

and the conference that commemorated the 40th anniversary of the birth of Ethnic Studies at the University of California, Berkeley: "Decolonizing the University: Fulfilling the Dream of the Third World College," see <https://vimeo.com/15729523>.

9. Among other sources, see the special issue of the fiftieth anniversary of the founding of Ethnic Studies in the *Ethnic Studies Review* 42, no. 2 (Fall 2019), <https://online.ucpress.edu/esr/issue/42/2>.
10. See the Ethnic Studies Now Coalition, <https://www.ethnicstudiesnow.com>, and Akinbiyi Akinlabi et al., "Letter from Black and Indigenous Faculty and Faculty of Color who Specialize in the Study of Race at Rutgers, New Brunswick," <https://sites.google.com/view/rutgers-blm-bipoc-letter/home>.
11. I have written about my experience as a philosophy student in Puerto Rico and about doing philosophy in Ethnic Studies in "Thinking at the Limits of Philosophy and Doing Philosophy Elsewhere: From Philosophy to Decolonial Thinking," in *Reframing the Practice of Philosophy: Bodies of Color, Bodies of Knowledge*, ed. George Yancy (Albany: SUNY Press, 2012): 251–70. I was fortunate to find in Lewis Gordon and Enrique Dussel supportive teachers, advisors, and mentors while in graduate school, and to closely collaborate with the late Latina philosopher María Lugones since my early years as an Assistant Professor. The Caribbean Philosophical Association offered an important space for the kind of work that we pursued.
12. See Paul Ricoeur, *The Symbolism of Evil*, trans. Emerson Buchanan (Boston: Beacon Press, 1986).
13. The most recent work of Rocio Zambrana is an example of this. See *Colonial Debts: The Case of Puerto Rico* (Durham: Duke University Press, 2021). Also of crucial importance are works in Puerto Rico by Anayra Santory Jorge, whose publications, classes, as well as her initiatives while chair of the Department of Philosophy at the University of Puerto Rico, Río Piedras, played an important role motivating and supporting a new generation of philosophy students with interests in decolonization and who are now in the process of completing their PhDs. This includes Pedro Lebrón, author of the recently published *Filosofía del cimarronaje* (Toa Baja: Editora Educación Emergente, 2020). From Anayra Santory Jorge, see, among others: *Nada es igual: bocetos del país que nos acontece* (Toa Alta: Editora Educación Emergente, 2018); *Convidar* (Toa Alta: Editora Educación Emergente, 2020); and the co-edited anthology *Antología del pensamiento crítico puertorriqueño*, eds. Anayra Santory Jorge and Mareia Quintero Rivera (Buenos Aires: CLACSO, 2019). Another important author and teacher in Puerto Rico whose work in the history of Caribbean and Puerto Rican philosophy has animated interest in the philosophical exploration of questions and themes that are prevalent in the island-archipelago and the Caribbean is the Colombian-born Carlos Rojas Osorio, winner of the 2005 Frantz Fanon Lifetime Achievement Award by the Caribbean Philosophical Association.
14. I have developed related ideas about the meaning of philosophy in Maldonado-Torres, "Outline of Ten Theses on Coloniality and Decoloniality," as well as in the co-authored chapter "Decolonising Philosophy." See Nelson Maldonado-Torres, Rafael Vizcaíno, Jasmine Wallace, and Jeong Eun Annabel We in *Decolonising the University*, eds. Gurinder Bhambra, Dalia Gebrail, and Kerem Nisancioglu (London: Pluto Press, 2018), 64–90. See also Lewis Gordon, *Disciplinary Decadence: Living Thought in Trying Times* (Boulder, Co.: Paradigm Press, 2006), and Lewis Gordon, "Decolonizing Philosophy," *The Southern Journal of Philosophy* 57 ,no. S1 (2019): 16–36.
15. As evinced in the "Outline of Ten Theses," the works of Frantz Fanon and Aimé Césaire's *Discourse on Colonialism* have been crucial in the formulation of this view of philosophy and its operations and mutations in colonial settings. See Aimé Césaire, *Discourse on Colonialism*, trans. Joan Pinkham (New York: Monthly Review Press, 2000).
16. I am building here from a view of philosophy presented in Maldonado-Torres, "Outline of Ten Theses on Coloniality and Decoloniality," where I write: "That is, while philosophy is traditionally conceived as the love of wisdom, for Fanon, or rather through Fanon, we can conceive of philosophy as the intersubjective modality of love and understanding. Philosophy is therefore not simply a particular form of questioning or production of knowledge that characterizes the work of some people called philosophers. Rather, philosophy can be conceived

