionally, I believe that a more fundamental (or even seemingly natural) approach to object recognition would be better served by heavily focusing on the spatiotemporal aspects of machine learning in the early developmental stage of PARS. Again, just like with human infants, spatiotemporal analysis and anomaly detection is effectively learned and retained, and then is followed by a growth toward feature detection based on those spatiotemporal fundamentals. Therefore, it is not hard to imagine that type of development as being key for quickly advancing object recognition and novelty detection for all autonomous systems.

Lastly, as deep learning mechanisms like convolutional neural networks (CNNs) become loaded with ever increasing amounts of labeled imagery, I am hopeful that weapon types and other potentially hazardous devices will be more easily identifiable and swiftly produce significant advancements in object recognition with regards to machine vision and machine learning.

SUMMARY

In conclusion, given the necessity of abilities such as distraction and goal prioritization in robots we plan on entrusting with autonomy, certain frameworks are needed to produce those abilities. Given also that the overall intent for PARS was to operate in an environment that heavily

relied on those abilities, it seemed best to ensure that all of the necessary sub-system processors were on hand to produce and reinforce the most critical components of PARS's operations. I feel that the Argus Prime and IPE models serve to do just that, by processing information in a manner similar to innate-like human abilities, while working in conjunction with the current LIDA model to recruit additional and necessary operational processors.

I have not intended that the model presented in this essay be seen as the most ideal format possible for achieving those abilities, but only to show how elements of certain pre-existing models can be used, and perhaps be combined, to provide a more optimal format.

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NOTES

1. Kelley and Veksler, "Sleep, Boredom, and Distraction: What Are the Computational Benefits for Cognition?"
2. Oxford Reference, 2018.
3. Franklin et al., "LIDA: A Computational Model of Global Workspace Theory and Developmental Learning."
4. Schoelles, Neth, Meyers, and Grey, "Steps Towards Integrated Models of Cognitive Systems: A Level-of-Analysis Approach to Comparing Human Performance to Model Predictions in a Complex Task Environment."
5. Battaglia, Hamrick, and Tenenbaum, "Simulation as an Engine of Physical Scene Understanding."
6. Baillargeon, "The Acquisition of Physical Knowledge in Infancy: A Summary in Eight Lessons."
7. Scholl, "Objects and Attention: The State of the Art," 36ff.
8. Franklin et al., "LIDA: A Computational Model of Global Workspace Theory and Developmental Learning."
9. Battaglia et al., "Simulation as an Engine of Physical Scene Understanding."
10. Franklin et al., "LIDA: A Computational Model of Global Workspace Theory and Developmental Learning."
11. Madl, Baars, and Franklin, "The Timing of the Cognitive Cycle." Troy Kelley has brought it to my attention that the timing of the human cognitive cycle is around 1 cycle per every 50ms. However, the only research available regarding the timing of the LIDA cognitive cycle shows that its cognitive cycle clocks in at once every 380ms. Given the addition of two new processors for the PARS design, I estimated that an additional 20ms would need to be added to the LIDA cycle.
12. Byrne and Anderson, "Serial Modules in Parallel: The Psychological Refractory Period and Perfect Time-Sharing."
13. Franklin et al., "LIDA: A Computational Model of Global Workspace Theory and Developmental Learning."
14. Liu et al., "Harnessing Ontology and Machine Learning for RSO Classification."
15. Khan et al., "A Review of Machine Learning Algorithms for Text-Documents Classification."
16. Liu et al., "Harnessing Ontology and Machine Learning for RSO Classification."

17. Battaglia et al., "Simulation as an Engine of Physical Scene Understanding."

REFERENCES

- Anderson, J., and Schooler, L. "Reflections of the Environment in Memory." *Psychological Science* 2, no. 6 (1991): 396–408.
- Anderson, J., M. Matessa, and C. Lebiere. "ACT-R: A Theory of Higher Level Cognition and Its Relation to Visual Attention." *Human-Computer Interaction* 12 (1997): 439–62.
- Baillargeon, R. "The Acquisition of Physical Knowledge in Infancy: A Summary in Eight Lessons." In *Blackwell Handbook of Childhood Cognitive Development*, ed. U. Goswami. Oxford: Blackwell, 2002.
- Battaglia, P., J. Hamrick, and J. Tenenbaum. "Simulation as an Engine of Physical Scene Understanding." *PNAS* 110, no. 45 (2013): 18327–32. <http://www.pnas.org/content/110/45/18327.full.pdf>.
- Byrne, M., and J. Anderson. "Serial Modules in Parallel: The Psychological Refractory Period and Perfect Time-Sharing." *Psychological Review* 108, no. 4 (2001): 847–69. doi:10.1037/0033-295x.108.4.847.
- Cavanna, A., and A. Nani. *Consciousness Theories in Neuroscience and Philosophy of Mind*. Berlin, Heidelberg: Springer Berlin Heidelberg, 2014.
- Franklin, S., U. Ramamurthy, S. D'Mello, L. McCauley, A. Negatu, R. Silva L., and V. Datla. "LIDA: A Computational Model of Global Workspace Theory and Developmental Learning." 1997. <http://ccrg.cs.memphis.edu/assets/papers/LIDA%20paper%20Fall%20A1%20Symposium%20Final.pdf>.
- Goswami, U. C., and R. Baillargeon. "Chapter 3: The Acquisition of Physical Knowledge in Infancy: A Summary in Eight Lessons." In *Blackwell Handbook of Childhood Cognitive Development*. Malden, MA: Blackwell, 2003.
- Khan, A., B. Baharum, L. Lee, and K. Khan. "A Review of Machine Learning Algorithms for Text-Documents Classification." *Journal of Advances in Information Technology* 1, no. 1 (2010): 4–20. <http://www.jait.us/uploadfile/2014/1223/20141223050800532.pdf>.
- Kelley, T., and V. Veksler. "Sleep, Boredom, and Distraction: What Are the Computational Benefits for Cognition?" *APA Newsletter on Philosophy and Computers* 15, no. 1 (Fall 2015): 3–7. <https://c.ymcdn.com/sites/www.apaonline.org/resource/collection/EADE8D52-8D02-4136-9A2A-729368501E43/ComputersV15n1.pdf>.
- LIDA Diagram. (n.d.). https://www.researchgate.net/figure/227624931_fig1_Figure-1-LIDA-cognitive-cycle-diagram.
- Liu, B., L. Yao, and D. Han. "Harnessing Ontology and Machine Learning for RSO Classification." *SpringerPlus* 5, no. 1 (2016): 1655. <https://doi.org/10.1186/s40064-016-3258-2>.
- Madl, T., B. Baars, and S. Franklin. "The Timing of the Cognitive Cycle." *PLoS ONE* (2011). <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3081809/>.
- Oxford Reference. (2018). <http://aut.ac.nz.libguides.com/APA6th/referencelist>.
- Schoelles, M., and W. Gray. "Argus Prime: Modeling Emergent Microstrategies in a Complex Simulated Task Environment." *Proceedings of the Third International Conference on Cognitive Modeling* (2000): 260–70. http://act-r.psy.cmu.edu/?post_type=publications&p=13921.
- Schoelles, M., H. Neth, C. Myers, and W. Gray. (2006) "Steps Towards Integrated Models of Cognitive Systems: A Level-of-Analysis Approach to Comparing Human Performance to Model Predictions in a Complex Task Environment." http://homepages.rpi.edu/~grayw/pubs/papers/2006/07jul-CogSci06/DMAP/SNMG06_CogSci.pdf.
- Scholl, Brian J. "Objects and Attention: The State of the Art." *Cognition* 80, no. 1-2 (2001): 1–46. <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.547.4788&rep=rep1&type=pdf>.
- Shah, J. Y., R. Friedman, and A. W. Kruglanski. "Forgetting All Else: On the Antecedents and Consequences of Goal Shielding." *Journal of Personality and Social Psychology* 83, no. 6 (2002): 1261–80. doi:10.1037/0022-3514.83.6.1261.
- Tongphu, S., B. Suntasiravaporn, B. Uyyanonvara, and M. Dailey. "Ontology-Based Object Recognition of Car Sides." Paper presented at the 9th International Conference on Electrical Engineering/Electronics, Computer, Telecommunications and Information Technology, Phetchaburi, Thailand, 2012. <https://doi.org/10.1109/ECTICon.2012.6254268>.

Using Quantum Erasers to Test Animal/Robot Consciousness

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INTRODUCTION

Heisenberg's uncertainty principle, which states that one cannot both know the position and impulse of a particle at once, is not only a restriction for our ability to gain knowledge about nature, but leads beyond that to a general "fuzziness" of all physical entities. By simple interpretation, an electron is not just here or there, but at many places at once. This rather bizarre state is called a superposition.

In the orthodox interpretation of quantum mechanics it is then the *measurement* which leads to a random choice between the various classical states in this superposition. Yet, not all agree upon what constitutes a measurement. Some, such as Heisenberg himself, held that a measurement can't be defined without involving conscious observers.¹ Others, such as Bohr, held that the property of being macroscopic is already enough.² But both of them put a strong emphasis on excluding the conscious observer from the observed system.³ However, in 1932 John Von Neumann wrote a formalization of quantum mechanics and stated that the conscious observer is the only reasonable line of separation between the quantum world and the classical macroscopic world.⁴ Eugene Wigner argued the same way in 1963,⁵ but withdrew his idea a decade later because he thought it might lead to solipsism due to the way other observers lie on the past light cone of a given observer⁶—a problem which actually can be solved using entanglement.⁷ The strong form of the orthodox interpretation (also called Copenhagen interpretation), which explicitly states that it is consciousness which causes the reduction/collapse of the wavefunction, is nowadays referred to as the Von Neumann-Wigner interpretation, or simply as "consciousness-cause-collapse" (CCC).

After the '60s a different view started gaining popularity, namely, that there is no such thing as a collapse of the wavefunction and that we ourselves coexist in a superposition of multiple states as well, each state giving rise to a separate consciousness. It would then be the vanishing wavelengths of macroscopic objects which make the macroscopic world appear rather classical (non-quantum). This interpretation is called many minds interpretation or many worlds interpretation and was popularized in different forms, most noticeably by Stephen Hawking. However, it is important to note that Hawking's version of it is fundamentally different, because there the different "worlds" are put onto separate spacetimes without any causal contact.⁸

It is often held that the above described *measurement problem* is only a philosophical problem and that its various proposed solutions are operationally identical. Students of physics are often told not to worry too much about where and by what means the wavefunction collapses, because

interference disappears for macroscopic objects, and thereby, arguably, all means to prove the presence of a superposition.

The basic assumption behind this premise is that even if it is indeed the conscious observer who causes the collapse of the wavefunction, he doesn't have any influence on into which state it collapses. Evidence that this assumption isn't necessarily true doesn't get the attention it deserves.⁹

Even if we put aside all evidence for consciousness being able to influence quantum probabilities, there are still plenty of other ways to test whether or not it is consciousness that causes the reduction of the wavefunction (the choice between realities). Evidence for *macroscopic superpositions* not using interference can be found in various other realms, such as quantum cosmology, quantum biology, parapsychology, and even crystallography.¹⁰ However, *in this paper I want to focus on how to easily test if something has consciousness in a laboratory*, without using a Turing test or any other test for cognitive abilities. These tests might work for human consciousness but are highly inconclusive for other animals.

John A. Wheeler was a strong supporter of "consciousness causes collapse" and one of the first to apply this principle to the universe as a whole, saying, "We are *not only participators in creating the here and near, but also the far away and long ago.*"

How did he come to this conclusion? In the '70s and '80s he suggested a number of experiments aiming to test if particles decide to behave like waves or particles, right when they are emitted or sometime later. For example, one could change the experimental constellation with respect to measuring the path information (polarizations at the slits) or the impulse (interference pattern) after the particle has already been emitted. When the experiments were done many years later, it turned out that what particles do before they are measured isn't decided until after they are measured. This led to Wheeler concluding, "*Quantum phenomena are neither waves nor particles but are intrinsically undefined until the moment they are measured. In a sense, the British philosopher Bishop Berkeley was right when he asserted two centuries ago 'to be is to be perceived.'*"

But many others preferred to rather believe that information partially travels to the past than to believe that reality is entirely created by the mind. Therefore, Wheeler brought the experiment to an extreme by suggesting to conduct it on light emitted from remote galaxies. The experiments showed Wheeler to be right again. The universe indeed materializes in a retrospective fashion.¹¹

Later in the '90s new experiments were suggested to test other temporal aspects of quantum mechanics. The so-called *quantum eraser experiment* was also about changing one's mind regarding whether to measure position (particle) or impulse (wave), but here the decision was *not delayed but undone* by erasing the path information.

The erasing is usually not done by deleting data in a measurement apparatus, but simply by undoing the polarization of the entangled partner of a given photon. Polarization doesn't require absorbing a particle. It is therefore no measurement, and the result wouldn't really be introducing much more than Wheeler's delayed choice experiment already did, but there is a special case, namely, undoing the polarization of the entangled partner after the examined photon arrived at the screen already. That is indeed possible, which means the screen itself, although being macroscopic, can be in superposition, at least for short periods of time. *This proves that the screen didn't make the wavefunction collapse.* If we can already prove this, then there must be a way of finding out where exactly the wavefunction collapses.

USING QUANTUM ERASERS TO TEST CONSCIOUSNESS

Polarizers can be used to mark through which of two given slits, A or B, a photon went, while its entangled partner is sent to another detector. The interference pattern disappears in this situation, but it can be restored if the entangled partner passes another polarizer C, which can undo the marking, resulting in the restoring of the interference pattern. This deleting can be done after the photon arrived at the detector screen, but not long after. Arguably, it is the signal's arrival at the consciousness of the observer that sets the time limit for the deleting.

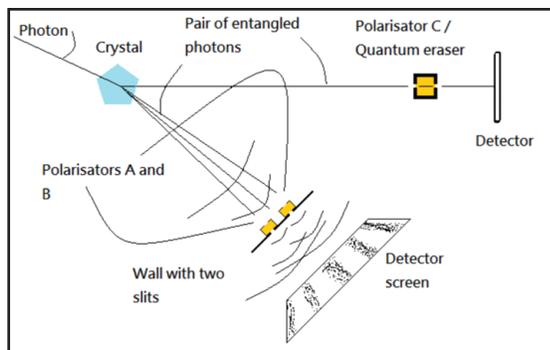


Figure 1. Interference pattern reappears when the quantum eraser is used. This happens even if the quantum eraser is further from the crystal than from the screen.

If decoherence theory (or Bohr's scale-dependent version of the Copenhagen interpretation) was right, then the screen should have measured the photon and thereby should have destroyed any chance for interference, simply because it is "macroscopic" (no quantum behavior). Yet that is hard to say because if one doesn't believe in the collapse of the wavefunction (decoherence theory is a no-collapse theory), then interference, and therefore information loss (erasing), may occur at any moment after the measurement.^{12,13}

In the Von Neumann-Wigner interpretation it is said that a measurement has to reach a conscious observer in order for the wavefunction to collapse. Yet, if the wavefunction collapsed right in the eye of the observer, there wouldn't be much time for erasing the measurement. Light signals from the measurement arrive almost instantaneously at

the eye of the observer (at the speed of light). Thus we can exclude the possibility that the eyeball of the observer causes the collapse of the wavefunction.^{14,15}

In my book *Quantum Gravity and the Role of Consciousness in Physics*, I described this experiment and suggested that *one could try to delay the erasing more and more in order to figure out in which moment in time and where in the brain the wavefunction collapses.* It may collapse at a subconscious level already (single projection to the cerebral cortex taking less than a half second), or at a conscious level (double projection to the cerebral cortex taking a half second).

It is sometimes suggested that if it is the subconscious which is responsible for the collapse of the wavefunction, then that could explain why we seem to have almost no influence on into which state it collapses.¹⁶

If erasing the measurement is possible until half a second after the measurement, then consciousness causes the collapse. If this time is slightly shorter, let's say one third of a second, then subconsciousness causes the collapse. We can know this because the temporal aspects of consciousness have been studied quite excessively by the neuroscientist Benjamin Libet.¹⁷

If we now replace the human by a robot, we would have to place all humans very far away in order to avoid having them collapse the wavefunction. Yet, as soon as the measurement reaches the macrocosm, changes in all fields reach the human with light speed. *And for the wavefunction to collapse, no real knowledge of quantum states needs to be present in the consciousness of an observer. All that is needed is different quantum states to lead to distinguishable states of the mind.*

Another technicality is that although the wavefunctions of macroscopic objects around us collapse every fortieth of a second (the frequency of our brain in the perception realm), the single photons and subsequent brain signals remain in superposition for almost half a second.

When looking at mind over matter interactions, which are mostly about influencing macroscopic systems, the fortieth second is crucial, whereas for quantum erasers, which are about single photons, it is the half second which is crucial.

After testing humans, one can go on and test animals with different brain structure. In some animals the subconscious/conscious level could be reached earlier or later, and that should affect the time limit for the quantum eraser.

Of course, when there is a way to check experimentally if something has consciousness, one can do that for all kinds of things, even robots, cameras, stones, and so forth. It is my belief that something totally algorithmic can't be conscious, simply because such a consciousness wouldn't affect the system's behavior. Only a system which is *quantum random* can have a consciousness that actually affects the system.

Obviously, opinions deviate strongly here, but the good thing is that we don't need to solely rely on beliefs or formal arguments anymore; we can actually go on and experimentally test it.

What we can do is this: Assume that a robot would become aware of things very fast, much faster than the half second it takes for humans. One can then go on and test that by putting the robot in front of the experimental device together with a human. If the robot makes quantum erasing impossible already before the signals reach human consciousness, then the robot is conscious.

Of course, this doesn't account for the possibility that robot consciousness, if existent, is slower than human consciousness (humans experience everything a half second delayed in time!).

Some people think that replacing the human observer by a camera and seeing that the wavefunction still collapses already proves Von Neumann wrong.¹⁸ They miss the point that the quantum state reached the macrocosm already when entering the camera. According to the Von Neumann view, the first time the wavefunction collapsed was after the emergence of life, yet that doesn't have any obvious impact on the world. In Everett's many worlds interpretation the wavefunction never collapses, and again there are no obvious implications. That means only if we try to rapidly erase the measurement can we hope to learn something about where the wavefunction collapses.

In decoherence theory, decoherence replaces the wavefunction collapse. In this theory, objects can be treated classically as soon as interference is lost. Calculating when interference is lost is relatively easy: for any macroscopic object, it is "lost" almost instantaneously. Yet this doesn't tell us when a measurement becomes irreversible. The issue of irreversibility is independent from decoherence (losing of interference), and looking at the ontology of decoherence theory, one would have to assume that erasing a measurement should always be possible. Some took this literally, which led to the creation of rather bizarre theories, such as the "Mandela-effect" where the past is not regarded unchangeable anymore and the universe becomes "forgetful."

According to Max Tegmark, decoherence theory may even lead to a bizarre form of solipsism where consciousness "reads" the many worlds always in a sequential order which leads to its succession—its survival. That is expressed in his thought experiment "quantum suicide." Rather surprisingly, Tegmark doesn't use this to make a case against decoherence theory, but rather wants to show how "thrilling" it is.

SCHRÖDINGER'S CAT IS REAL

For entities that have a consciousness which is faster than human consciousness, one can easily test that by looking at how much the time window for the quantum eraser is shortened. However, accounting for entities with a slower consciousness, we have to try to isolate the whole system from humans and all other potentially conscious animals. This could be done by moving the whole experiment into

a Faraday cage and/or placing it deep beneath the surface of earth and far away from human observers. Nothing that happens inside this Faraday cage should be able to influence anything on the outside.

If the experiment is really perfectly isolated, then the erasing of the which-path information could be delayed further and further. All one would have to do is to let the entangled partner photon continue its travel, for example, by letting it travel circularly inside optical fibers. Yet, if the delayed erasing is to be successful, the entangled partner has to finally hit the third polarizer before the Faraday cage is opened.

Considering how far photons travel in a half second (about 150,000 km), some way to store them without measuring them must be found. Photons travel slower inside optical fiber, reducing the distance traveled in a half second to only 104,927 km, but that is still by far too long for a distance to be traveled in a laboratory. One way to slow them down further could be to let them enter some sort of glass fiber loop. Trapping photons inside mirror spheres or mirror cubes, similar to the "light clocks" in Einstein's thought experiments, is probably not feasible. That is mainly because in such mirror cages photons are often reflected frontal (in a 90-degree angle), and that is when the likelihood of a photon to be absorbed by the mirror is highest (the worst choice here being a mirror sphere¹⁹). Ordinary mirrors reflect only about half of the photons that hit them. Even the best laser mirrors, so called supermirrors,²⁰ made exclusively for certain frequencies reflect only 99.9999 percent of the light, and with many reflections (inside an *optical cavity* made of such supermirrors) a single photon would certainly be lost in a tiny fraction of a second. That doesn't happen in a glass fiber wire because there reflection angles are always very flat.²¹

It might prove itself to be very difficult to get the photons in and out of the loop, but even more difficult it seems to get them entering the glass fiber wire in the first place, after they are created together with their entangled partners at the crystal. An option could be to make the glass fiber wire wider at the one end which is used as the entry. One could also guide the photons into the wire by using a focusing lens or a series of guiding mirrors. The first glass fiber wire would lead the photons to the fiber loop. At the place of entry into the loop, the first fiber wire has to be almost parallel to the loop. If the photons always travel in the same direction, they won't ever leave the loop in this case. After sufficient delaying time is gained, the photons have to be taken out and be directed to the third polarizer. That could be achieved if the direction of the entrance fiber wire could be switched so that the entrance becomes an exit. This exit could then be made pointing into the direction of the third polarizer.

In some sense, this experiment would be the first real "Schrödinger's cat" experiment, because just like in Erwin Schrödinger's thought experiment, an animal is put inside a box, here a Faraday cage, and it is theorized about if the animal is in superposition (indicating unconsciousness) or in a certain state (indicating consciousness). But here we have an experimental constellation, which allows us

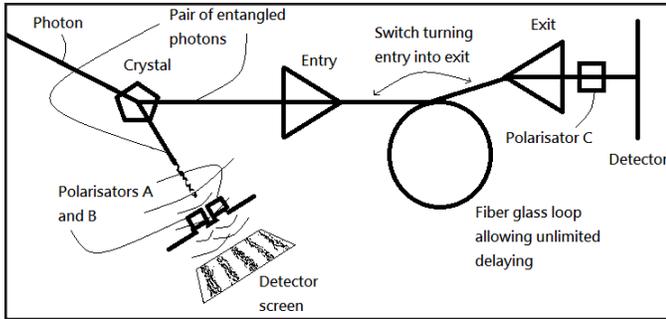


Figure 2. Using a fiber glass loop with an entry that can turn into an exit, the erasing of the which-path information can be delayed as much as wished by the experimenter.

to actually check if the animal was in a superposition or not. As for “Schrödinger’s cat” in his original thought experiment, one could either just find the cat alive or dead after opening the box. There wasn’t any way to tell if the cat had been dead or alive from the beginning, or if it was in a superposition of both states (alive and dead).

(UNCONCIOUS) ROBOT IN A FARADAY CAGE

For cats, we can be pretty sure that they are conscious, so we can’t really make them enter a superposition of being alive and dead at the same time. For robots, that’s different: we can be pretty sure that they are unconscious. So if we want to dramatize the experiment, we could have the robot destroying itself when it “sees” an interference pattern.²² The destruction of the robot (as well as the interference pattern on the screen) could then be erased/undone (!) by the third polarizer. Of course all this has to happen before the Faraday cage is opened. This basically means that the whole past of what happened inside the Faraday cage is decided when it is opened.

However, this is much different from Schrödinger’s cat, and maybe much more dramatic. Instead of being in a superposition of destroyed and not destroyed, the robot would “experience” a state of having been definitely destroyed and then a state of never having been destroyed. Of course, that can’t be “experienced,” and it is just our way of talking about things as if they were real without us looking at them (“looking” here stands for any form of influence to the observer).

A less paradoxical way of talking about this robot is to say that if he destroys himself in the past depends on whether the interference pattern is restored in the future.

OTHER RESEARCH

1. DEAN RADIN AND THE DOUBLE-SLIT-OBSERVER-EFFECT EXPERIMENT.

In 2016, at the The Science of Consciousness Conference (TSC) in Tucson, Dean Radin gave a lecture which was titled “Experimental Test of the Von Neumann-Wigner Interpretation.”²³ Although that was not the name of the associated paper,²⁴ the experiments he had conducted were basically presented as evidence for consciousness collapsing wavefunctions. Although that has indeed been shown by Radin, the way the experiment was described can

be somewhat misleading as to what was really happening. It was a double-slit experiment involving participants “observing” the double slits and thereby altering the *interferometric visibility* of the interference pattern. These human observers were not really watching the double slits with their eyes. They were not staring at the slits to look through which slit the photons passed. If they did so, the photons would go into their eyes and thus we wouldn’t have a chance to analyze how the interference pattern was altered. What they did instead is they focused on the slits with their mind. The way Radin puts it, the observers tried to look at the double slits with their “inner eye,” in an ESP sort of way. This would be remote viewing; yet one can only remote view things that already exist. A photon that is flying through a double slit does not have a position yet, so the position of the photon is not existing information at that stage.

Therefore, in this experiment the wavefunction is not collapsing any time earlier than usual. It doesn’t collapse at the double slit, not even for some of the photons. The wavefunction still collapses only when the photons are registered at the screen and the picture of the screen arrived at the conscious part of the observer’s brain.

This experiment is, in its essence, not different from any other micro-PK experiment. Any form of psychokinesis (PK) is proof that something is in superposition, that the wavefunction hasn’t collapsed. If somebody can perform PK on, let’s say, a cup, it means that the whole cup is in superposition (for a 40th second). Yet if the target object is a single quantum event we speak about micro-PK and all that we can be sure to have been in superposition is the associated quantum particle. However, the observer having an effect on it makes it at least plausible that its quantum state did collapse somewhere in the brain of the observer. In this sense, all nonlocal perturbation experiments can be seen as evidence for consciousness based interpretations of quantum mechanics. Yet, having to deal with so many different interpretations with several of them being related to consciousness, it is obviously not enough to demonstrate the observer effect in order to prove that the orthodox interpretation is the only option.

For some reason, the psi-effect Radin found at the double slits was much stronger than what he and others usually find using other setups such as random number generators (RNG). His result had sigma-5 significance. Maybe the more interesting setup is the main reason for this.

In parapsychology the physical worldview a researcher subscribes to can have a significant impact on how data is interpreted. If someone, in spite of quantum mechanics, believes reality to be based on a time-symmetric space time block universe, for example, he is likely to interpret nonlocal perturbation as precognition.

While I believe the observers were conducting usual micro-PK on the photons, Dean Radin believes the photons were “measured” by remote viewing and the interference pattern was thereby altered. Without going beyond the conventional quantum theory that is afflicted in ambiguity, it will be hard to convince Radin that it was actually micro-

PK and that he should have asked his participants not to mentally “look,” but to “wish.” A similar debate I have with him about his precognition experiments which I interpret as to represent cases of micro-PK as well (the future picture is selected by a RNG).

He showed that people can react to quantum randomly selected pictures in advance.²⁵ For me, this is a form of PK. For him, it is precognition. From a general relativity perspective, his opinion makes more sense. From a quantum perspective, PK is the more plausible explanation.

The same also works backwards in time: various researchers have shown that when one uses a computer to record random bits produced by a RNG which are left unobserved for hours, days, and in some cases even for half a year, one still can go and influence the outcome. Looking at this from a space-time perspective, one might suggest that the record in the past was influenced by the observation in the future—an example for retrocausality. And indeed, both Dean Radin and Stephan A. Schwartz argue that way.²⁶ However, from a quantum perspective, it is more plausible to assume that the record was in superposition all the time before it was played.

An argument against this view by Schwartz is that the success rates are somewhat higher for these retrospective experiments than for ordinary RNG experiments.

Summarizing, we can say that Dean Radin’s double-slit-observer-effect experiment can’t determine when and where the wavefunction collapses. It is a regular double-slit experiment and that is a thing a regular double-slit experiment just can’t do.

Therefore, it is not a test of the Von Neumann-Wigner interpretation to any extent beyond the usual micro-PK experiments.

All we can infer from it is that the observers influenced the outcome. When this influence manifested, we can’t know from it. For instance, it doesn’t disprove Roger Penrose’s gravity-induced wavefunction collapse (OR). What Roger Penrose believes is that it is gravity that induces the collapse, but that it somehow gives rise to consciousness. Others, like Max Tegmark, believe that consciousness chooses its path through an Omnium-like universe of all possible states—an example of this idea is the aforementioned “quantum suicide” thought experiment. These are all examples of theories that don’t link the wavefunction collapse to consciousness but that still hold that consciousness has influence over it.

So when testing interpretations of quantum mechanics there are two aspects to consider:

- 1) Does the observer have an influence on quantum states?
- 2) When and where does the wavefunction collapse?

Dean Radin’s fifty years of research answers (1) with a definite yes, but for answering (2) we need to do the

quantum delayed eraser experiment I described here. Fortunately, Radin has just recently expressed interest in conducting the quantum delayed eraser experiment presented here in his lab in the near future.²⁷

2. LUDOVIC KRUNDEL: DELAYED-CHOICE DOUBLE-SLIT EXPERIMENT OBSERVED BY A ROBOT

Beginning in 2013, Ludovic Krundel had been promoting an experiment where a robot is looking at a double slit set up with humans staying as far away as possible. He suggested that if the robot is unconscious, then checking through which slit the photons goes shouldn’t destroy the interference pattern.

There are several problems with this: firstly, an unconscious robot isn’t any different from a normal measurement device, and our experience with measurements is that we can never both obtain the path information and the impulse information (interference).

Secondly, any measurement by the robot would bring the quantum states into the macrocosm and from there it is just a matter of time until the observer’s state is influenced.

The way he described it, it was a delayed-choice experiment. Presumably that was influenced by the pre-Wheeler notion of a particle deciding to travel as a wave or a particle before taking off. While accepting the reality of delayed choices, one might think that they cannot happen when the measurement is done by an unconscious robot. It is not too obvious that even when using the Von Neumann criteria of measurement (consciousness-induced collapse of the wavefunction), a measurement doesn’t have to be directly displayed to a human in order to count as such. Even in the physicist community, people still sometimes misunderstand the Von Neumann interpretation in this essential way.²⁸ This is, on the one hand, because pondering about the interpretation problem isn’t encouraged much in general, and on the other hand, because Von Neumann himself did not spend much time formulating his interpretation in detail. A clarification that different quantum states only need to lead to different brain states in order to count as measured, without the requirement of any concrete knowledge of these states, would have been very useful. It is this lack of clarity that led to a lot of confusion on if and how to apply quantum mechanics to the macroscopic world.

RESUME

Why hasn’t this experiment been proposed before? One reason is that delaying the erasing for more than just tiny fractions of a second is rather difficult (photons are just too fast). The other reason is that very few physicists are proponents of the Von Neumann-Wigner interpretation and even fewer are familiar enough with concepts in neurobiology in order to link them to things in physics.

And, finally, there is the general misconception that choosing different interpretations doesn’t influence predictions on experimental results. We can categorize interpretations of quantum mechanics into scale-

dependent and consciousness-dependent approaches. Most interpretations exist in both variations. We therefore shouldn't really care if there is a wavefunction collapse or a splitting of worlds, because operationally they are the same. All that operationally matters is where the cut is to be placed: Is it scale dependent or consciousness dependent?

It is my opinion that the present results of quantum eraser experiments already prove that scale-dependent approaches can't be right. Some, such as Penrose's gravity-induced wavefunction-collapse theory, might be fine with a detector screen being in superposition for short periods of time. Further delaying the erasing will, however, make it increasingly difficult for any scale-dependent theory to survive.

In my opinion, the interpretation and ontology of a theory is just as important as its mathematical structure. Without a proper interpretation it is not possible to correctly apply the mathematical formalism in all situations. That is just as true for relativity theory. Only by correctly interpreting both theories can a unification be conceived.

In some sense I hold that *pure interpretations* don't exist and that philosophy, correctly done, always leads to hard science.

Note: This is not only an experiment, but can also be turned into a device/product for testing consciousness. The applications would be broad. It could, for example, measure when consciousness is delayed because of drug use.

One who would be perfect for conducting the experiment is the Austrian quantum experimentalist Anton Zeilinger. That is because he is most skilled and renowned in working with interferometers. He could also be good for giving advice on how to conduct the experiment.

ACKNOWLEDGEMENTS

Special thanks goes to Professor Gino Yu, who invited me to the CSTS conference in Shanghai (Mai; 2017); Professor Piotr Boltuc, whom I met there, and Dr. Ludovic Krundel, who mentioned my book in connection with testing consciousness in his speech,²⁹ evoking P. Boltuc's interest and leading up to the creation of this paper.

NOTES

1. Werner Heisenberg, *Physics and Philosophy* (George Allen and Unwin, 1958), Chapters 2 (History), 3 (Copenhagen interpretation), and 5 (HPS). Heisenberg says the outcome of the measurement is decided at the measurement apparatus, but the wavefunction doesn't change before the registration in the consciousness of the observer. Although, according to Heisenberg, it is the measurement apparatus where the measurement outcome is decided, the apparatus obtains this power only by being connected to a conscious observer.
2. Niels Bohr, "Unity of Knowledge," in *Atomic Physics and Human Knowledge* (New York, 1958), 73. Niels Bohr never really analyzed the measurement problem. The only hint he gave is that what happens in a measurement apparatus is irreversible, and that is what could constitute a measurement. He insisted that macroscopic objects have to be treated classically but didn't elaborate on why one then can't use macroscopic measurement devices to violate Heisenberg's uncertainty principle. In fact, he had to treat measurement devices as quantum objects before in order to refute some of Einstein's objections and thought

experiments in the Bohr-Einstein debate (double-slit experiment with suspended slits measuring tiny displacements in the slit position).

3. This can be said with more certainty for Heisenberg than for Bohr. Although the term "Copenhagen interpretation" is meant to represent the views of both men, it was Heisenberg who formulated the interpretation in a rather unambiguous way and who gave it its name (in 1958). While Bohr often stressed that quantum mechanics allows us only to talk about the outcome of experiments, it was Heisenberg who explicitly stated that observers can't be part of the measured system (see note 1).
4. John von Neumann, *Mathematical Foundations of Quantum Mechanics*, 1932, trans. R. T. Beyer (Princeton University Press, 1996 edition: ISBN 0-691-02893-1).
5. Eugene Wigner and Henry Margenau, "Remarks on the Mind-Body Question," *Symmetries and Reflections*, Scientific Essays, *American Journal of Physics* 35, no. 12 (1967): 1169–70. doi:10.1119/1.1973829.
6. Michael Esfeld, "Essay Review: Wigner's View of Physical Reality," in *Studies in History and Philosophy of Modern Physics*, 30B (Elsevier Science, Ltd., 1999), 145–54.
7. Sky Damos, *Quantum Gravity and the Role of Consciousness in Physics*, CreateSpace Independent Publishing Platform, 2014.
8. In this scheme probabilities are re-interpreted as a statistical probability to be in one or the other among many universes.
9. Dean I. Radin, *The Conscious Universe: The Scientific Truth of Psychic Phenomena* (New York: HarperOne, 2009).
10. All this evidence is described in detail in my book, *Quantum Gravity and the Role of Consciousness in Physics*, available both on www.amazon.com and www.academia.edu.
11. Retrospective here doesn't mean that something travels into the past, but that the past is created at the moment of measurement.
12. Though they would claim that information is not something that must be accessible to individuals, but it can be something like the wavefunction of the universe, which is thought of to be out there without being accessible to any particular observer. In this line of thinking, no information is really lost.
13. Decoherence theory can lead to issues with information conservation: If interference is always allowed, then it will happen even with vanishing wavelengths. Within a universe that never experienced a collapse of the wavefunction, quantum probabilities might get lost totally. If the universe is in all possible states right now, then those states should, arguably, all have the same likelihood. In such a world, there would be no reason for an observer to experience a certain succession of states more likely than another.
14. Von Neumann's original paper discussed the question at which place in the brain of the observer the wavefunction might be collapsing.
15. Unless the extra distance travelled by photon is not much longer than the distance of the observer to the measurement device for photon.
16. Lothar Arendes, *Gibt die Physik Wissen über die Natur?: Das Realismusproblem in der Quantenmechanik* (Würzburg, Germany: Königshausen & Neumann, 1992).
17. Benjamin Libet, *Mind Time: The Temporal Factor in Consciousness, Perspectives in Cognitive Neuroscience* (Harvard University Press, 2004). ISBN 0-674-01320-4.
18. Paris Weir, personal correspondence, 2017.
19. Video on the behavior of light in a spherical mirror: <https://www.youtube.com/watch?v=zRP82omMX0g>.
20. Entry on supermirrors in an encyclopedia of optics: <https://www.rp-photonics.com/supermirrors.html>.
21. A helpful discussion on trapping photons between mirrors can be found here: <https://www.physicsforums.com/threads/light-in-a-mirrored-sphere.90267/>.
22. Of course, an interference pattern involves many particles. If only one particle pair is used, then there would be no real pattern,

but still particle A wouldn't arrive at the two possible positions corresponding to straight paths through the slits. That indicates that it interfered with itself. It doesn't really make a difference for the experiment if it is just one pair or many in a row. The erasing works in both cases.

23. TIC 2016 TUCSON, page 194. A video of the lecture can be found here: https://www.youtube.com/watch?v=uSWY6WhHI_M.
24. D. Radin, L. Michel, and A. Delorme, "Psychophysical Modulation of Fringe Visibility in a Distant Double-Slit Optical System," *Physics Essays* 29, no. 1 (2016): 14–22.
25. Dean Radin, *Time-Reversed Human Experience: Experimental Evidence and Implications* (Los Altos, CA: Boundary Institute, 2000).
26. Stephan A. Schwartz, personal correspondence, 2017.
27. Dean Radin, personal correspondence, 2018.
28. Paris Weir, personal correspondence, 2017.
29. Actually, Ludovic Krundel mentioned the possibility of testing consciousness with quantum experiments in connection to my book in all of his speeches since the beginning of 2016. That speech in May 2017 just happened to be the first one I saw from him.

