## 1

**Academic philosophy is anti-Black – the 1AC’s abstraction from the material consequences of racialized violence absolves white philosophers of their contributions to America’s apathy towards Black death – their race-neutral rhetoric and assertion of universal humanistic principles reduces systemic racism to a problem of recognition that prevents effective mobilization against white supremacy – vote negative to reject the Western metaphysical tradition and recognize the permanent failure of white philosophy.**

Tommy J. **Curry and Curry 18** [Tommy, PhD, Prof. of Philosophy @ TAMU, Gwenetta, PhD, Ass. Prof. of Gender and Race Studies @ Alabama], “On the Perils of Race Neutrality and Anti-Blackness: Philosophy as an Irreconcilable Obstacle to (Black) Thought,” American Journal of Economics and Sociology, Vol. 77, Nos. 3-4 (May-September 2018). DOI: 10.1111/ajes.12244

We begin with the first author’s reflections on philosophy and its recurring problem of denying the realities of race and racism, reflections that have arisen as a Black (male) philosopher whose life has been threatened for doing Black philosophy. The experience of confronting death, being fearful of being killed doing my job as a critical race theorist, and being threatened with violence for thinking about racism in America has a profound effect on concretizing what is at stake in our theories about anti-Black racism. Whereas my work on race and racism in philosophy earlier in my career was dedicated to the problems created by the mass ignorance of the discipline to the political debates and ethnological history of Black philosophers in the 19th and 20th centuries, I now find myself thinking more seriously about the way that **philosophy**, really theory itself—our present categories of knowledge, such as race, class, and gender, found through disciplines—actually **hastens the deaths of subjugated peoples in the U**nited **S**tates. **Academic philosophy routinely abstracts away from**—directs thought to not attend to the realities of death, dying, and despair created by—**antiBlack racism. Black, Brown, and Indigenous populations are routinely rationalized as disposable flesh. The deaths of these groups launch philosophical discussions** of social injustice and spark awareness by whites, **while the deaths of white people direct policy and demand outrage. Because racialized bodies are confined to inhumane living conditions that nurture violence** and despair **that become attributed to the savage nature of nonwhites and evidence of their inhumanity, the deaths of these** **dehumanized peoples are** often **measured against the dangers they are thought to pose to others**.

**The interpretation of the inferior position that racialized groups occupy in the U**nited **S**tates **is grounded in how whites often think of themselves in relation to problem populations. This relationship is** often **rationalized by avoidance and by** the **denials** of whites **about being causally related to the harsh conditions imposed on nonwhites in the world. Philosophy, and its glorification of the rational individual, ignores the complexity of anti-Black racism by blaming the complacency**, if not outright hostility, **towards Blacks on the mass ignorance of white America**. To remedy this problem, Black philosophers are asked to respond by gearing their writings, lectures, and professional presence to further educate and dialogue with white philosophers in order to enable them to better understand anti-Black racism and white supremacy (Curry 2008, 2015). This therapy is often rewarded as scholarship. **Philosophical positions that analyze racism as a problem of miscommunication, misunderstanding, and ignorance** (philosophies predicated on the capacity of whites to change) **are rewarded and praised as the cutting edge and most impactful theories about race and racism. Reducing racism to a problem of recognition** and understanding **allows white philosophers to remain absolved of their contribution to the apathy that white America has to the death** and subjugation **Black Americans endure** at the hands of the white race.

To some readers, speaking about races as different groups with opposite, if not antagonistic, social lives seems to run contrary to the idea that there are no real races, just people, only the human race. This is the core of **race-neutral theory** in academic philosophy. Race neutrality **asserts that while race, class, and gender may** in fact **differentiate bodies, the capacity for reason—the human essence beneath it all—is what is ultimately at stake in the recognition of difference**. While **this mantra** has been offered to whites since the integrationist strategies of the U.S. Supreme Court in the 1950s under Chief Justice Earl Warren, it **has had little effect in restructuring the psychology of white individuals or remedying** the **institutional** practices of **racism that continue to exclude** or punish **Black Americans**. How are Black scholars to speak about racism, specifically the violence and death that seem to gravitate towards Black bodies if the rules of philosophy and the fragility of white Americans insist that racism is not the cause of the disproportionate death Black Americans suffer and race is not a significant factor in Black people’s lives?