as a name for the basic coordinates of human subjectivity: the modality of intersubjective love and understanding."

17. Working Group of the International Imagination of Anti-National and Anti-Imperialist Feelings (IIAAF), "Strike MoMA: Framework and Terms for Struggle," Strike MoMA, <https://www.strikemoma.org>.
18. This last sentence is to be read along with Fanon's initial lines in the introduction of *Black Skin, White Masks*: "Don't expect to see any explosion today. It's too early . . . or too late. I'm not the bearer of absolute truths. No fundamental inspiration has flashed across my mind. I honestly think, however, it's time some things were said. Things I'm going to say, not shout. I've long given up shouting. A long time ago . . ." See Frantz Fanon, *Black Skin, White Masks*, trans. Richard Wilcox (New York: Grove Press, 2008): xi.

ARTICLES

Judging Students and Racial Injustice

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In 2002, I was a student in a political science course at the City University of New York's LaGuardia Community College. At this time, I was working fifty to fifty-five hours a week in a warehouse in the Woodside, Queens section of New York City, and I was also living with my grandmother, mother, and brother in a one-bedroom apartment in Jackson Heights, Queens. As a result, I often did not have the space, time, and energy to devote to producing high-quality essays or coursework. But from time to time, circumstances would allow me the space, time, and energy that I needed to produce high-quality work.

On one of these occasions, I managed to produce a good short essay in this political science course. The instructor's comment on my work was simply that "I must have plagiarized some published political science work" because, by his lights, there was no way that I could have produced work of this quality or be aware of the historical facts that I referenced in the essay. This instructor clearly based his false inference on a false assumption about the capacity of Black and Latinx students at LaGuardia Community College. But he also based this inference on the false assumption that the work that I produced in the past represented the highest quality of work that I could produce. This assumption, I submit, betrayed his ignorance of how racial injustice can negatively affect the conditions under which Black, Indigenous, and Latinx persons produce philosophical essays or work. I assume that if he had understood how racial injustice relates to these conditions, then the likelihood that he would have erred in this way would have been depressed.

Leaving aside many of the political and moral features of this case, this political-science instructor made two kinds of judgment. The first kind of judgment is about the quality of a student's philosophical work. The second kind of judgment is about a student's general capacity or disposition to produce philosophical work of a certain quality level. Instructors' bailiwick seemingly involves precisely these kinds of judgments about students. This essay's aim is to get clear on how racial injustice relates

to these kinds of judgments and how instructors can do better by way of these judgments.

Instructors at the university level who care to take racial injustice into account when they assess their students' work face a challenge. This challenge is that we, instructors, also care to assess students' work according to university-level academic standards of quality, such as clarity of prose and argumentative rigor.

In the discipline of philosophy, as in other disciplines, instructors often refer to their students as "good" or "bad" while discussing their students with other instructors. A charitable interpretation of how instructors use these terms to describe their students is that a student is "good" if she performs in accordance with some evaluative academic standard and, similarly, a student is "bad" if her performance does not accord with this academic standard.

With this academic standard in mind, instructors often judge students as "good" or "bad" on the basis of the work that a student submits over the course of a semester. Here the assessment of a student's *work* can differ from an instructor's judgment of her as a *student* who can produce "good" work. Good students can turn in bad work and bad students can turn in good work according to this conception of how students relate to their work. I will call the disposition that students have to produce good or bad work *academic character*.