The Explanation of Consciousness with Implications to AI

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In my recent Finnish language book *Tietoisuus, tekoäly ja robotit (Consciousness, AI and Robots)*,¹ I present a new explanation for phenomenal consciousness. This explanation rejects materialism, dualism, immaterialism, emergentism, and panpsychism. What is left should be self-evident. Here I provide a summary of that argument.

1. INTRODUCTION

The brain operates with physical processes that are observable by physical instruments. However, this is not our conscious experience. Instead of percepts of physical processes and neural activity patterns, our contents of consciousness consist of apparently immaterial, phenomenal, qualitative experiences. So far there has not been any good explanation of how the phenomenal experience is generated by the physical processes of the brain.

The problem of consciousness is further complicated by the detection problem; the fact that the actual phenomenal inner experience cannot be detected as such by physical means from outside; it is strictly personal and subjective. So far, instruments have not been able to capture the feel of the redness of a rose, the feel of pain and pleasure, etc. This fact could be taken to prove that firstly, there must be something unique going on, and secondly, the inner experience must be of immaterial nature since it cannot be detected by material means. These conclusions lead to dualistic explanations, where consciousness is seen as a separate immaterial substance or some emergent non-material mental property. These explanations are not satisfactory.

An acceptable explanation of phenomenal consciousness would explain how the inner phenomenal experience arises without resorting to dualism or emergence. Here I give such explanation based on the physical perception processes in the brain.

2. PERCEPTION AND QUALIA

All our information about the physical world comes via our senses. The brain operates with neural signals, and consequently it is not able to accept non-neural external stimuli, such as sound, photons, temperature, odor, taste, etc., as direct inputs. Therefore, senses transform externally sensed stimuli into neural signal patterns that convey the sensed information. The resulting signal patterns are not the sensed entity or property itself; instead, they are neural responses that are generated by the sensors' reactions to the sensed stimuli. Consequently, the eventual phenomenal percepts are not the actual properties of the sensed phenomena; instead, they are kinds of "false color" impressions of these. The experienced sweetness of sugar is not a property of sugar; instead, it is the evoked reaction of the system. The experienced redness of a rose is not a property of the rose; instead, it is the evoked reaction of the system to the excitation of the cone cells in the retina by certain photon energies.

The important point here is that we do not experience these reactions as neural activity. Instead, these neural activities appear internally as apparent qualities of the world: sounds, visual forms, colors, odor, taste, pain, pleasure, etc. These sensations are called qualia. More generally, whenever any neural activity manifests itself as a percept, it manifests itself as a quale, not as the actual neural activity.

This leads to the big question: Why and how does some of the neural activity in the brain manifest itself as qualia and not as the actual neural activity as such or not at all? This question is known as "the hard problem of consciousness" as recognized by Chalmers² and others, and the solving of this problem would constitute the explanation of phenomenal consciousness. The issues that relate to the contents of consciousness, such as self-consciousness, situational awareness, social consciousness, etc., are consequential and do not have a part in the explanation of the basic phenomenal consciousness.

3. ARE QUALIA NON-PHYSICAL?

It is generally understood that at least in principle, all physical processes can be detected and measured by physical instruments via physical interactions between the detector and the detected. Accordingly, various physical brain imaging methods are able to detect neural activity patterns and neural signals in the brain. However, no instrument has ever been able to detect qualia. Pain-carrying neural signals can be detected, but the actual feel of pain remains undetected. The same goes for all qualia. Phenomenal experiences cannot be detected by physical instruments. Surely, this should show that qualia and consciousness are non-physical, immaterial entities, or would it? On the other hand, if it could be shown that qualia were not immaterial, dualistic explanations of consciousness would be unnecessary.

This problem can be solved by the scrutinization of the general process of measuring. Measuring instruments and arrangements detect and measure only the property that they are designed to measure. If you measure a photon as a particle, the photon will appear as a particle. If you measure a photon as a wave, the photon will appear as a wave. However, the particle view and the wave view are only our own models and descriptions of the photon, while the photon as itself is what it is. Measurements do not reveal the actual photon as itself, "das Ding an sich." The same goes for all measurements. The measured object is not revealed as itself; instead, our instruments give some symbolic patterns and values that represent and describe some properties of the measured object. Therefore, the failure to detect and measure qualia is not a unique situation. Instead, it is the direct consequence of the universal limitations of detection and measurement processes. It is not possible to externally access the detected entity as the phenomenal itself, and the only instrument that can detect phenomenal qualia is the experiencing system itself. Consequently, the undetectability of qualia is not an indication of any non-physical nature of the same.

Based on the above, it should be obvious why sensory neural activities appear as qualia instead of appearing as actual neural processes. There is no reason why the neural sensory responses should internally have similar material expression that we get from the outside by our instruments in the first place. In the brain there are no sensors that could detect neural signals as such, and if there were, the neural signals would not be detected as themselves, but as the reactions of the detecting sensors.

Neural sensory responses result from the inspection of the world by senses and consequently, the responses are not about themselves; they are about the sensed stimuli and assume qualities of the stimuli, albeit in a different form, like false color imagery. The mind is not able to access the world as "das Ding an sich" any better than we are with our instruments. Yet, we believe that we perceive the world exactly as it is and our impressions of colors, sounds, smells, etc., are actual world properties. They are not; they are the way in which the neural sensory responses are experienced internally. Technically, this is not much different from the radio, where the radio frequency carrier wave carries the transmitted sound as modulation.

4. PERCEPTION, QUALIA, AND CONSCIOUSNESS

The content of consciousness is always about something. It may consist of percepts of the external world and the physical body or thoughts, memories, and feelings, or the combination of these. Introspection shows that superficially the contents of consciousness always appear in terms of sensory percepts, which in turn have the form of qualia.

Inner speech appears as a kind of heard speech, imaginations appear as seen images, imagined actions appear as being virtually executed and perceived by proprioceptors. This kind of effect can be produced by internal feedback loops that return the products of mental processes into virtual percepts.^{3,4,5} Without this feedback process, the products of mental processes would not become consciously perceived because in the brain there are no sensors that could sense

the neural activity as such. And if there were, it would be no good, as the neural activity as such is not interesting, only the carried information matters. And this can be decoded by returning it into virtual percepts.

The qualia-based percepts generated by sensory perception indicate the instantaneous presence of the corresponding stimuli: seen objects, heard sounds, smell, etc. Without any additional mechanisms, these percepts would disappear without a trace as soon as the stimuli were removed. However, in conscious perception the percepts can be remembered for a while. They can be reported verbally or by other means, and they can evoke various reactions and associations, and this very action separates conscious perception from non-conscious perception. The effect of a conscious percept goes beyond the automatic stimulus-response reaction. The required additional mechanisms are short-term memories and associative long-term memories with the aforesaid feedback configuration. This is an easily implementable technical requirement, and as such does not call for any ontological explanation.

Qualia are self-explanatory; they do not need any interpretation. Red is red, visual patterns are visual patterns, pain hurts directly, a hand position is a hand position, and no names or additional information are required to experience them. Their appearance and feel are their intrinsic meaning. However, additional meanings can be associated with these sensations. These additional associated meanings, such as names and affordances, allow the generation of mental concepts and their mental manipulation. Technically, this calls for associatively cross-connected neural network architectures. These architectures can be created by artificial means.⁶

An important form of the contents of consciousness is the inner speech that uses a natural language. A natural language is a symbolic system with words as symbols. It is known that in closed symbolic systems, such as natural language or mathematics, the meanings of the used symbols cannot be ultimately defined by other symbols within the system. Syntactic operations will not lead to semantics, as pointed out by, e.g., Searle.⁷

A natural language is a method for the description of the external world, and therefore the used words must ultimately refer to external entities and conditions; the meanings of the words must come from outside the symbolic system. However, this outside information cannot be in the form of symbols because these would only enlarge the original symbolic system, and the number of symbols to be interpreted would only increase. Successful grounding of meaning calls for self-explanatory pieces of outside information. It should be evident what the forms of these self-explanatory pieces of information would be; they are qualia.

5. THE EXPLANATION OF CONSCIOUSNESS

The author argues that consciousness is not any material substance. Furthermore, the author argues that consciousness is not an immaterial substance either, such as a soul or panpsyche. Obviously, this approach eliminates all dualistic explanations.

It is argued that 1) consciousness is perception with self-explanatory qualia and short-term memory that allows reportability. Without percepts the contents of consciousness is empty; there is no consciousness. 2) Qualia are the way in which the neural sensory responses are experienced by the system itself. Consequently, they are “das Ding an sich” that can externally be observed only as neural activity and not as any phenomenal “feel.”

The rejection of dualism: Technically, perception is interaction consisting of the flow of neural sensory responses that associatively evoke other neural activity patterns. Action and interaction are not a material or an immaterial substance any more than the raising of a hand or running. The assumption of otherwise leads to category error and to attempted dualistic explanations that in the end try to explain what is to be explained by the unexplainable.

6. IMPLICATIONS TO AI

True general intelligence calls for true understanding. This can only be achieved by the grounding of the meaning of the used symbols to the external world—its entities and conditions. This in turn calls for perception processes. Contemporary computers do have cameras and microphones and possibly other sensors, but they always transform the sensed information into the digital currency of operation, namely, binary numbers. These are symbols without any intrinsic meaning, and the computer manipulates these as any calculator would. The numbers mean nothing to the computer, and the interpretation of meaning remains to the human operator. The grounding of meaning remains missing.

It was argued here earlier that the grounding of meaning calls for external information that is self-explanatory, and this kind of information has the form of qualia. Consequently, eventual machines that understand and operate with external meanings must have perception processes that produce percepts in the form of qualia. These qualia do not have to be similar to human qualia. To have perception process with qualia is to have consciousness; thus, true intelligent machines will have to be conscious.

NOTES

1. P. O. Haikonen, *Tietoisuus, tekoäly ja robotit* (Helsinki, Finland: Art House, 2017).
2. D. Chalmers, “Facing Up to the Problem of Consciousness,” *Journal of Consciousness Studies* 2, no. 3 (1995): 200–19.
3. P. O. Haikonen, *The Cognitive Approach to Conscious Machines* (UK: Imprint Academic, 2003).
4. P. O. Haikonen, *Robot Brains* (UK: Wiley, 2007).
5. P. O. Haikonen, *Consciousness and Robot Sentience* (Singapore: World Scientific, 2012).
6. *Ibid.*
7. J. R. Searle, “Minds, Brains, and Programs,” *Behavioral and Brain Sciences* 3, no. 3 (1980): 427.

Digital Consciousness and Platonic Computation: Unification of Consciousness, Mind, and Matter by Metacomputics

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INTRODUCTION

Throughout the history of human civilization, driven by our never-ending curiosity, many ideas have been proposed to explain the world we live in.

Observation of the world gives us conceptual metaphors that are often used to propose theories and models. Light as a wave, light as particles, gas as billiard balls, electric current as flow and the atom as a planetary system are all examples of metaphor-based hypotheses that have been accepted as mainstream scientific theories. Many others, including the plum pudding model of the atom, were discarded when they failed to explain new experimental results.

Since the second half of the twentieth century, inspired by the development of computation and telecommunication technologies, some computer scientists and physicists have proposed new ideas of the world that can be categorized by the terms *digital physics* and *digital philosophy*.

These theories are grounded in one or more of the following hypotheses that the universe

- is essentially informational
- is essentially computable (computational universe theory)
- can be described digitally
- is in essence digital
- is itself a computer (pancomputationalism)
- is the output of a simulated reality exercise

Konrad Zuse (1969), one of the earliest pioneers of modern computer, first suggested the idea that the entire universe is being computed on a computer.

John Wheeler (1990) proposed a famous remark “it-from-bit”:

“It from bit” symbolizes the idea that every item of the physical world has at bottom—a very deep bottom, in most instances—an immaterial source and explanation; that which we call reality arises in the last analysis from the posing of yes–no questions and the registering of equipment-evoked responses; in short, that all things physical are information-theoretic in origin and that this is a participatory universe.

The terms *digital Physics* and *digital Philosophy* were coined by computer scientist Edward Fredkin (1992) who

speculated that it (Fredkin, 2005, p275) "only requires one far-fetched assumption: there is this place, Other, that hosts the engine that 'runs' the physics."

Related ideas include the binary theory of ur-alternatives by Carl Weizsäcker (1980) and ultimate ensemble by Max Tegmark (2007).

Others who have modeled the universe as a giant computer include Stephen Wolfram (2002), Juergen Schmidhuber (1997), Hector Zenil (2012), and Tommaso Bolognesi (2012).

Quantum versions of digital physics have been proposed by Nobel laureate Gerard 't Hooft (1999), Seth Lloyd (2005), David Deutsch (1997), Paola Zizzi (2005), and Brian Whitworth (2010).

Greg Chaitin (2012) suggested that biology is all about digital software. Marcus Hutter (2012) proposed a subjective computable universe model which includes observer localization.

The previous works, however, have not considered how such a giant computer capable of calculating the universe could have come into existence.

This paper proposes a metaphysics framework that provides a foundation to support digital physics and digital philosophy hypotheses.

The metaphysics approach is necessary to establish a Platonic computation system outside the physical universe in order for it to construct and operate the physical universe. This belief is based on the idea, as Albert Einstein said, that "no problem can be solved from the same level of consciousness that created it."

Proposed below is a metaphysics model that uses Platonic objects to describe the creation of the Metacomputation System (MS). This MS consists of three faculties (data, program, and processor) that construct and operate the processed existence.

Through the convergence of computation theories and metaphysics, the proposed model clarifies a range of important concepts and phenomena that cannot be explained by existing accepted theories.

DESCRIPTION

The *Metacomputation System* (MS) is derived from a metaphysics model based on the following premise:

There exists *Source Mind*. *Source Mind* is the potential power to conceive, to perceive, and to be self-aware.

Source Mind is one aspect of *Life*. Other imaginable aspects of *Life* such as unconditional love, joy, beauty, and benevolence, as well as its unimaginable aspects, are beyond the scope of this model.

Using the following descriptive terms, we can get a sense of what *Source Mind* is not:

Timeless, non-spatial, dimensionless, infinite, boundless, non-dual, formless, no-thing, non-changeable, non-destructible, non-comprehensible, non-describable.

The content of *Source Mind* has a three-tier hierarchy structure constructed with Platonic objects described as follows.

UNITY TIER

The most fundamental creation that *Source Mind* conceives is *Unity Screen*, represented in Figure 1.

Unity Screen is created so that *Source Mind* can express itself in form; by projecting itself onto *Unity Screen*, *Source Mind* makes itself perceivable.

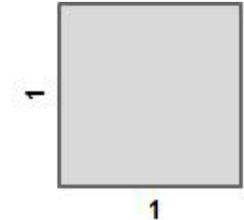


Figure 1. *Unity Screen* that contains one pixel of the projected power of *Source Mind*.

Unity Screen is of the size of one unit. It contains one pixel of the projected power of *Source Mind*.

The nature of existence at unity tier can be described as one, uniform, even, equal, neutral, stable, non-changing, constant, still, singular, total.

DUALITY TIER

At the duality tier, *Unity Screen* is divided into four cells of equal size as illustrated in Figure 2.

Unity Screen of one pixel is then split up into two symbols: A and B, as illustrated in Figure 3.

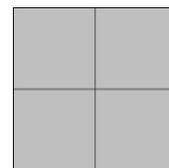


Figure 2. Division of *Unity Screen* into four cells of equal size.

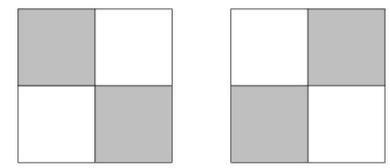


Figure 3. Symbols A and B derived from dividing the pixel in *Unity Screen*. Each symbol contains two pixels and two voids in polar opposites.

Each of these symbols contains two pixels and two voids.

A *void* is a cell within *Unity Screen* that contains the potential power of *Source Mind* but is absent of the projected power of *Source Mind*.

Thus duality is conceived as the polar opposite of the potential and projected power of *Source Mind*. *Void* represents potentiality whereas pixel represents actuality.

CONCEPTION OF CHANGE

As *Unity Screen* (see Figure 1) defines the limited scope of perception of *Source Mind*, the two separate symbols A and B (Figure 2) can no longer be perceived at the same time. Thus the two symbols are to emerge in *Unity Screen* in temporal sequence one after the other.

The alternating appearance of symbols A and B can be imagined to be brought about by a looped movement of the inter-connected symbols A and B from right to left as illustrated in Figure 4.

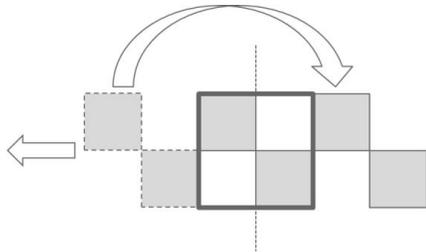


Figure 4. Looped movement of the inter-connected symbols A and B across Unity Screen (outlined with thick lines).

From this point of view, when the inter-connected symbols A and B move across Unity Screen, each cell within Unity Screen switches from one state (pixel or void) to the opposite state.

Thus a clock is perceived from the perspective of Unity Screen with its four cells alternating between the two opposite states.

At the first half-clock cycle, symbol A switches to symbol B; at the second half-clock cycle, symbol B switches to symbol A.

The passage of the inter-connected symbols A and B creates temporality. Temporality is measured using *Unit*.

1 Unit = the width of Unity Screen

Present Moment (PM) is defined as the temporal duration for one switching cycle to complete.

At the duality tier,

PM = 1 Unit.

Clock speed = 1 cycle/Unit.

Change, movement, switch, and clock are thus derived at the duality tier and perceived by Source Mind.

The nature of existence at duality tier can be described as follows: changing, moving, dynamic, and rhythmic.

TRINITY TIER

In Figure 2 Unity Screen of one pixel is divided into four pixels in four cells. Each pixel can be further divided into four pixels in four cells.

This sequence of division and resulting duration of PM can be described as follows:

$$\{1, \frac{1}{2}, \frac{1}{4}, \frac{1}{8}, \frac{1}{16}, \frac{1}{32}, \frac{1}{64}, \frac{1}{128}, \frac{1}{256}, \frac{1}{512}, \dots\} \text{ Unit}$$

Suppose the number of times Unity Screen is divided = N, then,

$$\text{PM} = 2^{-(N-1)} \text{ Unit}$$

$$\text{Clock Speed} = 2^{(N-1)} \text{ cycles/Unit.}$$

PM is represented by the shaded cells in the center of Figure 5 where Unity Screen is divided six times.

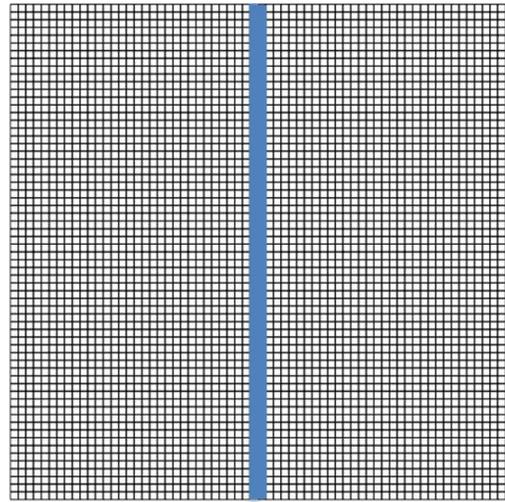


Figure 5. MS Grid showing Unity Screen is divided six times. The shaded cells represent PM.

The number of cells produced by each division is as follows:

$$\{4, 16, 64, 256, 1024, 4096, \dots\}$$

Suppose the number of times Unity Screen is divided = N, then,

$$\text{Number of cells} = 4^N,$$

As each cell can be used to store binary data by assigning a pixel as 1 and a void as 0, thus,

$$\text{Memory of the grid} = 4^N \text{ bits.}$$

It should be noted that the cells in the PM are operating switches. Thus, in the PM,

$$\text{Number of operating switches} = 2^{N+1}$$

CONCEPTION OF METACOMPUTATION SYSTEM (MS)

The availability of sufficient number of switches and memory derived from the grid in Figure 5 (named MS Grid) enables the creation of the *metacomputation system* (MS) that consists of the following three faculties:

- **Data** – Specific configurations of pixels (1s) and voids (0s) in binary opposites derivable from the MS Grid.
- **Program** – Sequences of codes in binary opposites derivable from the MS Grid that instruct the processor to process data and output results.
- **Processor** – Purposefully configured set of pixel/void switches derivable from the PM in the MS Grid that enables arithmetic and logic operations and memory functions. It accepts data, performs instructed computations, and outputs results. A clock is used to regulate the speed of computation.

The MS is a moving grid of cells of pixel/void passing a fixed window of PM. MS contains data, program, and processor. Computation occurs at PM.

The MS is created, sustained, and powered by Source Mind.

DISCUSSION

CONSTRUCTION OF PROCESSED EXISTENCE

Figure 6 illustrates the proposed mechanism of creation in which the MS is derived from a three-tier hierarchy of Platonic objects conceived by Source Mind.

In Figure 6, each subsequent tier is a derivative of the previous substrate tier. Existence increases its complexity when the derivative tier is conceived.

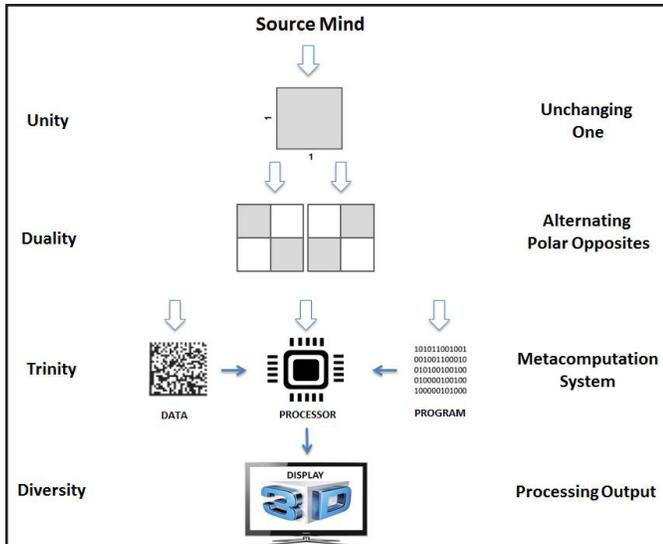


Figure 6. Mechanism of creation in which the MS is derived from a three-tier hierarchy construct of Platonic objects conceived by Source Mind. The resulting MS constructs processed existence as its processing output.

The derived MS consists of three faculties: data, program, and processor.

These three faculties interact to construct the processed existence including time, space, and all its content.

This is modeled from our daily observation in this digital age. For example, a DVD disc contains data, but only when it is put into an operating computer and processed with programs can the image and sound then be perceived.

According to this model, all our perceptions and experiences are processing outputs of the MS. This will be discussed in more detail in the following sections.

TIME

Figure 7 is a segment taken from the MS Grid in Figure 5.

As shown in the graph, interconnected symbols A and B (see Figure 3) form a square wave of alternating pixels and

voids. The waveform can be likened to the clock signal used in electronic computers.

Present Moment is a window from which perpetual progression of the pixel square wave from right to left is perceived. The position of the window is arbitrary and can be fixed anywhere in the MS Grid.

Future is represented by the parts of the pixel square wave that are moving towards but have not yet arrived at present moment; *Past* is represented by the parts of the pixel square wave that have moved away from present moment.

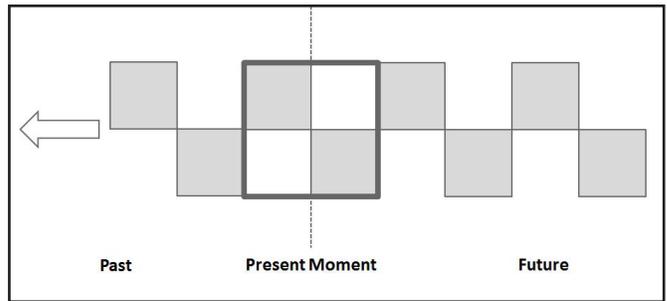


Figure 7. Illustration of *Time* as the perpetual progression of the pixel square wave that completes one switching cycle in PM.

Within PM outlined by the thick line in Figure 7, each of the four cells completes a full switching cycle at every $2^{-(N-1)}$ Unit.

PM is the moment when switching, and therefore computation, takes place.

Time is thus defined as one-directional perpetual progression of the pixel square wave that completes one switching cycle in PM.

The pixel square wave that defines time in Figure 7 can be expressed as two rows of *time bit strings* of perfect regularity:

.....10101010101010101010.....
01010101010101010101.....

Time bit strings can be regarded as a program. Time is perceived when the program is executed.

SPACE

Unity Screen in Figure 1 defines the scope of temporality in horizontal direction. It also defines the scope of dimensionality in vertical direction.

The progression of the pixel square wave in time in horizontal direction at PM is associated with propagation of the pixel square wave in vertical direction. This is illustrated in Figure 8.

Thus the absolute space in vertical direction at PM is filled with alternating pixels and voids.

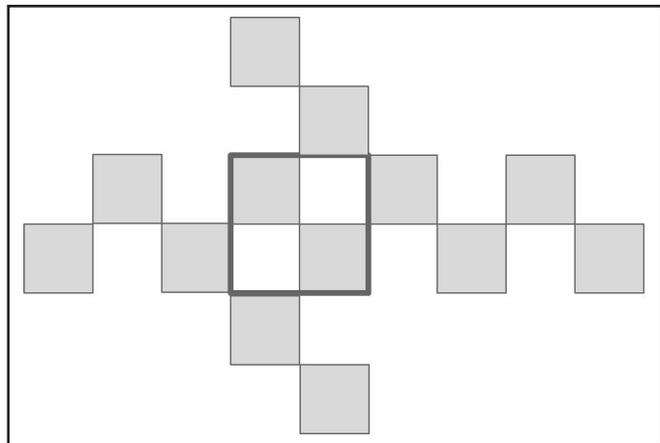


Figure 8. Propagation of the pixel square wave in vertical direction in the absolute space is associated with progression of the pixel square wave in time in horizontal direction at PM.

A program can be deployed to create 2D coordinates using time bit string in both an X and Y axis.

Figure 9 illustrates a section of the 2D space thus constructed.

It can be seen that the 2D space is formed by perfect regular arrangements of alternating pixels and voids.

Figure 9 is the state of the 2D space at a given half cycle moment in time.

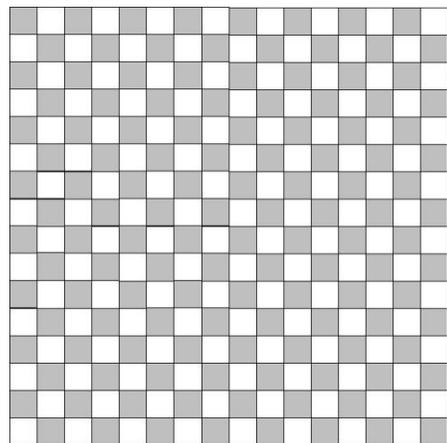


Figure 9. 2D space constructed by using time bit string in an X and Y axis. The shaded cells are pixels and light cells voids.

At the next half cycle moment each pixel and void switches to its opposite.

Similarly, a program can be deployed to create 3D coordinates using time bit string with an additional Z axis.

With such program, a 3D grid as illustrated in Figure 10 is constructed.

It should be noted that the pixels represented in the 2D space grid in Figure 8 are transformed into voxels charged with the power of Source Mind.

A powered voxel is named a *poxel*.

Poxel is the 3D expression of the power of Source Mind in space.

According to the model, space is a 3D grid filled with regularly patterned *poxels* and voids. Figure 9 is a section

of 3D space at a given half cycle moment in time. At the next half-cycle moment, each *poxel* and void switches to its opposite.

Thus, space is not empty—instead, it is filled with regularly patterned alternating *poxels* and voids.

As Space is constructed using pixel square wave and time bit string, it can be said that Space is a derivative of Time.

Space also functions as a 3D display. The processing output of the MS is displayed in the 3D space.

For instance, programs can be executed to output into space points, lines, plains, shapes and other forms of abstract objects. These objects are printed in space using *poxels*.

LEVELS OF CREATION AND MULTIVERSE

In the MS Grid, different N values can be used to create multiple MSs. Each MS with a different N value operates at a different clock speed according to the formula below:

$$\text{Clock speed} = 2^{(N-1)} \text{ cycles/Unit}$$

It can thus be assumed that many levels of creation are in existence. Our physical universe is one of many parallel universes.

A universe produced by the MS operating with a bigger N value is equipped with a more powerful processor and has more memory to accommodate larger quantities of data and programs. It therefore allows richer and more diverse perceptions and experiences.

It should be noted that the position of PM in Figure 5 is arbitrary. It can be positioned anywhere in the grid. Therefore, the entire history of creation at all levels can be computed.

We assume the physical universe is a processing output of the MS operating with N value. Levels of creation produced by the MS operating with smaller N values are viewed as higher levels of creation.

Ascending the levels of creation implies experiencing the universes produced by the MSs operating with a smaller N value.



Figure 10. 3D space represented as 3D grid. The dark voxels are *poxels* and the light voxels voids.

Figure 11 illustrates a selection of 3 MSs in the multiverse.

At the top level, $N = 1$,

$$PM = 1 \text{ Unit; Clock speed} = 1 \text{ cycles/Unit}$$

At the middle level, $N = 4$,

$$PM = 1/8 \text{ Unit; Clock speed} = 8 \text{ cycles/Unit}$$

At the lower level, $N = 6$,

$$PM = 1/32 \text{ Unit; Clock speed} = 32 \text{ cycles/Unit}$$

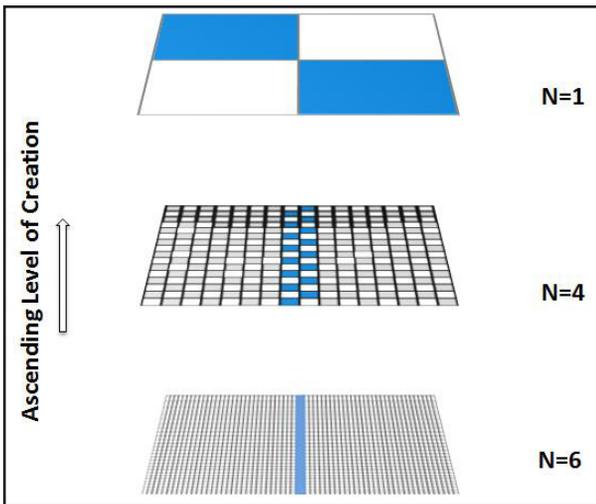


Figure 11. Selection of three MSs operating at the three different clock speeds. PM (coloured blue) decreases with increasing N values.

CREATION OF ENTITIES

Entity is a being with both subjective and objective aspects. For instance, a human being is an entity having both a mind (the subjective aspect) and a body (the objective aspect).

The objective aspect of an entity is the processing output of the MS displayed in space as a 3D image named *Entity Image* (EI). EI is determined by a specific dataset, as well as the programs and the processor that are deployed to produce the output.

Poxel is the building block of EI. EIs are created by arranging the poxel in specific configurations and patterns that deviate from the regularity exhibited by space.

In this digital age, perceiving images on screen is part of modern day living. For example, a mobile phone receives digital data in the form of 1s and 0s. They are then processed using programs. The processing output is the image displayed on the screen of the phone.

Likewise, entities can only be perceived as meaningful forms when the dataset of an entity is processed by the programs in the MS.

A given physical entity exists at every other level of creation and is perceived as different EIs at the different levels of creation.

With an increasing N value more powerful processors become available. The dataset of an entity as well as programs available increase in size and complexity.

With more complex data and programs that give properties to EIs, such as mass, solidity, transparency, color, texture, richer features of the EI can be perceived.

The physical form displayed at the physical level of creation is a complex EI of a given entity. At higher levels of creation (with a smaller N value) simpler non-physical EI is perceived.

Entities can be categorized in different ways, for example:

By size and composition:

Universe, galaxy, planets, material object, cell, molecule, DNA, etc.

By state:

Solid, liquid, gas, plasma, etc.

By complexity:

Human, animal, plant, mineral, air, water, etc.

The subjective aspect of an entity is its mind (see section **Mind**).

DILATION OF TIME

From the definition of Present Moment (PM), it is established that

$$PM = 2^{-(N-1)} \text{ Unit.}$$

PM decreases with the increase of the N value.

Suppose the physical universe is produced by the MS operating with a value N_p , PM in the physical level of creation is of the value PM_p .

We call the level of creation that is m level higher than the physical universe level m , then

$$N = N_p - m,$$

$$PM_m = 2^{-(N_p - m - 1)} \text{ Unit,}$$

Thus,

$$PM_m / PM_p = 2^{-(N_p - m - 1)} \text{ Unit} / 2^{-(N_p - 1)} \text{ Unit} = 2^m$$

PM at level m is 2^m times that of the physical level creation.

Suppose $PM = 1$ (Day). Then,

$$1 \text{ (Day) } m \text{ level time} = 2^m \text{ (Day) physical level time}$$

LANGUAGE

Program is identified by giving a name to it. Specific words are intended to name specific programs. The true meaning of a word is the perception experienced from executing the program.

For example, Space is perceived by running program {Space}.

Light is experienced when program {Light} is executed to produce specific pixel waves in space.

Redness is perceived when program {Red} is executed.

{Apple} identifies a program that enables the concept "Apple-ness" to be perceived.

Names of complex programs giving meaning to entities in creation include the following:

- Cosmological objects: galaxy, planet, etc.
- Physical matter: solid, liquid, gas, plasma, etc.
- Biological systems: plant, animal, human, cell, etc.
- Programs are used to define the meanings of abstract concepts.

The meaning of number, for example, {2}, is perceived when a successor program is executed with 1 as the initial state.

{Mass} is a program that defines the inertia of an object to change its state of motion in space.

{Force} is a program that defines the cause for an object to change its state of motion in space.

{Heat} is a program that defines the dynamic property of a system.

{Energy} is a program that defines the capacity of a system to do work.

Other programs include the descriptive terms used in human languages. These programs allow the human mind to experience a wide range of thoughts, emotions, feelings, sensations, actions, and interactions.

The evolution of human civilization is marked by development of programs. The creation of each new word corresponds to the availability of a new program to the society where the word is used.

Programs are stored in the memory of the MS and can be identified and retrieved through the use of language.

LIFECYCLE OF ENTITIES

We have established that the memory of the MS at level N = 4^N.

As a computation system with finite memory, its processing output cannot increase indefinitely. This leads to a logical conclusion that entities have to go through a life cycle and have a limited life span.

All entities run program {life cycle} that progresses them through the stages of inception, expansion, deterioration, and termination in time.

It is assumed that at a given level of creation, an EI has a life span determined by a fixed number of processing cycles (or fixed number of PMs) from its inception to termination.

As each level of creation is constructed by computation at different clock speeds, each EI's life span at a different level of creation will be different for a given entity.

For instance, for a given entity, if the life span of its EI at the physical level

$$L_p = k (PM_p)$$

Then the life span of its EI at level m

$$L_m = k (PM_m) = k \times 2^m (PM_p)$$

The entity thus experiences 2^m times as long a life span with its EI at level m compared to its EI at the physical level.

For a given entity, its EI's life span at a different level of creation can be illustrated as a hierarchy shown in the example in Figure 12, where L_p is the life span of the EI at the physical level, L_{p-2} is the life span of the EI at 2 levels above the physical level and L_{p-4} 4 levels above the physical level.

For a given entity, with a descending level of creation (increasing N value), multiple EIs with shorter life spans exist consecutively in time.

The life span of its higher EI is the sum of all the life spans of its lower EIs.

Many EIs at a lower level of creation can correspond to one EI at a higher level of creation.

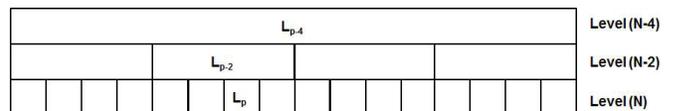


Figure 12. Example of the relative life span (L) of a given entity at different levels of creation.

MEMORY OF MS

Theoretically, Planck time is the smallest meaningful unit of time in the physical universe.

If we assume:

- Width of the pixel = Planck time,
- Time span of perceivable creation
- = Size of Unity Screen
- = Life span of the physical universe
- = (13.8 + 5) billion years,

Then,

$$t_p = 2^{-N} \text{ Unit}$$

$$5.39106 \times 10^{-44}(\text{s}) = 2^{-N} \times 18.8 \times 10^9 \times 3.1536 \times 10^6 (\text{s})$$

$$2^{-N} = 9.093 \times 10^{-61}$$

$$N = 200$$

It is possible that the physical universe is one of many creation events within Unity Screen; thus **N** could be significantly larger.

Practically, we can assume the clock speed of the MS that creates the physical universe is the maximum detectable frequency of electromagnetic waves in the physical universe.

According to this model, all phenomena, including electromagnetic waves, are a processing output of the MS. Therefore, the frequency of the processing output cannot exceed the clock speed of the MS.

In our physical universe, the highest measurable frequency of an electromagnetic wave is Gamma ray radiation that is at least 10^{19} Hz.

Thus,

$$2^{(N-1)} \text{ cycles/Unit} = 10^{19} \text{ cycle/Sec}$$

$$2^{(N-1)} / 18.8 \times 10^9 \times 3.1536 \times 10^6 (\text{s}) = 10^{19} / \text{s}$$

$$2^{(N-1)} = 5.929 \times 10^{35}$$

$$N = 119$$

Thus it can be concluded that the MS that constructed the physical universe operates with an **N** value of at least 119.

MIND

Mind is a partition of Source Mind. The partitioning is a processing output of MS achieved by running program {Individuality} or {I} or {Self}. This program produces a sense of "I" or "self," and identifies itself with an individual EI.

Mind is the subjective aspect of entity.

As a partition of Source Mind, mind shares the same qualities and traits as Source Mind. Metaphorically, it can be likened to the fact that every droplet of water in the ocean has the same wetness as the ocean.

Therefore, mind has the power and capability of conception, perception, and self-awareness. Mind also has access to the three faculties of MS: data, program, and processor.

As each individual EI is normally localized at a specific level of creation and specific space and time, mind has limited access to data, program, and computing capability.