This article is an attempt to debunk the seemingly neutral starting point of academic philosophy. **For decades, Black philosophers have attempted to** educate white philosophers and **reorient the philosophical anthropologies of the discipline. Black, Brown, and Indigenous philosophers have dedicated their lives** and careers **to educating white philosophers** and students, **with little to no effect on the composition** and disposition **of the discipline**. While it is not uncommon for philosophy departments to say they support diversity, the reality is that many, if not most, Black philosophers continue to write about the problem of racism, their experiences of marginalization, and the violence they suffer from white colleagues, disciplinary organizations, and universities. **This article should be read as an attempt not to amend the Western metaphysical tradition but to reveal the obstacles that indicate its perennial failure**. It is the position of the authors that many of the demands for disciplinary change are often expressed as politics, when in reality **there are issues of metaphysics** (the concerns of being) **and philosophical anthropology** (the concerns about the (non)being capable of thinking) **that are unaddressed in much of the current literature**. Section I of this article describes what Black philosophy has taken to be the problem of racism in academic philosophy more broadly. Since the 1970s Black philosophers have criticized, attacked, and attempted to reform the discipline with little effect. This section interrogates why that is the case. Section II argues that the failure of philosophy to change is a problem of metaphysics or the illusion that Blackness is compatible with the idea of the white human. Section III presents the social scientific evidence demonstrating the seeming permanence of anti-Black racism and the dangerous nature of colorblind ideology, which does not recognize that societal organization and racism determine the life chances of Blacks. This article ends with a suggestion of what Black philosophy would look like if its primary mandate were not to persuade whites to remedy their own racist practices, but to diagnose and build strategies against the present problems of racism in philosophy before us.

**Even if they win that their colorblindness is theoretically ideal, it is practically impossible because racialized bodies are marked by their skin color - philosophy’s segregation of black scholarship is not neutral and not normal.**

Tommy J. **Curry and Curry 18** [Tommy, PhD, Prof. of Philosophy @ TAMU, Gwenetta, PhD, Ass. Prof. of Gender and Race Studies @ Alabama], “On the Perils of Race Neutrality and Anti-Blackness: Philosophy as an Irreconcilable Obstacle to (Black) Thought,” American Journal of Economics and Sociology, Vol. 77, Nos. 3-4 (May-September 2018). DOI: 10.1111/ajes.12244

Eduardo Bonilla-Silva (2010: 15) explains that **colorblind racism emerged as a new racial ideology in the late 1960s** concomitantly with the crystallization of the “new racism” as America’s new racial structure. **Whites could no longer get away with the overt racist practices** that were used before the civil rights movements **but instead depended on more subtle ways to maintain their racial dominance** without using race. In today’s society, there are very few whites who outwardly consider themselves to be racist, but they will still support systems that create inequalities among minority populations.

Bonilla-Silva’s (1996) account of racism leads him to develop the idea of racialized social systems, a term that refers to societies where economic, political, social, and ideological levels are partially structured by the placement of actors in racial categories. Bonilla-Silva theorizes that **the racialized system incentivizes how racialized persons develop their identities within racist structures. Race is not simply imposed on bodies but is psychologically invested in by individuals in terms of how dominant racial groups identify themselves in relationship to the** **groups** and individuals **they construct as inferiors. For some groups assimilation is possible. This is the case for ethnic groups like the Irish and the Jews because their skin color is closer to that of whites, but it would be impossible for Black groups to similarly disappear. Colorblindness could exist in theory, but in reality, people see skin color, and in America, white skin stands for superiority.**

Racial **segregation** has been a mainstay of the American race problem since the beginning of slavery. Assigning the places that Blacks belonged, whether it be in the fields or as the “house Negro,” **has been one of the primary ways that racism has been enforced against Blacks**. Even after the end of slavery, **Jim Crow was established to terrorize Blacks into staying confined by their segregated spaces**. We would argue that **even today**, the established racial dynamic in America maintains racial segregation. In The Hidden Cost of Being African American, Thomas Shapiro (2004: 152) has shown how **whites have been able to move into the neighborhoods with the better schools and resources with the help of their inheritances**. Many of the people he interviewed about their housing location stated that they did not look at race when deciding to move to certain neighborhoods but rather they focused on the lifestyle and “standards” of the people. **Most stated that “it just happened” that there were no African Americans at the school their child attends. These understandings of “standards” and lifestyle are nested in the notion that white culture defines the norms and standards**. Eduardo Bonilla-Silva’s concept of “white habitus” explains the tendency whites have for racial segregation, namely, their preference for moving to all-white neighborhoods and the effects this practice has on African Americans.