I assume that instructors often judge students' academic character on the basis of how they have judged their work. I take it as commonplace that instructors judge a student's academic character good because she has turned in good work and vice versa.

I also assume that the academic-character judgments that instructors make of a student will tend to affect whether they afford a student leeway or give them the benefit of the doubt in terms of handing in assignments late, arriving late to class, deciding whether to give students the higher of two grades when they are on the borderline, and awarding course grades of incomplete rather than a failing grade for a course.

The picture that I am painting involves how assessment of a student's work affects assessment of academic character and then, in turn, affects the final grades that students receive in a course. This affects students in terms of their grade point averages and whether faculty are willing to write letters of recommendation for law school or graduate school. As a result, accurate and just assessment seemingly matters quite a bit for our students' life plans and goals.

I will argue that just and accurate assessment must involve taking into account how racial injustice affects students' performance in their work. To this end, I will motivate what I call the RACIAL-INJUSTICE-ASSESSMENT THESIS. According to this thesis, instructors must account for how racial injustice affects a student's work for an instructor's judgment of her work to count as just.

To motivate the RACIAL-INJUSTICE-ASSESSMENT THESIS, I will defend the ACCURACY THESIS and the JUSTICE THESIS. According to the ACCURACY THESIS, the accuracy of an instructor's judgment of a student's work will covary with the degree to which she considers how racial injustice affects the performance enshrined in the student's the work. According to the JUSTICE THESIS, the justness of instructors' judgments of student work covary with the degree to which instructors consider racial injustice's effect on student work.

The argument that I present will take the following form. If (P) the ACCURACY THESIS is true and the JUSTICE THESIS is true, then (C) RACIAL-INJUSTICE-ASSESSMENT THESIS is true. I show that (P), thus (C) obtains.

THE ACCURACY THESIS

I now defend the ACCURACY THESIS. According to this thesis, the accuracy of an instructor's judgment of a student's work will covary with the degree to which she considers how racial injustice affects the performance enshrined in the student's work. To defend this, I will present cases that illustrate how racial injustice affects the performance that a student's work enshrines.

Take Yuderky. She is an Afro-Latinx Dominican undergraduate student in philosophy at a public university in New York City. She lives in the south Bronx in a one-bedroom apartment with three siblings and her mother. Her mother is an immigrant from the countryside in the Dominican Republic who speaks no English and received only a primary school education. To help make ends meet, Yuderky works forty hours a week while she attends university full time to complete a philosophy BA. And she has attended New York City public primary and secondary schools that underserved her in terms of the rudiments of writing, such as favoring the active rather than the passive voice.¹

Now take Chad. He is a White-Anglo-Saxon Protestant man undergraduate in philosophy at the same public university in New York City. He lives in the Upper West Side of Manhattan in a three-bedroom, two-bathroom apartment with his one sibling and parents. His parents provide him more than enough funds so that he can devote as much time as his academic work requires. He attended private primary and secondary schools in Manhattan that played a crucial role in the development of his capacity to write clear prose.

Yuderky and Chad are in the same upper-level ethics course with Professor Smith. This course involves a seven-to-ten-page term paper in which they defend a thesis. Professor Smith clearly communicates to students of this class what is expected in terms of clarity and rigor. He also makes himself available to discuss paper topics and arguments during his office hours, which he holds at 2 p.m. twice a week.

Professor Smith gives Yuderky's essay a grade of A-. Her essay is good, but not worthy of an A+ in his eyes because it does not satisfy the criteria it must meet to receive an A+. On the other hand, Chad's essay receives a grade of A+ because his essay satisfies these criteria.

Yuderky regularly receives grades of A-, and Chad regularly receives grades of A+. At a faculty meeting, someone asks Professor Smith whether Yuderky or Chad is a “better” student. Smith answers that despite the good quality of Yuderky’s work, Chad’s is excellent and thus he is a “better” student. Here, Smith judges on the basis of the work that Yuderky and Chad turn in that Chad is a better student. But Smith does not consider how racial injustice affects the philosophical performance that is enshrined in the work that they turn in. I assume that defending a thesis by presenting reasons or premises in an essay and clearly explaining relevant philosophical views is a kind of philosophical performance that can be judged more or less successful and thus more or less “good” according to some academic standard of clarity and rigor. That is, I assume that the philosophical argument and exposition enshrined in the work that students submit is a kind of performance that can be judged more or less successful.