As one aspect of entity, each mind is further partitioned into many lower minds at the subsequent level of creation. Mind, and its subsequent lower minds, computes using different MSs operating at different clock speeds. Each mind is also a partition of its higher mind.

A human mind operating at the physical level conceives the virtual entities by programming a physical computer. The virtual entities, however, cannot perceive the processing output displayed on the computer screen.

Likewise, the higher mind conceives the physical entities by programing a MS at a higher level creation. The human mind is, however, unlike the virtual reality game entities, able to perceive the physical world displayed in 3D space as objective existence and thus able to experience an individual, localized personal life.

Therefore, higher mind conceives the data and programs in the MS at a higher level creation; lower mind perceives and experiences the processing output of the MS at a lower level creation.

HUMAN MIND

The human mind shares the same qualities and attributes of its higher mind and, ultimately, that of Source Mind. It has the power and capability of conception, perception, and self-awareness.

A human mind is associated with a human body, including the brain. Our physical body is localized at the physical level and in specific physical space and time. This imposes limitations on our access to data and programs.

Each individual human mind perceives an individual world that is a processing output determined by its access to data and programs. On our planet there are approximately seven billion worlds perceived by seven billion human minds. Two individual worlds can only be identical if the two individual human minds process the same data with the same programs.

The content of a human mind is the processing output of the MS displayed in space and in the body.

Space is used as a display onto which the EI's visual output is projected.

The brain is used as a display onto which thoughts, feelings, and emotions are projected.

The physical body is used as a display onto which bodily sensations and actions are projected.

The development of the human body, including the brain, is a process of upgrading the display so that it can display the output of MS from accessing increasing amounts of data and running an increasing number of programs with increasing complexity. This allows for the expansion of life experiences of the human mind.

At a particular moment during the early stage of our lives, each human mind starts to access and run program {Time}. The moment this happens is the personalized PM for that human being.

RELATIVITY OF REALITY

Reality is what is perceived by the mind as objective existence independent of processing.

A human mind operating at the physical level creation can conceive a physical computation system. A human mind can also conceive a virtual world by programming a physical computer and perceives the processing output displayed on the screen.

Likewise, higher mind can conceive space and the physical world by programming a MS at a higher level creation.

From the perspective of the higher mind, the physical level existence is the processing output of the MS and therefore is a processed existence.

Physical object is projected into space as an output of the MS in the form of 3D poxel barcode arranged in specific configurations and patterns. It can be said that poxels are the building blocks of matter in the physical universe.

From the perspective of the human mind, however, the perceived physical world is an objective existence.

The fact that the physical world is perceived by the human mind as physical reality is due to the availability of the abundant resources in the MS, including the following:

- Large memory and processing capability.
- Display being a 3D space with high resolution.
- Programs that give physical properties to objects such as {Transparency}, {Solidity}, {Rigidity}, {Mass}, {Color}, {Texture}, etc.
- Programs that govern the behaviors of physical objects and their interactions, such as {Laws of Nature}, {Gravity}, {Field}, {Force}, {Electromagnetism}, {Mechanics}, {Energy}, etc.
- Complexity of the human brain that is capable of displaying a wide range of physical properties and concepts as complex electrical and chemical signal patterns.

When a human mind processes {Space}, a 3D grid with regularly arranged alternating poxels and voids are

projected. Poxels are programmed to be transparent so space appears to be empty.

When a human perceives an object in space, for example, an apple, the 3D poxel barcode dataset is scanned by the eyes to trigger the execution of program {Apple}. This produces a templet "Apple-ness" followed by adding more details and properties such as color and texture in the brain. The 3D image of an apple is then projected into space by the human eyes. An apple EI in a specific location in space defined by the dataset is thus perceived by the human mind, as illustrated in Figure 13.

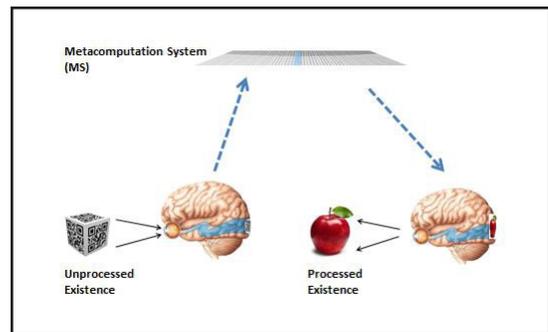


Figure 13. Perception of an apple in space. Data needs to be processed before a meaningful object can be perceived.

Programs such as {Mass} and {Gravity} ensure that the apple EI falls to the ground when it is detached from the tree branch. Programs such as {Solidity} and {Rigidity} ensure that the apple EI stays on top of the surface of the ground and doesn't go through the earth EI.

Our higher minds program the physical world. Some of these programs give processing outputs expressed as mathematical laws, scientific theories, laws of nature, arts, technologies, and industrial processes such as energy generation, product design, development, manufacturing, and application. Programs that are robust, reliable, and repeatable are accepted as mainstream programs at certain periods of time in human history.

In theory, mainstream programs can be interrupted or altered by the higher mind to cause phenomena that appear to violate and disrupt the physical laws of nature. Nevertheless, at our physical level of existence, miracles and paranormal phenomena are rare, generally nonrepeatable and uncontrollable. They only occur in some special circumstances.

FURTHER RESEARCH

Further research is needed to discover programs that compute not only EI's geometric properties but also physical properties such as {Transparency}, {Solidity}, {Rigidity}, {Color}, etc.

{Laws of nature} governing the behaviors of physical objects and their interactions, involving {Mass}, {Energy}, {Force}, {Gravity}, {Field}, {Electromagnetism}, {Mechanics}, {Heat}, etc, should be determined.

Other challenging tasks include the discovery of programs that can compute the full range of human experiences including thoughts, feelings, emotions, sensations, and actions.

Ultimately, we will be able to write every word and sentence in human languages with codes.

Metacomputics is the systematic study of the origin, fundamental structure, composition, nature, properties, dynamics, and applications of the MS that constructs and operates the universes as its processing output.

SUMMARY

The Metacomputics model is proposed to support the hypothesis that the physical universe is the processing output of computation.

Proposed Metacomputics model assumes the existence of an operating computer in Platonic realm.

Platonic computer is derived from a three-tier hierarchy construct of Platonic objects and it consists of three faculties: data, program, and processor.

The Metacomputation system (MS) is made by, of, with, from Consciousness.

The MS is the unprocessed existence of creation. The processing output of the MS is the processed existence of creation.

The model is developed from the convergence of metaphysics and computational theories. It offers a new perspective and clarity on many important concepts and phenomena that have perplexed humans for millennia, including consciousness, existence, creation, reality, time, space, multiverse, laws of nature, language, entity, mind, experience, thought, feeling, emotion, sensation, and action.

According to this model, the following can be deduced:

- Time is one-directional perpetual progression of a pixel square wave in the MS Grid that completes one switching cycle in Present Moment.
- Present Moment is the temporal moment when switching, and, therefore, computation takes place.
- Poxels are the 3D expression of the power of Source Mind in space.
- Poxels are the fundamental building blocks of the physical universe.
- Space is constructed with alternating regularly patterned poxels and voids in a 3D grid.
- Space is a 3D display onto which processing output of the MS is projected.
- Many levels of creation are in existence. Each level of creation is constructed from different MSs operating at different clock speeds.
- The physical universe is one of many parallel universes.
- Time dilates when ascending from lower to higher levels of creation.

- The MS that constructs the physical universe has at least 4^{119} bits memory.

The following can be implied:

- Words are created to name programs. The true meaning of a word is the perception experienced by the mind from executing the program.
- An entity is a being with both subjective and objective aspects. The objective aspect of an entity is the processing output of MS displayed in space as a 3D image. The subjective aspect of an entity is its mind.
- A physical entity exists as different entity images at different levels of creation.
- All entity images run program {life cycle} that progresses them through the stages of inception, expansion, deterioration, and termination in time.
- A mind is a partition of its higher mind and ultimately a partition of Source Mind.
- A mind and its subsequent lower minds compute using different MSs operating at different clock speeds.
- Entity images are generated in the MS and projected into space by the sense organs. Physical eyes are projectors as well as receptors.
- The brain is a display onto which thoughts, feelings, and emotions are projected as complex electrical and chemical signal patterns that can be experienced by the mind.
- Higher mind conceives the data and programs in the MS at a higher level creation; lower mind perceives and experiences the processing output of the MS at a lower level creation.

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Many great minds and their thoughts also provided a rich source of inspiration for this work. These include the following:

- Laozi's "Dao gives birth to One, One gives birth to Two, Two give birth to Three, Three give birth to everything";
- Parmenides's "The Unchanging One";
- Heraclitus's "The succession of opposites as a base for change" and "Permanent flux";
- Hegel's "three-valued logical model";
- Plato's "allegory of the cave" and "Realm of Forms";
- Pythagoras's "number as essence of Universe";
- Kant's "un-removable time-tinted and causation-tinted sunglasses";
- Locke's "blank canvas mind";
- Berkeley's "to be is to be perceived."

REFERENCES

- Bolognesi, T. "Algorithmic Causal Sets for a Computational Spacetime." In *A Computable Universe: Understanding and Exploring Nature as Computation*, edited by H. Zenil, 451–78. World Scientific Publishing, 2012.
- Chaitin, G. "Life as Evolving Software." In *A Computable Universe: Understanding and Exploring Nature as Computation*, edited by H. Zenil, 277–302. World Scientific Publishing, 2012.
- Deutsch, D. *The Fabric of Reality*. Penguin Press: Allen Lane, 1997.

- Fredkin, E. "Finite Nature." *Proceedings of the XXVIIIth Rencontre de Moriond*, 1992.
- Fredkin, E. "A Computing Architecture for Physics." In *Computing Frontiers*, 273–79. Ischia: ACM, 2005.
- Hooff, G. 't. "Quantum Gravity as a Dissipative Deterministic System." *Class. Quant. Grav.* 16 (1999): 3263–79. <http://arxiv.org/abs/gr-qc/9903084>.
- Hutter, M. "The Subjective Computable Universe." In *A Computable Universe: Understanding and Exploring Nature as Computation*, edited by H. Zenil, 399–416. World Scientific Publishing, 2012.
- Lloyd, S. "The Computational Universe: Quantum Gravity from Quantum Computation." *Quantum Physics* (2005). <http://arxiv.org/abs/quant-ph/0501135>.
- Schmidhuber, J. "A Computer Scientist's View of Life, the Universe, and Everything." In *Foundations of Computer Science: Potential – Theory – Cognition, Lecture Notes in Computer Science*, edited by C. Freksa, 201–08. Springer, 1997.
- Tegmark, M. "The Mathematical Universe." In *Visions of Discovery: Shedding New Light on Physics and Cosmology*, edited by R. Chiao. Cambridge: Cambridge University Press, 2007.
- Weizsäcker, ^ von, Friedrich, Carl. *The Unity of Nature*. New York: Farrar, Straus, and Giroux, 1980.
- Wheeler, John A. "Information, Physics, Quantum: The Search for Links." In *Complexity, Entropy, and the Physics of Information*, edited by W. Zurek (Redwood City, California: Addison-Wesley, 1990).
- Whitworth, B. "Simulating Space and Time." *Prespacetime Journal* 1, no. 2 (March 2010).
- Wolfram, S. "A New Kind of Science." Wolfram Media, 2002.
- Zizzi, P. "Spacetime at the Planck Scale: The Quantum Computer View." 2005. <http://arxiv.org/abs/gr-qc/0304032>.
- Zenil, H. "Introducing the Computable Universe." In *A Computable Universe: Understanding and Exploring Nature as Computation*, edited by H. Zenil. World Scientific Publishing, 2012.
- Zuse, K. *Calculating Space*. Cambridge, MA: MIT, 1969.

the IoT, seems to be an essential new development. Besides these networks there is a regularly renewed activity to form sharing networks to share "contents" (files, material and intellectual property, products, knowledge, services, events, human abilities, etc.) using, e.g., streaming or peer-to-peer technologies. In this way, currently, from a practical point of view, the internet can essentially be identified as a complex being formed from five kinds of intertwined coexisting networks: the net, the web, the social networks, the IoT, and the sharing networks.

Furthermore, as it is easy to see, especially in the case of social and sharing networks, the internet cannot be identified and its development cannot be understood independently from the historical-societal and cultural environment in which it is launched and used. Identifying shaping influences of certain social and cultural relationships on the formation of the internet makes it easier for us to consider and identify the opposite relationships—i.e., to study the social and cultural impacts of internet use. In other words, accepting the idea of the social construction of the internet as a technology can help us understand the social and cultural consequences of its use.² Thus, it seems to be useful to employ a social and cultural context in the examination of the nature of the internet.

Taking into consideration the praxis of internet use, its two important characteristics come into sight. First, it is obvious enough that the mode of internet use changes very quickly and in an almost unpredictable way. The reasons for this course of events can be associated with the second characteristic of internet use: internet users are typically not just passive acceptors of the rules of use prescribed by the constructors of a given internet praxis, but they are active agents.³ In fact, in the case of the internet, the constructor and user roles typically interlock with each other.

In this way, in order to identify the very nature of the internet and its characteristics, we have to understand the emergence and formation of a complex of several intertwined coexisting and interacting networks shaped by experts and active users in the changing social and cultural environments of the late Modern Age. Over and above, we have to disclose and consider the social and cultural impacts of this complex being, and to study the meaning of the construction of the internet and that of the ubiquity of its human use.

METHODOLOGICAL CONSIDERATIONS—TRENDS IN INTERNET RESEARCH

Confronting these intellectual challenges, research on the internet had already been initiated practically at the time of the emergence of the internet. In the beginning, most research was performed in the context of informatics, computer sciences, (social) cybernetics, information sciences, and information society, but from the 1990s a more specific research field, "internet research," started to form, incorporating additional ideas and methodologies from communication-, media-, social-, and human sciences. From the 2000s, internet research can be considered as an almost established new (trans-, inter-, or multidisciplinary) research field.⁴

Toward a Philosophy of the Internet

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The appearance and the extended use of the internet can probably be considered as the most significant development of the twentieth century. However, this becomes evident if and only if the internet is not simply conceived as a network of interconnected computers or a new communication tool, but as a new, highly complex artificial being with a mostly unknown nature. An unavoidable task of our age is to use, shape, and, in general, discover it—and to interpret our praxis, to study and understand the internet, including all the things, relations, and processes contributing to its nature and use.

Studying the question what the internet is and its history—apparently—provides a praxis-oriented answer.¹ Based on the social and cultural demands of the 1960s, networks of interconnected computers were built up, and in the 1980s a worldwide network of computers, the net, emerged and became widely used. From the 1990s the network of web pages, the world wide web, has been built on the net. Using the possibilities provided by the coexisting net and web, social networks (such as Facebook) have been created since the 2000s. Nowadays, networking of connected physical vehicles, the emergence of the internet of things,

It is not surprising at all that the new discipline faced serious methodological difficulties. Besides its trans-, inter-, or multidisciplinary ambitions, internet research is also shaped by the following additional circumstances:

i) The *historical, social, and cultural* context of the emergence and deployment of the internet. Elaboration of the basic principles of internet construction and the realization of these plans fundamentally take place in the late modern or postmodern age, in the second half of the twentieth century, in a parallel trajectory with becoming widespread and achieving a cultural dominance of the postmodern values and ideology.⁵ Postmodern ideology is not shaped by (modern) sciences; it has a rather technological, more precisely, *techno-scientific*, background and preference. This way it is easier to understand postmodern constructions in a technological or a techno-scientific context.

ii) The “omnipresence” or *ubiquity* of the internet. Our experiences in connection with the internet are extremely diverse in quality and infinitely extended in quantity. The fact that the internet can be found in and has an impact on the whole human practice is a source of many methodological difficulties: findings of any meaningful abstractions about the internet, identification of real causal relationships, recognition of the borders of beings in an extended continuum, interpretation of the social and cultural effects of the internet, etc., are extremely difficult. The internet as a research object is a highly complex organization of numerous problematically identifiable complex entities.⁶

iii) A further difficulty is the essential *simultaneity* of the processes and their analyses, which means that the hard problems of participant observation will necessarily be present in the research procedure.

In response to these ambitions and difficulties, four different approaches to internet research have emerged in the last two decades:

a) *Modern scientific approach*. In this kind of research, the main deal is accepting the validity of an established (modern) scientific *discipline* to apply its methodology on the internet and internet use. An aspect of the internet or internet use is considered as a subject matter of the given science.⁷ In this way the internet or internet use can—at best—be described from computational, information technological, sociological, psychological, historical, anthropological, cognitive, etc., points of view. This is a very popular praxis; however, such research is necessarily insensitive to the characteristics of the subject matter outside of their disciplinary fields due to the conceptual apparatus and the methodology of the selected scientific discipline, in this case to the specificity of the internet and internet use. Outcomes of these studies can be considered as specific (internet-related) disciplinary statements of which the significance on the specificity of the internet is not obvious at all.

When researchers in these disciplines consider one or another thing as an interesting aspect of the internet, their choice is more or less “evident”—i.e., it is a pragmatic presupposition on the internet. In this way it is almost

impossible to see the significance of the given aspect of the internet (and the given disciplinary approach) in the understanding of the internet. Without careful philosophical analysis on the nature of the internet, it is not trivial at all how relevant sociology, psychology, informatics, anthropology, or any other classical scientific discipline relates to its description.

Additionally, in this methodology the inter-, trans-, or multidisciplinary aspect of internet research is fulfilled in an indirect way: the big set of traditional scientific descriptions of the internet includes items from many different, but usually unrelated, disciplines. Taking into account some considerations of the philosophy of science, coexisting disciplines and their joint application to the fundamental conditions of the internet can perhaps produce much more coherent outcomes.

b) *Postmodern studies approach*: elaborating and applying a pluralist postmodern methodology of the so-called *studies*. Studies include concrete, but case by case potentially different mixtures of disciplinary concepts and methodologies that are being applied to describe the selected topic. Application of studies (e.g., internet studies, cultural studies, social studies, etc.) methodology results in the creation of a huge number of relevant but separated and necessarily unrelated facts. Most research published in studies are well informed on the specificities of the internet, so the selected methodological versions in the different studies can fit well to a specific characteristic of the internet or internet use, but the methodological plurality of the different studies prevents reaching any generalized, universally valid knowledge of the internet. Nowadays most internet research is performed in this style. Collections of studies⁸ and articles in online and offline journals devoted to internet research (*First Monday, Journal of Computer-Mediated Communication, Internet Research, Information Communication and Society, New Media & Society*, etc.) can be considered as illustrative examples.

c) *Internet science approach* to the internet and/or internet use. Among researchers of the internet, there is a lack of consensus regarding how to best describe the internet theoretically, i.e., whether it is a (scientific) *theory* or rather a *philosophy* of the internet that is needed. Scientific theories on the internet presuppose that the internet is an independent entity of our world and seek for its specific theoretical understanding and description. Because of the complexity of the internet, it is not surprising that comparing these theories to the classical scientific theories have a definite trans-, inter-, or multidisciplinary character. They usually combine the methodological and conceptual apparatus of social-scientific (sociology, psychology, political theory, law, political economy, anthropology, etc.), scientific, mathematical, and engineering (theory of networks, theory of information, computing, etc.) disciplines to create a proper “internet scientific” conceptual framework and methodology. Some of these theories really fit into a recent scientific standard providing universally valid knowledge in the form of justifiable or refutable statements, with empirical background and philosophical foundations. Their empirical background frequently includes the above mentioned disciplinary or

studies—origin facts, and their philosophical foundations vary case by case.

Although attempts to craft an internet theory has been observable from a relatively early phase of the formation of the internet⁹ the whole history of theorizing the internet is very short, so it is not surprising that there is no universally accepted theory. Based on their different theoretical/philosophical presuppositions on the fundamental specificity of the internet, recently Tsatsou identified three characteristic groups of theories.¹⁰ In these groups of theories, the specificities of the internet are determined by (i) its technologically constructed social embeddedness, or (ii) the specific political economy of its functioning, or (iii) the formation of specific networks. In this way the internet is (i) a social entity, which is fundamentally technologically constructed, or (ii) a social entity which necessarily participates in the reproduction of social being, or (iii) a particularly organized mode of social being.¹¹

The diversity of these typical theoretical approaches casts light on the shortage of internet science: there is no consensus about the fundamental specificities of the internet. In other words, the philosophical foundations of internet science, the foundational principles on the nature of the internet, are essentially diverse ones—and in many cases they are naïve, unconsciously accepted, non-reflective, uncertain, or vague presuppositions. Philosophical considerations on the nature of the internet and on the effective principles of internet science can usefully contribute to overcoming these difficulties.

This situation is practically the same as we have (or had) in cases of any kind of sciences: the subject matter and the foundational principles of a scientific discipline are coming from philosophical considerations. As an illustration we can recall the determining role of natural philosophy in the formation of natural sciences, or the role of philosophy of science in the self-consciousness functioning of any developed scientific disciplines.

However, scientific theories of the internet face additional difficulties if they want to reflect on the (pluralistic) postmodern characteristics of the internet, on the quick and radical changes in internet use, on the extreme complexity of this being, and on the necessary presence of participant observation. Recently, there is a better chance of producing acceptable treatments of these difficulties in philosophies than in sciences.

d) *Philosophy of the Internet* approach. Like the internet science, philosophy of the internet also provides a theoretical description of the internet, but it is a completely different theoretical construction—at least if we do not identify philosophy with a kind of linguistic-logic attraction, but we see it traditionally as the conceptual reconstruction of our whole world set up by critical thinking.

As Aristotle declared in his *Metaphysics*, there are two kinds of theoretical methodologies: the scientific disciplines describe beings from a selected aspect of them, but philosophy describes “beings as beings,” as a whole, considering them from all of their existing aspects.

In this tradition, focusing on a given being, discovering and disclosing all of its interrelations of everything else, and in this way, characterizing the being from all of its aspects, the philosopher builds up a complete world in which the given being exists. Philosophical understanding is proceeding on the parallel “constructions” of the “being as being” and the “whole” world.¹² An ontology created in this way is essentially different from the ontologies constructed in computer sciences. Currently, this Aristotelian style of making philosophy is not really fashionable, and, in fact, not so easy to perform, but it seems to be not impossible and perhaps even necessary if one wants to understand a new kind of being of our recent world, as the internet is.

So the crucial distinction between sciences and philosophy makes clear the different possibilities of science and philosophy in the theoretical description of the internet.¹³ Considering further the science-philosophy relationships, it becomes obvious that there is no science without philosophy. Historically, (European) philosophy emerged several hundred years before science did; science does not exist without (or prior to) philosophy. Of course, this is absolutely true in case of any concrete disciplines: emerging scientific disciplines are based on and spring out from philosophical (e.g., natural-philosophical) considerations and they include, incorporate, and develop these contents further. What is a natural object? What is a living organism? What is a constitution? And how can we identify and describe their nature and characteristics? Any scientific understanding presupposes such conceptual constructions. However, these procedures sometimes remain hidden, and the given scientific activity runs in an unconscious manner. These situations provide possibilities for the philosophy of science to clarify the real cognitive structures.

Following these intellectual traditions, if we want to construct an internet science, we need some kind of philosophical understanding of the internet prior to the scientific one. What is the internet? What are its most fundamental specificities and characteristics? What are the interrelationships between the internet and all the other beings of our world? Only the philosophical analyses can provide an understanding of *the internet as the internet*, a theoretical description of its very nature, as a totality of its all aspects, as a whole entity.

These are the reasons that I have proposed for building a philosophy of the internet prior to the scientific theory of it.¹⁴ First of all, taking into account the huge amount of its aspects, appearances, modes of use, etc., we should have to understand the nature of the internet and to suggest useful concepts, valid principles, and operable practices for its description. I have proposed to construct a philosophy of the internet in an analog manner as the *philosophy of nature* (or natural philosophy) was created before (natural) sciences.

However, besides this possibility, there are additional possibilities to contribute to the philosophy of the internet. Realizing the crucial social and cultural impacts of internet use, philosophers have started to consider the influence of internet use on philosophy.¹⁵ Typically, they focus on

a particular aspect or side of the internet or internet use and put it into a philosophical context. In this way—doing research on the “philosophical problems of the internet”—one can identify the philosophical consequences of some kind of specificity of the internet or can disclose something on the nature of the specificity of the internet. This is the philosophy of the internet making in an analog manner as we used to make research in the *philosophy of science* or philosophy of language, or philosophy of technology, etc.

In the case of the natural philosophical type of the philosophy of the internet, we should have to create a complete philosophy in order to propose an understanding of the internet in our world, and an understanding of our world which includes the internet. In case of the philosophy of science type of the philosophy of the internet, we should have to apply, improve, or modify an existing philosophy in a sense in order to propose an understanding of a philosophical problem of the internet, and an understanding of a philosophical problem created by the existence and use of the internet. The latter type of philosophy is closer to internet science, while the former approach is closer to a real philosophy of the internet.

As I see it, the so-called philosophy of the Web (Philoweb) initiative is a representative of the “philosophical problems of the internet” type of research.¹⁶ The typical analyses in their papers focus on a particular aspect of the internet (or the web) or focus on particular philosophical approaches (e.g., semantics, ontology) and try to conclude several consequences in these contexts.

Another important work in a similar philosophical methodology is provided by Floridi.¹⁷ Floridi’s philosophical works, for example, describe the changing meanings of several classical philosophical concepts (like reality) because of the extended internet use and vice versa: internet use is taking place in a non-traditional reality.

Some additional philosophical approaches focus on more specific disciplines (e.g., computer-mediated communication,¹⁸ ethics¹⁹) or problems (e.g., embodiment,²⁰ critical theory of technology²¹).

Summing up, the philosophy of the internet can be considered as a new field of culture, a recent version of philosophizing with the ambitions to build philosophies in the era of the emergence and deployment of the internet and internet use, and taking these new circumstances seriously. It necessarily has different realizations, with different ideologies, values, emphases, cognitive structures, languages, accepted traditions, etc. There are at least two metaphilosophical attitudes toward this new cultural entity: a) creating an original version of philosophy, taking into consideration all of the experiences in the era, b) modifying existing philosophical concepts, systems, approaches, and meanings in order to understand the emerging problems of the internet era.

SPECIFICITIES OF AN “ARISTOTELIAN” PHILOSOPHY OF THE INTERNET

In the last ten to fifteen years, I have developed a natural philosophical type of the philosophy of the Internet which I call “*Aristotelian philosophy of the Internet*.” As an illustration of the above mentioned ambitions, now I will try to sum up its main ideas.

This philosophy of the internet has Aristotelian characteristics in the following sense:

a) It is clear from the history of (natural) sciences that natural philosophy has a priority to any kind of natural sciences. The most successful natural philosophy (or philosophy of nature) was created by Aristotle. In his thinking, a “division of labor” between philosophy and sciences was clearly declared: understanding the being as being, or understanding an aspect of a being. Historically and logically, in the first step we can “philosophically” understand a given being and its most essential characteristics, and in a second step, based on this knowledge, we can create a science for their further understanding. In the case of the internet, first we try to understand its nature and its most fundamental characteristics “philosophically,” and in the second step, an internet science can be created based on this knowledge.

b) In the Aristotelian view, beings (and the world as well) have a complex nature, and for their understanding we have to find a complex methodology. His crucial tool for this purpose was his causal “theory”: everything has four interrelated, but clearly separated, causes—the material, the formal, the efficient, and the final cause. Applying this version of causality, the complex nature of any beings (and the world) can be disclosed. In the case of the internet (as a highly complex network of complex networks) this is a very important possibility for a deeper understanding. Of course, the concrete causal contexts will be different related to the original Aristotelian ones, so we will use the technological, the communication, the cultural, and the organization contexts to describe the highly complex nature of the internet.

c) There are several additional, but perhaps less crucial, Aristotelian components in my philosophy of the internet. Aristotle made a sharp distinction between natural and artificial beings (especially in his *Physics*). Based on this distinction, the fundamental role of technologies—as creators of the artificial spheres of beings—in the human world is really crucial, so I tried to find a technological (or techno-scientific) implementation for all of the aspects of the internet. Moreover, in the “solution” of several classical philosophical problems, I followed the Aristotelian traditions—e.g., my interpretation of virtuality (which is an important task in this philosophy of the internet) is based on the Aristotelian ontology.²²

It is clear at first glance that the internet is an artificial being created mainly from other artificial beings. This means that its philosophical understanding is necessarily based on the philosophical understanding of other beings, so it has necessarily a kind of “metaphilosophical” characteristic.²³ The general view of the Aristotelian causality (in

the above mentioned way) can be considered as a metaphilosophical tool, which presupposes to understand and use philosophies of technology, philosophies of communication, philosophies of culture, and philosophies of organization for producing a complex philosophy of the internet. Additionally, it is useful to study and use the philosophical views on information, reality and virtuality, community, system and network, modern and postmodern, knowledge, human nature, spheres of human being, etc., in the process of constructing the philosophy of the internet.

As is clear from the statements above, this philosophy of the internet is not just about an abstract description of the internet, since it is included in and coexists with natural, human, social, and cultural entities in a complex human world. According to our research strategy, first, we examine the complex *nature* of the internet, and then we analyze the social and cultural *impacts* of its use. The two topics are, of course, closely related. The interpretability of social and cultural effects, to be discussed in the second step, requires a kind of understanding of its nature in which social and cultural effects are conceivable at all. In certain cases, this involves trying to make use of connections which are uncommon in the task of interpreting the internet. Thus, for example, we engage in discussions of philosophy, philosophy of technology, communication theory, epistemology, cognitive science, and social and cultural history instead of directly discussing the internet in "itself."

Taking into consideration the social and cultural factors which *define* or *shape* the nature of the internet obviously helps identify those social and cultural *effects that occur* in the course of internet use.

ON THE NATURE OF THE INTERNET

In the "natural philosophical type" or the Aristotelian philosophy of the internet, the main task is to understand the nature of the internet and some of its essential characteristics. Below, a short outline of the components of this philosophy is presented in the form of theses.²⁴

In the Aristotelian philosophy of the internet, we conceive of the internet in *four*—easily distinguishable, but obviously connected—*contexts*: we regard it as a system of *technology*, as an element of *communication*, as a *cultural* medium, and as an independent *organism*.

1) *Technological context*. I propose that we conceive of technology as a specific form or aspect of human agency, the realization of human control over a technological situation. In consequence of the deployment of this human agency, the course and the outcome of the situation seem no longer governed by natural constraints but by specific human goals. Human control of technological situations yields artificial beings as outcomes. With the use of technology, man can create and maintain artificial entities and, as a matter of fact, an artificial world: its own "not naturally given" world and she/he shapes her/his own nature through her/his own activity. Every technology is value-laden—i.e., technologies are not neutral; they unavoidably express, realize, and distribute their built-in values during usage. The internet obviously is a technological product, and at the same time

it is a consciously created technological system, so, like other technologies, the internet also serves human control over given situations.

However, the internet is a specific system of technology; it is an *information* technological system. It works with information rather than with macroscopic physical entities. As I see it, information is created through interpretation, so a certain kind of hermeneutical practice is a decisive component of information technologies. In consequence, information—and all kinds of information "products"—is virtual by nature. Though it seems as if it was real, its reality has a certain limited, finite degree.²⁵

The information technological system of the internet—in fact, we can talk about a particular type of system, that is, network—consists of computers which are interconnected and operated in a way which secures the freedom of information of the individuals connected to the network: the control over information about themselves and their own world in space, time, and context.

Thus, from a technological point of view, the internet is an *artificially created* and maintained *virtual sphere*, for the operation of which the functioning of the computers connected into the network and the concrete practices of people's interpretations are equally indispensable.

2) *Communication context*. For the characterization of the internet as an element of communication, we can understand communication as a certain type of technology, the goal of which is to create and maintain communities. Consequently, the technologies of communication used on the internet are those technologies with the help of which particular—virtual, open, extended, online, etc.—communities can be built. The individual relationships to the communities that can be built and the nature of the communities can be completely controlled through technologies of the internet (e-mail, chat, lists, blogs, podcast, social networks, etc.). Communication through the internet has a network nature (it is realized in a distributive system); it uses different types of media, but it is a technology which follows a basically visual logic.

Thus, as regards communication, the internet is the *network* of consciously created and maintained extended plural *communities*, for the functioning of which the harmonized functioning of computers connected to the network as well as the individual's control over his own communicative situations are needed.

3) *Cultural context*. From a cultural point of view, the internet is a medium which can accommodate, present, and preserve the wholeness of human culture—both as regards quality and quantity. It can both represent a whole cultural universe and different, infinitely varied cultural universes (worlds).

Culture is the system of values present in coexisting communities; it is "*the world of*" *communities*. Culture is the technology of world creation. Culture shapes and also expresses the characteristic contents of a given social system. Each social system can be described as the

coexistence of human communities and the cultures they develop and follow. Schematically,

society = communities + cultures

The individual is determined by her participation in communities and cultures, as well as his contribution to them.

The internet accommodates the values of the late modern age, or the “end” of modernity. That is, it houses late modern worlds. Late modern culture contains modern values as well, but it refuses their exclusivity and it favors a plural, postmodern system of values. The way of producing culture is essentially transformed: the dichotomy of experts creating traditional culture and the laymen consuming it are replaced by the “democratic nature” of cyber culture: each individual produces and consumes at the same time.

Thus, from a cultural point of view, the internet is a network of virtual human communities, artificially created by man unsatisfied by the world of modernity; it is a network in which a postmodern system of values based on the individual freedom and independence of cyberculture prevails.

4) *Organism context.* From an organizational point of view, the internet is a relatively independent organism, which develops according to the conditions of its existence and the requirements of the age. It is a (super)organism created by the continuous activity of people, the existence, identity, and integrity of which is unquestionable; systems, networks, and worlds penetrating each other are interwoven in it. It has its own, unpredictable evolution: it develops according to the evolutionary logic of creation and human being, wishing to control its functioning, is both a part and a creator of the organism.

The indispensable vehicles are *the net*, built of physically connected computers, *the web*, stretching upon the links which connect the content of the websites into a virtual network, *the human communities* virtually present on the websites organized into social networks, the interlinked human things as well as the infinite variations of individual and social *cultural entities and cultural universes* penetrating each other.

The worldwide organism of the internet is imbued with values: its existence and functioning constantly creates and sustains a particular system of values: the network of postmodern values. The non-hierarchically organized value sphere of *virtuality, plurality, fragmentation, included modernity, individuality, and opposition to power*, interconnected through weak bonds, it penetrates all activity on the internet—moreover, it does so independently of our intentions, through mechanisms built into the functioning of the organism.

Thus, from the organizational point of view, the internet is a superorganism made of systems, networks, and cultural universes. Its development is shaped by the desire of late modern man to “create a home,” entering into the network of virtual connections impregnated with the postmodern

values of cyberculture. For human beings, the internet is a new—more homely—sphere of existence; it is the exclusive vehicle of web-life. Web-life is created through the transformation of “traditional” communities of society and the cultures prevailing in the communities. Schematically, web-life = “online” communities + cybercultures.

To sum up, the internet is the medium of a new form of existence created by late modern man, a form that is built on earlier (i.e., natural and social) spheres of existence, and yet it is markedly different from them. We call this newly formed existence *web-life*, and our goal is to understand its characteristics.

SOCIAL AND CULTURAL IMPACT OF INTERNET USE

Based on this understanding of the internet, the social and cultural consequences of the internet use can be disclosed and characterized as crucial characteristics of the web-life. The following two analog historic-cultural situations (analogies can provide a useful orientation within a highly complex and fundamentally unknown situation) can be tackled in the hope of obtaining a deeper understanding of the impact of the internet use on our age:

1) *The Reformation of Knowledge.* For the study of the mostly unknown relations of web-life, it seems to be useful to examine the nature of *knowledge*, which was transformed as a consequence of internet use, its social status, and some consequences of the changes.

Inhabitants of the fifteenth and sixteenth centuries and of our age have to face similar challenges: citizens of the Middle Ages and modern “web citizens” or “netizens” participate in analogous processes. The crisis of religious faith unfolded in the late Middle Ages and in our age, the crisis of rational knowledge can be observed. In those times, after the crisis—with the effective support of reformation movements—we could experience the rise of rational thinking and the new, scientific worldview; in our times, five hundred years later, this scientific worldview itself is eventually in a crisis.

The *reformation of religious faith* was a development which evolved from the crisis of religious faith. The *reformation of knowledge* is a series of changes originating from the crisis of rational knowledge.

The scenes of the *reformation of religious faith* were religious institutions (churches, monasteries, the Bible, etc.). Nowadays, the *reformation of knowledge* is being generated in the institutional system of science: research centers, universities, libraries, and publishers.

In both cases, the (religious and academic) institutional system and the expert bodies (the structure of the church and the schools and especially universities, research centers, libraries, and publishers, as well as priests and researchers, teachers, and editors) lose their decisive role in matters of faith as well as science. The reformation of faith, ignoring the influence of ecclesiastical institutions, aims for developing an immediate relationship between

the individual and God. The reformation of knowledge creates an immediate relationship between the individual and scientific knowledge.

It is well known that book printing played an important role in the reformation of faith. Books are “tools” which are in accordance with the system of values of the world undergoing modernization. They made it possible to experience and reform faith in a personal manner as a result of the fact that the modern book was capable of accommodating the system of values of the Middle Ages. (But the typical usage of the book as a modern “tool” is not this but rather the creation and study of modern narratives in a seemingly infinite number of variations.)

In a similar way internet use plays an important role in the reformation of knowledge. The internet developed and became widely prevalent simultaneously with the spreading of the postmodern point of view. It seems that the crisis of modernity created a “tool” that fits with its system of values. It grows strong partly because of this accordance; what is more, people develop it further. However, at the same time, this “tool,” the internet, seems to be useful for pursuing forms of activities which are built on the postmodern world but transcend it and also for the search for the way out of the crisis. (Postmodern thinking was itself created and strengthened by the—more or less conscious—reflection about the circumstances of the crisis, as the eminent version of the philosophy of the crisis.)