Shapiro’s work parallels the findings of Bonilla-Silva’s theory of white habitus. Bonilla-Silva et al. (2006: 233) describe “white habitus” as a racialized, uninterrupted socialization process that conditions and creates whites’ racial taste, perceptions, feelings, and emotions and their views on racial matters. The most pronounced effect of white habitus is that “it promotes a sense of group belonging (a white culture of solidarity) and negative views about nonwhites.” **In these all-white spaces, whites become the standard or norm while anything or anyone different becomes unnatural or problematic**. White habitus promotes minorities being viewed based on stereotypes and generalizations perpetuated by the media or through other second-hand sources. **The greatest irony of Bonilla-Silva et al.’s interviews was their finding that “whites do not interpret their racial isolation and segregation from Blacks as something racial.”** This qualitative project shows that **even when whites are communally segregated** from Blacks, **they do not interpret this as a racialized or racist environment**. The absence of Blacks is thought to be compatible with how white Americans think about colorblindness. The idea of white superiority, or whiteonly neighborhoods, is not understood by many white Americans as racist. In one of Shapiro’s (2004: 152) interviews, the participant states that she has “Black friends.” However, Bonilla-Silva et al. (2006: 248) point out that when whites claim to have Black friends, they usually are referring to formal activities such as sports or classroom work groups. Once the activity is over the relationship ends; the so-called Black “friends” are not actual neighbors or friends who live within their social environment. **Academic philosophy operates similarly**.

**Racism deems Black life disposable and demands racialized violence – we’re not an ad-hom that criticizes the positionality or personal views of their authors – their philosophy is actively used as an expression of white supremacy and to rationalize the deaths of Black men and women.**

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**Far too often, the Black philosopher is charged with making sense of the irrationality of white America’s erroneous perceptions of Black, Brown, and Indigenous people. The histories of terror, death, rape, and murder are** often **said to be remnants of the past. To speak of anti-Black racism as an ever-threatening doom**—a looming threat of death and dying—**after** the presidency of Barack **Obama seems heresy to many white Americans**. Despite the horrors that now confront the United States under the presidency of Donald Trump, it is often very difficult for Black speakers to convince white audiences of the divergent worlds codified by anti-Blackness. Black philosophers, especially Black men, often try to persuade academic audiences, who fear being in the same room as them, of their humanity through the academic endeavor. Because this Black person is a professor, there is, standing in front of the white audience, evidence that Black people are not all criminals, and that Black males specifically are not all violent or dangerous. In performing what a human being is thought to be by whites, the Black philosopher imitates that human for whites in hopes of being interpreted as human and consequently heard. To be a Black philosopher is to assert that the perilous nature of being Black is outside of the human. Whereas white philosophers often share a similar language with other whites, namely, that all people are human beings and rational individuals, Black philosophers who study race often speak in terms of their negations: non-being. Harris (2018) refers to this as “necro-being.” Curry (2016, 2017, 2018a, 2018b) speaks of the Man-Not. Wilderson (2009) writes of the slave.

**To be Black is to render the very grammar of the academy delusional. To speak of impending death and sub-personhood** and explain the experiences of violence and dehumanization that accompany this position to white individuals who only think of their existence in terms of always being human and persons is ineffable. **Perhaps** the theorist Calvin **Warren best captures this problem in his book Ontological Terror**: Blackness, Nihilism, and Emancipation. Warren (2018: 2) argues:

**The human being provides an anchor for the declaration, and since the being of the human is invaluable, then Black life must also matter, if the Black is a human** (the declaration anchors mattering in the human’s Being). **But we reach a point of terror with this syllogistic reasoning. One must take a step backward and ask the fundamental question: is the Black, in fact, a human being?** Or **can Black(ness) ground itself in the being of the human? If it cannot, then on what bases can we assert the mattering of Black existence?**

The consequence of attending to the problem of Blackness and the realities of death is that **the theories that emerge to account for what is taken to be the accidental positionality of whites who are thought to be human**, individuals, citizens, and persons **must make sense of a reality where to be Black is to be nonhuman, savage, alien, and reified and consequently subject to violence and wished dead. As** the late Critical Race Theorist, **Derrick Bell** (1997: 23) **once said**:

**We have never understood that the essence of the racism we contended against was not simply that we were exploited in slavery**, degraded by **segregation, and** frustrated by **the unmet promises of equal opportunity. The essence of racism in America was the hope that we who were Black would not exist**.