Professor Smith judges Yuderky’s and Chad’s performances on the basis of the performance enshrined in the essays they submit. But here Smith judges these performances without considering how racial injustice affects the difficulty of the performance. I assume that if one actor performs an action under more difficult conditions than another actor’s outwardly identical performance, then the actor who performs similarly under more difficult conditions exhibits a higher level of skill and thus a better performance.

Take José. He is an archer who hits his target from two hundred feet away in clear and calm conditions. One can evaluate his performance as “good” because he did successfully hit his target from this distance where his success is due to his skill rather than luck.² But now take Marisol. She hits the same target from two hundred feet away, but under foggy and windy conditions, because of her skill rather than luck. One can evaluate her performance as even better than José’s performance because the conditions under which she performs it elevate its difficulty. These are external performance conditions that figure into proper judgment of their performances.

But an actor’s internal conditions can also affect the difficulty of their performance.³ Famously, Michael Jordan exhibited an extremely high level of skill and successful performance in a game of the NBA finals even though he had an extremely high fever. Each successful sinking of a shot, assist, or steal in this condition can be judged as more difficult and thus “better” than performances by other players not in this condition.

Suppose that Marisol had unwittingly consumed a hallucinogen before she successfully hit her target. If both she and José hit their target from an equal distance, but Marisol is under the influence of a hallucinogenic substance, then Marisol’s internal condition elevates the difficulty of her performance in comparison to José’s.

Consider how racial injustice affects Yuderky’s external condition in terms of the philosophical performance she enshrines in her essay. Racial injustice explains (1) why she must complete her work without quiet in the apartment she shares with her siblings and mother, (2) that wage

work consumes the lion’s share of her time such that she has comparatively little time to devote to developing her philosophical work, and (3) the comparatively depressed level of preparation she received in primary and secondary schools in terms of the clarity of her writing.

But racial injustice also explains Yuderky’s internal condition. Racial injustice explains (1) the level of psychological stress she undergoes as a result of working forty hours a week while attempting to produce high-quality philosophical work,⁴ (2) why she sustains elevated levels of cognitive load due to tracking whether interlocutors misperceive her as not credible or not a knower because of anti-Black Woman prejudices, such as the angry-Black Woman stereotype,⁵ and (3) a generally elevated level of stress that results from dealing with the possibility of police maltreatment in the south Bronx.⁶

Chad’s external and internal conditions are comparatively much better because he benefits from racial injustice. In terms of external conditions, racial injustice explains (1) why he has tranquil environs in which he can complete his philosophical work, (2) why he need not engage in wage work, and (3) why he received ample preparation in primary and secondary schools in terms of the clarity of his writing.

In terms of his internal conditions, racial injustice explains (1) the lack of psychological stress that he faces from having to both engage in wage work and work on philosophy, (2) why he benefits from positive prejudices and stereotypes regarding White-Anglo-Saxon Protestant men,⁷ and (3) why he lacks any significant levels of stress due to worries about police harassment.

THE JUSTICE THESIS

According to the JUSTICE THESIS, the justness of instructors’ judgments of student work covary with the degree to which instructors consider racial injustice’s effect on student work. I now present a reason that motivates the JUSTICE THESIS.

This reason is what I call the INJUSTICE-PROMOTION REASON. According to this reason, that an instructor errantly judges, because he does not take racial injustice into account, can promote racial injustice. Erring in this way promotes and sustains the disadvantage that Black, Indigenous, and Latinx students suffer as a result of racial injustice.

Take Professor Smith. He errantly judges that Yuderky’s work is not as good as Chad’s work because he does not take into account how racial injustice affects Yuderky’s performance conditions in comparison to Chad’s conditions. Suppose that a result of this is that Yuderky will receive a lower grade and thus grade point average, a letter of recommendation with a depressed level of praise and less commitment and guidance from Smith because he thinks Chad has the best odds of gaining admittance to a good graduate program or law school.