On the internet, ideas can be presented and studied in a direct way, in essence, independently of the influence of the academic institutional system. There are no critics and referees on websites; everyone is responsible for his own ideas. The reformers diagnose the transformation of the whole human culture because of the internet use: the possibility of an immediate relationship between the individual and knowledge is gradually forcing back the power of the institutional system of abstract knowledge (universities, academies, research centers, hospitals, libraries, publishers) and its official experts (qualified scientists, teachers, doctors, editors). The following question emerges today: How can we get liberated from the power of the decontextualized, abstract rationality that rules life? In the emancipation process that leads out of the crisis of our days, the reformation of knowledge is happening, using the possibilities offered by the internet. We can observe the birth of the yet again liberated man on the internet, who, liberated from the medieval rule of abstract emotion, now also wants to rid himself of the yoke of modernist abstract reason. But his or her personality, system of values, and thinking are still unknown and essentially enigmatic for us.

The reformation of faith played a vital role in the development process of the modern individual: harmonizing divine predestination with free will secured the possibility of religious faith, making the development of masses of individuals in a religious framework possible and desirable.

However, the modern individual that developed this way, “losing his embeddedness” in a traditional, hierarchical world, finds herself in an environment which is alien, even

hostile to him or her. As a consequence of such fear and desire for security, the pursuit of absolute power becomes his/her second nature; the modern individual is selfish.

Human being, participating in the reformation of knowledge (after the events that happened hundreds of years before) is forced again into yet another process of individuation. Operating his/her personal relationship to knowledge, a postmodern individual is in the process of becoming. The postmodern personality, liberated from the rule of the institutional system of modern knowledge, finds him/herself in an uncertain situation: she herself can decide in the question of scientific truth, but she cannot rely on anything for her decisions.

This leads to a very uncertain situation from an epistemological point of view. How can we tackle this problem? Back then, the modern individual eventually asked the help of reason and found solutions, e.g., the principle of rational egoism or the idea of the social contract. But what can the postmodern personality do? Should she follow perhaps some sort of post-selfish attitude? But what could be the content of this? Could it be perhaps some kind of plural or virtual egoism? The postmodern personality got rid of the rule of abstract reason, but it still seems that s/he has not yet found a more recent human capacity, the help of which s/he could use in order to resolve his/her epistemological uncertainty.

From a wider historical perspective, we can see that people in different ages tried to understand their environment and themselves and to continue living by relying on abstract human capacities that succeeded each other. People in primeval societies based their magical explanation of the world on the human will—and we managed to survive. After the will, the senses were in the mythical center of ancient culture—and the normal childhood of humankind passed, too. Medieval religious worldview was built by taking into consideration the dominance of emotions—and this ended, too, at some point. In the age of the glorious reason, it was the scientific worldview that served the reign of man (rarely woman)—until now.

Today, the trust in scientific worldview seems to be teetering; the age of the internet has come. However, the problem is that we cannot draw on yet another human capacity since we have already tried them all, at least once. But have we? Do we still have hidden resources? Or can we say goodbye, once and for all, to the usual abstractions, and a new phase of the evolution of humankind is waiting for us, which is happening in the realm of the concrete?

2) *Formation of Web-Life.* In order to study the mostly unknown context of web-life, it seems to be useful to examine the nature of *human existence*, transformed through internet use and the consequences of the changes. Social scientists like Castells (2000), Wellman and Haythornthwait (2002), or Fuchs (2008) often characterize the consequences of internet use as pure *social* changes, including all kinds of changes into social ones, and disregard the significance of more comprehensive changes. We would focus on the latter one.

While using the internet, all determining factors and identity-forming relations change, which had a role in the evolution of humankind from the animal kingdom and in the process of the development of society. We can identify tool use, language, consciousness, thought, as well as social relationships as the most decisive changes in the process of becoming human and in the formation of web-life that has developed as a result of internet use.

The simultaneous transformations of animal tool and language use, animal consciousness and thought, as well as social relationships and the series of interwoven changes led to the evolution of humans and to the development of culture and society. Nowadays, the robust changes in the same areas are also simultaneous. They point in one direction, intensifying each other, and induce an interconnected series of changes. The quantity of the changes affecting the circumstances of human existence results yet again in the qualitative transformation of the circumstances of existence: this is the process of the *development of web-life*.

The material circumstances of tool making and tool use lose their significance and the emphasis is now on the most essential part of the process: interpretation. A crucial part of tool making is the interpretation of an entity in a different context, as different from the given (such as natural entities), and in this “technological situation” its identification as a tool. During internet usage, individual interpretations play a central role in the process of creating and processing information on different levels and in the information technologies that are becoming dominant. At the same time, the material processes that provide the conditions of interpretation are, to a large extent, taken care of by machines. Hermeneutics takes the central role of energetics in the necessary human activity of reproducing human relations.

The human double- (and later multiple-) representation strategy developed from the simpler strategies of the representation characteristic of how wildlife led to language, consciousness, thought, and culture. Double representation (we can regard an entity both as “itself” and “something else” at the same time) is a basic procedure in all these processes—including tool making—and an indispensable condition of their occurrence. The use of the internet radically transforms the circumstances of interpretation. On the one hand, it creates a new medium of representation in which—as in some sort of global “mind”—the whole world of man is represented repeatedly. On the other hand, after the ages of orality and literacy, it makes possible basically for all people to produce and use in an intended way the visual representation of their own world as well. Virtuality and visibility are determining characteristics of representation. We are living in the process of the transformation of language, speech, reading and writing, memory and thought.

“Traditional” human culture is created through the reinterpretation of the relations “given by nature.” It materializes through their perpetual transformation and it becomes a decisive factor in the prevailing social relations. The cybercultural practices of the citizens of the web are

now directed at the reevaluation of social relations, and as a result of their activities a cyber-, web- or internet-cultural system of relations is formed, which is the decisive factor in the circumstances of web-life.

The basically naturally given communities of animal partnership were replaced by the human structure of communities, which was practically organized as a consequence of the tool-use-based indirect, and language-use-based direct communicative acts. However, the control over communicative situations can be monopolized by various agents; as a result, it is burdened with countless constraints. The nature of the communities that come into existence under these circumstances can become independent from the aspirations of the participants: various forms of alienation and inequality can be generated and reproduced in the communities. The citizen of the web who engages in communication reinterprets and transforms communicative situations; above all, he changes power relations in favor of the individual: the citizen of the web can have full powers over her/his own communicative situations.

CONCLUSION

Philosophy of the internet discloses that human existence is being transformed. Its structure, many thousand years old, seems to be changing. Built on the natural and the social spheres of being, a third form of existence is emerging: web-life. Human being is now the citizen of three worlds, and his/her nature is being shaped by these three domains, i.e., by the relations of natural, social, and web-life. Our main concern is the study of web-life, which has developed as the result of internet use. From the position of the above proposed philosophy of the internet—besides illuminative cultural-historical analogies—the following cultural-philosophical topics seem to have fundamental significance in the understanding of the characteristics of web-life:

- The *knowledge* presented and conveyed through the internet valorizes the forms of knowledge which are characteristically situation-dependent, technological, and postmodern. The whole modern system of knowledge becomes reevaluated and, to a large extent, virtualized; the relationship to knowledge, reality, and truth takes a personal, concrete, open, and plural shape. The significance of the institutional system of science is diminished. Instead of scientific knowledge, technological or technoscientific knowledge and the technologies of interpreting knowledge are in the forefront.
- Besides *culture* that is created by the communities of society, individual cyberculture plays a more and more important role. The traditional separation of the producers and consumers of culture becomes more and more limited in this process. Supported effectively by information technologies, billions of the worlds of the citizens of web-life join the products of the professional creators of culture. Cyberspace is populated by the infinite number of simultaneous variations of our individual virtual worlds. Aesthetic culture gains ground at the expense of scientific

culture, and imagination becomes the human capacity that determines cultural activities.

- *Personality* becomes postmodern, that is, it becomes fully realized as an individual, virtually extremely extended, and acquires a playful character with ethereal features. A more vulnerable post-selfish web citizen is developed, compelled by a chaotic dynamics. Web citizens are mostly engaged in network tasks, that is, in building and maintaining their personalities and communities.
- Besides the natural and the social spheres, a sphere of web-life is built up. Now humans become the citizen of *three worlds*. The human essence moves towards web-life. The freedom of access to the separate spheres and the relationship of the spheres of existence are gradually transformed in a yet unforeseeable manner. Characteristics of web-life are shaped by continuous and necessarily hard ideological, cultural, political, legal, ethical, and economical conflicts with those of the traditional social sphere.
- Web-life as a form of existence is the realm of concrete existence. Stepping into web-life, the "*real history*" of *mankind* begins yet again; the transition from social existence to web-life existence leads from a realm of life based on abstract human capacities to a realm of life built on concrete capacities.

NOTES

1. See, e.g., Hobbes's Internet Timeline, 2018, <https://www.zakon.org/robert/internet/timeline/>; Living Internet, 2017, <https://www.livinginternet.com/>; History of the Internet, 2018, <https://www.internetsociety.org/internet/history-internet/>; etc.
2. The social construction of technology (SCOT) proposed by Bijker and Pinch ("The Social Construction of Facts and Artefacts: Or How the Sociology of Science and the Sociology of Technology Might Benefit Each Other"; Bijker, Hughes, and Pinch, *The Social Construction of Technological Systems: New Directions in the Sociology and History of Technology*) is a widely accepted view in the philosophy and sociology of technology and in the science and technology studies (STS).
3. Some relevant views can be found, e.g., in the literature of the so-called "user research." See, for example, Oudshoorn and Pinch, *How Users Matter. The Co-Construction of Users and Technologies*; or Lamb and Kling, "Reconceptualizing Users as Social Actors in Information Systems Research"; or in a more concrete, internet-related context see Feenberg and Friesen, *(Re)Inventing the Internet: Critical Case Studies*.
4. As an illustration: during the last fifteen to twenty years, numerous research communities, institutes, departments, journals, book series, and regular conferences were established. The Association of Internet Researchers (AoIR) was founded in 1999 and currently its mailing list has more than 5,000 subscribers. Beside its regular conferences, the activity of the International Association for Computing and Philosophy (IACAP), the meetings of the ICTs and Society Network, and the Conference series on Cultural Attitudes towards Technology and Communication (CATaC) can be considered as popular research platforms on the topic.
5. Within the framework of a social constructivist view on technology, this is the obvious reason that the internet is imbued with and many aspects of its nature determined by postmodern values. Ropolyi *Internet természete. Internetfilozófiai értekezés. (in Hungarian) (On the Nature of the Internet: Discourse on the Philosophy of the Internet)*.

6. It is a really significant circumstance that such outstanding experts of complexity as statistical physicists or network scientists regularly contribute to the "theory" of the Internet, e.g., Barabási, *Linked: The New Science of Networks*; Barabási, *Network Science*; Pastor-Satorras and Vespignani, *Evolution and Structure of the Internet: A Statistical Physics Approach*; etc.
7. Researches published on internet-related topics in the journals of traditional disciplines can be considered as typical candidates of this research category. See, e.g., Peng et al., "Mapping the Landscape of Internet Studies: Text Mining of Social Science Journal Articles 2000–2009."
8. Hunsinger, Klastrup, and Allen, *International Handbook of Internet Research*; Consalvo and Ess, *The Handbook of Internet Studies*.
9. See, e.g., Reips and Bosnjak, *Dimensions of Internet Science*.
10. Tsatsou, *Internet Studies: Past, Present and Future Directions*.
11. See Castells, *The Rise of The Network Society*; Castells, *The Internet Galaxy: Reflections on the Internet, Business, and Society*; Wellman and Haythornthwait, *The Internet in Everyday Life*; Barabási, *Linked: The New Science of Networks*; Barabási, *Network Science*; Bakardjieva, *Internet Society: The Internet in Everyday Life*; Lessig, *Code Version 2.0*; Feenberg and Friesen, *(Re)Inventing the Internet*; Fuchs, *Internet and Society: Social Theory in the Information Age*; Fuchs, *Digital Labour and Karl Marx*; *International Journal of Internet Science*, etc.
12. On this Aristotelian philosophical methodology and its relation to the Platonic one Hegel presented some important ideas in his *History of Philosophy*.
13. According to my experiences, the communities of the IACAP and the ICTs and Society Network are the most sensible public to the philosophical considerations.
14. Ropolyi, *Internet természete. Internetfilozófiai értekezés (in Hungarian) (On the Nature of the Internet: Discourse on the Philosophy of the Internet)*; Ropolyi, "Shaping the Philosophy of the Internet"; Ropolyi, *Philosophy of the Internet: A Discourse on the Nature of the Internet*.
15. Halpin "Philosophical Engineering: Towards a Philosophy of the Web"; Monnin and Halpin, "Toward a Philosophy of the Web: Foundations and Open Problems"; Monnin and Halpin, "Toward a Philosophy of the Web: Foundations and Open Problems"; Halpin and Monnin, *Philosophical Engineering: Toward a Philosophy of the Web*; Floridi, *The Fourth Revolution: How the Infosphere Is Reshaping Human Reality*; Floridi, *The Onlife Manifesto: Being Human in a Hiperconnected Era*.
16. Halpin, "Philosophical Engineering"; Halpin and Monnin, *Philosophical Engineering: Toward a Philosophy of the Web*.
17. Floridi, *The Fourth Revolution*; Floridi, *The Onlife Manifesto*.
18. Ess, *Philosophical Perspectives on Computer-Mediated Communication*.
19. Ess, *Digital Media Ethics*.
20. Dreyfus, *On the Internet*.
21. Feenberg and Friesen, *(Re)Inventing the Internet*.
22. Ropolyi, "Virtuality and Reality—Toward a Representation Ontology."
23. Notice that the collection of papers on Philoweb was first published in the journal *Mefaphilosophy* 43, no. 4 (2012). These papers are practically the same ones which are included in Halpin and Monnin, *Philosophical Engineering: Toward a Philosophy of the Web*.
24. For a more detailed discussion of the philosophical issues involved, see Ropolyi, *Az Internet természete. Internetfilozófiai értekezés (in Hungarian) or its online English translation, (Ropolyi On the Nature of the Internet: Discourse on the Philosophy of the Internet)*.
25. Ropolyi, "Virtuality and Reality."

REFERENCES

Bakardjieva, M. *Internet Society: The Internet in Everyday Life*. London: Sage, 2005.

Barabási, A.-L. *Linked: The New Science of Networks*. Cambridge: Perseus Books, 2002.

———. *Network Science*. Cambridge: Cambridge University Press, 2016. <http://barabasi.com/networksciencebook/>.

Bijker, W. E., T. P. Hughes, and T. Pinch. *The Social Construction of Technological Systems: New Directions in the Sociology and History of Technology*. Cambridge, MA: The MIT Press, 1987.

Castells, M. *The Rise of The Network Society*, 2nd ed. Oxford: Blackwell, 2000.

———. *The Internet Galaxy: Reflections on the Internet, Business, and Society*. New York: Oxford University Press, 2001.

Consalvo, M., and Ch. Ess. *The Handbook of Internet Studies*. Malden/Oxford/Chicester: Wiley Blackwell, 2013.

Dreyfus, H. *On the Internet*, 2nd ed. London New York: Routledge, 2009.

Ess, C. *Philosophical Perspectives on Computer-Mediated Communication*. Albany: State University of New York Press, 1996.

———. *Digital Media Ethics*. Revised and updated 2nd ed. Cambridge, Malden, MA: Polity Press, 2013.

Feenberg, A., and N. Friesen. *(Re)Inventing the Internet: Critical Case Studies*. Rotterdam: Sense Publishers, 2011.

Floridi, L. *The Fourth Revolution: How the Infosphere Is Reshaping Human Reality*. Oxford: Oxford University Press, 2014.

———. *The Onlife Manifesto: Being Human in a Hiperconnected Era*. New York: Springer, 2015.

Fuchs, C. *Internet and Society: Social Theory in the Information Age*. London New York: Routledge, 2008.

———. *Digital Labour and Karl Marx*. New York: Routledge, 2014.

Halpin, H. "Philosophical Engineering: Towards a Philosophy of the Web." *APA Newsletter on Philosophy and Computers* 7, no. 2 (2008): 5–11.

Halpin, H., and A. Monnin. *Philosophical Engineering: Toward a Philosophy of the Web*. Chichester/Malden/Oxford: Wiley Blackwell, 2014.

Hunsinger, J., L. Klastrup, and M. Allen. *International Handbook of Internet Research*. Dordrecht: Springer, 2010.

Lamb, R., and R. Kling. "Reconceptualizing Users as Social Actors in Information Systems Research." *MIS Quarterly* 27, no. 2 (2003): 197–236.

Lessig, L. *Code Version 2.0*. New York: Basic Books, 2006.

Monnin, A., and H. Halpin. "Toward a Philosophy of the Web: Foundations and Open Problems." *Metaphilosophy* 43, no. 4 (2012): 361–79.

———. "Toward a Philosophy of the Web: Foundations and Open Problems." In *Philosophical Engineering. Toward a Philosophy of the Web*, 1–20. Chichester/Malden/Oxford: Wiley Blackwell, 2014.

Oudshoorn, N., and T. Pinch. *How Users Matter. The Co-Construction of Users and Technologies*. Cambridge, MA; London: The MIT Press, 2003.

Pastor-Satorras, R., and A. Vespignani. *Evolution and Structure of the Internet: A Statistical Physics Approach*. Cambridge: Cambridge University Press, 2004.

Peng, T. Q., L. Zhang, Z. J. Zhong, and J. J. H. Zhu. "Mapping the Landscape of Internet Studies: Text Mining of Social Science Journal Articles 2000–2009." *New Media and Society* 15, no. 5 (2012): 644–64.

Pinch, T. J., and W. E. Bijker. "The Social Construction of Facts and Artefacts: Or How the Sociology of Science and the Sociology of Technology Might Benefit Each Other." *Social Studies of Science* 14, no. 3 (1984): 399–441.

Reips, U.-D., and M. Bosnjak. *Dimensions of Internet Science*. Lengerich: Pabst Science Publisher, 2001.

Ropolyi, L. *Az Internet természete. Internefilozófiai értekezés. (in Hungarian) (On the Nature of the Internet: Discourse on the Philosophy of the Internet)*. Budapest: Typotex, 2006.

———. "Shaping the Philosophy of the Internet." In *Philosophy Bridging Civilizations and Cultures*, edited by S. Kaneva, 329–34. Sofia: IPhR—BAS, 2007.

———. *Philosophy of the Internet: A Discourse on the Nature of the Internet*. Budapest: Eötvös Loránd University, 2013. https://www.tankonyvtar.hu/en/tartalom/tamop412A/2011-0073_philosophy_of_the_internet/adatok.html.

———. "Virtuality and Reality—Toward a Representation Ontology." *Philosophies* 1 (2016): 40–54.

Tsatsou, P. *Internet Studies: Past, Present and Future Directions*. Farnham: Ashgate, 2014.

Wellman, B., and C. Haythornthwait. *The Internet in Everyday Life*. Oxford: Blackwell, 2002.

LINKS

Association of Internet Researchers (AoIR) (2018) <https://aoir.org/>

Conference series on Cultural Attitudes towards Technology and Communication (CATaC) (2014) <http://blogs.ubc.ca/catac/about/>

History of the Internet (2018) <https://www.internetsociety.org/internet/history-internet/>

Hobbes's Internet Timeline 25 (2018) <https://www.zakon.org/robert/internet/timeline/>

Living Internet (2017) <https://www.livinginternet.com/>

The ICTs and Society Network (2017) <https://icts-and-society.net/>

The International Association for Computing and Philosophy (IACAP) (2018) <http://www.iacap.org/>

Organized Complexity: Is Big History a Big Computation?

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1. INTRODUCTION

The core concept of big history is the increase of complexity.¹ Currently, it is mainly explained and analyzed within a thermodynamic framework, with the concept of energy rate density.²

However, even if energy is universal, it doesn't capture informational and computational dynamics, central in biology, language, writing, culture, science, and technology. Energy is, by definition, not an informational concept. Energy can produce poor or rich interactions; it can be wasted or used with care. The production of computation by unit of energy varies sharply from device to device. For example, a compact disc player produces much less computation per unit of energy than a regular laptop. Furthermore, Moore's law shows that from computer to computer, the energy use per computation decreases quickly with each new generation of microprocessor.

Since the emergence of life, living systems have evolved memory mechanisms (RNA, DNA, neurons, culture, technologies) storing information about complex structures. In that way, evolution needs not to start from scratch, but can build on previously memorized structures. Evolution is thus a cumulative process based on useful information, not on energy, in the sense that energy is necessary, but

not sufficient. Informational and computational metrics are needed to measure and understand such mechanisms.

We take a computational view on nature, in the tradition of digital philosophy.³ In this framework, cosmic evolution is essentially driven by memory mechanisms that store previous computational contents, on which further complexity can be built.

We first give a short history of information theories, starting with Shannon, but focusing on algorithmic information theory, which goes much further. We then elaborate on the distinction between *random complexity*, formalized by Kolmogorov,⁴ and *organized complexity*, formalized by Bennett.⁵ Kolmogorov complexity (K) is a way to measure *random complexity*, or the *informational content* of a string. It is defined as the size of the shortest program producing such a string.

This tool has given rise to many applications, such as automatic classification in linguistics,⁶ automatic generation of phylogenetic trees,⁷ or to detect spam.⁸

Bennett's logical depth does not measure an informational content, but a *computational content*. It measures the time needed to compute a certain string S from a short program. A short program is considered as a more probable origin of S than a long program. Because of this central inclusion of time, a high (or *deep*) value in logical depth means that the object has had a rich causal history. In this sense, it can be seen as a mathematical and computational formalization of the concept of history. More broadly construed (i.e., not within the strict formal definition), we want to show that modern informational, computational, and algorithmic theories can be used as a conceptual toolbox to analyze, understand, and explore the rise of complexity in big history.

We outline a research program based on the idea that what reflects the increase of complexity in cosmic evolution is the computational content, that we propose to assimilate with logical depth, i.e., the associated mathematical concept proposed by Bennett. We discuss this idea at different levels, formally, quasi-physically and philosophically. We end the paper with a discussion of issues related to this research program.

2. A VERY SHORT HISTORY OF INFORMATION THEORIES

2.1 SHANNON INFORMATION THEORY

The Shannon entropy⁹ of a sequence S of n characters is a measure of the information content of S when we suppose that every character C has a fixed probability $pr(C)$ to be in position i (the same for every position). That is:

$$H(S) = n[-\sum_C pr(C)(\log_2(pr(C)))]$$

If we know only this probabilistic information about S, it is not possible to compress the sequence S in another sequence of bits of length less than H(S). Actual compression algorithms applied to texts do search and use many other regularities beyond the relative frequency of letters. This is

why Shannon entropy does not give the real minimal length in bits of a possible compressed version of S. This minimal length is given by the Kolmogorov complexity of S that we will now introduce.

2.2 ALGORITHMIC INFORMATION THEORY

Since 1965, we've seen a renewal of informational and computational concepts, well beyond Shannon's information theory. Ray Solomonoff, Andreï Kolmogorov, Leonid Levin, Pier Martin-Löf, Gregory Chaitin, Charles Bennett are the first contributors of this new science,¹⁰ which is based on the mathematical theory of computability born with Alan Turing in the 1930s.

The Kolmogorov complexity K(S) of a sequence of symbols S is the length of the smallest program S* written in binary code and for a universal computer that produces S. This is the absolute informational content or incompressible information content of S, or the algorithmic entropy of S.

Kolmogorov complexity is also called, interchangeably, *informational content* or *incompressible informational content* or *algorithmic entropy* or *Kolmogorov-Chaitin algorithmic complexity* or *program-size complexity*.

The invariance theorem states that K(S) does not really depend on the used programming language, provided the language is universal (capable to define every computable function).

The Kolmogorov complexity is maximal for random sequences: a random sequence cannot be compressed. This is why K(S) is sometimes called *random complexity* of S.

2.3 LOGICAL DEPTH: COMPUTATIONAL CONTENT

Kolmogorov complexity is an interesting and useful concept, but it is an error to believe that it measures the value of the information contained in S. Not all information is useful: for example, the information in a sequence of heads and tails generated by throwing a coin is totally useless. Indeed, if a program needs to use a random string, another random string would also do the job, which means that the particular random string chosen is not important. Kolmogorov complexity is a useful notion for defining the absolute notion of a random sequence,¹¹ but it does not capture the notion of organized complexity.

Charles H. Bennett has introduced another notion, the "logical depth of S." It tries to measure the real value of the information contained in S or, as he proposed, its "computational content" (to be opposed to its "informational content"). A first attempt to formulate Bennett's idea is to say that the logical depth of S, LD(S) is the time it takes for the shortest program of S, S*, to produce S.¹²

Various arguments have been formulated that make plausible that indeed the logical depth of Bennett, LD(S), is a measure of the computational content of S, or of the quantity of non-trivial structures in S. To contrast it to "random complexity," we say that it is a measure of "organized complexity."

An important property of LD(S) is the *slow growth's law*:¹³ an evolutionary system $S(t)$ cannot have its logical depth $LD(S(t))$ that grows suddenly. This property (which is not true for the Kolmogorov complexity) seems to correspond to the intuitive idea that in an evolutionary process, whether it is biological, cultural, or technological, the creation of new innovative structures cannot be quick.

Variants of logical depth have been explored,¹⁴ as well as other similar ideas, such as *sophistication*,¹⁵ *facticity*,¹⁶ or *effective complexity*.¹⁷ Studies have established properties of these measures, and have discussed them.¹⁸ Importantly, results show that these various notions are closely related.¹⁹ In this paper we focus on logical depth, whose definition is general, simple, and easy to understand.

3. OUTLINE OF A RESEARCH PROGRAM

3.1 THREE LEVELS OF ANALYSIS

Let us first distinguish three conceptual levels of the notion of computational content: *mathematical*, *quasi-physical*, and *philosophical*.

First, we presented the notion of computational content as the logical depth, as defined by Bennett. Other formal definitions of computational content may be possible, but this one has proven to be robust. This definition has been applied to derive a method to classify and characterize the complexity of various kinds of images.²⁰ More applications promise to be successful in the same way as Kolmogorov complexity proved useful.

Second, we have the quasi-physical level, linking computation theory with physics.²¹ This has not yet been developed in a satisfactory manner. Maybe this would require physics to consider a fundamental notion of computation, in the same way as it integrated the notion of information (used, for example, in thermodynamics). The transfer of purely mathematical or computer science concepts into physics is a delicate step. Issues relate, for example, to the thermodynamics of computation, the granularity of computation we look at, or the design of hardware architectures actually possible physically.

The concept of thermodynamic depth introduced by Seth Lloyd and Heinz Pagels is defined as "the amount of entropy produced during a state's actual evolution."²² It is a first attempt to translate Bennett's idea in a more physical context. However, the definition is rather imprecise and it seems not really possible to use it in practice. It is not even clear that it reflects really the most important features of the mathematical concept, since "thermodynamical depth can be very system dependant: some systems arrive at a very trivial state through much dissipation; others at very non trivial states with little dissipation."²³

Third, the philosophical level brings the bigger picture. It captures the idea that building complexity takes time and interactions (computation time). Objects measured with a deep computational content necessarily have a rich causal history. It thus reflects a kind of historical complexity. Researchers in various fields have already recognized its use.²⁴

This philosophical level may also hint at a theory of value based on computational content.²⁵ For example, a library has a huge computational content, because it is the result of many brains who worked to write books. Burning a library can thus be said to be unethical.

3.2 COMPUTER SIMULATIONS

A major development of modern science is the use of computer simulations. Simulations are essential tools to explore dynamical and complex interactions that cannot be explored with simple equations. Since the most important and interesting scientific issues are complex, simulations will likely be used more and more systematically in science.²⁶

The difficulty with simulations is often to interpret the results. We propose that Kolmogorov complexity (K) and logical depth (LD) would be valuable tools to test various hypotheses relative to the growth of complexity. Approximations of K and LD have already been applied to classify the complexity of animal behavior. These algorithmic methods do validate experimental results obtained with traditional cognitive-behavioral methods.²⁷

For an application of K-complexity and LD to an artificial life simulation, see, for example, the work of Gaucherel comparing a Lamarckian algorithm with a Darwinian algorithm in an artificial life simulation. Gaucherel proposes the following three-step methodology:

- (1) identification of the shortest program able to numerically model the studied system (also called the Kolmogorov–Solomonoff complexity);
- (2) running the program, once if there are no stochastic components in the system, several times if stochastic components are there; and
- (3) computing the time needed to generate the system with LD complexity.²⁸

More generally, in the domain of Artificial Life, it is fundamental to have metric monitoring if the complexity of the simulated environment really increases. Testing the logical depth of entities in virtual environments would prove very useful.

3.3 EMERGY AND LOGICAL DEPTH

In systems ecology, an energetic counterpart to the notion of computational content has been proposed. It is called *emergy* (with an "m") and is defined as the value of a system, be it living, social, or technological, as measured by the solar energy that was used to make it.²⁹ This is very similar to the logical depth, defined by the quantity of computation that needs to be performed to make a structured object.

Does this mean that energetic content (*emergy*) and computational content are one and the same thing? No, and one argument amongst many others is that the energetic content to produce a computation diminishes tremendously with new generations of computers (c.f. Moore's law).

4. DISCUSSION

We formulate here a few questions that the reader may have, and propose some answers.

Before the emergence of life, does cosmic evolution produce any computational content?

Yes, but the memorization of calculus is nonexistent or very limited. A computation does not necessarily mean a computation with memorization. For example, atoms such as H or molecules such as H₂O are all the same; there is no memory of what has happened to a particular atom or molecule. What lacks in these cases is computation with a memory mechanism.

The increase of complexity accelerates with the emergence of more and more sophisticated and reliable memory mechanisms. In this computational view, the main cosmic evolution threshold is the emergence of life, because it creates a memory mechanism in the universe (RNA/DNA). From a cosmic perspective, complexity transitions have decelerated from the Big Bang to the origin of life, and started to accelerate since life appeared.³⁰ The emergence of life thus constitutes the tipping point in the dynamics of complexity transitions.

Furthermore, evolutionary transitions are marked with progress in the machinery to manipulate information, particularly regarding the *memorization* of information.³¹ For example, we can think of RNA/DNA, nervous systems, language, writing, and computers as successive revolutions in information processing.

Why would evolution care about minimal-sized programs?

We care about *short* programs, not necessarily minimally sized programs proven to be so. The shortest program (or a near shortest program) producing S is the most probable origin for S. Let us illustrate this point with a short story. Imagine that you walk in the forest, and find engraved on a tree trunk 1,000,000 digits of π , written in binary code. What is the most probable explanation of this phenomenon? There are $2^{1,000,000}$ strings of the same size, so the chance explanation has to be excluded. The first plausible explanation is rather that it is a hoax. Somebody computed digits of π , and engraved them here. If a human did not do it, a physical mechanism may have done it, that we can equate with a short program producing π . The likely origin of the digits of π is a short program producing them, not a long program of the kind print(S), which would have a length of about one million.

Another example from the history of science is the now refuted idea of spontaneous generation.³² From our computational perspective, it would be extremely improbable that sophisticated and complex living systems would appear in a few days. The slow growth law says that they necessarily needed time to appear.

Couldn't you have a short program computing for a long time, with a trivial output, which would mean that a trivial structure would have a deep logical depth?

Of course, programs computing a long time and producing a trivial output are easy to write. For example, it is easy to write a short program, computing for a long time, and producing a sequence of 1,000 zeros. This long computation wouldn't give the logical depth the string, because there is also a shorter program computing much more rapidly and producing these 1,000 zeros. This means that objects with a deep logical depth can't be trivial.

Why focus on decompression times and not compression times?

The compression time is the time necessary to resolve a problem: knowing S, find the shortest (or a near shortest) program producing S.

By contrast, the decompression time is the time necessary to produce the sequence S from a near shortest program that produces S. It is thus a very different problem from compression.

If we imagine that the world contains many explicit or implicit programs—and we certainly can think of our world as a big set of programs producing objects—then the probability of an encounter with a sequence S depends only on the time necessary for a short program to produce S (at first glance, only short programs exist).

Complexity should be defined dynamically, not statically.

A measure is by definition something static, at one point in time. However, we can compare two points in time, and thus study the relative LD, and the dynamics of organized complexity.

Let us take a concrete example. What is the difference in LD-complexity between a living and a dead body? At the time of death, the computational content would be almost the same for both. This is because the computational content measures the causal history. A dead person still has had a complex history. Other metrics may be used to capture more dynamical aspects such as informational flows or energy flows.

5. CONCLUSION

To sum up, we want to emphasize again that random complexity and organized complexity are two distinct concepts. Both have strong theoretical foundations and have been applied to measure the complexity of particular strings. More generally, they can be applied in practice to assess the complexity of some computer simulations. In principle, they may thus be applied to any physical object, given that it is modeled digitally or in a computer simulation.

Applied to big history, organized complexity suggests that evolution retains computational contents via memory mechanisms, whether they are biological, cultural, or technological. Organized complexity further indicates that major evolutionary transitions are linked with the emergence of new mechanisms that compute and memorize.

Somewhat ironically, complexity measures in big history have neglected history. We have argued that the

computational content, reflecting the causal history of an object and formalized as logical depth—as defined by Bennett—is a promising complexity metric in addition to existing energetic metrics. It may well become a general measure of complexity.

NOTES

1. D. Christian, *Maps of Time: An Introduction to Big History*.
2. E. J. Chaisson, *Cosmic Evolution: The Rise of Complexity in Nature*; E. J. Chaisson, "Energy Rate Density as a Complexity Metric and Evolutionary Driver."
3. K. Zuse, *Calculating Space*; G. J. Chaitin, *Meta Math!*; Seth Lloyd, *Programming the Universe: A Quantum Computer Scientist Takes on the Cosmos*; S. Wolfram, *A New Kind of Science*; L. Floridi, *The Blackwell Guide to the Philosophy of Computing and Information*.
4. Andrei N. Kolmogorov, "Three Approaches to the Quantitative Definition of Information."
5. C. H. Bennett, "Logical Depth and Physical Complexity."
6. R. Cilibrasi and P. M. B. Vitányi, "Clustering by Compression"; Ming Li et al., "The Similarity Metric."
7. J. S. Varré, J. P. Delahaye, and E. Rivals, "Transformation Distances: A Family of Dissimilarity Measures Based on Movements of Segments."
8. Sihem Belabbès and Gilles Richard, "Spam Filtering without Text Analysis."
9. Claude E. Shannon, "A Mathematical Theory of Communication."
10. See Ming Li and P. M. B. Vitányi, *An Introduction to Kolmogorov Complexity and Its Applications*, for details.
11. Per Martin-Löf, "The Definition of Random Sequences."
12. A more detailed study and discussion about the formulation can be found in C. H. Bennett, "Logical Depth and Physical Complexity."
13. Ibid.
14. James I. Lathrop and Jack H. Lutz, "Recursive Computational Depth"; Luís Antunes, Lance Fortnow, Dieter van Melkebeek, and N. V. Vinodchandran, "Computational Depth: Concept and Applications"; David Doty and Philippe Moser, "Feasible Depth."
15. Moshe Koppel, "Complexity, Depth, and Sophistication"; Moshe Koppel and Henri Atlan, "An Almost Machine-Independent Theory of Program-Length Complexity, Sophistication, and Induction"; Luís Antunes and Lance Fortnow, "Sophistication Revisited."
16. Pieter Adriaans, "Between Order and Chaos: The Quest for Meaningful Information"; Pieter Adriaans, "Facticity as the Amount of Self-Descriptive Information in a Data Set."
17. Murray Gell-Mann and Seth Lloyd, "Information Measures, Effective Complexity, and Total Information"; Murray Gell-Mann and Seth Lloyd, "Effective Complexity."
18. Luís Antunes, Bruno Bauwens, André Souto, and Andreia Teixeira. "Sophistication vs Logical Depth"; Peter Bloem, Steven de Rooij, and Pieter Adriaans. "Two Problems for Sophistication."
19. N. Ay, M. Muller, and A. Szkola, "Effective Complexity and Its Relation to Logical Depth"; Antunes et al., "Sophistication vs Logical Depth."
20. Hector Zenil, Jean-Paul Delahaye, and Cédric Gaucherel. "Image Characterization and Classification by Physical Complexity."
21. C. H. Bennett, "What Increases When a Self-Organizing System Organizes Itself? Logical Depth to the Rescue"; Richard Phillips Feynman, *Feynman Lectures on Computation*.
22. Seth Lloyd and Heinz Pagels, "Complexity as Thermodynamic Depth."
23. C. H. Bennett, "How to Define Complexity in Physics and Why," 142.
24. Murray Gell-Mann, *The Quark and the Jaguar: Adventures in the Simple and the Complex*; Antoine Danchin, *The Delphic Boat: What Genomes Tell Us*; Melanie Mitchell, *Complexity: A Guided Tour*; John Mayfield, *The Engine of Complexity: Evolution as Computation*; Eric Charles Steinhart, *Your Digital Afterlives: Computational Theories of Life after Death*; Jean-Louis Dessalles, Cédric Gaucherel, and Pierre-Henri Gouyon, *Le Fil de La Vie: La Face Immatérielle Du Vivant*; J. P. Delahaye and C. Vidal, "Universal Ethics: Organized Complexity as an Intrinsic Value."
25. Steinhart, *Your Digital Afterlives*, chapter 73.
26. C. Vidal, "The Future of Scientific Simulations: From Artificial Life to Artificial Cosmogenesis."
27. Hector Zenil, James A. R. Marshall, and Jesper Tegnér, "Approximations of Algorithmic and Structural Complexity Validate Cognitive-Behavioural Experimental Results."
28. Cédric Gaucherel, "Ecosystem Complexity Through the Lens of Logical Depth: Capturing Ecosystem Individuality."
29. E.g., Howard T. Odum, *Environment, Power, and Society for the Twenty-First Century: The Hierarchy of Energy*.
30. Robert Aunger, "Major Transitions in 'Big' History."
31. Richard Dawkins, *River Out of Eden: A Darwinian View of Life*.
32. James Edgar Strick, *Sparks of Life: Darwinism and the Victorian Debates over Spontaneous Generation*.