Instead of racism being defined as a set of attitudes or beliefs about racial groups held by biased individuals, the authors prefer to understand racism as

a complex nexus, a cognitive architecture used to invent, reimagine, and evolve the presumed political, social, economic, sexual, and psychological superiority of the white races in society, while materializing the imagined inferiority and hastening the death of inferior races. Said differently, racism is the manifestation of the social processes and concurrent logics that facilitate the death and dying of racially subjugated peoples. (Curry 2017a: 4)

**Racism is a social process that demands the extinguishing of Black life. Racism craves death**. It is constructed, then legitimized through cultural and individual complacency. **When a young Black boy is killed, the instruments of the state, the authority of the police, and the vulnerability of the Black male body converge in the ultimate expression of violence** that results in death. **The public then rationalizes this exercise of state violence** and the individual will of the police officer who killed the Black boy **through empathy**. The white individual who sees the dead Black male body understands the need to kill the Black boy because Blackness socially expresses criminality, danger, and the possible death of a white life. **This fear of Blackness creates empathy for the officer who killed the Black boy**. He is thought of by the white interpreter who is watching the dead Black male body as a corpse. The fear shared between the officer and white onlooker is legitimated by the state because the state offers its society security from this Black male threat. **This is how populations feared by the society are simultaneously constructed and destroyed**.

This brief example describes the depth of the problem involved with racism. **Black philosophers are not simply objecting to the thoughts individuals hold about different groups of people, but how the thoughts that white individuals hold can be supported and expressed in violence against Black men and women in the world**. Because a white supremacist world supports the fears of the white racist, **the** individual **racist’s anti-Blackness is aspirational. It is expressed as a will for there to be no Black bodies** there. **As such, the human becomes an untenable account of Black life, given this disposability**. The world is simply not organized in such a way that allows Blackness to not be seen, perceived, and dehumanized in relation to whites. **No amount of evidence** or argument **seems to be able to displace the faith philosophers have in education, dialogue, and mutual understanding** between Blacks and whites as the remedies of racism (Curry 2008). Generations of nonwhite philosophers have spent their careers and research showing the discipline the horrors of racism, xenophobia, and ethno-nationalist thinking, but there has been little to no change in departments or the discipline at large.

For many philosophers, the idea that racism is permanent is unthinkable. Despite the words and works of Black political theorists like the lawyer Robert F. Williams or Dr. Huey P. Newton, or even more canonically established Black figures like W. E. B. DuBois, Carter G. Woodson, Frantz Fanon, or Derrick Bell, philosophy as a discipline and **philosophers** more generally **refuse to acknowledge that racism remains the core and most determining aspect of America’s social processes**. Enamored by the stories of Blacks suffering, many scholarly conversations about Blackness and racism focus on the harm that Black individuals suffer at the hands of whites or the discipline of philosophy. Relatively few works actually analyze racism structurally or beyond identity at all. **Philosophical analyses do not revolve around death or the material consequences of anti-Blackness**. Instead, the fear and anxiety that Black philosophers and graduate students share with whites become more worthwhile topics.

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**This turns the aff – America is organized around the subjugation and death of non-white people – discriminatory applications of their policy are inevitable absent a recognition of racialization in the law – their colorblindness is mutually exclusive with the necessary upheaval of the racial dynamics that necessitate inequality.**

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It is now accepted fact that **scientists have been able to demonstrate that race does not exist on a biological level, but instead was constructed by society**. Classifying race as a social construct conveys that there is a “process of endowing a group or concept with a delineation, name or reality” (Delgado and Stefancic 2012: 155). Race has a reality to it, a substance given by the historical and cultural projections of the specific society within which it is birthed. **While philosophers commonly entertain**, at least at the theoretical level, **the idea that race does not have any real consequence, that is a pernicious supposition**. Tessman and On (2001: 5) suggest that “**an analysis of racialization as the process of the social construction of race can lead theorists away from the possibility of race-conscious strategies for struggling against racism**.” **If the issues surrounding race and racism are not addressed, minorities will still fall victim to unfair treatment in education, housing, and the court systems**.