Smith’s judgment of Yuderky promotes and sustains racial injustice because this judgment sustains Yuderky’s disadvantaged position. That Smith does not take

racial injustice's effect on Yuderky's performance into account results in the curtailment of her life chances and opportunities.

Here racial injustice curtails her life chances and opportunities through its effect on Smith's judgment of her work and also through its effect on her performance conditions.

Smith's judgment can either maximally contribute to this curtailment, not contribute at all to this curtailment, or form some degree of this curtailment. This degree of curtailment that his judgment comprises will in turn depend on what degree he takes racial injustice to have an effect on Yuderky's performance. Put simply, whether Smith's judgment comprises racial injustice itself depends on whether he takes into account racial injustice's effect on the target of his judgment.

That Smith errs in judging Chad also promotes and sustains racial injustice, as he does not consider that racial injustice's effect on Chad's performance conditions promotes and sustains the advantage that Chad, as a White student, enjoys as a result of racial injustice. As a consequence of this errant judgment, Chad will receive an elevated grade point average, a letter of recommendation with an elevated level of praise and more commitment and guidance from Smith than Yuderky receives because he thinks that Chad has the best odds of gaining admittance to a good graduate program or law school.

Smith's judgment promotes racial injustice not only in terms of how it shapes external features of Yuderky's and Chad's worlds, such as grade point average and likelihood of admittance to graduate programs, but also in terms of how it affects their internal features, such as their intellectual confidence and abilities. This errant kind of errant judgment is an instance of what Charles Mills calls white ignorance. Someone is in a white ignorant state if she falsely believes or lacks a true belief because of white supremacy, racial injustice, or anti-Black, Indigenous, or Latinx racism.⁸ I assume that this is an instance of white ignorance because the likelihood is infinitesimally small that white supremacy or racial injustice plays no causal role, whether structurally or psychologically, in Smith forming his false judgment.

Suppose that the performance enshrined in Chad's and Yuderky's essays are equally good if one controls for the differences in performance conditions that obtain because of racial injustice. This supposition should put into sharper relief that Chad gains a larger vote of confidence in his intellectual abilities than Yuderky even though their performances are the same. This difference in vote of confidence obtains because of racial injustice and, as a result, Chad unjustly benefits in this internal or self-attitudinal way. Smith's judgment that his essay deserves an A+ is a signal to Chad regarding his intellectual abilities, which not only involves false content, but also promotes racial injustice. On the other hand, Yuderky does not receive a similar vote of confidence in her intellectual abilities that she should receive from Smith because of racial injustice. Smith's judgment that her essay deserves an A- is not only a signal to her regarding her intellectual abilities, but also

involves false content that promotes racial injustice. This capacity for Smith's judgment to promote racial injustice is both an example of the causal constructive power of instructors' judgments and an example of how systemic injustice can continue to perpetuate itself.⁹

TWO KINDS OF ERROR

The two cases of instructor error that I have presented both feature errant judgments based on bad information where this information is bad because it lacks inferentially relevant information about how racial injustice relates to students' philosophical performance. But these cases can differ because the political science instructor could poorly base his judgment due to some kind of racist motive while Professor Smith could poorly base his judgment due to a lack of sensitivity of how this information evidentially relates to his judgment. Put simply, in the former case, the political science instructor's errant judgment largely tracks his antecedent racist attitude about Black, Latinx, and Indigenous students, and in the latter case, Smith's errant judgment is largely a result of not properly sensing how racial injustice relates to Black, Indigenous, and Latinx students' performance.

Evidence sensitivity is a notion that distinguishes these two cases as instances of two kinds of error. In the political science instructor's case, he errs because he harbors a kind of a racist and thus morally noxious attitude that wholly or largely determines how he judges when it comes to the racial-injustice-information domain. Kristie Dotson points to this phenomenon when she explicates the idea of testimonial smothering.¹⁰ For Dotson, a Black woman suffers testimonial smothering if she truncates some information she would otherwise fully convey due to the testimonial incompetence of her audience.