REFERENCES

- Adriaans, Pieter. "Between Order and Chaos: The Quest for Meaningful Information." *Theory of Computing Systems* 45, no. 4 (2009): 650–74. doi:10.1007/s00224-009-9173-y.
- . "Facticity as the Amount of Self-Descriptive Information in a Data Set." *arXiv:1203.2245 [cs, Math]*, March 2012. <http://arxiv.org/abs/1203.2245>.
- Antunes, Luís, Bruno Bauwens, André Souto, and Andreia Teixeira. "Sophistication vs Logical Depth." *Theory of Computing Systems* (March 2016): 1–19. doi:10.1007/s00224-016-9672-6.
- Antunes, Luís, and Lance Fortnow. "Sophistication Revisited." In *Automata, Languages and Programming*, edited by Jos C. M. Baeten, Jan Karel Lenstra, Joachim Parrow, and Gerhard J. Woeginger, 267–77. Berlin; New York: Springer, 2003.
- Antunes, Luís, Lance Fortnow, Dieter van Melkebeek, and N. V. Vinodchandran. "Computational Depth: Concept and Applications." *Theoretical Computer Science, Foundations of Computation Theory (FCT 2003)*, 354, no. 3 (2006): 391–404. doi:10.1016/j.tcs.2005.11.033.
- Antunes, Luís, Andre Souto, and Andreia Teixeira. "Robustness of Logical Depth." In *How the World Computes*, edited by S. Barry Cooper, Anuj Dawar, and Benedikt Löwe, 29–34. Berlin; New York: Springer, 2012.
- Aunger, Robert. "Major Transitions in 'Big' History." *Technological Forecasting and Social Change* 74, no. 8 (2007): 1137–63. doi:10.1016/j.techfore.2007.01.006.
- Ay, N., M. Muller, and A. Szkola. "Effective Complexity and Its Relation to Logical Depth." *IEEE Transactions on Information Theory* 56, no. 9 (2010): 4593–4607. doi:10.1109/TIT.2010.2053892. <http://arxiv.org/abs/0810.5663>.
- Belabbès, Sihem, and Gilles Richard. "Spam Filtering without Text Analysis." In *Global E-Security*, edited by Hamid Jahankhani, Kenneth Revett, and Dominic Palmer-Brown, 144–52. Berlin; New York: Springer, 2008.
- Bennett, C. H. "Logical Depth and Physical Complexity." In *The Universal Turing Machine: A Half-Century Survey*, edited by R. Herken, 227–57. Oxford University Press, 1988. <https://pdfs.semanticscholar.org/ac97/5f088cf61c09bae8506808468a08467d55e6.pdf>.
- . "How to Define Complexity in Physics and Why." In *Complexity, Entropy, and the Physics of Information*, edited by Wojciech H. Zurek, 137–48. Redwood City, CA: Addison-Wesley Publishing Company, 1990.
- . "What Increases When a Self-Organizing System Organizes Itself? Logical Depth to the Rescue." *The Quantum Pontiff*, February 24, 2012. <http://dabacon.org/pontiff/?p=5912>.
- Bloem, Peter, Steven de Rooij, and Pieter Adriaans. "Two Problems for Sophistication." In *Algorithmic Learning Theory*, edited by Kamalika Chaudhuri, Claudio Gentile, and Sandra Zilles, 379–94. Springer International Publishing, 2015.

- Chaisson, E. J. *Cosmic Evolution: The Rise of Complexity in Nature*. Harvard University Press, 2001.
- . "Energy Rate Density as a Complexity Metric and Evolutionary Driver." *Complexity* 16, no. 3 (2011): 27–40. doi:10.1002/cplx.20323. http://www.tufts.edu/as/wright_center/eric/reprints/EnergyRateDensity_I_FINAL_2011.pdf.
- Chaitin, G. J. *Meta Math!* Atlantic Books, 2006.
- Christian, D. *Maps of Time: An Introduction to Big History*. University of California Press, 2004.
- Cilibrasi, R., and P. M. B. Vitányi. "Clustering by Compression." *IEEE Transactions on Information Theory* 51, no. 4 (2005): 1523–45. doi:10.1109/TIT.2005.844059. <http://arxiv.org/abs/cs/0312044>.
- Danchin, Antoine. *The Delphin Boat: What Genomes Tell Us*. Translated by Alison Quayle. Cambridge, MA: Harvard University Press, 2003.
- Dawkins, Richard. *River Out of Eden: A Darwinian View of Life*. Basic Books, 1995.
- Delahaye, J. P., and C. Vidal. "Universal Ethics: Organized Complexity as an Intrinsic Value." In *Evolution, Development and Complexity: Multiscale Evolutionary Models of Complex Adaptive Systems*, edited by Georgi Yordanov Georgiev, Claudio Flores Martinez, Michael E. Price, and John M. Smart. Springer, 2018. doi:10.5281/zenodo.1172976. <https://doi.org/10.5281/zenodo.1172976>.
- Dessalles, Jean-Louis, Cédric Gaucherel, and Pierre-Henri Gouyon. *Le Fil de La Vie: La Face Immatérielle Du Vivant*. Paris: Odile Jacob, 2016.
- Doty, David, and Philippe Moser. "Feasible Depth." In *Computation and Logic in the Real World*, edited by S. Barry Cooper, Benedikt Löwe, and Andrea Sorbi, 228–37. Berlin; New York: Springer, 2007.
- Feynman, Richard Phillips. *Feynman Lectures on Computation*, edited by J. G. Hey and Robin W. Allen. Addison-Wesley Longman Publishing Co., Inc., 1998.
- Floridi, L., ed. *The Blackwell Guide to the Philosophy of Computing and Information*. Blackwell Publishing, 2003.
- Gaucherel, Cédric. "Ecosystem Complexity Through the Lens of Logical Depth: Capturing Ecosystem Individuality." *Biological Theory* 9, no. 4 (2014): 440–51. doi:10.1007/s13752-014-0162-2.
- Gell-Mann, Murray. *The Quark and the Jaguar: Adventures in the Simple and the Complex*. New York: Freeman, 1994.
- Gell-Mann, Murray, and Seth Lloyd. "Information Measures, Effective Complexity, and Total Information." *Complexity* 2, no. 1 (1996): 44–52. doi:10.1002/(SICI)1099-0526(199609/10)2:1<44::AID-CPLX10>3.0.CO;2-X.
- . "Effective Complexity." In *Nonextensive entropy—Interdisciplinary Applications*, edited by Constantino Tsallis and Murray Gell-Mann, 387–98. Oxford, UK: Oxford University Press, 2004.
- Kolmogorov, Andrei N. "Three Approaches to the Quantitative Definition of Information." *Problems of Information Transmission* 1, no. 1 (1965): 1–7. doi:10.1080/00207166808803030. http://alexander.shen.free.fr/library/Kolmogorov65_Three-Approaches-to-Information.pdf.
- Koppel, Moshe. "Complexity, Depth, and Sophistication." *Complex Systems* 1, no. 6 (1987): 1087–91. <http://www.complex-systems.com/pdf/01-6-4.pdf>.
- . "Structure." In *The Universal Turing Machine: A Half-Century Survey*, edited by Rolf Herken, 2nd ed, 403–19. New York: Springer-Verlag, 1995.
- Koppel, Moshe, and Henri Atlan. "An Almost Machine-Independent Theory of Program-Length Complexity, Sophistication, and Induction." *Information Sciences* 56, no. 1 (1991): 23–33. doi:10.1016/0020-0255(91)90021-L.
- Lathrop, James I., and Jack H. Lutz. "Recursive Computational Depth." *Information and Computation* 153, no. 1 (1999): 139–72.
- Li, Ming, Xin Chen, Xin Li, Bin Ma, and P. M. B. Vitányi. "The Similarity Metric." *IEEE Transactions on Information Theory* 50, no. 12 (2004): 3250–64. doi:10.1109/TIT.2004.838101. <http://arxiv.org/abs/cs/0111054>.
- Li, Ming, and P. M. B. Vitányi. *An Introduction to Kolmogorov Complexity and Its Applications*. New York: Springer, 2008.
- Lloyd, Seth. *Programming the Universe: A Quantum Computer Scientist Takes on the Cosmos*. New York: Vintage Books, 2005.
- Lloyd, Seth, and Heinz Pagels. "Complexity as Thermodynamic Depth." *Annals of Physics* 188, no. 1 (1988): 186–213. doi:10.1016/0003-4916(88)90094-2.
- Martin-Löf, Per. "The Definition of Random Sequences." *Information and Control* 9, no. 6 (1966): 602–19. doi:10.1016/S0019-9958(66)80018-9.
- Mayfield, John. *The Engine of Complexity: Evolution as Computation*. New York: Columbia University Press, 2013.
- Mitchell, Melanie. *Complexity: A Guided Tour*. New York: Oxford University Press, 2009.
- Odum, Howard T. *Environment, Power, and Society for the Twenty-First Century: The Hierarchy of Energy*. New York: Columbia University Press, 2007.
- Shannon, Claude E. "A Mathematical Theory of Communication." *Bell System Technical Journal* 27 (1948): 379–423, 623–56.
- Steinhart, Eric Charles. *Your Digital Afterlives: Computational Theories of Life after Death*. Palgrave Macmillan, 2014.
- Strick, James Edgar. *Sparks of Life: Darwinism and the Victorian Debates over Spontaneous Generation*. Cambridge, MA: Harvard University Press, 2000.
- Varré, J. S., J. P. Delahaye, and E. Rivals. "Transformation Distances: A Family of Dissimilarity Measures Based on Movements of Segments." *Bioinformatics* 15, no. 3 (1999): 194–202. doi:10.1093/bioinformatics/15.3.194. <http://bioinformatics.oxfordjournals.org/content/15/3/194>.
- Vidal, C. "The Future of Scientific Simulations: From Artificial Life to Artificial Cosmogogenesis." In *Death And Anti-Death*, edited by Charles Tandy, 6: Thirty Years After Kurt Gödel (1906–1978), 285–318. Ria University Press, 2008. <http://arxiv.org/abs/0803.1087>.
- Wolfram, S. *A New Kind of Science*. Champaign, IL: Wolfram Media Inc., 2002.
- Zenil, Hector, Jean-Paul Delahaye, and Cédric Gaucherel. "Image Characterization and Classification by Physical Complexity." *Complexity* 17, no. 3 (2012): 26–42. doi:10.1002/cplx.20388. <http://arxiv.org/abs/1006.0051>.
- Zenil, Hector, James A. R. Marshall, and Jesper Tegnér. "Approximations of Algorithmic and Structural Complexity Validate Cognitive-Behavioural Experimental Results." *arXiv:1509.06338 [cs, Math, Q-Bio]*, 2015. <http://arxiv.org/abs/1509.06338>.
- Zuse, K. *Calculating Space*. Translated by MIT. Massachusetts Institute of Technology, Project MAC, 1970. <ftp://ftp.idsia.ch/pub/juergen/zuserechnenderraum.pdf>.

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It is our pleasure to invite all potential authors to submit to the *APA Newsletter on Philosophy and Computers*. Committee members have priority since this is the newsletter of the committee, but anyone is encouraged to submit. We publish papers that tie in philosophy and computer science or some aspect of "computers"; hence, we do not publish articles in other sub-disciplines of philosophy. All papers will be reviewed, but only a small group can be published.

The area of philosophy and computers lies among a number of professional disciplines (such as philosophy, cognitive science, computer science). We try not to impose writing guidelines of one discipline, but consistency of references is required for publication and should follow the *Chicago Manual of Style*. Inquiries should be addressed to the editor, Dr. Peter Boltuc, at epetebolt@gmail.com.



APA NEWSLETTER ON

Philosophy and the Black Experience

STEPHEN C. FERGUSON II AND DWAYNE TUNSTALL, CO-EDITORS

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FROM THE EDITORS

Stephen C. Ferguson II
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In this issue of the newsletter, we are excited to include two articles and a review of Tommy Curry's newest authored book, *The Man-Not* (Temple University Press, 2017).

In the first article, "Howard Thurman as Philosopher," Anthony Neal examines what justification we have for considering Howard Thurman as a philosopher. Neal argues how Thurman is to be located within any given school of philosophy is predicated on the presumptions we hold about the nature of philosophy as an intellectual enterprise. Neal gives special attention to the reflective character of Thurman's philosophical orientation.

In the second article, "*The Man-Not* and the Dilemmas of Intersectionality," Olúfemi Táíwò provides an interesting discussion of intersectionality as it relates to Tommy Curry's argument in his recent book *The Man-Not*. While Curry takes his aim to be a critique of intersectionality as a theoretical concept, Táíwò charges that *The Man-Not* should be read as a work of intersectionality. Táíwò raises some interesting questions about the theoretical impact and methodological pitfalls of intersectionality as a concept. Following Táíwò's contribution is an insightful book review by Ronald B. Neal who agreed to explore the significance of Curry's book *The Man-Not*.

SUBMISSION GUIDELINES AND INFORMATION

The *APA Newsletter on Philosophy and the Black Experience* is published by the committee on the status of Black philosophers. Authors are encouraged to submit original articles and book reviews on any topic in philosophy that makes a contribution to philosophy and the black experience broadly construed. The editors welcome submissions written from any philosophical tradition, as long as they make a contribution to philosophy and the black experience broadly construed. The editors especially welcome submissions dealing with philosophical issues and problems in African American and Africana philosophy.

All article submissions should be between 10 and 20 pages (double spaced) in length, and book reviews should be between 5 and 7 pages (double spaced) in length. All submissions must follow the APA guidelines for gender-neutral language and *The Chicago Manual of Style* formatting. All submissions should be accompanied by a short biography of the author. Please send submissions electronically to apa.pbe.newsletter@gmail.com.

DEADLINES

Fall issues: May 1

Spring issues: December 1

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FORMATTING GUIDELINES

- The *APA Newsletters* adhere to *The Chicago Manual of Style*.
- Use as little formatting as possible. Details like page numbers, headers, footers, and columns will be added later. Use tabs instead of multiple spaces for indenting. Use *italics* instead of underlining. Use an "em dash" (—) instead of a double hyphen (--).
- Use endnotes instead of footnotes. Examples of proper endnote style:

John Rawls, *A Theory of Justice* (Cambridge: Harvard University Press, 1971), 90.

See Sally Haslanger, "Gender and Race: (What) Are They? (What) Do We Want Them To Be?" *Noûs* 34 (2000): 31–55.

ARTICLES

Howard Thurman as Philosopher

Anthony Sean Neal
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My testimony is that life is against all dualism. Life is One. Therefore, a way of life that is worth living must be a way worthy of life itself. Nothing less than that can abide. Always against all that fragments and shatters and against all things that separate and divide within and without, life labors to meld together into a single harmony.¹

Since Thurman's departure, there have been many books written with the intent of outlining his ideas, and some were produced by authors with aspirations of using philosophical frameworks to analyze these ideas; but sadly, many of these authors feel it necessary to use another thinker's framework to throw a shaft of light onto Thurman's thoughts. This article will expose Thurman as having a humanist intent; by that I mean accepting the task of making humans better, through his metaphorically argued account of the possible, based upon a reasoned intuition, using the reflective method, and the rhythms of life.² It is my belief that when an analysis of this kind is performed on the ideas of any individual for the purpose of discovering their intent, it is important to know and understand how the individual saw themselves. That is to say, it is important to know the individual's framework. The type of analysis that will here be performed is processual, meaning simply emergent in nature. Thurman even admits to the truth of the necessity for a type of analysis that overcomes the obstructions caused by peering through a tunnel. He does so in a reflection in the preface to his book, *The Search for Common Ground*. About this he would say, "When I completed this manuscript, I was struck by the feeling that here I had set down the case in rather formal terms, for what reveals itself is my lifelong working paper."³ He would further intimate that it was because he could reflect on his many works in the moment, rather than in their realized sequential and temporal moment, that he had a better understanding of what he had accomplished. In the language of process, he was able to reflectively see all of his writings as an event, as opposed to individual moments.

Nearly all of Thurman's books have displayed, on the rear cover, the description "Poet, Mystic, Philosopher, and Theologian," as a type of root narrative for the way in which Thurman comporting himself in the world. In his meditations, we find his poetry. Several of his writings contain titles referring to his mystic posture. Time spent at Colgate-Rochester validates his credentials as a theologian. Why did he think of himself as a philosopher? Why are there no writings of individuals critiquing him on this claim? Howard Thurman certainly poses an issue for anyone accepting his claim. These questions and others can be flattened to resemble the total sentiment of the query as such: If Thurman considered himself a philosopher, what did he consider a philosopher to be? In answering this question, I think it necessary to describe Thurman's understanding of philosophy, the task or tasks of philosophy of which he considered himself to be performing, and others of whom Thurman considered to be similarly situated within philosophy.

In *Jesus and the Disinherited*, Thurman provides a method of how he would perform a study of this nature—the major variance being Jesus did not write as much as Thurman. About this type of study, Thurman writes,

It is a privilege, after so long a time, to set down what seems to me to be an essentially creative and prognostic interpretation of Jesus as religious subject rather than religious object. It is necessary to examine the religion of Jesus against the

background of his age and people, and to inquire into the content of his teaching with reference to the disinherited and the underprivileged.⁴

This passage brings to the fore several important points which I will also consider in my analysis, only after squaring the subject of Thurman and philosophy. Here, Thurman indicates initially that his study was to be "creative and prognostic"; essentially, this study was performed to determine the usefulness of studying the person of Jesus in his experiential moment for other oppressed cultures, specifically, Black people in America. In order to create a robust understanding of Jesus, Thurman thought it also necessary to understand the effect of his being a part of an oppressed, minority culture. Lastly, Thurman considered the significance of the teachings of Jesus to his people. Since there could not possibly be a one-to-one comparison between Thurman and Jesus, there would of necessity be some adjustment made to the method of analysis. Nevertheless, it should serve as a sufficient commitment to the goal of this study, which is to bring clarity to the purpose of this twofold query, which is first to gain insight into Thurman's understanding of philosophy and then to determine the usefulness of studying Thurman.

Now, as I go further into this analysis, the aim is to be in accord with Thurman concerning what philosophy is and what philosophy does. Of course, it must here be acknowledged that Thurman's writings can only serve as a heuristic device in the absence of the ability to perform an in-person interrogation. Respect for the discipline of philosophy was a characteristic that Thurman displayed early in his matriculation at Morehouse College, and he credits a young professor with an A.B. in philosophy (honors) from Bates College, Benjamin E. Mays, for awakening in him a "keen interest."⁵ Thurman wanted to engage in a more systematic study of formal philosophy which implies he had knowledge over and beyond the basic. His opportunity to deepen his understanding of philosophy was limited because Morehouse, at that time, only offered courses in logic and ethics. Of this, Thurman would say,

I do not think this was accidental. In the missionary colleges of the South, few (if any) courses were offered in the formal study of philosophy. I believe that the shapers of our minds, with clear but limited insight into the nature of our struggle for survival and development in American life, particularly in the South, recognized the real possibility that to be disciplined in the origins and development of ideas would ultimately bring under critical judgement the society and our predicament in it. This, in turn, would contribute to our unease and restlessness, which would be disastrous, they felt, for us and for our people.⁶

Columbia University became the chosen location where he would find suitable conditions to feed his hunger to learn philosophy proper.

Before arriving in New York, Thurman spent May and June of 1922 in Cleveland, Ohio, working and reading philosophy independently. In July of 1922, he made his trek to New

York and began a six-week summer session taking two courses in philosophy, Introduction to Philosophy and Reflective Thinking. During Thurman's time at Columbia, the philosophy department was fertile ground, in part because of the presence of John Dewey and the "young radicals," as they were called. This was "a lesser-known group of Pragmatic Naturalists," who were "mostly disciples of Dewey's reconstructed philosophy," also known as genetic history and reflective thinking.⁷ Although Dewey was on leave and a visiting instructor in Japan during Thurman's time at Columbia, his presence was certainly felt there. It would be Edwin Arthur Burtt, a young professor who had recently completed his dissertation, who would serve the purpose of providing an introduction of Dewey to Thurman, but certainly not without pressing this knowledge together with his own intellectual grindings.

The Golden Age of Philosophy is considered to be a name suitable for this period, and during this same time, philosophy was conceived of as the guide of life.⁸ Philosophers, particularly at Columbia, were employing the techniques of philosophy to solve the social and moral problems of their day. This philosophical aim was rooted in the propensity of the department at Columbia towards metaphysics. In this citadel, Thurman would be invested with the tools to struggle with and solve many of the issues which thwarted the very existence of the multitudes of Blacks in the United States, causing Thurman to refer to the bleakness of Black existence as the "Luminous Darkness." Burtt, not Dewey, recounted for Thurman, in this session, the process of reflective thinking as a philosophical method, a method Thurman would use throughout his life. Thurman expressed, in detail, the effect this philosophical style had on his writing, but this point is missed by many authors eager to read Thurman in terms of their own philosophical proclivities. Thurman puts it this way:

It was an analysis of the structure of reflective thinking as a process. It examined a basic methodological approach to problem-solving in all fields of investigation, from simple decision-making to the understanding and treatment of disease and the most confused patterns of human behavior. This course established for me a basic approach that I would use not only in my subsequent work as a counselor but also in thinking through the complex and complicated problems I would encounter in my personal life as a social being. As a tool of the mind, there is no way by which the value of this course can be measured or assessed.⁹

Of course, many will read this statement by Thurman on the matter but continue to manipulate his writings so that they fit a particular philosophical method. However, it is in part the intent of this essay, as stated earlier, to demonstrate the value of Thurman to oppressed peoples and others. In doing so, I simply cannot read into Thurman things that aren't there. To do so only obfuscates this purpose.

In order to see Thurman's use of this method clearly, a return to those writings which were specifically reflectively created gives more clarity to this description of his style.

Thurman's understanding of the method is limited to the six-step method listed in the text used in the course and Burtt's explication of the method.¹⁰ The steps are as follows:

- (1) occurrence of something felt as perplexity, difficulty, wonder;
- (2) observation, designed to make clear precisely what the difficulty is;
- (3) occurrence to mind of suggested solutions to the difficulty;
- (4) reasoning out the consequences involved in the suggestions thus entertained, and evaluating the suggestions by their aid;
- (5) observation or experiment to test by empirical fact the suggested solutions in the light of their implications; and
- (6) survey of the preceding thinking to uncover inadequacies that might be corrected (if possible).

Thurman wrote a three-volume set of meditations, entitled *Deep is the Hunger*, to be read for the meditation period of the worship service at Fellowship Church. These volumes of meditation consisted of short essays attempting to produce a solution to a question or issue, using the reflective method, and also a few poems of Thurman's creation. Thurman's understanding of the reflective method is demonstrated in essays like "Every Man Must Decide," particularly in the reductive five-step method which was certainly his takeaway from Burtt's instruction:

The ability to know what the right thing to do in a given circumstance is a sheer gift of God.¹¹ [*something felt as perplexity*] The element of gift is inherent in the process of decision. Perhaps gift is the wrong word; it is a quality of genius or immediate inspiration.¹² [*observation, designed to make clear precisely what the difficulty is*] The process is very simple and perhaps elemental. First, we weigh all the possible alternatives.¹³ [*occurrence to mind of suggested solutions to the difficulty*] We examine them carefully, weighing this and weighing that. There is always an abundance of advice available—some of it technical, some of it out of the full-orbed generosity of those who love us and wish well. Each bit of it has to be weighed and measured in the light of the end sought. This means that the crucial consideration is to know what is the desirable end.¹⁴ [*reasoning out the consequences*] What is it that I most want to see happen if the conditions were ideal or if my desire were completely fulfilled? Once this end is clearly visualized, then it is possible to have a sense of direction with reference to the decision that must be made. If it becomes clear that the ideal end cannot be realized, it follows that the pursuit had to be relinquished. This relinquishment is always difficult because the mind, the spirit, the body desires are all focused upon the ideal end.

Every person thinks that it is his peculiar destiny to have the ideal come true for him. The result is that, with one's mind, the ideal possibility is abandoned but emotionally it is difficult to give it up. Thus the conflict.

He continues,

The resources of one's personality cannot be marshaled. A man finds that he cannot work wholeheartedly for the achievable or possible end because he cannot give up the inner demand for the ideal end. Oftentimes precious months or years pass with no solution in evidence because there is ever the hope that the ideal end may, in some miraculous manner, come to pass. Then the time for action does come at last. There comes a moment when something has to be done; one can no longer postpone the decision—the definite act resolves an otherwise intolerable situation.¹⁵ [observation or experiment to test by empirical fact the suggested solutions] Once the decision is made, the die is cast. Is my decision right or wrong, wise or foolish?¹⁶ [survey of the preceding thinking to uncovering inadequacies that might be corrected] At the moment, I may be unable to answer the question, for what is right in the light of the present set of facts may not be able to stand up under the scrutiny of unfolding days. I may not have been largely influenced by my desires where at work at the very center of my conscious processes. In the face of all the uncertainties that surround any decision, the wise man acts in the light of his best judgment illumined by the integrity of his profoundest spiritual insights. Then the rest is in the hands of the future and in the mind of God. The possibility of error, of profound and terrible error, is at once the height and the depth of man's freedom. For this God be praised!

In this reflection, Thurman demonstrated his awareness of and facility with the reflective method. Of necessity, the reflective method and the steps must be explained in detail before proceeding.

The reflective method, as created by John Dewey, was then a part of the basic philosophy curriculum during Thurman's time at Columbia. A departmental effort was utilized to create a text suitable for the course, which was entitled *An Introduction to Reflective Thinking*.¹⁷ In this text, the reflective method was explained, along with additional chapters, which made applications of the method to examples in medicine, physics, evolution, astronomy, biology, mathematics, bible, ethics, values, social science, and law.

Before *An Introduction to Reflective Thinking* was written, or prior to Thurman's enrollment in the class, John Dewey gave a speech while at the Imperial University in Japan, which became an influential book entitled *Reconstruction in Philosophy*.¹⁸ It is in this work that Dewey proposed to bring into focus his view of the necessary direction philosophy would be conscripted to take based upon the

radical changes in scientific investigation. Dewey felt that philosophy was no longer able to assume any claim to the ability of achieving objective or absolute knowledge, but that philosophy was bound just as any other system of inquiry by the science of the day, and its methods should reflect as much. This was to be achieved, to the degree possible, by a reliance upon empirical knowledge, held in tension with the understanding that the investigator's interpretation of the relied upon knowledge is limited to an inchoate science.

From Thurman's writings, it would seem that, while his metaphysical explanation for the oneness of being was intuited from an intense mystical connection to nature, he certainly used the reflective method as a way of grounding his solutions to philosophical questions in the material world.¹⁹ The major example put forth by Thurman is his attempt to answer the query put to him while traveling in India in 1936. Thurman was asked if he were betraying all people of color by traveling abroad as a representative of the Christian church.²⁰ An occurrence of perplexity for certain, it is the major question Thurman would return to again and again for the rest of his life, and this is apparent in many of his subsequent writings. Constantly, the desire to live out the impulse he felt of the experience of community would cause him to commit this as his life's aim. Thurman felt that he had received insight to the possibilities for community, when he visited the Khyber Pass;²¹ however, it was his givenness to pragmatic solutions which would move him to accept the offer to help found the Fellowship Church in San Francisco. This opportunity created for him the ability to make the application of step five in the reflective method the experimental step.

In working out this problem, Thurman demonstrated why he considered himself to be performing the task of a philosopher. As previously mentioned, Thurman was instructed in philosophy during a time when it was understood to be the guide of life, and having received a classical liberal arts education with instruction from several members of Phi Beta Kappa, it can be assumed that the motto of the fraternity had some influence on his experience. This was certainly true of the instruction he received from Mays and Burt, in spite of Mays's induction being delayed for fifteen years after his graduation. This influence spurred him to enroll for the summer at Columbia. He would take three classes that summer, but the impact of the two philosophy classes was so profound that he doesn't even mention the third class in his autobiography. Besides, he received a grade of "C" in this third class, and the future valedictorian was not usually a "C" student. In answering how philosophy guided his life, I must revisit the earlier question of what he understood philosophy to be. It would suffice to say that, for Thurman, philosophy was simply a way of life.

In expanding on this claim, I will point to three tasks of philosophy Thurman saw himself performing, while not claiming to limit philosophy to only three tasks. To be clear, these may have some overlapping functions, but I believe them to be distinct enough so as to be distinguishable from one another. The first of these tasks was, of necessity, performed in a broad manner, and it is certainly a task

Thurman would have thought to be basic per his reading of philosophy, from the most extant writings of antiquity to those of his contemporaries. It was the idea of philosophy as education, particularly as it pertains to the dictum, "Know thyself." To this end, the first question Thurman puts forth for the individual seeking to embark upon the quest of committing to a way of life, essentially creating a life philosophy, is "Who am I?"²² Even as individuals we can be fragmented, alternating between different iterations of the self, responding differently in situations that really don't require multiple types of responses. Chaotically, or de-centered, the individual reacts to situations out of an inability to define the self. The process of education, when thought of in this manner, gives the individual a sense of direction, a "True North."²³ Of this Thurman would say, "Fundamental, then, to any experience of commitment is the yielding of the real citadel."²⁴ Essentially, the individual drops all pretenses, bringing about a type of self-knowledge gained necessarily from committing to a "way" of life, which is a whole way of living, and not "ways" of life, which would be a fragmented way of living.

Next, the task of discourse, although certainly interwoven with the task of education and at points indistinguishable, is listed here separately because, although it can be referred to as a type (species) of education, it cannot be equated with education in the general sense of the term. However, it is undoubtedly applicable to even a cursory analysis of Thurman's written corpus, recorded sermons, and overall mode of life. In an analysis of this type—one that holds that the claim of a particular action of an individual is true or false—it is not wise to compartmentalize the analysis to a reflexive description of the target. Descriptive evidence from outside sources. In doing so, the moniker "social mystic" will soon appear in reference to Thurman. Operative in this descriptive phrase is the word "social," which inherently implies interaction on one level and engagement on another. Here, I simply mean that when the term "social" is applied in this way, the object of this description (Thurman) can be thought to be in communicative contact with other individuals and that in order to carry out the aim of the type of mysticism linked to him, he must have acted in a manner which was likeliest to have led other individuals to label him as such. Thurman also was, by vocation, a professor, a communicator of ideas, and as such, he spent large amounts of time in discourse with students, grounding them in many of his original thoughts concerning how to understand the nature of the lived experience and the possibilities for actualizing that which was desired. It is also in this type of discourse that Thurman would focus the bulk of his writings. It would give him the ability to commit to the realization of his desired experience for humanity through the practice of a "form of life."

This practice of a "form of life," directed toward bringing forth the realization of a desired experience is the last of the tasks of philosophy to be listed here. Certainly, it can be said that the other tasks previously listed can and are all included in this, the last of his tasks of philosophy, but they can be performed without being intended to be part of a way of life. It is only when the other tasks are offered in tandem that they can be said to be a part of a philosophical way of life; however, even in tandem they are only a part of

a philosophical way of life. The final distance to be covered on the journey towards a philosophical way of life is found in teaching, when there is a particular teaching/philosophy, and in discourse, when there is a philosophical aim in the discourse. It would seem that the philosopher would have to be a seeker of wisdom or knowledge. To be a philosopher may take the form of making logical inferences about the possible. Or to be a philosopher may simply be the putting forth of a method to make the best judgment when confronted with the choice of competing options. While I am not limiting what it is to be a philosopher to these types of searches, I am claiming that the philosopher must be a seeker of some type. Also, while the particular search may be momentary, the act of searching must be perpetual. Lastly, the philosopher may not think that there is something that can be accounted as truth; however, the philosopher must be concerned about the manner in which the particular knowledge, or knowledge in general, is attained in order to be certain that they have indeed attained knowledge. Given this limited set of qualities that I take to be peculiar to a philosopher, I will now assess Thurman, accordingly.

Actualizing potential, is a description Thurman applies to the manner in which life expresses itself. Instead of "being," which may denote for some existence in the moment, a better description would be "becoming" or an "event" in the Whiteheadian sense. Characterizing the principle of life as "becoming" has implications for Thurman's understanding of humanity and humanity's need for the search for beginnings. What's more is that it also has bearing on Thurman's philosophy, which is the greater concern at this juncture. Wholeness or oneness is the philosophy, or more precisely, the metaphysical claim, which undergirds all three works and is expressed with the most fervency in *The Search for Common Ground*. Actualizing potential as it pertains to humanity is demonstrative of Thurman's philosophical aim in discourse, and it is what enticed him to be a perpetual seeker of knowledge. Lastly, wholeness or oneness was instructive in Thurman's ability to contextually determine the logic of his propositions and to attend to any epistemological concerns.

I have maintained in past discussions²⁵ concerning Thurman's basic philosophical premise that wholeness over fragmentation was the dominant idea in all of his philosophizing. Even reconciling the notion that the contradictions of life are never permanent, a notion put before him by George Cross, rested upon wholeness over fragmentation. As he states, "from my childhood I have been on the scent of the tie that binds life."²⁶ This was indicative of his locating his method of inferences in the idea of wholeness. Deviating from this notion would affect and significantly alter all of his writings, sermons, and meditations. Although Thurman maintained the possibility that he could be mistaken, his philosophical praxis demanded that he commit to it even at the threat of death. Just as Socrates' maintenance of the idea that knowledge was virtue caused his demise, Thurman, while not suffering death, would experience his own crucible in order to demonstrate that his conception of how all things hang together²⁷ was better than a fragmented conceptualization.

This premise will be elucidated further in a later book on the subject, but the first landing of the staircase will be secured in the current analysis. About wholeness, Thurman would say,

The degree to which the potential in any expression of life is actualized marks the extent which such an expression of life experiences wholeness, integration, community. The clue to community can be found in the inner creative activity of living substances. The more highly developed the organism, the more pronounced seems to be the manifestation of the clue. Cells and organisms always show certain characteristics of direction persistence, and adaptability in their efforts to realize themselves, to round themselves out, to fulfill themselves, to become, to ripen in integration—in fine, to experience community. The more highly developed the organism, the more plainly manifest are these characteristics.²⁸

The implication to be lifted from this paragraph is that the individual expression of life cannot feel complete or whole without experiencing community. This is a profound proposition, even if it is found by some to be doubtful, because it means that it is not just good to experience community, but that community is necessary for survival. Even though we become more complex, it simply doesn't follow, according to this logic, that we become more independent. The opposite would be true, such that humans, being more complex, have a greater need for community and for more complex reasons. Also, we don't just desire community but we are affected by community. Thurman's interpretation of Jesus in *Jesus and the Disinherited* demonstrates this mindset when he points out how his explication breaks from traditional theological categories and positions Jesus as a "religious subject rather than a religious object."²⁹ This radical transvaluation denotes Jesus to be a fellow participant and exemplar in community as opposed to a relic or icon over and above the community. Finally, Thurman proclaims life to be alive,³⁰ which is not to say life as observed in a particular form, but to describe the universe at large. The significance of the term "alive" in this statement is connected to the desire life has, as Thurman explains, to live and extinguish all potential. This is the aim of life writ large, and to live in harmony with this aim requires the ancillary aim of fulfilling potential. This aim is essential to understanding Thurman and his philosophy.

NOTES

1. Howard Thurman, *With Head and Heart: The Autobiography of Howard Thurman* (San Diego: Harcourt Brace Jovanovich, 1981), 269.
2. Howard Thurman, *The Search for Common Ground: An Inquiry into the Basis of Man's Experience of Community* (New York: Harper & Row, 1971), 4.
3. Ibid.
4. Howard Thurman, *Jesus and the Disinherited* (New York: Abingdon-Cokesbury Press, 1949), 15.
5. Thurman, *With Head and Heart*, 42-43; and Benjamin E. Mays, *Born to Rebel: An Autobiography* (University of Georgia Press, 2003), 91.

6. Thurman, *With Head and Heart*, 43.
7. Diane Elizabeth Davis Villemare, *E. A. Burtt, Historian and Philosopher: A Study of the Author of The Metaphysical Foundations of Modern Physical Science* (Dordrecht; London: Kluwer Academic, 2002), 7.
8. Ibid., 7.
9. Thurman, *With Head and Heart*, 44.
10. Howard Thurman, *Disciplines of the Spirit* (New York: Harper & Row, 1963), 33.
11. Ibid. Step 1. Something felt as perplexity.
12. Ibid. Step 2. Observation, designed to make clear precisely what the difficulty is.
13. Ibid. Step 2. Occurrence to mind of suggested, solutions of the difficulty.
14. Ibid. Step 3. Reasoning out the consequences.
15. Ibid. Step 4. Observation or experiment to test by empirical fact the suggested solutions.
16. Ibid. Step 5. Survey of the preceding thinking to uncovering inadequacies that might be corrected.
17. Columbia Associates in Philosophy, *An Introduction to Reflective Thinking* (New York, NY: Houghton, 1923).
18. John Dewey, *Reconstruction in Philosophy* (Boston: Beacon Press, 1920).
19. Thurman, *With Head and Heart*, 44.
20. Ibid.
21. Ibid.
22. Thurman, *Disciplines of the Spirit*, 26.
23. Bill George and Peter Sims, *True North: Discover Your Authentic Leadership* (San Francisco, CA: Jossey-Bass/John Wiley & Sons, 2007).
24. Thurman, *Disciplines of the Spirit*, 27.
25. American Academy of Religion, Society for the Study of Africana Philosophy, Morehouse College, and Spelman College.
26. Thurman, Howard, *The Search for Common Ground; An Inquiry into the Basis of Man's Experience of Community*, (New York: Harper & Row, 1971), xiii.
27. Wilfrid Sellars, "Philosophy and the Scientific Image of Man," in *Frontiers of Science and Philosophy*, ed. Robert Colodny (Pittsburgh, PA: University of Pittsburgh Press, 1962), 35-78.
28. Thurman, *The Search for Common Ground*, 4.
29. Thurman, *Jesus and the Disinherited*, 15.
30. Thurman, *Disciplines of the Spirit*, 14.

The Man-Not and the Dilemmas of Intersectionality

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I. INTRODUCTION

Tommy J. Curry's recent book *The Man-Not* aims to challenge narratives around Black males that are dominant in academia and among the general public. Overall, this book is well researched and an important addition to philosophy and the study of gender and race. However, the book also takes aim at contemporary theorists who make use of the concept of intersectionality, portraying

the theory and its adherents as complicit in the circulation of negative and pernicious narratives about Black males in academia and the wider culture in the US.