Although the concept of race is socially constructed, the populations most affected by racialization and racial disparities agree that **there are still real consequences to race because of its embeddedness within** practically **all facets of American society. Race consciousness is necessary to diagnose the function** and effects **of racialization in law, policy, and social interactions**. As the sociologist Michael Banton (2001: 164) argues, some elements of the racial idiom are still needed in law because “the concept of a racial group is the price to be paid for a law against indirect discrimination.” Contrary to the idea that race is mere societal rhetoric, Banton argues that the language of race is needed in law to combat prejudice and discrimination against victim groups. This point is made extremely clear by the data presented by Michelle Alexander in The New Jim Crow: Colorblindness in the Age of Mass Incarceration. She argues that **racism is a driving force behind social organization—an architecture around which social hierarchy and disparity accumulate. Racism explains why the penal system is filled with Black men who are incarcerated and how labeling them as felons**, primarily due to the criminalization of drugs, **causes them to lose their basic civil rights**. The Anti-Drug Abuse Act of 1988, passed by Congress as part of the War on Drugs, called for strict lease enforcement and eviction of public housing tenants who engage in criminal activity (Alexander 2010: 142). In the spirit of the Anti-Drug Abuse Act, the Clinton Administration sought to strengthen the law in 1996, adding **the “One Strike and You’re Out”** legislation whose goal is to prevent people with criminal records from being able to live in public housing. This **measure to “crack down” on crime has had a debilitating effect on the family lives of people of color living in public housing units**.

**America is organized around the subjugation, death, and political suppression of racialized people’s voice**. Eve

n under the ethno-nationalist regime of Donald Trump, there is a reactionary consensus that has reemerged, namely, that a truly white supremacist society is colorblind. This follows a similar logic as the dissent of Justice John Harlan in Plessy v. Ferguson (1896):

The white race deems itself to be the dominant race in this country. And so it is, in prestige, in achievements, in education, in wealth, and in power. So, I doubt not, it will continue to be for all time, if it remains true to its great heritage and holds fast to the principles of constitutional liberty. But in the view of the Constitution, in the eye of the law, there is in this country no superior, dominant, ruling class of citizens. There is no caste here. Our Constitution is color-blind and neither knows nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law.

**Notice** how **the assumption** behind Harlan’s words asserts **that the law guarantees equality, while the disparities in society are due to the racial superiority of the white race. In this sense, race is irrelevant in law, but undergirds the dynamics that produce inequality in the society**. Harlan believed that white supremacy was natural. He suggested, like many white liberals and conservatives today, that race should not matter in policy and the law, and that the social consequences that befall racial groups are the result of their superior or inferior racial traits.

Not even a decade ago, white America celebrated being post-racial. The election of President Barack Obama seemed to be a great leap forward and evidence that the United States, as a majority white country, had indeed moved to a place where race did not indicate the capacity of an individual. However, racial progress is interpreted differently by the oppressed populations. **Racism has always existed in American society and continues to be a major problem for** many **people of color** who live in the United States. **The** recent **election of** President Donald **Trump showed that there are always going to be consequences for disrupting** the grand narrative of **white supremacy**. Perhaps the best way to understand this backlash that resulted in the election of Trump is through a measure of covert or overt racism. **While many philosophers maintain that it is desirable to live in a colorblind society where race does not matter, social science research has vehemently rejected this notion**. Joe Feagin’s theory of systemic racism is beneficial for race analysis because it places white agents at the front of racial oppression. **Feagin** (2012: 937) **refers to systemic racism as “the foundational, large-scale and inescapable hierarchical system of US racial oppression devised and maintained by whites and directed at people of color.”** Racism is seen from a structural view and negatively impacts people of color because whites dominate the structures that dictate the order and organization of society. Systemic racism, as described by Feagin (2006), consists of six parts: the patterns of impoverishment and unjust enrichment and their transmission over time; the resulting vested group interests and the alienating racist relations; the cost and burdens of racism; the important role of white elites; the rationalization of racial oppression in a white-racist framing; and continuing resistance to racism. Feagin challenges Harlan’s explanation for white supremacy: instead of **whites** being inherently superior, they **rely on institutional racism to produce social structures that reward and elevate whites**.