The case Dotson presents of this phenomenon features a White woman who signals her inability to comprehend information that Black women must raise their Black sons in ways that differ from how White women raise their White sons in the US. That this White woman wittingly or unwittingly antecedently harbors a racist attitude towards Black persons explains why she is testimonially incompetent. In this case of testimonial smothering, this Black-woman speaker anticipates that a racist attitude will result in this White-woman hearer's evidential insensitivity, and as a result, she smothers her own testimony to avoid the consequences of this insensitivity. The political science instructor, like this White-woman hearer, judges in ways that correspond to his racist attitude rather than his evidence.

On the other hand, suppose that Professor Smith does not harbor such a racist attitude and that he errantly judges because he does not properly sense how racial injustice causally relates to the circumstances in which Black, Indigenous, and Latinx students philosophically perform. But Smith is not completely insensitive to this evidence. He acknowledges that racial injustice is relevant when considering, say, how schools are underfunded and how economic opportunities are depressed in Black, Indigenous, and Latinx communities even though he does not sense the causal relevance of racial injustice vis-à-vis his students' philosophical performance.

One way to distinguish Smith from the political science instructor is that if someone explained to Smith this evidence's causal relevance, he would likely understand this evidential relation and believe in accordance with it. On the other hand, if someone explained this evidence's causal relevance to the political science instructor, he would not understand it because his racist attitude would in a sense block him from understanding this evidential relation.

This distinction between these two kinds of errors matters because remedies that an education system could develop and implement that do not countenance this distinction will tend to fare poorly in comparison to remedies that do take this distinction into account. Remedies that countenance this distinction will tend to fare better because instructors like the political science instructor who resist evidence and explanation will tend to not respond to remedies that merely aim to inform instructors of how racial injustice relates to students' performances. But remedies that not only aim to inform, but also disabuse or deal with instructors' racist attitudes will tend to fare comparatively better because instructor populations will tend to consist in both kinds of instructors.

HOW JUSTNESS RELATES TO ACCURACY

According to the analysis that I have presented, justness and accuracy are distinct but related features of instructors' judgments of their students. But to some, these judgment features might seem not to significantly differ and as a result these features improperly figure as distinct in the analysis that I have presented. I will show how these features are analytically distinct even though they tend to run together empirically.

A subject justly judges, on my account, if her judgment is based on evidence that takes into account how injustice shapes the world. For example, if a subject bases her judgment that "Central American persons seeking asylum at the US border should be granted asylum" on evidence that involves how racial injustice and colonialism shape the situations and actions of Central Americans, then this subject justly judges.

A subject accurately judges, on my account, if her judgment is true. For example, if a subject forms a true belief that "Central American asylum seekers should be granted asylum at the US border," then this subject accurately judges.

Even though justness and accurateness will, in point of fact, tend to feature together in subjects' judgments, they can come apart. For example, a US politician could base their judgment that "Central American asylum seekers should be granted asylum" not on any evidence that involves the causal role of injustice and colonialism but rather on evidence that the likelihood of their retaining political office is elevated if the US grants this asylum. Here this US politician's judgment is accurate but not just. So even though these two judgment features tend to obtain together, they need not obtain together.

WHAT SHOULD INSTRUCTORS DO?

The argument that I have presented raises the issue of what instructors should do to avoid promoting racial injustice through their judgments of student work, given that not only do instructors have a limited amount of time to evaluate student work, but that they must also hold students to some kind of generic academic standard.

There are at least two general ways to deal with this issue. The first is structural. The problem of racial injustice's effect on student work is a structural one because US society's structure has been shaped by centuries of racial injustice, white supremacy, and colonialism.¹¹ As a consequence, any remedies that will make a difference for Yuderky over the course of her educational and academic career will affect the structure of society so that it depresses the degree to which it favors White persons over Black, Indigenous, and Latinx persons.