In this paper I will critically discuss the role of intersectionality in Curry's argument and in the wider literature, arguing that intersectionality as a theoretical approach or sensibility does not and could not have the content to adjudicate the sort of disputes between Curry and the feminist theorists he targets. Instead, Curry's book itself ought to be considered a work of intersectionality, and the implications of intersectionality as a concept need to be seriously reconsidered. Part II will briefly contextualize Curry's project, Part III will critically discuss disputes between Curry and intersectionality theorists, and Part IV will conclude the discussion.

II. THE MAN-NOT

The Man-Not covers a lot of ground. It includes an intellectual history that engages with prominent figures in Black intellectual traditions, taking Black historical figures like Du Bois, Anna Julia Cooper, and Hubert Harrison on their own terms. One particularly striking example is the careful analysis of Eldridge Cleaver's thought, to which Curry devotes chapter two. Though Curry contextualizes Cleaver's conception of race and gender using sources that primarily describe racial dynamics in the South, sidestepping an analysis that could have centered on the US West's own local conceptions, histories, and technologies of white supremacy and incarceration, it shows convincingly that Cleaver gave a clearly articulated theoretical treatment of gender and sexuality, one that engaged fruitfully with the contextualizing factors of racial violence and incarceration and that is usefully juxtaposed with Fanon's analysis of gender. The book succeeds in presenting an unusually nuanced take on Cleaver and the other figures considered in the book.¹

However, the main positive goal of the book is to challenge a different (though related) set of narratives. Curry argues that scholars have failed to make characterizations of Black males in the United States that adequately respond to the material conditions of their lives.

Curry begins by drawing on Sylvia Wynter's analysis of gender. According to Wynter, gender is a social construction of "kinds" built upon a particular, binary conceptualization of biological markers (sex characteristics) within the category of those accepted as humans: European "MAN" and "WOMAN."² Black people, who Wynter and Curry take to be excluded from the category of the human, are also separated into kinds. But these kinds are merely based on sex designations, since gender is a category for those considered human, and the anti-Blackness of the Western world excludes Black people from that category. This second kind of categorization is "genre." The Black male genre, then, is analogous to gender distinctions among white folk but crucially different in its implied relationship to the overall power structure since that relationship is mediated through the concept of the human.

Curry thoroughly reviews the available social science about Black males in the United States to criticize pervasive

"super-predator" narratives that conceive of Black males primarily as perpetrators of crime and abuse rather than also as victims; provides an intellectual history discussing how major Black intellectual figures like Anna Julia Cooper, W.E.B. Du Bois, and Eldridge Cleaver discussed gender and sexuality in their various historical contexts; and discusses the relationship of the Black intellectual class to the Black underclass that is so often the subject of academic analysis. These discussions orbit around the book's two primary objectives: one negative and one positive. The negative goal is a debunking project; setting the record straight where Curry feels that gender-based and related theories have missed the mark. The positive proposal advocates for a genre study on Black male life in the United States, which will involve shifting from a conception of Black males on which they are disadvantaged by racism only but advantaged by sexism to one in which the oppression of Black males is genred.³

These goals are best represented by the introduction and chapter three, "The Political Economy of Niggerdom." In chapter three, Curry applies a thoroughly researched assessment of the available social science about Black males in the United States to pervasive "super-predator" narratives. According to these narratives, Black males are just perpetrators of crime and abuse rather than also victims of both. Among Curry's findings in this chapter are that Black male-identified folks are victims of intimate partner violence and homicide at similar rates as Black female-identified folks, face significant barriers to placement in the foster-care system, and are more likely at high school age to be in prison than in the labor market. Curry argues that the effects of poverty, drug abuse, and the stigma of criminality have specific genred effects on Black males as such and that social theory ought to account for this.

Curry delivers on the positive side of things. He argues that, contemporarily, the stigma of criminality affects interpretation of Black males' actions and threatens their job prospects and relationships with others. Historically, stigmas related to Black physicality, especially with respect to sexuality, took center stage—for instance, the stereotype of the Black male as a primal rapist, which was an integral part of the ideological justification for the lynching era of racial terrorism.

Persuasive arguments throughout the work establish that the intersection of Blackness and maleness is poorly theorized by analogy to, say, whiteness and maleness. Instead, the "conceptual exploration of Black male vulnerability—of his dehumanization economically, politically, and sexually—must confront his material reality, and that confrontation should bridge the gap between theory and facts."⁴ In a contemporary context, the interpretive framework of general criminality affects interpretation of Black males' actions and in turn threatens their job prospects and relationships with other people, especially ones in which potential rape or other violent possibilities are psychologically salient. Historically, the interpretive framework provided by narratives around Black physicality, especially with respect to sexuality, takes center stage in some context. Via engagement with Baldwin, Curry claims that Black male hyperphysicality and hypersexuality ties

their symbolic or literal castration to white masculinity, which would present a problem for theories of patriarchy that tie patriarchy to the interests of male-identified people across the racial spectrum.⁵

III. THE MAN-NOT AND INTERSECTIONALITY

The main negative goal of the book is to take issue with several theoretical approaches, lines of discussion, and ways of engaging with the Black working class (both theoretically and socially) in the academy. In service of setting multiple records straight, Curry takes aim at multiple targets in this book for, ultimately, the same basic reason: he argues that they pathologize Black males.

The most obvious targets are mainstream social scientists who pathologize Black males, exemplified by Dilulio Jr., the progenitor of the “super-predator” theory that predicted a large class of young Black male criminals without basic empathy whose extraordinary violence would challenge the US social order. The empirical evidence Curry surveys contextualizes statistical arguments that Black males are disproportionately violent by setting them next to evidence that Black males are also disproportionately subject to violence of structural, sexual, and other physical kinds.

Curry also takes issue with “the Negrophobia of the Black academic class.”⁶ The end of chapters three to five provide searing indictments of this class. He is on well-trodden ground in the Black intellectual tradition: he follows Elaine Brown and Malcolm X in likening this group to the archetype of the traitorous and self-interested House Slave, and E. Franklin Frazier in alleging that this class thinks like white people, even where Black folk are concerned.⁷ He alleges that the Black intellectual class uses the categories of “the worker, or the woman, or the progressive” to cling to the trappings of solidarity with these identities considered as conceptual categories or labels, all while distancing themselves from the people that these labels describe.⁸ In both cases, Curry alleges that behind the thin veneer of theory that both of these groups traffic in lurks a deep anti-Blackness, to be exposed by serious empirical analysis of the material and other sociological conditions of the Black working class being described.

This accusation hangs menacingly over the book’s discussion of its main target: “intersectionality” and the scholars who make use of it. In 1989, Kimberlé Crenshaw wrote “Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory, and Antiracist Politics.”⁹ The essay targeted “single axis” analyses of discrimination and subordination in favor of a different analytic structure, “intersectionality,” which Crenshaw maintained would be better suited for addressing Black women’s experiences and concerns as “multiply burdened” people.

However, against the advice of the text itself, I read *The Man-Not* as a work of intersectional theory. I suspect this conclusion will be equally unwelcome to the author and the overlapping sets of scholars that the book makes it its business to criticize. That there is a genuine dispute is not in question. But what exactly is in dispute from a conceptual and theoretical perspective, and what would

negotiating that dispute demand of us? Put simply: Does Curry have a dispute with intersectionality theorists or with intersectionality theory? In my view, *The Man-Not* conflates these.

Curry isn’t solely at fault. While Crenshaw noted that a multiple-axis analysis was necessary in her landmark article “Mapping the Margins,” she did not explain how one should decide which axes to involve and which to elide. Decades later, Collins’s response to the underlying conceptual difficulties with intersectionality nearly three decades later is the aptly titled article, “Intersectionality’s Definitional Dilemmas.” She recalls Supreme Court Justice Potter Stewart’s famous answer when asked to define pornography: “I know it when I see it.” Collins answers similarly: “Despite our best efforts, by the end of the course my students and I both seemed stuck in Stewart’s dilemma—we thought we “knew” intersectionality when we saw it but couldn’t quite define what it was.”¹⁰

This raises more questions than it answers: Whose knowing and seeing will mark an analysis as a success or failure with respect to intersectionality? After all, we often add “sexuality, nation, ethnicity, age, and ability” to the more established list of race, class, and gender. There are other relevant categories as well, like gender identity, citizenship or documented status, and perceived religion. We could further distinguish between how these play out in the First World and the Third World. Which of these intersections are required for good intersectional analysis? How many of them? Most crucially, whose knowing and seeing will mark an analysis as a success or failure with respect to intersectionality? *The Man-Not*’s conclusion raises these questions.¹¹

Indeed, it would be good to have principled answers to those questions, or at least a basis for imagining some. It would also be good for those answers to make sense of the current norms and practices around the use of the term—concerning who is taken to be the proper subjects of “intersectional” analysis—and so on. But whenever the theoretical commitments of the concept of intersectionality are stated explicitly, it is difficult to see how the concept itself either could do this work—how it could rule out the kinds of conclusions about Black men that Curry disagrees with, or, for that matter, exclusively rule in a focus on Black women, women of color, or any other intersectional groups.¹²

Perhaps the disadvantageous effects of most oppressed identity categories will only vary in strength as intersections are added. If that were how things work, intersectionality theory would work just fine if it were primarily or exclusively concerned with figuring out how intersections exacerbate or ameliorate identity-based disadvantages or oppressions—how adding “woman” to “Black” makes racism more acute, or, equivalently, how adding “Black” to “woman” attenuates experiences of patriarchy. Perhaps a thought like this is behind the “categorical hegemony” Kwan and Curry accuse intersectional theorists of.

But there are serious conceptual problems with this approach. LaKeyma Pennyamon points out that the

basic framing of Crenshaw’s intervention in “Mapping the Margins” is in tension with the supposed theoretical upshot of intersectionality: Crenshaw frames “minority women” or “women of color” as “multiply burdened” or oppressed folks in society, seemingly with men of color as an implicit contrast class. To make this generalization work, we have to have a conceptual commitment about how the intersections of race and gender will play out in different groups, namely, that race and gender/genre will always function as disadvantaging forces, relative to some unstated contrast class. But Pennyamon points out that to treat race and gender’s causal contributions to a person’s or group’s experiences as conceptualizable before they actually intersect in a context is to treat race and gender as separate, autonomous vectors of oppression—precisely the kind of argument intersectionality was supposed to militate against.¹³

Indeed, a sober reading of intersectionality as a conceptual claim vastly complicates this picture. Bright, Thompson, and Malinsky point out that, conceptually speaking, intersections could make identity-based effects vary in many other ways. For example, intersecting effects could change the valence of either or both effects: what was a disadvantage could become an advantage.¹⁴ Intersections could even affect whether a specific identity effect is triggered at all in a particular context—for example, if, in some US contexts, being Black ordinarily leads to specific racist assumptions about one’s upbringing that an audience will tend to abandon should they learn that the Black person in question is West Indian or African (perhaps in favor of a different list of specific anti-Black stereotypes, perhaps not). And all of the above could be strongly domain relative: being a Black man could work out well for someone in church politics and badly on heavily policed street corners; being a white woman could be overall disadvantageous in the home but net advantageous at the all-women, feminist-conscious-raising meeting.

These complications cast doubt on how well we can work out the typical effects of intersections without submitting our initial hypotheses to some kind of empirical analysis or review. It is not enough to acknowledge these complications at the level of individual cases or one-off concessions to objections, which, to their credit, everyone involved seems willing to do—our generalizations, which purport to describe and predict cases, ought to reflect this as well. It will take difficult and complex empirical work to sort out what our generalizations should be regarding different intersectional categories of people, whether Black males or any other.

Some intersectionality theorists have themselves noticed this genre of complication and responded to it, and as such don’t seem to advocate claims quite as strong as the ones Curry attributes to the group. For example, critical legal scholar Sumi Cho explicitly denies that Black women are the only ones who intersectionality can apply to, contra Peter Kwan, who had argued that intersectionality necessarily granted “categorical hegemony” to some identity groups.¹⁵ Cho, Crenshaw, and McCall, for example, characterize intersectionality as an analytic “sensibility” or “disposition,” and are concerned more with what intersectionality “does”

than what it “says.”¹⁶ Each of these moves is broadly compatible with labeling groups of theories that disagree quite substantively about content as “intersectional,” whether the content in question concerns the historical conditions of the Black male genre in the US, the extent of their oppression relative to that of other groups, or equally contentious claims about any other groups in the world.

Not only have theorists conceded that intersectionality as a concept is compatible with wide variations of claims, but this compatibility has been demonstrated by intersectional theorists’ discussion of Curry’s specific target demographic: Black males in the US, especially those that are working class. Crenshaw’s “Mapping the Margins,” whatever its issues with framing, considers disadvantages specific to the intersection of Blackness and maleness (e.g., the dominant narrative of the Black male as constant rape threat towards white women) and causal links between these disadvantages and violence directed at Black women.¹⁷ Athena Mutua noted that gendered phenomena like racial profiling of Black males challenged the theoretical connection of maleness as a privileging aspect of Black male experience, and worked towards the general insight, just stated, which she labels “gendered racism,” and is quoted in Curry’s own text as challenging the conception that Black men are everywhere privileged by gender and disprivileged by race.¹⁸ Devon Carbado relativizes intersectional effects to specific contexts, which straightforwardly implies that “privilege” or lack thereof could be similarly relativized. Angela Harris even goes as far as to consider the claim that “more men than women suffer from gender violence” to be plausible (though carefully noting that this fact wouldn’t delegitimize a focus on violence against women, with which I agree).¹⁹

These careful claims are very congenial to Curry’s analysis in *The Man-Not*, and all of these authors are cited in the text, some even as making these very sorts of claims, demonstrating that Curry was aware of examples by which he could have framed his work as an instance of intersectional theory rather than a debunking project. Curry’s lack of interpretive charity with respect to contemporary feminist theory is oddly out of step with the book’s virtues in other respects: the careful attention paid to Black political thought (feminist and other) of past epochs and the carefully crafted sociological arguments given in reply to “super-predator” theory and related tropes in social sciences.

IV. CONCLUSION

I see two main takeaway points about *The Man-Not* and intersectionality theory from these considerations. First, if it is true that being male is theorized by intersectionality theorists as inevitably and in principle bound up with privilege across the racial spectrum—as Curry alleges—then intersectionality as a *concept*, theoretical approach, or “sensibility” is no defense of or even explanation of this tendency, and intersectionality adherents and sympathizers have themselves explained why.²⁰ Then, Curry’s dispute with intersectional theorists should be understood like his dispute with social scientists: the dispute is less about the tools themselves and more about what they are used to do.

The second takeaway point is methodological. Indeed, if claims made by theorists are being adjudicated based on their ability to vindicate expressions of frustration and disappointment and to advantage theorists in related professional and/or interpersonal disputes, it's not hard to imagine how the truth will be among the first casualties of the resulting wars of attrition and position. This could be how things turn out even in cases even where the frustration and disappointment are entirely justified, as I feel they are on both sides of the dispute in this case. Indeed, this very sort of distortion seems to be at play in Curry's own critique of contemporary feminist and related scholarship. But the truth will not be the only casualty. This kind of mistake runs the risk of making scholarship irrelevant—or worse—to the people and social movements it aims to benefit, since the strategic value of acting based on the claims theorists make might well depend on them being true. Scholarship that aims to support social movements and political progress has *more* reason and responsibility to maintain strict epistemic and methodological standards than disinterested scholarship, not less.

Given the complications considered here about guessing at effects of intersecting oppressions, a sober empirical and systematic analysis of how things go in the world seems like the right tool for the job of accurately describing our social world, and for grounding our attempts to change it. The sort of approach taken by Du Bois and the Atlanta school of sociology might provide a road map for the job, and *The Man-Not* would be a good start towards that kind of project.²¹

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NOTES

1. For historical discussions of mass incarceration based in California, see Kelly Lytle Hernández, *City of Inmates: Conquest, Rebellion, and the Rise of Human Caging in Los Angeles, 1771–1965* (UNC Press Books, 2017); Ruth Wilson Gilmore, *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California*, vol. 21 (University of California Press, 2007).
2. Tommy J. Curry, *The Man-Not: Race, Class, Genre, and the Dilemmas of Black Manhood* (Temple University Press, 2017), 6–7.
3. *Ibid.*, 142.
4. *Ibid.*, 147–51.
5. Curry, *The Man-Not*, 106.
6. *Ibid.*, 128.
7. *Ibid.*
8. *Ibid.*, 191–92.
9. Collins points out that the narrative of Crenshaw's single "motherhood" over the term leaves out important histories of organizing and knowledge production. As an example, Frances Beal's "double jeopardy" address took place in 1969 and was included in Toni Cade Bambara's influential *The Black Woman* anthology, and expresses a related concept.
10. Patricia Hill Collins, "Intersectionality's Definitional Dilemmas," *Annual Review of Sociology* 41 (2015): 1–20.
11. Curry, *The Man-Not*, 218–21.

12. Sumi Cho, Kimberlé Williams Crenshaw, and Leslie McCall, "Toward a Field of Intersectionality Studies: Theory, Applications, and Praxis," *Signs: Journal of Women in Culture and Society* 38, no. 4 (2013): 785–810.
13. LaKeyma Pennyamon, "Inversion and Invisibility: Black Women, Black Masculinity, and Anti-Blackness," *LIES Journal*, August 2015, <http://www.liesjournal.net/volume2.pdf>.
14. Liam Kofi Bright, Daniel Malinsky, and Morgan Thompson, "Causally Interpreting Intersectionality Theory," *Philosophy of Science* 83, no. 1 (December 17, 2015): 60–81, doi:10.1086/684173.
15. Cho, Crenshaw, and McCall, "Toward a Field of Intersectionality Studies: Theory, Applications, and Praxis"; Peter Kwan, "Jeffrey Dahmer and the Cosynthesis of Categories," *Hastings Law Journal* 48 (1996): 1257; Devon W. Carbado et al., "INTERSECTIONALITY: Mapping the Movements of a Theory," *Du Bois Review: Social Science Research on Race* 10, no. 2 (2013): 303–12, <https://doi.org/10.1017/S1742058X13000349>.
16. Cho, Crenshaw, and McCall, "Toward a Field of Intersectionality Studies."
17. Kimberlé Crenshaw, "Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color," *Stanford Law Review* 43, no. 6 (1991): 1258, 1266, <https://doi.org/10.2307/1229039>.
18. Athena D. Mutua, "Multidimensionality Is to Masculinities What Intersectionality Is to Feminism," *Nevada Law Journal* 13 (2012): 341; Curry, *The Man-Not*, 132, 215, 221.
19. Angela P. Harris, "Gender, Violence, Race, and Criminal Justice Prosecuting Violence: A Colloquy on Race, Community, and Justice," *Stanford Law Review*, 2000, 779.
20. Curry, *The Man-Not*, 215.
21. William Edward Burghardt Du Bois and Isabel Eaton, *The Philadelphia Negro: A Social Study* (Published for the University, 1899).

WORKS CITED

- Bright, Liam Kofi, Daniel Malinsky, and Morgan Thompson. "Causally Interpreting Intersectionality Theory." *Philosophy of Science* 83, no. 1 (December 17, 2015): 60–81. <https://doi.org/10.1086/684173>.
- Carbado, Devon W., Kimberlé Williams Crenshaw, Vickie M. Mays, and Barbara Tomlinson. "INTERSECTIONALITY: Mapping the Movements of a Theory." *Du Bois Review: Social Science Research on Race* 10, no. 2 (2013): 303–12. <https://doi.org/10.1017/S1742058X13000349>.
- Cho, Sumi, Kimberlé Williams Crenshaw, and Leslie McCall. "Toward a Field of Intersectionality Studies: Theory, Applications, and Praxis." *Signs: Journal of Women in Culture and Society* 38, no. 4 (2013): 785–810.
- Collins, Patricia Hill. "Intersectionality's Definitional Dilemmas." *Annual Review of Sociology* 41 (2015): 1–20.
- Crenshaw, Kimberlé. "Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color." *Stanford Law Review* 43, no. 6 (1991): 1241–99. <https://doi.org/10.2307/1229039>.
- Curry, Tommy J. *The Man-Not: Race, Class, Genre, and the Dilemmas of Black Manhood*. Temple University Press, 2017.
- Du Bois, William Edward Burghardt, and Isabel Eaton. *The Philadelphia Negro: A Social Study*. Published for the University, 1899.
- Gilmore, Ruth Wilson. *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California*, Vol. 21. University of California Press, 2007.
- Harris, Angela P. "Gender, Violence, Race, and Criminal Justice Prosecuting Violence: A Colloquy on Race, Community, and Justice." *Stanford Law Review* (2000): 777–808.
- Hernández, Kelly Lytle. *City of Inmates: Conquest, Rebellion, and the Rise of Human Caging in Los Angeles, 1771–1965*. UNC Press Books, 2017.
- Kwan, Peter. "Jeffrey Dahmer and the Cosynthesis of Categories." *Hastings Law Journal* 48 (1996): 1257.
- Mutua, Athena D. "Multidimensionality Is to Masculinities What Intersectionality Is to Feminism." *Nevada Law Journal* 13 (2012): 341.
- Pennyamon, LaKeyma. "Inversion and Invisibility: Black Women, Black Masculinity, and Anti-Blackness." *LIES Journal*, August 2015. <http://www.liesjournal.net/volume2.pdf>.

BOOK REVIEW

The Man-Not: Race, Class, Genre, and the Dilemmas of Black Manhood

Tommy J. Curry (Philadelphia, PA: Temple University Press, 2017). 298 pp. Hardcover, \$99.50. ISBN: 978-1-4399-1486-1; paperback, \$34.95, ISBN: 978-1-4399-1485-4; e-book, \$34.95, ISBN: 978-1-4399-1487-8.

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Tommy J. Curry's *The Man-Not: Race, Class, Genre, and the Dilemmas of Black Manhood* is a groundbreaking and highly ambitious book that deals with the condition of Black men and boys in the United States. Based on historical research, sociological findings, and statistical data, Curry argues compellingly that the condition of Black men and boys is one of disadvantage. Through meticulous research, which undergirds each chapter of this text, Curry demonstrates that Black men and boys lag behind every other demographic group in the United States in every metric and index of human growth and development. The empirical data interpreted and employed by Curry demonstrates that no population in the United States endures unemployment, incarceration, death, disease, undereducation, and underrepresentation in the professional classes as much as Black men and boys. By focusing on the specific disadvantages of Black men and boys, Curry questions more than four decades of race, class, and gender theory that minimizes, ignores, or denies the precarious condition of Black men and boys in the United States. To this end, Curry exposes an enormous gap between the prevailing modes of race, class, and gender theory in colleges and universities and the findings from the past and present studies of historians, sociologists, political scientists, and bio-statisticians that point to the precarious condition of Black men and boys. What is more, the empirical findings cited in *The Man-Not* expose and unearth the problematic ontological, epistemological, and ethical assumptions which have driven race, class, and gender theory for more than four decades.

The fundamental problem which *The Man-Not* addresses is an ahistorical approach to Black men and boys across disciplines for the last couple of centuries. From the late nineteenth century to the present, derogatory accounts of Black men and boys have been articulated in metaphysical, speculative, fictive, mythological, and poetic terms. These accounts, which are treated as definitive and irrefutable, have been written by, among others, ethnologists, social scientists, creative writers, and gender theorists. These accounts are marked by presuppositions and conclusions about the nature, status, and destinies of Black men and boys which are not empirically and historically informed. The ahistorical approaches to Black men and boys built on these accounts revel in the view that Black men and boys are predators and criminals. This predatory, criminal view of Black men and boys, which persists in the writings and pedagogy of academics today, has gone uncontested. In chapter one, Curry unearths the nineteenth-century roots of this problem in ethnology. In chapter three, "The Political

Economy of Niggerdom: Racist Misandry, Class Warfare, and the Disciplinary Propagation of the Super Predator Mythology," and chapter five, "In the Fiat of Dreams: The Delusional Allure of Hope and the Reality of Anti-Black Male Death that Demands Our Theorization of the Anti-Ethical," Curry delineates and critiques the consequences of this ahistorical and positivist view of Black men and boys.

One consequence of this view of Black males has been the deaths of many Black men and boys. These deaths have been social and mortal in nature. In fact, Black male death is a theme that echoes throughout *The Man-Not*: death through rape, castration, child abuse, incarceration, unemployment, exploitation, and neglect. Curry views the 1944 execution of James Stinney, a fourteen-year-old Black boy who was convicted of raping and killing two white female teenagers, as the archetype for the deaths experienced by Black men and boys. With no evidence and an all-white jury, Stinney was convicted and sentenced to death in the state of South Carolina. After over seven decades of challenging the 1944 conviction of Stinney, a court of law determined that Stinney was wrongly convicted and executed for those crimes. Yet, the State of South Carolina has not acknowledged its wrongdoings in this case and has upheld Stinney's conviction. In *The Man-Not*, the case of James Stinney is a deep symbol of an enduring condition suffered by Black men and boys in the United States. Stinney, whose picture is on the book's cover, is also one among the countless cases of the deaths of Black men and boys that informs this work. Indeed, the normalization of Black male death is the main reason Curry engages in a research program about the condition of Black males in the United States. Integral to this program is the study of how Black men and boys are criminalized and how this criminalization of Black males legitimates the idea that their premature deaths are not only acceptable but also normal in the United States.

Another consequence of the ahistorical view of Black men and boys prominent today is the erasure of trauma and vulnerability in the lives of Black males. In an effort to overcome this erasure, Curry devotes two chapters that outline a mode of trauma suffered by Black men and boys, rape. In chapter two, "Lost in a Kiss?: The Sexual Victimization of the Black Male during Jim Crow Read through Eldridge Cleaver's *The Book of Lives and Soul on Ice*," and chapter four, "Eschatological Dilemmas: Anti-Black Male Death, Rape, and the Inability to Perceive Black Males Sexual Vulnerability under Racism," Curry engages Black men and boys as victims of rape and sexual abuse. Chapter two is the more provocative of these two chapters. Here, Curry presents original scholarship on the sexual abuse of Black men and boys. This scholarship is framed in light of the writings of Eldridge Cleaver, whose writings on sex and sexual violence are contextualized in relation to the history of sexual violence during the age of Jim Crow.

All of the concerns taken up in *The Man-Not* are crystalized in the concluding chapter, "Not MAN but Not Some Nothing: Affirming Who I Cannot Be through a Genre of Black Male Death and Dying." Here, Curry's concerns about the problems of theory and ahistorical treatments of Black male existence is amplified through an engagement with

intersectionality, the most popular theoretical framework utilized by gender theorists today. After a thorough engagement with intersectionality and the manner in which it has been used by scholars, such as those in legal studies, Curry concludes that it is antithetical to sociological and historical facts and assessments related to the precarious condition of Black males in the United States. Intersectionality privileges female victimization and imagines Black male disadvantage as superficial and trivial. Under intersectionality theory, Black men are fundamentally predatory and criminal. The Black male is a privileged victimizer (of women) whose status as victim is comical and nonsensical. If conceded as victim at all, his status as victim is tertiary to that of women. Curry contends that the logic of intersectionality is incapable, theoretically and otherwise, of fully addressing the social existence of Black males in the United States. For this reason, more intellectual/theoretical options and resources are necessary for the study of Black males. A completely new genre of writing and scholarship is called for to meet this demand.

Overall, *The Man-Not* is a groundbreaking text that raises necessary epistemological and empirical questions where the nature and status of the existence of Black men and boys in North America are concerned. Its deep engagement with history, sociology, racial ideology, and gender theory distinguishes it from standard works on race, class, and gender in the United States. Notwithstanding its contribution to the fields of African American studies, philosophy, race theory, and gender studies, the only major shortcoming of *The Man-Not* is its evasion of religion. Curry correctly states and explicates the ahistorical problems that have prevented a robust engagement with the condition of Black men and boys across disciplines. Curry is effective in outlining, exposing, and critiquing the ideological commitments which sustain and preserve a view of Black men and boys as intrinsically violent, pathological, and evil. However, *The Man-Not* does not entertain, explain, or explore the theological and moral roots of the ahistorical accounts of Black men and boys. The normative ideas by which Black men and boys have been judged, pathologized, and rendered evil in the past and the present are tied to historical expressions of Christianity in the West, particularly those expressions of it which are mired in slavery, colonization, and imperialism. Such expressions of Christianity have been integral to the rhetoric of civilization in the West and its impact on populations who are not white, which have been understood as in need of civilizing and civilization owing to their sinfulness and their primitive, savage nature. *The Man-Not* persuasively argues that Black men and boys are imagined to be among the uncivilized groups of the world. However, Curry does not factor in the normative force and impact of religion in creating and maintaining this view of Black males as uncivilized and/or savages. A robust engagement with religion in the West may be too much to ask for such a preliminary and groundbreaking work. What is clear is that the theoretical, methodical, empirical, and ideological questions asked by Curry in *The Man-Not* call for an analysis of religion, particularly Westernized Christianity, as a contributor to the dilemmas of Black manhood faced by Black males.

In conclusion, *The Man-Not* is a young philosopher's book. As such, it effectively accomplishes what such books do: it engages, reimagines, and moves beyond its immediate predecessors. With respect to its particular subject matter, Black men and boys, *The Man-Not* demonstrates that the condition and status of Black men and boys in the United States is unresolved and precarious and that more scholarly work needs to be done on the condition of Black men and boys in the United States.

CONTRIBUTORS

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FROM THE EDITOR

Thomas Urban

RETIRED PROFESSOR, HOUSTON COMMUNITY COLLEGE

Our two pieces in this issue of the Two-Year Colleges newsletter illustrate both the breadth and diversity of our committee's interests and writing. On the one hand, we find a scholarly interpretation of the Modern Academy by Ian Duckles, which weighs the impact of technology on how we think about it technologically, drawing on the theorizing about science and management by Frederick Winslow Taylor in *The Principles of Scientific Management*, and Martin Heidegger's text *The Question Concerning Technology*. On the other hand is a discussion by Andy Wible that critically addresses the question of difficulty as it applies to *Introduction to Philosophy*.

The concerns of each article, though distinct from one another, are basic to what we see today in the Modern Academy, be it a two-year college or four-year institution. The mythology of the Academy that many older faculty members attempt to preserve is unmasked as an empty promise by the processing of students specified by a ruling technology. The same sense of loss emerges in the alleged "dumbing down" of introductory courses, including *Introduction to Philosophy*. My purpose is not to interpret these articles for our readers, but to invite you to consider their content, and to do so first within the context of two-year colleges, and then to a wider concern for the reality and future of higher education in general. Enjoy!

ARTICLES

*Taylorism, Heidegger, and the Modern Academy*¹

Ian Duckles

SAN DIEGO MESA COLLEGE

I. TAYLORISM

Frederick Winslow Taylor's 1911 monograph, *The Principles of Scientific Management*,² articulates a theory of management that has played an enormous role in completely restructuring industry, and, as I will argue, the Modern Academy. In this paper, I will outline the basic principle of the view that has come to be known as Taylorism,

show how those basic principles are increasingly being used as the basis for administering the Modern Academy, and then develop a critique of those principles influenced by Heidegger and his seminal 1962 essay, "The Question Concerning Technology."³ I will conclude by considering some of the major implications of these connections that I have drawn.

According to Taylor himself, his theory of scientific management has four core principles: "First: The development of a true science. Second: The scientific selection of the workman. Third: His scientific education and development. Fourth: Intimate friendly cooperation between the management and the men."⁴ Regarding the first two points, Taylor demonstrates in detail how one can apply science to the workplace and use science to increase efficiency. He describes how one can undertake what he calls variously a "time" or "motion study" in which one examines each movement performed by a worker, times with a stopwatch how long each movement takes, eliminates extraneous movements, and then trains the worker to perform exactly and only the necessary moves. This is used to establish a baseline for how long it should take a worker to perform each task. This information is then used to determine which workers to hire, namely, those who can perform the task in the amount of time that the manager determines it should actually take to perform.

In describing these first two steps, Taylor contrasts his method of scientific management with the then-dominant older method, which he calls "initiative and incentive." Under this older model, the job of the manager is merely to provide incentives (usually financial, but not necessarily) to induce the workers to use their own initiative to find the best way to complete the task. Under this older model, the workers have a great deal of autonomy as long as they perform their assigned tasks in a timely manner, and the manager doesn't need to do much beyond keeping an eye on things and developing the proper scheme of incentives. Under this older model, one does not require very many managers or foreman, so most of the employees are actual workers, with just a few managers overseeing them.

By contrast, under Taylor's scientific management, the manager or foreman is much more intimately involved with the employees and takes a much more active role in guiding and directing them. Returning to the third and fourth core principles, once the employer has determined how long a particular job should take and has hired employees who can do the job in the allotted time, the manager must then expend an enormous amount of effort to train the employee to do the task in the way the employer, through

time and motion studies, has determined is the best way to do it. This requires, essentially, one-on-one training for days or weeks at a time. In addition, it requires a significant increase in the number of managers to create and maintain the conditions to have effective scientific management. "Under functional [scientific] management the old-fashioned single foreman is superseded by eight different men, each one of whom has his own special duties."⁵ As Taylor notes, under his system "There is an almost equal division of the work and the responsibility between the management and the workmen."⁶ As already shown, this method involves an eightfold increase in the number of managers, and, according to the case studies he presents, a 70–80 percent reduction in the size of the workforce.⁷

Finally, there are two more important elements to Taylor's theory. First, under this theory, the manager has a better understanding of the job than the actual worker. In fact, Taylor goes so far as to argue that the worker is incapable of understanding his job to the extent that the manager does:

These illustrations should make perfectly clear our original proposition that in practically all of the mechanic arts the science which underlies each workman's act is so great and amounts to so much that the workman who is best suited to actually doing the work is incapable, either through lack of education or through insufficient mental capacity, of understanding this science.⁸

This is contrasted with the old "initiative and incentive" system in which the worker is seen as the expert in his job. Secondly, as the name suggests, Taylor's scientific management requires a great deal of scientific machinery and know-how. Taylor's method is inherently data-based, so it requires the collection and analysis of enormous amounts of data. Taylor has extended descriptions of special proprietary slide rules that he and others have developed. In addition, he notes that the use of scientific management will require the construction of dedicated facilities for housing all the data, as well as providing a fixed work area for the analysis of this data. Despite all these increased costs, Taylor goes to great lengths to demonstrate that the enormous increases in efficiency and productivity (that is, profit) that his system provides easily outweigh the additional administrative costs associated with this new system of management.⁹

II. TAYLORISM IN THE MODERN ACADEMY

In turning to the application of Taylorism to the Modern Academy, I don't intend to argue that administrators and trustees or governors read Taylor and applied those principles to higher education. Instead, when I turn to Heidegger, I intend to show that both Taylor and the Modern Academy are operating under a similar mindset or *Weltanschauung*. This *Weltanschauung* may very well have different origins in each case, but I will show that it is the same *Weltanschauung* such that we see analogous impacts between the principles Taylor articulated and the principles that are increasingly being used to run the Modern Academy.

Starting with Taylor's first principle, we can see how education is increasingly oriented around the development of a "science of teaching," particularly with the rise of learning outcomes at the colleges. Anyone who currently teaches in higher education is familiar with the SLO (Student Learning Outcomes) movement in higher education. The point of SLOs is to find a way to collect data on the instructional experience that can then be analyzed and evaluated. The end goal, despite some administrative statements to the contrary, is to use this data to evaluate faculty and inform hiring and discipline procedures. According to Standard III.A.6 of the ACCJC,¹⁰

The evaluation of faculty, academic administrators, and other personnel directly responsible for student learning includes, as a component of that evaluation, consideration of how these employees use the results of the assessment of learning outcomes to improve teaching and learning.¹¹

The core idea is that educators do not know how to properly evaluate teaching and learning, so an external standard must be imposed upon them. This standard is entirely data driven and that data impacts the evaluation process that determines whether adjuncts are rehired, and also governs the tenure and promotion process for contract faculty. This is a clear example of the attempt to scientize the teaching profession very much in accordance with Taylor's second principle of Scientific Management.

We can also see this same idea at work in a recent document produced by Carol A. Twig on behalf of the Lumina Foundation. In this document she articulates a method for reforming higher education that looks suspiciously like the time and motion studies advocated by Taylor:

NCAT developed a spreadsheet-based course planning tool (CPT) for institutions to do the following: 1) determine all personnel (faculty, adjunct instructors, teaching assistants, peer tutors and professional staff) costs expressed as an hourly rate; 2) identify the tasks associated with preparing and offering the course in a traditional format; 3) determine how much time each person involved in preparing and offering the course in a traditional format spends on each of the tasks; 4) repeat steps one through three for the redesigned format; 5) enter the data in the CPT. The CPT then automatically calculates the cost of both formats and converts the data to a comparable cost-per-student measure.¹²

This is perhaps the clearest example I have come across of the use of time and motion studies in the higher academy. Here we can see quite clearly the attempt to break down all the work of a professor into discrete steps that can then be redistributed among different faculty and staff to dramatically "de-skill" and "de-professionalize" education in exactly the same way that Taylor sought to "de-skill" industrial labor in his day. The end goal, of course, is to increase productivity and reduce costs.

Turning to the third principle, many faculty in higher education have been resisting this scientification of education, but we can see this trend reach fruition at large, private, for-profit schools such as the University of Phoenix. They use an extremely regimented teaching schedule with very little faculty input on course design or implementation. Shells with assignments, lectures, textbooks, etc. are set up and the instructor just comes in and runs the course.¹³ There is very little room for innovation or for faculty members to implement their own lesson plans. In effect, the professors become just interchangeable units that can be swapped out as necessary, and anyone who meets the minimum qualifications for teaching can be inserted into one of these courses with very little training or experience. This is another clear attempt at de-skilling or de-professionalizing the job of the educator.

Finally, we can see Taylor's fourth principle in action by looking at the enormous rise in the number of administrators and support staff in higher education. One can find a very vivid illustration of this by looking at staffing patterns in community colleges. According to the data there are now more administrators and support staff than there are full-time faculty. "Public nonresearch institutions in 1990 averaged roughly twice as many full-time faculty as administrators—more than 20 years later, the two were almost equal."¹⁴ As the number of administrators rise, the college is increasingly run in accordance with the values that these administrators care about. In general, these administrators increasingly focus on data and emphasize hitting certain target numbers. In effect, the teaching profession has been reduced to a series of data points, and the performance of departments and programs is evaluated on the basis of whether or not certain data targets are met.