Decreasing the amount of grading and evaluating that any one instructor must do by increasing the number of instructors, graders, or teachers' assistants is one such structural remedy. The idea here is that if instructors have limited time to evaluate papers and decreasing the number of papers they must evaluate will allow them to take into account how racial injustice might affect the performance of this student, then decreasing the quantity of papers that instructors must grade will result in providing instructors with more time to consider racial injustice's effect on student work. This remedy, of course, is in conflict with the current trend in higher education to diminish the number of tenure-line faculty who instruct students. But that this conflict obtains is a further reason for instructors to push back against this trend.

There are, of course, more general structural remedies, such as shifting the resources that White communities enjoy due to slavery, Indigenous genocide, and colonialism to Black, Indigenous, and Latinx communities. But I will only focus on structural remedies that, say, higher education administrators can implement.

The second general way to deal with this problem is individualist. The problem of racial injustice's effect on student work is partly an individualist one because individual instructors often do not consider racial injustice's effect on student work. As a consequence, individual instructors can opt to implement policies at the course or classroom level.

One such individualist policy is to implement grading policies that will tend to avert the penalty that Black, Indigenous, and Latinx students face when instructors evaluate their work. Allowing students to resubmit work that can be improved is an example of a policy that may tend to mitigate how Black, Indigenous, and Latinx students' performance conditions differ from White students. This will allow students the room and opportunity to improve their work. The idea here is that if one set of students is disadvantaged in terms of their performance conditions, then allowing them to continually refine their work over multiple attempts will in a sense improve the condition in which they perform philosophical work.

Now reconsider the archery case involving Marisol and José. If Marisol's archery performance conditions are much worse than José's conditions, then allowing her multiple attempts to hit her target will result in her suffering less of a penalty because of her performance conditions. Similarly, if Yuderky's performance conditions are worse than Chad's, then allowing her to submit her essay multiple times will result in her suffering less of a penalty because of her conditions.

One might object that instructors do not have the time and energy to allow students multiple attempts or submissions. Thus, the individual proposal that I present fails. There are at least two responses to this objection. The first response cedes to the objector that indeed instructors have insufficient time and energy to implement this proposal. But it is just a brute fact that something of value must be exchanged or expended to remedy how Black, Indigenous, and Latinx students' performance conditions generally differ from White students' conditions. White students' performance conditions benefit from unjustly obtained value in terms of free slave labor,¹² opportunities gained due to Jim Crow and redlining policies,¹³ and expropriating of Indigenous land and exploitation of Latin American resources through colonialism.¹⁴ As a consequence, remedying these conditions will take the expending of this value that the White power structure enjoys. There are no free lunches here.

A second response to this objection is that this objector merely points to facts that motivate structural solutions to this problem. Instructors will only be in a position to implement policies that allow them to account for this problem if the White power structure introduces value in terms of instructor salary and wages into the higher education system so that instructors can implement these policies at the individual level across the education system.

NOTES

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3. Ibid.
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Paulo Freire's conscientização: Mindful Awareness and Trust

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In his *Pedagogy of the Oppressed* (1968), Paulo Freire explains how an important aspect of anyone's liberation is the process of conscientização, becoming aware of both external oppressive dynamics such as sexism, racism, and how each of us has internalized these oppressive patterns. Freire noticed that in the attempt to facilitate another person's liberation (their realization of their own agency and freedom) we are often met with resistance. This resistance comes from the oppressive patterns we have all internalized, and Freire suggests that, as teachers, we ought to believe in people's ability to come into their own power. However, he also warns us to be distrustful of their internalized oppressive patterns. The following is an extension of Freire's views and his encouragement to trust others in ways that recognize the challenges of internalized oppression. I employ this approach through the practice of mindfulness to trust the process of our own or another's authenticity.

1. FREIRE'S WORK

Myra Bergman Ramos translates conscientização as "learning to perceive social, political, and economic contradictions, and to take action against the oppressive elements of reality."¹ According to Denis Collins, a biographer of Freire, this critical awareness entails developing a type of political awareness or a conscious attitude of the oppressive dynamics in our society and relationships.²