A clear example of these trends comes from a recent article in *Inside Higher Education* about a decision by Mills College in Oakland to lay off several tenured faculty and eliminate a number of departments including the philosophy department.¹⁵ The Provost and Dean of Faculty Julia Chinyere Oparah gave the following justification for the decision: "But the school also has to consider which majors and minors students select, and philosophy is not a top choice; the college currently has just three philosophy majors."¹⁶ Here we can see that the college administrators are basing their instructional decisions on data that is easy to collect and understand, namely, number of majors. Under this mindset that is so closely aligned with scientific management, there is no consideration of other, less tangible considerations. For example, one of the affected professors, Marc Joseph, rightfully asks, "How does one have a liberal arts program without a philosophy program?"¹⁷ In contrasting these quotations from Dean Oparah and Professor Joseph we can see a clear articulation of the different and competing *Weltanschauungen* that are fighting for control of the modern academy. The dean is only concerned with hitting certain target numbers and if those numbers aren't met, programs and faculty are eliminated. By contrast, the professor is concerned with the quality of education that is being provided by the institution.

At this point one might reasonably ask, "So what?" If my claim that the academy has adopted many of the principles of scientific management is true, what does this matter? If it produces a more efficient academy and a better learning experience for students, while reducing costs, then that is all for the best, isn't it? In what follows I will use a Heideggerian analysis to argue that there are significant problems with this approach that are damaging to pedagogy and what should be the core mission of an academic institution.

III. HEIDEGGER

I will begin by briefly summarizing the core points of Heidegger's essay "The Question Concerning Technology." The core of Heidegger's analysis here is the claim that the essence of technology is not to be found in any particular technological device, but rather that the essence of technology amounts to a certain worldview or way in which the world is disclosed to us. Much of Heidegger's later thought concerns an examination of the ways in which the world appears or shows up to us. These different *Weltanschauungen* amount to different frameworks through which individuals understand and interpret the world they find themselves in. In addition, these different frameworks also play a role in shaping the nature of truth and provide standards for what counts as true or false within that given *Weltanschauung*.

As Heidegger sees it, our current worldview is the technological worldview of Enframing (*das Gestell*), and the defining feature of this worldview is that everything in the world shows up to us as a resource (*der Bestand*, often translated as "standing reserve") to be used and exploited by humanity solely for our own benefit. Heidegger illustrates this point by looking at different ways of viewing and conceptualizing the Rhine River. He contrasts our modern way of looking at the river with the way the river is viewed in a poem by Hölderlin: "What the river is now, namely, a water power supplier, derives from out of the essence of the power station."¹⁸ That is, the river gets its meaning and the river is understood based on its relation to the power station and as a source of power for that power station. One might object that we nevertheless still make an effort to preserve nature in the form of parks or national monuments, but even this is still governed by the worldview of Enframing. In discussing the Rhine again Heidegger writes, "But, it will be replied, the Rhine is still a river in a landscape, is it not? Perhaps. But how? In no other way than as an object on call for a tour group ordered there by the vacation industry."¹⁹ Even as a landscape, the Rhine is still conceptualized within the framework of Enframing where everything is understood as a resource to be used and exploited, in this case as a recreation destination or a setting for tour groups.

Perhaps the best example of this can be seen in looking at the department at a corporation or college that is responsible for hiring people and managing employee benefits. This department is, of course, called the Human Resources Department. This is significant because even the

name makes clear that humans are being conceptualized as resources, and just like any resource they are there to be used and exploited by others for their convenience. This demonstrates the degree to which the technological worldview of Enframing dominates how we understand the world and our place within it.

Since Heidegger focuses so much on Enframing in this essay, it is helpful to contrast this particular worldview or mode of disclosing with a worldview that Heidegger seems to find more authentic. This is the worldview of *poiesis/phusis*. *Phusis* is the Greek word for “nature” and also means “to grow or to spring forth,” and is, of course, the root word for “physics.” For Heidegger, *Phusis* is the process whereby a *Weltanschauung* is revealed or opened up by the activity of Beings. This is tied to *poiesis*, a Greek word meaning “to make” and which is the root of our word “poetry.” For Heidegger *poiesis* is the process by which humans make meaning out of the world and imbue the world with meaning. These two concepts of *phusis* and *poiesis* are connected by Heidegger: “*Phusis* also, the arising of something from out of itself, is a bringing forth, *poiesis*. *Phusis* is indeed *poiesis* in the highest sense.”²⁰ This becomes important as this is an authentic mode of revealing because it demonstrates the active role that humans play in creating truth and revealing the world to ourselves.

This then points to Heidegger’s biggest criticism of Enframing and the technological worldview, namely, the fact that it covers up or hides its nature as a mode of disclosing, and covers up what it fundamentally means to be human: to create structures of meaning and intelligibility in the world. “Where Enframing holds sway, regulating and securing of the standing-reserve mark all revealing. They no longer even let their own fundamental characteristic appear, namely, this revealing as such.”²¹ In this sense Enframing is an inauthentic worldview because it covers up or conceals the very fact of its own existence. When caught in the worldview of Enframing, humans don’t even realize that they are caught in this worldview, and they just take the assumptions and values inherent in Enframing for granted as just features of the world as it actually is and has always been. People become trapped in this worldview and don’t even realize that alternative and more authentic ways of conceptualizing and understanding the world are available.

IV. TAYLOR, HEIDEGGER, AND THE MODERN ACADEMY

Having explained Taylorism and shown how those principles are at work in the Modern Academy, I can now turn to a critique of these principles using the tools developed by Heidegger.

To begin, I will look at Taylor’s “initiative and incentive” model and contrast it with the “scientific management” model, which I will then match up with Heidegger’s concerns about *poiesis/phusis* and how it is being covered up or obscured by Enframing.

One really good way to see this contrast in the Modern Academy is actually to step away from the faculty of the Academy and look at how these trends have played out among custodial workers. This will be useful, first, because we probably ought to think more about the often invisible custodial workers who do so much that allow faculty, administrators, staff, and students to focus on teaching and learning. Second, it will be useful because the examples are so striking. In discussing custodial workers, I will be focusing on research that was conducted by Peter Magolda at two Midwestern colleges: “Harrison” and “Compton” Universities (like all the names used in his work, Magolda has changed them and some of the details of the two universities at which he conducted his research in order to preserve anonymity.)²²

In his book, Magolda contrasts two perspectives on custodial work. The first is the perspective preferred by the actual custodial workers, which Magolda calls “a customer service management ideology,” which is contrasted with an ideology of “corporate managerialism” that is favored by administrators. The “customer service management ideology” is one that is focused on serving the interests of the customers the custodians are serving. The highest priority is placed on customer satisfaction, and the roles and responsibilities of the custodian are viewed through this lens.²³ The “corporate managerialism” ideology, by contrast, is focused on fiscal stability and takes centralizing power, minimizing labor costs, and increasing accountability of custodial workers as the primary principles through which custodial work is viewed, understood, and evaluated.

It is first important to note that this distinction between two ideological approaches matches up almost perfectly with Taylor’s distinction between “initiative and incentive” and “scientific management.” Under the customer service model, custodial workers have the autonomy to decide how best to satisfy the needs of the groups they service. By contrast, under the principles of “corporate managerialism,” the administrators are seen as the source of knowledge and the custodial staff is expected to conform to these managerial insights. In the imposition of this ideology we can see scientific management at work.

Applying Heidegger to this framework, we can see a parallel between his analysis of an authentic model of *poiesis/phusis* and Enframing. The “customer service”/“initiative and incentive” models are ones that privilege and prioritize the actual insights and perspectives of the individuals actually doing these jobs. Under these models, they are encouraged to employ their own skills and understandings of the needs of the situations and problems they are confronted with to develop solutions and strategies for the proper performance of their tasks. By contrast, under the “corporate managerialism”/“scientific management” model, these individuals are no longer given autonomy, but are instead expected to work under a one-size-fits-all approach that is determined by supervisors who often have no experience or understanding of the jobs they are managing. This totalizing approach further alienates the workers and attempts to completely cover up and suppress the individuality of the workers in question.

Magolda provides an excellent example of this when he reprints the Custodian Inspection Rubric used by Compton University.²⁴ This rubric attempts to quantify, using a 100-point scale, the work of custodians. They are expected to score an 85 or above with a lower score indicating some kind of deficiency on the part of the custodian. Under this model, “supervisors, not workers, know what counts as ‘good.’”²⁵

This serves as a good example of Enframing or scientific management in that it seeks to reduce everything the custodial worker does to a framework that is quantifiable and calculable. In effect, the very humanity of the custodial worker is lost as they are simply reduced to a numerical score on a rubric and all individuality and particularity is completely covered up and erased. This example, taken from the custodial ranks of the college staff, is nevertheless a good illustration of the trends that are at work in the Modern Academy. This is further reinforced if we recall the situation at Mills College described earlier. This attempt to eliminate professors and whole departments based on a failure to satisfy certain targets demonstrates that this “corporate managerialism” mindset is being applied to the faculty ranks as well.

A second point of connection concerns the role of data in the Modern Academy. As I noted earlier, modern college administrators put an enormous confidence in data and devote a great deal of time and energy collecting as much data as possible. Most schools, for example, have an Office of Institutional Research that consists of deans and staff. This office produces a variety of reports, and, based on my own experiences, these reports inform numerous campus policies and decisions from what courses to offer to when to offer them. In addition, as noted earlier, the standards of evaluation focus on these data-driven metrics. Our campus knows how successful it is by looking at the persistence and completion numbers provided by this data. Data is extremely important to the functioning of the Modern Academy.

In effect, this reliance on data is an outgrowth of the Enframing mindset that has come to dominate the Modern Academy. Data is seen as important because the Academy has adopted a certain worldview that views data as important. There are other worldviews that don’t have that same demand or vision. I argue that the data isn’t collected because it is actually useful. Rather, the data is collected because it can be (data collection is always based on measures that are easy to calculate) and then ways are found to use that data, even if those uses go against the core mission of the Academy. The example of Mills College again perfectly illustrates this point.

V. CONCLUSION

At this point, I have shown that Taylorism and the principles increasingly governing the Modern Academy can be profitably understood through the lens of Heidegger’s concept of Enframing in which everything is viewed as a resource. To conclude, I will identify a number of implications or consequences of this perspective.

First, the dominance of the Enframing mindset is at odds with the mission of the Modern Academy and higher education generally. To the degree that Enframing covers up that it is a mode of disclosing, it also covers up other ways of conceptualizing the world. This is problematic because one of the goals of a liberal higher education should be exposing students to new ideas and perspectives, but this effort is challenged by the totalizing work of Enframing to cover up other modes of disclosing and other *Weltanschauung*.

Second, seeing the link between Taylorism and the Modern Academy should help professors see that, ultimately, they are subject to the same pressures and problems as workers in any industry. That is, despite pretensions to the contrary, education work is labor work, and when labor is suffering or negatively impacted, education is as well. I hope that this perspective can help foster greater solidarity among all segments of the workforce and that “white-collar” professors can realize that they are impacted and subjected to the same negative forces that are impacting “blue-collar” custodians and other laborers. Hopefully, this will also reinforce the importance of the old IWW slogan, “An injury to one is an injury to all.”

Finally, seeing the connection between the principles of the Modern Academy and Enframing can also suggest a potential solution to these problems. If, as I have argued, the problems impacting the Modern Academy are a result of the Enframing mindset, then looking at solutions to overcome the Enframing mindset may provide guidance for how to overcome the problems I have identified with the Modern Academy.

What might these solutions be? According to Heidegger, while Enframing is a totalizing and inauthentic worldview, it also contains within it the seeds of its own overcoming. Quoting Hölderlin, Heidegger writes, “But, where danger is, grows/The saving power also.”²⁶ While he is more cryptic about the meaning of this than we might like, I take him to be arguing that the very crisis created by Enframing may push humanity to overcome it and adopt a more authentic worldview.

This solution lies in developing what Hubert Dreyfus called a “Free-relation to Technology.”²⁷ The solution to Enframing is not to become a Luddite and abandon or eliminate all technology, but rather to employ technology where it is useful while at the same time acknowledging that one of the fundamental characteristics of our human nature is the role we play in disclosing and creating meaning. We need to realize that Enframing is not a necessary feature of human existence but actually a choice or decision we have made about how to see the world. There is nothing inevitable or necessary about this worldview, and we are free to adopt other worldviews that are more authentic and that can serve us and our students more effectively.

NOTES

1. This paper is dedicated to the late Hubert Dreyfus [REDACTED].
2. Frederick Winslow Taylor, *The Principles of Scientific Management* (Dover Publications: Mineola, NY, 1998).

3. Martin Heidegger, "The Question Concerning Technology," in *The Question Concerning Technology and Other Essays*, trans. William Lovitt (New York: Harper Torchbooks, 1977).
4. Taylor, 68n.
5. *Ibid.*, 64.
6. *Ibid.*, 15.
7. According to these case studies, one involved a reduction from 600 to 140 workers, and a second involved a reduction from 120 to 35. See Taylor 35 and 49.
8. Taylor 50.
9. See, for example, Taylor, 35ff.
10. The Accrediting Commission for Junior and Community Colleges is the main accrediting body for community colleges in California, Hawaii, and US territories in the Pacific.
11. ACCJC, "Accreditation Standards," Web (June 2014). Accessed July 17, 2017, <https://accjc.org/wp-content/uploads/Accreditation-Standards-Adopted-June-2014.pdf>.
12. Carol A. Twigg, "Improving Quality and Reducing Costs: The Case for Redesign," Lumina Foundation, (publication date unknown), accessed January 4, 2017, <https://www.luminafoundation.org/files/publications/collegetcosts/twigg.pdf>.
13. Joshua Kim, "Rejected by U of P," *Inside Higher Ed* (February 7, 2010), accessed December 29, 2017, https://www.insidehighered.com/blogs/technology_and_learning/rejected_u_of_p.
14. Donna M. Desrochers and Rita Kirshstein, "Labor Intensive or Labor Expensive?: Changing Staffing Patterns in Higher Education," Delta Cost Project (February 2014): 13, accessed June 26, 2017, http://www.deltacostproject.org/sites/default/files/products/DeltaCostAIR_Staffing_Brief_2_3_14.pdf.
15. Rick Seltzer, "Philosophy Department on Chopping Block at Mills," *Inside Higher Ed* (June 12, 2017), accessed June 19, 2017, <https://www.insidehighered.com/quicktakes/2017/06/12/philosophy-department-chopping-block-mills#.WUBT6j5Vn-Y.mailto>.
16. Emily Deruy, "Mills College to Lay Off at Least 8 Professors, Cut Philosophy Program," *The Mercury News* (June 9, 2017), accessed June 12, 2017, <http://www.mercurynews.com/2017/06/09/mills-college-to-lay-off-at-least-8-professors-cut-philosophy-program/>. In the article it is not clear if this is a direct quote, but the position articulated here is attributed to Dean Oparah.
17. Quoted in Seltzer.
18. Heidegger, "The Question Concerning Technology," 16.
19. *Ibid.*, 16.
20. *Ibid.*, 10.
21. *Ibid.*, 27.
22. Peter Magolda, *The Lives of Campus Custodians: Insights into Corporatization and Civic Disengagement in the Academy* (Sterling Virginia: Stylus, 2016), 13, note 1.
23. Magolda does note that from a faculty perspective, this customer service model of "give the people what they want" is deeply at odds with how most faculty conceptualize their roles and responsibilities. That being said, while such a model doesn't really work for education, it may very well be the best and most authentic framework for custodial work. See Magolda, *The Lives of Campus Custodians*, 140.
24. *Ibid.*, 148.
25. *Ibid.*, 149.
26. Heidegger, "The Question Concerning Technology," 34.
27. This analysis is based on private discussions with Hubert Dreyfus at UC Berkeley in the mid-1990s. I may have accidentally confabulated some of this stuff, and Dreyfus himself may have evolved into a different understanding. Nevertheless, the credit for anything valuable in this analysis should go to him while all deficiencies are my own fault.

How Hard Should an Introduction to Philosophy Class Be?

Andy Wible

MUSKEGON COMMUNITY COLLEGE

Two-year colleges mainly teach introductory philosophy classes. Introduction to Philosophy is the most popular of those classes. Generally, it is the philosophy department's most important course, both financially and as a way to attract students to take other classes. Yet it seems something of a mystery about the level of difficulty for this class. The answer is left up to professional discretion. Philosophy classes are as hard as the teacher wants. Yet this vague relativistic answer seems unsatisfactory. Courses can be too easy and too tough. So this paper will explore how hard they should be and suggest a few minimum requirements for any philosophy course.

One view is that a class at a two-year college should be just as hard as the transfer institution's equivalent class. Students who take philosophy at two-year colleges are mainly transfer students seeking a bachelor's degree. Thus if classes are going to transfer and be awarded the same credit at transfer colleges, then they should be equally difficult. Many instructors at two-year colleges do use this as their standard to ensure students are ready for upper-level classes when they transfer. Instructors will often use the same books and mimic the syllabus of the main transfer institution.

However, this approach is not universal for many reasons. First, the way Introduction to Philosophy is taught at four-year schools differs greatly between institutions. The style of an Introduction to Philosophy class might be historical or problems based. Some syllabi will have all primary source material; others will have little to none. Some syllabi have multiple papers and others have one or none. Even if one institution has decided to make their introductory classes uniform, there are often two or three main transfer institutions where students go that differ from each other.

Second, many two-year faculty believe that community colleges and community college students are different. Students should be taught differently at a two-year school. Two-year schools are often second-chance institutions. Students may not have succeeded in the normal school structure and therefore two-year schools should try something different. Students at two-year schools may lack the background and sometimes the aptitude that students at four-year schools have. Plus, they are often working or have family obligations that students at four-year schools do not. Papers should be shorter or nonexistent, smaller quizzes and practice tests should be given instead of two big exams, questions should be easier, and grading should be more lenient. Teachers need to help students develop confidence so that they can succeed in higher-level courses.

The concern with this second approach is that the courses are being “dumbed down.” Two-year schools are not billed as easier institutions. If they were, as is the case with some for-profit institutions, their credits would not transfer. High standards must be maintained for such institutions to flourish. Also, community college students are often well able to handle rigorous work. Students attend community colleges for a number of reasons. They attend due to the cost, proximity to home, a sick parent, or the school’s reputation, and not necessarily because they could not get into a four-year institution. Due to the open admissions policy of most two-year schools, often there are more unprepared students at two-year schools. Yet even these students can often handle rigorous work, and if they cannot, perhaps they should not pass the course. Students are not respected if this view is taken. Good two-year schools have a reputation for getting students well prepared for transfer. Students then often come back saying that the four-year school’s classes were easier than they expected or that they had a good foundation for the greater challenge.

Demanding this rigor does not mean that two-year college instructors cannot do anything different or unique in striving to help unprepared students. Two-year colleges tend to have smaller class sizes to increase student-teacher interaction. Also, additional tutoring can be utilized, and supplemental course time can even be devoted to helping students succeed. Alternative approaches to teaching can also be utilized, such as flipped classrooms, as long as the content and rigor does not suffer. Two-year teachers are dedicated to teaching and should always be striving to find better instruction methods that increase knowledge and ability.

We might also ask whether it is acceptable or desirable that more students drop out or fail at a two-year school if the students are sometimes less talented and prepared. Community colleges are cheaper than most other schools, but it seems wrong, as has happened at many for-profit schools, to waste students’ money and time when they are unlikely to graduate. Good placement tests and remedial coursework are needed to avoid these problems. Nonetheless, in general, a professor who goes from a four-year to a two-year school should expect to see a higher dropout and failure rate at the two-year school. But we should be careful. There is often bias from instructors who just don’t expect two-year students to be as good. They should not be underestimated. Two-year students often work harder because they tend to be older and they appreciate being given a second chance. This hard work can elevate them to or even above the level of four-year students.

Another interesting question still remains as to whether a course can be rigorous if students are not talented or adequately prepared to take it. Good Introduction to Philosophy courses should involve some discussion, and yet that discussion is only as good as the participants. Even the most gifted instructor will have difficulty fostering a lively discussion with unprepared and uninterested students. Sometimes, at both two- and four-year levels, instructors just switch to lecturing to avoid this concern. But this seems to neglect the independent critical reasoning that philosophy should develop. At the introductory level the

discussion at times may be less robust, but the tests and papers should be comparably rigorous to what someone would assign at a four-year school.

A final option for rigor is to have standards high enough to maintain accreditation from organizations such as the Higher Learning Commission. Most two-year colleges go through a thorough process every five to ten years in order to continue operating. These accreditation agencies set the bar for colleges to receive financial aid, transfer classes, and benefit from the accreditation’s seal of approval. The problem is that they don’t really have a standard to judge colleges. They tend to leave it to colleges and disciplines to set their own standards, which colleges must then prove that they have met. Hence the outcomes and metrics can differ greatly between schools and even between departments within schools.

In some occupational fields, the standards are clear. There is a national or regional test that must be passed and employers must be hiring the graduates. Philosophy and other liberal arts classes are not job-specific and there is no national philosophy test that allows one to become a Philosopher King or Queen. Given recent election events, perhaps this should be reconsidered.

Philosophy professors at two-year colleges enjoy considerable professional latitude. But we must still ask, how hard should classes be? How many papers should be assigned? How many tests? Should the tests be multiple choice or essay? Should there be primary-source readings? What topics should be covered? How many? The answers to these questions are not evident, and successful teachers disagree. Part of the answer, though, might come from looking at the goals of philosophy. What outcomes do we want from an introduction to philosophy class? If we know the end, then we can figure out the necessary requirements to get there.

First, the class should focus on logic and critical thinking. Logical reasoning is the method of philosophy. Any class that dealt only with history and not with arguments would be as poor a philosophy class as a painting class that dealt only with the history of art. An introduction to philosophy class will not focus on reasoning as explicitly as a critical thinking or introduction to logic class, but a basic applied approach must still be present. Critical thinking skills are developed in all philosophy courses, unlike some other disciplines in which such skills are not developed until students take upper-level classes. These are the transferable skills that will benefit students long after they forgot Aquinas’s third proof for God’s existence.

Second, the goal of Philosophy 101 courses should be to introduce students to the topics studied in philosophy. From epistemology to ethics, philosophical issues are central to how we understand the world and the way we live. Whether this is done through a historical approach or a problems approach is up to the instructor as long as arguments are central. A course would be too easy that just looked at the various answers to the free will problem and other issues. Nevertheless, the arguments examined during a section on the philosophy of mind should not be

as in-depth as those examined in an upper-level course in the philosophy of mind.

Third, difficult topics should be tackled in philosophy. Philosophy looks at the big tough questions, and an introduction to philosophy class should do so. One main area that is essential is philosophy of religion. Introduction to Philosophy is a feeder to other classes, but most students will only take this one philosophy class. Religion is so pervasive and is capable of causing great joy and harm in society. But religious beliefs are not rigorously evaluated in most academic classes, as they are thought to be a personal matter and thus off limits in public dialogue. Philosophers must be the ones to reasonably buck this notion. Students need to grapple with the arguments for God's existence and the problem of evil if we are to develop good, critically aware citizens.

Finally, writing is central to philosophy. Good reasoning requires laying out sentences in logical order. It involves organizing one's thoughts clearly to support one's conclusion, and evaluating others' attempts to do so too. The number, type, and length of writing assignments can differ between instructors, but they must be given, be carefully graded, and be focused on evaluating and constructing arguments.

The goals of philosophy make philosophy courses more difficult than many students expect when entering a first class. Many students simply see the disagreement in philosophy, assume there is no truth, and believe the discipline boils down to pontificating on whatever comes to mind. But as we know, logical reasoning is difficult and takes training. An introductory philosophy class is not simply an appreciation class like a theater or music appreciation class that attempts to give students a taste of the discipline so that they can gain a deeper appreciation of it. An introductory philosophy class must take a step further and have students do philosophy. They must evaluate and construct arguments, rather than just watching others do so. Appreciation in philosophy also goes beyond that in other classes because the topics and arguments are usually quite general and abstract. The arguments and readings in an introductory class tend to be some of the easier ones in philosophy to comprehend, but they are nonetheless still abstract and relatively complex.

Reflection on the objectives of philosophy reveals that introductory philosophy classes must check several boxes. There should be papers that challenge students to evaluate arguments and construct their own, and there should also be other testing to ensure that students are gaining understanding of the material. A second reason that tests are needed is to avoid another rigor problem: cheating. There can be too much outside assistance or even the writing of entire papers by people other than the student in the class. Tests, when administered properly, can only be done by the student.

Even if all these guidelines are followed, there will still be great differences in rigor among Introduction to Philosophy courses. Test questions can differ in difficulty and in format. Paper rubrics and grading standards can differ

as well. Discussions about difficulty will continue, and a commitment to our students and to high standards is tough to maintain. The more work that students are given, the more work we have as instructors, and some assignments, such as papers, are immensely more difficult and time consuming to grade. Given the number of sections taught by two-year instructors, there is some incentive to require less of students. Good instructors will fight these tendencies to ensure rigorous classes that benefits students and society.

CALL FOR PAPERS

The APA Committee for Philosophy in Two-Year Colleges invites papers for inclusion in the spring 2019 issue of the *APA Newsletter on Philosophy in Two-Year Colleges*.

Papers should be devoted to topics of particular interest to two-year and community college faculty, and graduate students who are considering a two-year or community college career path. These include but should not be construed as limited to the following: lower division teaching pedagogy; text and textbook selections including the use of open-access resources; cross-disciplinary initiatives; student demographics and advising; student learning evaluation; program evaluation and program growth initiatives; faculty credentialing and hiring, including concerns for women and minorities, status of adjunct faculty, workload and related issues; faculty scholarship opportunities, research, and writing; and issues dealing with program administration. Co-authored papers are welcome.

All paper submissions should adhere to the following guidelines:

- Deadline: Friday, January 4, 2019
- Papers must be in 12 pt. Times-New Roman font, double-spaced, and should be in the range of 3,000 to 5,000 words, including endnotes. Exceptional papers that fall outside this range may be considered, though this is not guaranteed. Authors are advised to read APA publishing guidelines available on the APA website.
- Pay close attention to all APA formatting restrictions. Submissions that do not conform will be returned to their author(s). Endnotes should follow the Word default using roman numerals to number the notes.
- Papers should be sent to the editor electronically and should contain nothing that identifies either the author(s) or her/his/their institution, including any such references in the endnotes. A separate page with the authors name, title, and full mailing address should also be submitted.

Submissions should be sent to the Philosophy in Two-Year Colleges Committee newsletter editor at TwoYearEditor@gmail.com, by January 4, 2019.

The editor, serving in the capacity of a disinterested coordinator, will distribute all papers to an editorial committee of current and past Two-Year College Committee members for anonymous review and evaluation. This committee will report its findings to members of the newsletter editorial board. The editorial board will make all publishing decisions based on those anonymously refereed results, and conduct any further anonymous review(s) deemed necessary. The editorial board includes Kristen L. Zbikowski, Hibbing Community College (kristenzbikowski@hibbing.edu); Anthony Kreider, Miami-Dade Community College (akreider@mdc.edu); Bill Hartmann, St. Louis Community College (bhartmann@stlcc.edu); and Rick Repetti, Kingsborough Community College-CUNY (Rick.Repetti@kbcc.cuny.edu).



APA NEWSLETTER ON

Teaching Philosophy

TZIPORAH KASACHKOFF AND EUGENE KELLY, CO-EDITORS

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FROM THE EDITORS

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We welcome readers to the spring 2018 issue of the *APA Newsletter on Teaching Philosophy*. In this issue we present three articles and our Letter from the Editors, which contains an announcement of some future plans for review articles within our pages.

Our first article, "Teaching Affirmative Action," by Steven Cahn, discusses problems involved in trying to have fruitful discussions concerning affirmative action in academia. Cahn cites some misunderstandings that derail constructive debate about the wisdom of instituting affirmative action policies and distinguishes between what he calls "procedural affirmative action" and "preferential affirmative action," each of which has different aims, and so regards the fulfillment of different criteria as important to success. In the course of his discussion, Cahn examines as justifying criteria for instituting affirmative action policies both the achievement of diversity and the redress of past wrongs. Additionally, since preferential affirmative action policies are intended to give preference to some groups or persons over others, Cahn calls attention to some of the different *forms* that "giving preference" may take: For example, should affirmative action candidates be given preference in terms of being *invited to be interviewed* over other, stronger, candidates, or should affirmative action candidates be given preference *in being hired* over other stronger candidates? Clearly, some forms of preference may be more justified than others in achieving the goal of a particular affirmative action policy.

In the end, Cahn does not offer an answer to the question of the wisdom and/or morality of academic affirmative action policies. Nor does he aim to provide an answer to this question. Rather, his aim is to clarify the issues at stake, and which should be taken into account, in deliberations about how to answer this question.

Our second article, "The Case for Discussion-Intensive Pedagogy," authored by John Capps, focuses on a pedagogic practice so common in philosophy classrooms that it might appear that nothing other than the obvious could be said about it. Capps proves this false: he makes interesting and illuminating points about the use of

discussion not only generally but also when used in the specific context of philosophy instruction. He begins by taking up the question of what discussion *is*, noting some of the various definitions that have been offered by different writers on the subject and indicating the reasons he takes many of these definitions to fall short. He then goes on to explain, first, why discussion (appropriately defined) is uniquely suited to philosophical pedagogy, and second, why the advantages to students of having discussion play a large part in their philosophy classes go well beyond the philosophy classroom.

Capps distinguishes between discussion-based and discussion-intensive courses, the former regarding discussion as the primary form of pedagogy and therefore the dominant classroom activity, the latter regarding class discussion as a valuable but not exclusive means of teaching, and also as a reliable vehicle for assessing student comprehension. Capps argues for making our courses discussion-intensive, citing evidence that such courses generate increased student interest in the material taught as well as greater comprehension of that material. He indicates that, analogous to what is done in writing-intensive courses, standards may be set for discussion-intensive courses regarding the amount of discussion that is optimally productive for learning and regarding how much—and what sort of—participation in discussion should count toward a student's final grade.

There are, of course, various ways that an instructor can maximize opportunities for student participation in discussion as well as make clear to students the benefits of the discussion that takes place. Helpfully, Capps provides, in one of two appendices that he includes, guidelines for assessing student participation in discussion.

Our third article, "The Hidden Graduate Curriculum," is by Steven Cahn. We have decided to include Professor Cahn's article in our current issue even though it was previously published on the APA Blog ([November 14, 2017](#)) because it isn't clear how many readers of the *APA Newsletter on Teaching Philosophy* are also readers of the APA Blog, and we find the point of the article one of special importance for philosophy instructors. In this article, Cahn calls attention to the unfortunate messages that may be conveyed to students by their philosophy instructors, both by what these instructors say as well as by what they do.

This issue of our newsletter does *not* include a list of books received from publishers. That list will be included in our forthcoming issue.

SUBMISSION GUIDELINES

As always, we encourage our readers to write for our publication. We welcome papers that describe new courses or interesting experiences in teaching traditional courses; that contain innovative syllabi; and that suggest creative ways of motivating students and/or testing for the material taught.

Additionally, we are interested in publishing "review essays," essays that assess the available anthologies for one of the standard undergraduate courses (Introduction to Philosophy, Ethics and Meta-Ethics, Political and Social Philosophy, Philosophy of Religion, Philosophy of Mind, etc.) Such reviews would be valuable to instructors in helping them decide which books to adopt for a course and/or to recommend to students as ancillary reading for that course. If you are interested in providing such a review, please let us know.

As always, we also not only welcome but strongly encourage readers to write papers that respond to, comment on, or take issue with *any* of the material that appears within our pages.

The following guidelines for submissions should be followed:

All papers should be sent to the editors electronically. The author's name, full mailing address, and the title of the paper should appear on a separate page. *Nothing that identifies the author or his or her institution should appear within the body or within the endnotes of the paper.* The title of the paper should appear on the top of the paper itself.

Authors should adhere to the production guidelines that are available from the APA. For example, in writing your paper to disk, *please do not use your word processor's footnote or endnote function; all notes must be added manually at the end of the paper.* This rule is extremely important, for it makes formatting the papers for publication much easier.

All articles submitted to the newsletter are blind-reviewed by the members of the editorial committee as follows:

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ARTICLES

Teaching Affirmative Action

Steven M. Cahn

THE GRADUATE CENTER, THE CITY UNIVERSITY OF NEW YORK

Like abortion, euthanasia, and world hunger, affirmative action is a standard topic in anthologies devoted to contemporary moral problems. The philosophical literature on the subject is extensive,¹ and debate on the issue remains heated. Yet teaching the subject presents special challenges, because opponents often appear to be arguing past each other. My aim in this paper is not to take sides in the controversy but to offer distinctions and examples that should motivate and focus discussion while avoiding misunderstandings.

To begin with, the term "affirmative action" refers to two entirely different policies. One is taking appropriate steps to eradicate practices of racial, gender, religious, or ethnic discrimination. Such procedural affirmative action, as I shall call it, is intended to guarantee that applicants for positions are judged on their merits, not their identities. Steps to ensure procedural affirmative action include open announcements of opportunities, blind reviewing, and a variety of efforts to eliminate from decision procedures any policies that harbor prejudice, however vestigial.

In another sense of "affirmative action," which I call "preferential affirmative action," the term signifies making special efforts to recruit individuals who meet institutional goals related to racial, gender, or ethnic identity. Doing so calls for attending to the same criteria that procedural affirmative action deems irrelevant. While procedural affirmative action is uncontroversial, preferential affirmative action is not, and in the remainder of this discussion my use of the term "affirmative action" should be understood as referring to "preferential affirmative action."

What is the point of affirmative action? Is it to offset past discrimination, counteract present unfairness, or achieve future equality? The first is often referred to as "compensation," the second as "a level playing field," and the third, "diversity."

Note that each of these aims can be defended independently of the others. Compensation for past wrongs may be owed,

although at present the playing field is level and future diversity is not sought. Or the playing field at present may not be level, although compensation for past wrongs is not owed and future diversity is not sought. Or future diversity may be sought, although compensation for past wrongs is not owed and, presently, the playing field is level.

Of course, all three factors might be relevant, but each requires a different justification and calls for a different remedy. For example, past wrongs would be offset if suitable compensation were made, but once provided to the appropriate recipients, no other steps would need to be taken. Present wrongs would be corrected if actions were taken that would level the playing field but doing so would be consistent with unequal outcomes. Future equality would require continuing attention to ensure that appropriate diversity, once achieved, would never be lost. Defenders of affirmative action typically favor at least one of these goals but not necessarily more than one.

As to diversity, the concept itself, if unmodified, is vacuous. Consider, for example, a sample of the innumerable respects in which people can differ: age, religion, nationality, regional background, wealth, economic resources, military experience, bodily appearance, physical soundness, sexual orientation, marital status, ethical standards, political commitments, or cultural values. The crucial question is which sorts of diversity should be sought?

Imagine a ten-person philosophy department which has no African American, no woman, no non-American, no person under fifty, no non-Christian, no registered Republican, none whose doctoral degree is from other than an Ivy League University, none who served in a war, none who is homosexual, none who was ever on welfare, none who is physically challenged, none whose work is outside the analytic tradition, none who specializes in aesthetics, and none who is widely heralded for success as a teacher. When the next appointment is made, what characteristics should be stressed so as to render this department more diverse? Those who defend affirmative action to achieve diversity need to specify which sorts of diversity are to be sought, which not, and why.

To put the matter vividly, suppose that the ten finalists for a position in that department include an African American, a woman, an Argentinian, a thirty-year-old, a Buddhist, a Republican, someone whose doctoral degree is from a midwestern university, a veteran, someone who was once on welfare, someone who uses a wheelchair, a homosexual, a specialist in continental philosophy, an aesthetician, and a widely acclaimed teacher. Which one should be favored purely on grounds of enhancing diversity?

Suppose the suggestion is made that the sorts of diversity to be sought are those of groups that have suffered discrimination. The problem with this approach is clearly put by John Kekes:

It is true that American blacks, Native Americans, Hispanics, and women have suffered injustices as a group. But so have homosexuals, epileptics, the urban and the rural poor, the physically ugly,

those whose careers were ruined by McCarthyism, prostitutes, the obese, and so forth. . . .

There have been some attempts to deny that there is an analogy between these two classes of victims. It has been said that the first were unjustly discriminated against due to racial or sexual prejudice and that this is not true of the second. This is indeed so. But should we accept the suggestion...that the only form of injustice relevant to preferential treatment is that which is due to racial or sexual prejudice? Injustice occurs in many forms, and those who value justice will surely object to all of them.²

Kekes's reasoning is cogent. In addition, another difficulty looms for the proposal to seek diversity only of groups that have suffered discrimination. Consider, for instance, a department in which most of the faculty members are women. In certain fields, for example, nursing, dental hygiene, and elementary education, such departments are common. If diversity by gender is of value, then such a department, when making its next appointment, should prefer a man. Yet men as a group have not been victims of discrimination. On the other hand, Jews and Asians have historically been victims of discrimination but do not presently suffer from minimal representation.

Nor is the situation clarified by arguing that the appeal to diversity favors those from a group who experience the world from a distinctive standpoint. Celia Wolf-Devine has aptly described this claim as a form of "stereotyping" that is "demeaning." As she puts it, "A Hispanic who is a Republican is no less a Hispanic, and a woman who is not a feminist is no less a woman."³ Furthermore, are Hispanic men and women supposed to have the same point of view in virtue of their common ethnicity, or are they supposed to have different points of view in virtue of their different genders? And why suppose one's point of view is determined only by one's race, gender, or ethnicity? Why not also by the numerous other significant respects in which people differ, such as age, religion, sexual orientation, political outlook, and so on? Perhaps a compelling answer to this question can be offered, but defenders of the criterion of diversity need to provide one.

Every affirmative action plan calls for giving preference to members of certain groups, but the concept of preference itself is unclear. For example, imagine a search for an assistant professor in which one hundred persons apply, and among them are some who are members of a group designated for affirmative action. Let us refer to those individuals as AA candidates.

Suppose the dean has permitted five applicants to be invited for campus interviews. After studying one hundred vitae and sets of recommendations, the department ranks ten candidates as outstanding, twenty as good, fifty as merely qualified, and twenty as unqualified. Let us suppose that four applicants are AA candidates, and among them, one is ranked as outstanding, one as good, one as merely qualified, and one as unqualified.

The key question is this: Assuming AA candidates are to be preferred, what forms of preference are called for? One possibility is to agree to interview any AA candidate who is outstanding, regardless of the merits of any other outstanding candidates. Another possibility is to agree to interview any AA candidate who is good, even though many other candidates are stronger. Yet another possibility is to agree to interview any AA candidate who is qualified, even though, again, most candidates are stronger. A theoretical possibility is to interview even unqualified AA candidates, although I know of no one who would support that policy, so let us set it aside. What remains are three different models of preference, any of which might be defended.

Next, assume that two AA candidates are chosen for interviews, one who was ranked as outstanding and another ranked as good. Afterwards, the department places the outstanding candidate second and the other fifth. Does giving preference to AA candidates require that the second candidate be offered the position? And if the candidate ranked second receives a more attractive offer and withdraws from consideration, need the candidate now ranked fifth be preferred?

Of course, an AA candidate may be ranked the highest, thus avoiding any problems. Otherwise, the call for giving preference requires an interpretation that is rarely, if ever, announced beforehand.

Furthermore, even assuming that the department has explicitly agreed to a policy regarding preference, the question remains whether that policy will be made public. Suppose, for instance, that the administration has told the department that its next appointment needs to be an AA candidate.

Shouldn't that information be publicized so that those who are members of the groups in question and those who are not can plan accordingly? Surely those who have instituted a policy of preference believe that their action is within moral and legal bounds. No one should object, therefore, to stating that policy without equivocation. Yet the usual approach is to keep such information under wraps.

Such secrecy, however, leads to difficulties. For instance, during my years as an administrator, I once met with a candidate who was considering our school's offer of a faculty position and sought my assurance that he would have been chosen regardless of affirmative action. I responded truthfully that he was held in high regard but that I didn't know the answer to his concern. Yet I believe he was entitled to raise the matter. For whatever the steps required by a school's affirmative action policy, surely they should not be hidden.

Thus far I have focused on faculty appointments, but different considerations may arise in justifying affirmative action in undergraduate student admissions. After all, colleges traditionally take account of a high school applicant's athletic prowess, community service, personal relationships to alumni, and geographic home. Such criteria, however, are not considered in a faculty search. No wonder defenders of affirmative action are most

comfortable supporting it in the context of a complex admissions decision involving many non-academic factors, while opponents most often think of the policy in relation to assessing the research and teaching of applicants for faculty positions. The two decisions are different in kind, and the same arguments may not apply to both.

In addition, circumstances matter. Consider a department that has never appointed a woman and, when given a promising opportunity, refuses even to interview one. Suppose the dean insists that in the next search process some women should be interviewed, and if a woman with a superlative record is found, she should be appointed. Would opponents of affirmative action object? I think not.

On the other hand, consider a department that announces its intention to achieve a goal of 50 percent women, and in its next search prefers a minimally qualified woman to a man who is far more promising as a researcher, teacher, and contributor to the life of the department. If the dean insists that the man be appointed, would proponents of affirmative action be upset? Again, I think not.

Both these cases are admittedly extreme, although not entirely unrealistic, but the lesson is that presuming affirmative action to be at odds with merit, as its opponents do, or to be a means of obtaining justice, as its defenders do, are oversimplifications. The context matters.

So does the setting. The same arguments for and against affirmative action may not apply in public and private schools, undergraduate and graduate admissions, academic and non-academic institutions, and so forth. No single line of argument will suffice in all cases.

In sum, the complexities inherent in affirmative action need to be recognized, and guiding a class to become aware of them provides students with a powerful example of how philosophy can shed light on contested social policies.

NOTES

1. A comprehensive collection is Steven M. Cahn, ed., *The Affirmative Action Debate*, second edition (New York: Routledge, 2002).
2. John Kekes, "The Injustice of Strong Affirmative Action," in *Affirmative Action and the University: A Philosophical Inquiry*, ed. Steven M. Cahn (Philadelphia: Temple University Press, 1993), 151.
3. Celia Wolf-Devine, "Proportional Representation of Women and Minorities," in *Affirmative Action and the University: A Philosophical Inquiry*, ed. Steven M. Cahn (Philadelphia: Temple University Press, 1993), 230.

The Case for Discussion-Intensive Pedagogy

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Many philosophers view discussion as a key part of how we teach. Whether in seminars, large lecture classes, or online courses, many of us deliberately make time for student discussion. Sometimes we do this for pedagogical reasons, since evidence suggests that discussion fosters both greater student engagement and comprehension of the course material.¹ Sometimes we do this for more idealistic reasons. As Brookfield and Preskill note, discussion is “an indispensable part of democratic education. It teaches us dispositions and practices, provides us with the opportunity to serve and connect with others, and tests our ability to confront the most difficult of problems and think them through collaboratively.”² Sometimes we do this for specific disciplinary reasons, believing that discussion is especially well suited for what we, as philosophy professors, aim to do in the classroom. Discussion seems ideally suited to encouraging our students to think critically, to consider a variety of points of view, and to give reasons in support of their positions. And, finally, some of us use class discussion to model how philosophy is itself an ongoing discussion between different figures and positions.

Discussion, in other words, probably gives you a warm fuzzy feeling. But I’m also willing to bet that most of us can’t give a clear definition of what discussion is, that much of what people call discussion isn’t really discussion at all, that we are often muddled about the reasons for discussion-oriented pedagogy, and that, for the most part, we’re not very good at making the case for discussion to administrators.

Even though we teach courses that are, in some way or another, discussion-oriented, there is surprisingly little attention paid to what counts as discussion and why it is valuable to our students. Here I’ll argue that we—as teachers of philosophy—are missing an important opportunity to highlight the value of what we do, and to frame what we do so that we can do it better. In particular, I’ll argue for a distinction between two (sometimes overlapping) types of discussion-oriented classes: those that are *discussion-based* and those that are *discussion-intensive* (to coin a term). I’ll draw on some preliminary findings, based on work my colleagues and I have done, to conclude that discussion-intensive courses are especially well suited to demonstrating the value of discussion and, by extension, the value of philosophy.

1. DISCUSSION: WHAT IT IS

Though many—perhaps most—of us incorporate discussion into our courses, conversations with colleagues will show that we use discussion in different ways and to different degrees. As a result, we also have different criteria for what counts as a discussion. Some of us use discussion as a break from, or a supplement to, lecturing: we use it to gauge student comprehension, to clarify possible confusions, to make sure different points of view are heard, or, sometimes, to shake things up when students seem bored or distracted.

Other times, some of us use discussion to increase student engagement through activities such as pair-shares, book clubs, or split room debates.³ For some of us, discussion requires a small, seminar-sized class, preferably with advanced students, while others incorporate discussion into large, lower-level lecture courses. On this last point, some of us would question whether genuine discussion is even possible in large classes, regardless of the level of student participation; others will claim that discussion can flourish in large classes even if the amount of participation per student is relatively low.

Likewise, in the educational literature on discussion-oriented pedagogy, there is little consensus on what discussion is. In fact, sometimes the bar is set so low that almost any activity could count as discussion. Howard, for example, writes that “participation in discussion can take the form of occasional questions or comments in the class as a whole, interacting with others in a small group or even pairs, or making more formal oral presentations to the class.”⁴ This generous conception of discussion doesn’t seem right: certainly discussion can’t consist *only* of “occasional questions or comments,” and an oral presentation, by itself, is not a discussion. Barkley offers “dyadic interviews” as an example of a discussion-oriented activity: here, pairs of students interview each other and the role of the interviewer “is to ask questions, listen, and probe for further information *but not to evaluate or respond with his or her own ideas.*”⁵ Again, this doesn’t sound like a discussion. Whatever the value of dyadic interviews, if the interviewer cannot contribute his or her own ideas, this is not a discussion. For example, Zwiers and Crawford would disagree with Barkley since they hold that a core skill of paired conversations is the opportunity to “build on and/or challenge a partner’s idea.”⁶

Given this lack of consensus, it makes sense to have an understanding of discussion that is strict in some ways and loose in others. It should be strict so that discussion is distinguished from question-and-answer periods, small group lectures, and casual conversations among peers. (Frank Ramsey put this nicely when he distinguished discussion from merely “comparing notes.”) Our understanding of discussion should be loose so that we don’t, as a matter of definition, prevent discussion from happening in both large and small classes, among both beginning and advanced students, face-to-face and online, in an entire class or in smaller breakout groups. (Whether discussion can take place in large classes, or among beginning students, is at least partly an empirical question.) This strategy—being strict about the criteria for discussion while being relatively relaxed about the conditions under which discussion takes place—has a strategic benefit. It allows us to focus more on what is within our control—what happens in our classes—rather than on what generally is not, such as the size, level, and student profile of the classes we are assigned to teach. While it is important to have institutional support for discussion-oriented pedagogy, it’s also important that, at the outset at least, we don’t limit discussion to only some sorts of classes (upper level seminars, say) that may be more common in some departments than in others.

But what *is* discussion? I suspect that, for many of us, “discussion” is analogous to Potter Stewart’s test for obscenity: we lack clear criteria but know it when we see it.⁸ Still, there are examples in the literature that can help us triangulate the meaning of the concept. Howard defines “discussion” as verbal interaction “with the material, the professor, and their classmates”⁹—though, as we’ve seen, this leads him to equate asking questions and giving presentations with participating in a discussion. (I would argue that verbally quizzing students isn’t discussion and neither is pausing to ask, “are there any questions?”) Zwiers and Crawford, while focusing primarily on primary and secondary education, describe discussion as “conversations” between “people who are trying to learn from one another and build meanings that they didn’t have before.”¹⁰ Haroutunian-Gordon describes “interpretive discussion” as a “conversation between people who together seek to understand the meaning of a text.”¹¹ Finally, Brookfield and Preskill define “discussion” as “an alternately serious and playful effort by a group of two or more to share views and engage in mutual and reciprocal critique.”¹²

While it’s possible to disagree about the details of these definitions, something like the following seems right: that discussion is a *conversational process that builds understanding by cooperatively presenting and engaging different points of view*. This definition does much of the work we need. By highlighting conversation, it distinguishes discussion from question-and-answer sessions and in-class presentations. By aiming at understanding, it encourages more than just knowledge of particular facts but instead something closer to what Elgin describes as “a grasp of a comprehensive body of information . . . that enables non-trivial inference, argument, and perhaps action regarding that subject the information pertains to.”¹³ By emphasizing cooperation, we can distinguish discussion from more adversarial interactions, even when discussion involves significant disagreement. And, finally, by requiring presentation and engagement with different points of view, discussion places a burden on participants to actively contribute, not passively spectate or merely “compare notes.” This definition is strict where we need it, distinguishing discussion from other forms of class interaction and levels of student engagement. On this definition, some courses may truly be discussion-free zones, for a variety of reasons. But this definition is also loose where we want it, placing no barriers on the type of course where discussion takes place, its level, or its subject-matter. (As noted above, we should expect to determine such barriers empirically, not by definition.)

2. THE CASE FOR DISCUSSION-ORIENTED CLASSES

As noted earlier, there are several good reasons why many of us incorporate discussion into our classes. Some researchers point to discussion as a way of increasing student engagement;¹⁴ there is also evidence that discussion may increase student comprehension of the course material. Finally, as Brookfield and Preskill note, discussion can model skills that are essential in democratic communities: following John Dewey, they write that

“discussion and democracy are inseparable because both have the same root purpose—to nurture and promote human growth.”¹⁵ As a result, there’s reason to think that discussion accomplishes at least three separate goals: it increases student engagement with the material, it enhances student comprehension, and it fosters democratic attitudes, as Brookfield and Preskill argue. It’s easy to see that these goals are distinct and a given pedagogy may serve none, one, two, or all three of these goals.

More generally, the benefits of discussion fall into two categories. On the one hand, discussion can have instrumental benefits where we place value primarily on the *content* of the discussion. Here, discussion supports course goals by enhancing engagement with, and comprehension of, the course material—goals that might also be achieved in other ways—with the result that content takes priority over process. On the other hand, discussion can be viewed as having a more intrinsic benefit, where we place value on the *process* of discussion and on acquiring the skills that effective discussions foster. Here, process takes priority over content: it may not matter so much if the topic is Plato or de Beauvoir, or if students can decipher all twelve of Kant’s categories, so long as they successfully build understanding through a conversational process that presents and engages different points of view. (There are similarities here with the role of writing, where we may not care so much what students write about, or the position they defend, so long as their writing is clear and well argued. I’ll come back to the similarity between writing and discussion below.)

As a result, when we make the case for discussion-oriented courses—whether to colleagues, administrators, or students—these arguments tend to appeal either to its instrumental benefits (discussion promotes engagement with and comprehension of course content) or to its intrinsic benefits (discussion models civic virtue). Barkley and Zwiers and Crawford provide examples of the former sort of argument; Brookfield and Preskill of the latter. It’s probably no surprise that the former, instrumental, argument has received more attention in the literature since it has the advantage of being more directly assessable. Simply put, students’ current level of engagement and comprehension can be more easily measured than their current and future level of civic virtue.

However, there’s another way of framing the intrinsic, process-oriented benefits of discussion. Rather than emphasizing civic virtue, as Brookfield and Preskill do, this is to focus on a more mundane yet inescapable reality: the fact that many, perhaps most, of our students will spend a significant part of their professional lives participating in what we call discussions—but which outside of classrooms are commonly called “meetings.” A productive meeting, like a productive discussion, is generally one with multiple participants, well-defined issues, and a well-defined outcome. In fact, since few of our students will go on to become philosophy professors, this is one area where we will have much in common: that we can all look forward to spending many hours in meetings where ideas and proposals are discussed and where the difference between a good and a bad meeting, between someone who can

“run a meeting” and someone who can’t, between those who can contribute effectively and those who can’t, is all too evident. Again, there’s overlap with writing and our expectation that the ability to write clearly on an academic subject is good training for, and will translate over to, the ability to write clearly in a professional setting. From this perspective, discussion has the benefit of teaching, in a controlled setting, a skill that is as useful to our students’ success as the ability to write clearly and persuasively.

Furthermore, there’s evidence that the ability to participate effectively in a discussion—which, again, is different from public speaking or being able to give a PowerPoint presentation—is widely recognized as a valuable cognitive and practical skill. For example, a recent Association of American Colleges & Universities (AAC&U) study found that employers rank “the ability to effectively communicate orally” and “the ability to work effectively with others in teams” as the two most important learning outcomes (even above “the ability to effectively communicate in writing”)—and yet only 37 percent of employers report that recent college graduates are prepared to work on teams, and only 28 percent report that recent college graduates are effective oral communicators.¹⁶ Of course, there are many ways for students to practice these skills—including problem-based learning and so on—but discussion-oriented classes have a special role to play. These courses give students the opportunity to forge common understandings through discussion and conversation: exactly the skills underlying the outcomes highlighted in the AAC&U report.

This is an important reason—in addition to the ones mentioned above—for incorporating discussion into our classes. Not only does discussion aid student engagement and comprehension, and not only may it foster civic virtue, but it arguably fosters skills that transfer outside of the classroom. Just as writing helps our students better understand the material, and just as writing is appreciated as a necessary skill outside of academia, the ability to discuss and converse effectively is a valuable skill for our students to model, practice, and acquire.

3. DISCUSSION-BASED COURSES

If we accept the value of discussion, the next question is how to incorporate discussion into our courses. Even though standards of “discussion” differ, “discussion-based” courses are already a standard feature at many colleges and universities.¹⁷ These courses use discussion as the primary form of pedagogy, with the majority of class time devoted to discussion. Among other things this means that, as Yamane notes, discussion-based courses typically “downplay transmission and memorization of factual information and . . . emphasize higher order thinking skills such as synthesis of ideas and evaluation of arguments.”¹⁸ Yamane, for example, reports that in a discussion-based course he lectures 26 percent of the time, as opposed to 80 percent of the time in a lecture-based course on the same topic.¹⁹

A drawback with discussion-based courses is that it can be difficult—not impossible, perhaps, but difficult—to see how courses in some disciplines and areas can be discussion-based. It’s hard, for example, to imagine how courses in

organic chemistry or calculus or piano could be offered in a discussion-based format. There are institutional and economic factors at work as well. For example, even if it were clear how to teach a physical science in a discussion-based format, the way such courses are frequently taught—large lecture classes, lab sections led by student TAs, prepackaged PowerPoint slides supplied by the textbook publisher—places serious structural impediments in the way of discussion-based pedagogy.

These obstacles can also exist for philosophy courses. Depending on the size of the course (large or small), its place in the curriculum (lower or upper level), the audience (philosophy majors or general education), the number of prerequisites, or even the layout of the physical classroom, it may be difficult—again, not impossible, but certainly difficult—to conceive how a particular course could be discussion-based. That’s not necessarily a bad thing: courses can, of course, be important, informative, and engaging without being discussion-based. But it should lead us to consider how courses can incorporate a meaningful amount of discussion, regardless of external and institutional factors, without necessarily being discussion-based.

4. DISCUSSION-INTENSIVE COURSES

For the last few years philosophy faculty at Rochester Institute of Technology have been piloting a project of designating courses as *discussion-intensive*. (To the best of my knowledge, this term has not been used elsewhere.) These courses are *discussion-oriented* but not *discussion-based*. Discussion-intensive courses include a significant and assessable role for discussion but without the assumption that discussion is the primary form of pedagogy, or that a majority of class time is spent in discussion.

Discussion-intensive courses build on the model of writing-intensive courses that are a familiar part of the undergraduate curriculum. While conceptions of “writing-intensive” vary to some degree, Farris and Smith’s definition is widely accepted, identifying the following key features:

- 1) Small class size (15–25 students)
- 2) Taught by faculty, not teaching assistants
- 3) A specified word count to be achieved over the course of the term
- 4) Opportunities for and detailed guidance in making meaningful revisions
- 5) Writing assignments constitute a significant part of the course grade
- 6) A variety of different writing assignments spread across the term
- 7) Guidelines that ensure common teaching techniques across different sections
- 8) Availability of support services, such as writing tutors or a campus writing center²⁰

In addition, writing-intensive courses often set aside class time to focus on writing mechanics, on commonly accepted standards of quality writing, on strategies for writing efficiently, and on ways of overcoming anxiety and writer’s block.

Colleges and universities use writing-intensive courses in different ways. Depending on the university, writing-intensive courses sometimes include a required first-year seminar, can be required as part of a student's major (aka "writing in the discipline"), or are part of a "writing across the curriculum" model where students encounter writing-intensive courses multiple times and in multiple places over their college careers.

The rationale for specifying certain courses as writing-intensive, and for developing specific criteria for these courses, is that doing so emphasizes both the importance of writing and the concrete steps that can maximize these benefits. We can do the same for discussion. Using the writing-intensive criteria as a model, there are similar criteria for discussion-intensive courses. The following is a good baseline:

- 1) Taught by faculty, not teaching assistants
- 2) A significant amount of class time spent in discussion
- 3) A significant part of the course grade based on quality of participation in discussions
- 4) A variety of ways for students to contribute, including participating in discussions, giving presentations, and facilitating or leading discussion on designated days
- 5) Guidelines that ensure common teaching techniques and standards across different sections
- 6) Class time devoted to meta-discussion: to discussing the purposes of discussion, criteria of successful discussions, strategies for contributing to discussions, and ways of overcoming anxiety. This can be done by assigning texts from the educational and philosophical literature, by distributing guidelines, or by handing out rubrics—all of which are ripe for discussion.²¹

The stickiest criterion is probably the second: "a significant amount of class time spent in discussion." How much time is "significant"? Requiring more than 50 percent seems to set the threshold too high and would blur the distinction between discussion-intensive and discussion-based courses. Allowing less than 33 percent seems to set the threshold too low and not nearly intensive enough. As a rule of thumb, as a result, I'd recommend that at least 40 percent of class time be devoted to discussion. It's important to note, also, that the amount of class time devoted to discussion may shift over the course of the term, depending on the material and level of student engagement. It's not unusual for more class time to be spent on discussion as students become more familiar with the format and proficient with the skill.

Another sticking point is the third criterion: assessing the quality of participation in discussions. There are many ways of doing this, such as real-time grading and self-assessments.²² Rubrics are another way of assessing both the quality of discussion at both the course and individual student level. For example, Appendices 1 and 2 contain rubrics I have developed and used at RIT: these provide a way of assessing discussion both at the level of individual students (Do students engage with each other and their

views or merely "share notes"? Do their comments aim at factual clarification or at a deeper understanding of the reasons for and against a position?) as well as at the level of an entire class meeting (Did only a few students speak or a diverse majority? Did students achieve a better understanding by hearing multiple perspectives, or did the discussion go off-topic? Did the discussion stay focused on the text, or did it become unmoored and anecdotal?). Rubrics such as these allow us to track not only individual student performance in discussion but also the class as a whole—which can help us monitor our own performance as well.

Discussion-intensive courses thus devote significant time and attention to discussion by consciously and explicitly using it as a core pedagogy, by placing significant weight on participation in the final grade, and by making discussion itself one of the topics of conversation. There may be overlap between discussion-intensive and traditional discussion-based courses. But there are also significant differences: one important difference is that discussion-intensive courses are built on a shared understanding of what discussion is and incorporate meta-discussion about discussion itself. These features are often missing from discussion-based courses.

In addition, unlike writing-intensive courses, these criteria do not specify a small class size. Whereas writing-intensive courses typically involve significant amounts of grading and feedback, this is not usually an expectation with regard to discussion. (Of course, if a discussion-intensive course does involve this level of feedback, then that becomes a good reason for a lower course cap. Also, as noted below, this doesn't let faculty off the hook in terms of having a system for assessing participation.) However, as with writing-intensive courses, these criteria do set standards for what counts as discussion-intensive, including the amount of discussion, the attention paid to discussion in calculating the final grade, allowing various opportunities for participation, and conscious attention paid to the mechanics of successful discussion and our role in creating an atmosphere that maximizes student participation and interaction. (The latter can be done in a variety of ways, ranging from modeling different discursive strategies, actively encouraging student participation, working to ensure that a diversity of student voices are heard, and offering capsule summaries to help clarify the results of discussions.)

These criteria also place a significant burden on faculty (one reason for limiting these courses to regular faculty, not TAs). If a significant part of the course grade depends on quality of participation, then, at the very least, faculty should keep track of quality and quantity of the participation. However, these criteria also provide a significant degree of flexibility. Discussion-intensive courses can incorporate other pedagogies (lectures, service- and experiential learning, group work, etc.), be configured in various ways, vary in size, and cover a range of topics. While a discussion-based section of symbolic logic, for instance, may be difficult to design, a discussion-intensive section—where lectures and demonstrations are balanced by discussion of material implication, logical fatalism, or bivalence, among other topics—is considerably easier to imagine.

For the last two years we've been piloting discussion-intensive philosophy courses at Rochester Institute of Technology. By emphasizing that these courses are by design discussion-intensive and by setting clear criteria for these courses, we've found a receptive audience among both students and college administration. With the support of administration, who have recognized the pedagogical value of discussion (especially in the liberal arts), we've lowered the caps on upper-level philosophy courses. Based on anonymous course evaluations, the response from students has been overwhelmingly positive. Because we explain the purpose of discussion, make discussion itself one of the course topics, and demonstrate the intentionality behind our pedagogy, students can clearly see our pedagogical commitments and help determine whether we meet them. They place value both on the class content and the class process and, as a result, see the necessity of playing an active role in our classes' success.

So while discussion-intensive courses present certain challenges—no pedagogy will be right for all faculty all the time—they also offer advantages both to individual faculty and to departments. Many of us probably already teach courses that are discussion-intensive, or nearly so. By having a set of formal standards—which the criteria above attempt to supply—we reap the benefits of being more self-conscious and deliberate about our pedagogy. And by having a common conception of what we do, and how and why we do it, we have been able to highlight our commitment as a department to an important set of student outcomes: not just a deep understanding of the course material but also a demonstrable commitment to

engagement, collaboration, and quality student interaction. While understanding the course material is a desired outcome of all classes, discussion-intensive courses are also built around the latter outcomes as well.

Discussion-intensive classes are not, of course, limited to a particular topic or discipline—but, having said that, courses with a certain kind of philosophical or theoretical content may be especially well suited to this sort of pedagogy. Where the goal is action-oriented understanding (in Elgin's sense) and not just knowledge, and where the engagement of different points of view is a routine expectation—as is often the case in philosophy—discussion is an obvious pedagogical option. Moreover, to the extent that discussion-intensive courses have demonstrable value (and I would argue that they do, in the same ways as more familiar writing-intensive courses), this also points to the value of those disciplines where discussion-intensive courses are most naturally at home. The value of discussion-intensive pedagogy points to the curricular value of philosophy.

Even though discussion is a common feature of what we do as philosophers and teachers, it hasn't received a lot of attention: for the most part, we simply know it when we see it. But it's not enough to just pay lip service to discussion. Rather, it's in our own and in our students' interests to be clear about what discussion is, how it functions in our classes, what benefits it provides, and what outcomes it supports. Creating discussion-intensive courses is an effective way to demonstrate the value of discussion—and *philosophical* discussion in particular—to our students, our colleagues, and ourselves.

APPENDIX 1

Discussion Intensive Assessment Rubric: Assessment of Individual Student Participation

Criteria	1	2	3	4
Level of Engagement	Rarely if ever speaks; displays signs of boredom or disengagement.	Speaks occasionally (in less than half of classes); displays signs of engagement and attentiveness even when not actively participating.	Speaks often (at least once or twice in more than half of classes); otherwise displays signs of active engagement.	Speaks consistently (in nearly all classes) and usually more than once or twice per class.
Quality of Student Contributions to Discussion	Contributions show little evidence that student completed or understood the reading/assignment: contributions are often vague, draw on personal experience, or are irrelevant to the assignment or discussion topics.	Contributions show basic understanding and comprehension of the reading/assignment; questions and comments go beyond requests for clarification and contributions are directly related to the text or discussion.	In addition to reflecting understanding of the reading/assignment, contributions take a position either for or against the positions presented; relevant background knowledge from other classes may be used to support position.	Contributions are consistently thoughtful and insightful; positions are defended, objections are considered; beyond taking a position, there is also constructive engagement with both the text and other students' comments and discussion.
Quality of Interaction in Discussion	Little interaction in discussion with other students; contributions are not clearly connected to themes of reading/assignment.	Able to present personal points of view on themes of reading/assignment, but there is little engagement with comments made by other students; interactions take the form of "sharing notes" rather than active engagement; little disagreement or agreement with other students.	Active engagement with other students' views, including reasoned disagreement or agreement. Interactions often involve giving reasons for agreeing or disagreeing with others' positions.	Significant engagement with other students aimed at greater understanding, clarity, and consensus; disagreements are clearly aired with the aim of understanding their basis and grounds for resolving differences; agreement isn't merely echoing other students but aims at refining and clarifying positions.
Outcomes	Displays some understanding of the reading/assignment; at a minimum is able to express main ideas, themes and factual content; can engage in conversation on at most a factual level, correcting and responding to inaccuracies and misinterpretations.	Basic understanding of the reading/assignment beyond grasp of factual content; can also demonstrate understanding of main reasons for and against a given position; is able to converse with others to understand these reasons, but is not yet able to articulate a clear position on the topic under discussion, or to defend that position.	Deeper understanding of reading/assignment and able to express the reasons for and against a particular position; can take a clear position on the reading/assignment and defend it with reasons; is able to engage and appreciate differing perspectives.	Sophisticated understanding of reading/assignment, including reasons for and against the position presented and the theoretical and practical importance of the point argued; is able to express not only where one stands but why; is furthermore able to engage in cooperative conversation with the goal of clarifying positions and aiming for consensus.

APPENDIX 2

Discussion Intensive Assessment Rubric: Class-Level Assessment

Criteria	1	2	3	4
Class Participation (contingent on class size)	Few students speak; professor carries burden of eliciting responses; many students seem disengaged or bored; discussion is punctuated with mini-lectures, perhaps in response to questions.	Several students speak, but not necessarily a diverse group; some students seem disengaged or bored; professor plays active and frequent role in guiding discussion or offering clarification.	A diverse majority of students speak; other students display signs of active engagement; professor is not called on to play overly prominent or frequent role in discussion; students are able to carry discussion for limited periods of time.	Nearly all students contribute at some point during the class. Lecturing is minimal, and professor is not required to provide extensive background or clarification, or to guide discussion; students are able to carry discussion for majority of class.
Quality of Discussion	Discussion shows that students did not complete or understand the reading; contributions are either vague, drawing exclusively on personal experience, or irrelevant; student comments require extensive responses in order to clarify basic themes.	Discussion shows that students have basic understanding of the reading; comments go beyond requests for clarification; contributions are often directly related to text; some students present and engage different points of view.	Discussion goes beyond basic understanding of the text, including examination of general reasons for and against positions presented. Active conversations among several students. Students stake out positions and may bring in knowledge from other classes.	Discussions foster significant collaboration and understanding through the expression of various perspectives. Students engage in genuine conversation with each other, offering reasons and considering objections. Significant engagement with both the text and with each other with the goal of achieving a common cooperative understanding.
Quality of Interaction in Discussion	Minimal student interaction; discussion is closer to a Q&A session with the professor primarily answering questions and clarifying points.	Students present personal points of view, but there is little engagement with each other; discussion is closer to sharing notes. Little expressed agreement or disagreement with other students.	Students actively engage and interact with each other; reasons are given for agreement and disagreement; students are able to engage and understand different points of view.	Students engage and interact with each other; disagreements may arise and some resolved depending on the question and evidence available. Interaction achieves greater understanding, clarity, and building consensus (or greater understanding of different points of view).
Outcomes	Most students have some understanding of day's reading/assignment, are able to express main points, and can recognize obvious inaccuracies and misinterpretations.	Most students understand basics of the day's assignment plus some obvious points for and against. However most students aren't able to articulate a clear position on the topics under discussion: they "don't know where they stand."	Most students understand day's assignment and some deeper implications of the day's reading, as well as a range of reasons for and against; are able to take a position on the reading/assignment and defend it with reasons, but aren't always able to constructively engage other students who may agree or disagree.	Students achieve a sophisticated understanding of a day's assignment, including reasons for and against the position presented and the theoretical and practical importance of the point argued. Students have a clear idea of where they stand and why, and are able to constructively engage other students who agree or disagree in order to change minds, clarify positions, or achieve consensus.

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NOTES

1. See, for example, George Kuh et al., *Student Success in College: Creating Conditions That Matter* (San Francisco: Jossey-Bass, 2005), as well as Jay Howard, *Discussion in the College Classroom* (San Francisco: Jossey-Bass, 2015), 6.
2. Stephen D. Brookfield and Stephen Preskill, *Discussion as a Way of Teaching*, 20.
3. Elizabeth Barkley, *Student Engagement Techniques: A Handbook for College Faculty*, 202, 212.
4. Howard, *Discussion in the College Classroom*, 5.
5. Barkley, *Student Engagement Techniques*, 305 (emphasis added).
6. Jeff Zwiers and Marie Crawford, *Academic Conversations*, 31.
7. Frank Ramsey, "Epilogue" in *Philosophical Papers*, 247.
8. Appealing to the dictionary definition doesn't help, either. Merriam-Webster defines "discussion" as "consideration of a question in open and usually informal debate." Not only are there many types and levels of "consideration"—which this definition leaves ambiguous—but certainly there is an important distinction between a discussion and a debate. While the latter

often connotes contentiousness and opposing sides, I'll argue below that discussion is best seen as a collaborative and not adversarial process.

9. Howard, *Discussion in the College Classroom*, 5.
10. Zwiers and Crawford, *Academic Conversations*, 1.
11. Sophie Haroutunian-Gordon, *Learning to Teach Through Discussion: The Art of Turning the Soul*, 2.
12. Brookfield and Preskill, *Discussion as a Way of Teaching*, 6.
13. Catherine Elgin, "Understanding and the Facts," 39.
14. Barkley, *Student Engagement Techniques*, 152.
15. Brookfield and Preskill, *Discussion as Way of Teaching*, 3.
16. Hart Research Associates, "Falling Short? College Learning and Career Success," <http://www.aacu.org/leap/public-opinion-research/2015-survey-results>.
17. Discussion-based courses are often described as "seminars," but we shouldn't make the mistake of necessarily equating the two. "Seminar" turns out to be as vague and ambiguous as "discussion." See Carl Holladay and Luke Johnson, "What is a Seminar? Two Views of the Same Course," 27.
18. David Yamane, "Course Preparation Assignments: A Strategy for Creating Discussion-Based Courses," 242.
19. Ibid.
20. Christine Farris and Raymond Smith, "Writing Intensive Courses: Tools for Curricular Change," 53–54.
21. In addition to several of the sources cited here, the philosophical literature can be mined for conversations that illustrate the presence or absence of genuine discussion (the dialogues of Plato and Hume contain examples of both), David Chalmers has an extensive list of guidelines for effective philosophical discussion (<http://consc.net/guidelines/>), and the rubrics in Appendix 1 and 2 can be used both as a topic for discussion as well as a way of setting expectations for student participation. Of course, this is just the beginning: it isn't difficult to find texts that are worth

discussing not only for their philosophical content but for what they say about the importance of collaborative discussion. Two related examples are Dewey, "Creative Democracy—The Task Before Us," 224–30, and Elizabeth Anderson, "The Epistemology of Democracy," 9–23.

22. Howard, *Discussion in the College Classroom*, 150–51.

WORKS CITED

- Anderson, Elizabeth. "The Epistemology of Democracy." *Episteme* 3 (2006): 9–23.
- Barkley, Elizabeth. *Student Engagement Techniques: A Handbook for College Faculty*. San Francisco: Jossey-Bass, 2010.
- Brookfield, Stephen, and Stephen Preskill. *Discussion as a Way of Teaching*. San Francisco: Jossey-Bass, 1999.
- Dewey, John. "Creative Democracy—The Task Before Us." In *The Later Works of John Dewey, Volume 14*, edited by Jo Ann Boydston, 224–30. Carbondale, IL: Southern Illinois University Press, 1988.
- Elgin, Catherine. "Understanding and the Facts." *Philosophical Studies* 132, no. 1 (2007): 33–42.
- Farris, Christine, and Raymond Smith. "Writing Intensive Courses: Tools for Curricular Change." In *Writing Across the Curriculum: A Guide to Developing Programs*, edited by Susan McLeod and Margot Soven, 53–62. Newbury Park, CA: Sage Publications, 1992.
- Haroutunian-Gordon, Sophie. *Learning to Teach Through Discussion: The Art of Turning the Soul*. New Haven: Yale University Press, 2009.
- Hart Research Associates. *Falling Short? College Learning and Career Success*. Washington, DC: AAC&U, 2015. Accessed July 12, 2017. <http://www.aacu.org/leap/public-opinion-research/2015-survey-results>.
- Holladay, Carl, and Luke Johnson. "What Is a Seminar? Two Views of the Same Course." *Teaching Theology and Religion* 1 (1998): 27–30.
- Howard, Jay. *Discussion in the College Classroom*. San Francisco: Jossey-Bass, 2015.
- Kuh, George, Jillian Kinzie, John Schuh, Elizabeth Whitt, and Associates. *Student Success in College: Creating Conditions That Matter*. San Francisco: Jossey-Bass, 2005.
- Ramsey, Frank. "Epilogue." In *Philosophical Papers*, edited by D. H. Mellon, 245–50. Cambridge: Cambridge University Press, 1990.
- Yamane, David. "Course Preparation Assignments: A Strategy for Creating Discussion-Based Courses." *Teaching Sociology* 34 (2006): 236–48.
- Zwiers, Jeff, and Marie Crawford. *Academic Conversations*. Portland, ME: Stenhouse Publishers, 2011.

A second message is that faculty members are entitled to put their own interests ahead of those of their students. Consider how departments decide graduate course offerings. The procedure is for individual professors to announce the topics of their choice; then that conglomeration becomes the curriculum. The list may be unbalanced or of little use to those preparing for their careers, but such concerns are apt to be viewed as irrelevant. The focus is not on meeting students' needs but on satisfying faculty desires.

Similarly, in a course ostensibly devoted to a survey of a major field of philosophy, the instructor may decide to distribute chapters of the instructor's own forthcoming book and ask students to help edit the manuscript. Whether this procedure is the best way to promote understanding of the fundamentals of the announced field is not even an issue.

Another instance of professorial primacy is readers who take months to return a chapter of a dissertation, explaining the delay by pointing to publishing deadlines they themselves face. Apparently, the student's deadlines for finishing the dissertation and obtaining a faculty position are not as important.

A third message is that when you listen to a speaker, you should pretend you understand what is being said, even when you don't. How many times do faculty members and students sit through a presentation grasping little or nothing of it, yet are unwilling to say so? Instead, they nod as if comprehending every word. In short, contra Socrates, the goal is always to appear knowledgeable.

But just the opposite ought to be the case. Professors should encourage students in class to indicate whenever they don't understand what is said. And such admissions should be met not with a put-down but with a compliment for intellectual honesty. After all, those afraid to admit what they do not grasp are defenseless against others who indulge in obfuscation.

These days signs around the country tell us that if we see something, we should say something. Graduate students should be advised to follow an analogous rule: if you don't understand something, say something.

Professors should be aware of the subliminal messages sent to graduate students, who learn from the hidden curriculum and eventually pass it on. Thus are unfortunate attitudes and practices transferred from one generation to another.

The Hidden Graduate Curriculum

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The term "hidden curriculum" refers to the unstated attitudes that are often communicated to students as a by-product of school life. While the phrase is usually employed in the context of elementary and secondary education, it also applies at the graduate level, where future professors are acculturated to careers in academia.

One implicit message is that prestige follows from accomplishment as a researcher, not as a teacher. For example, which candidate for a faculty position is usually viewed as more attractive, the promising researcher or the promising teacher? Which of the two is more likely to be judged a strong candidate for tenure? The answers and the lesson are obvious: excellence in research is judged far more important than excellence in teaching.

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