**Instead you should affirm Black philosophy as a site to engage in radical theorizations that are a genuine reflection of Black experience – attempts at integration commodifies Black philosophers as extensions of white thinkers which waters down Black philosophy to a form for white philosophers to deem respectable scholarship – a fundamental reorientation of the discipline away from universal reason is key.**

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The debate about what constitutes or is real philosophy continues to dominate the discussions concerning race and racism. Drawing from the inclusion/exclusion or integrationist/segregationist paradigms, the problem of race and racism in philosophy is routinely understood as what is allowed to stand within or excluded from the discipline. The integrationist or post-civil-rights understanding of racism in philosophy routinely misses that **racism involves a complex and denaturing dynamic regarding the thought and perceptions of oppressed groups**. This is a paradigmatic and methodological problem introduced by Curry (2011a, 2011b) as signs of Black philosophy’s “derelictical” crisis. As Curry (2011a: 144) explains:

At its most basic level, philosophy is an activity of inquiry into the world which is supposed to guarantee its practitioners some level of assuredness in the ways we interpret the realities before us. If we take African American philosophy to be philosophical activity, then we should expect, by necessity of being philosophy, that Africana philosophy should result in the same methodological rigor—some assuredness in the ways that Africana people have used to interpret their realities. Unfortunately, the present day crisis of African American philosophy makes this simple formulation an impossibility. By making the methodological rigor of Africana philosophy dependent on its popular acceptance; its closeness to the political dogmas of our racial era, we condemn our area of study to under-specialization whereby our works of philosophical genius, past and present, will be judged solely by the degree to which they extend the universalizing character of Europe and her theories. **To the extent that African American philosophy chooses to abandon the genealogical patterns of Black thought for philosophically privileged associations with white thinkers, it remains derelictical—continuing to neglect its only actual duty**—the duty **to inquiry into the reality of African-descended people as they have revealed it**.

We begin with the premise that **racism permeates the discipline of philosophy**. We are attempting to bring attention to the ways in which **authentic Black philosophy has been revised and denatured into a form that whites in the discipline accept as philosophical**. Whereas all disciplines have norms or rules of scholarly rigor, **philosophy demands that Black thinking and thought tend towards specific political ends in order to be considered philosophy**. Whether or not the thought and texts of Black philosophers are correctly interpreted, understood, or even read ultimately becomes irrelevant to the larger political orientation of the discipline.

**Black philosophers are read as extensions of white thought. A Black philosophical figure is relevant only to the extent that he or she can be understood as the unrealized intentionality of canonical white figures. Black historical figures are made philosophical by the extent to which their voice can be imagined as what Dewey, Hegel, Addams, or Foucault would have said if they thought more seriously about race** and racism. Consequently, writes Curry (2011b: 141):

**Black thinkers function as the racial hypothetical of European thought whereby Black thought is read as the concretization of European reflections turned to the problem of race, and Black thinkers are seen as racial embodiments of white thinkers’ philosophical spiri**

**ts**. In this vein, the most studied Black philosophers are read as the embodiment of their white associates; **W. E. B. Du Bois is read as the Black Hegel, the Black James, the Black Dewey, and Frantz Fanon as a Black Sartre**, or Black Husserl. **This demonization of Black thinkers by the various manifestations of the European logos as necessary to the production of AfricanAmerican philosophy is a serious impediment to the development of a genuine genealogy** of the ideas **that actually define Africana philosophy’s Diasporic identity**.

**The insistence that Black philosophy parallel white philosophical traditions, such as pragmatism, feminism, and Rawlsianism, and arrive at integrationism as the concluding political goal suggests that the study of Black philosophy is little more than a disciplinary ruse. Critical Race Theory is consistently revised away from materialist interpretations** of racism and racist institutions **towards a focus on the history and racism of particular white European thinkers** (Curry 2017b). This derelictical demand is so powerful that **Black philosophers are rarely asked to verify, empirically or historically, their theories about racism. Instead, they are evaluated on the basis of the extent to which white philosophers can or do agree with their position**. Said differently, the racism of philosophy is so overwhelming and severe that **the question of whether or not a claim or statement about racism or Black people is true or false is arbitrated by whether or not there is a white consensus supporting or rejecting the claim**. Often, manifestly false statements about Black people are made by white and Black philosophers that are taken to be fact because white philosophers and the discipline at large agree to act and think as if the statement is true. These debates often concern easily verifiable facts of underrepresentation, the use of discourse and education to solve racism, and gender dynamics both intra- and inter-racially.

The problem of dereliction emphasizes the point that **philosophy is constructed with a white audience and public in mind. The admission of Black, Brown, and Indigenous students** into graduate programs across the country **is not meant to fundamentally change or reorient the discipline**. As a matter of professional survival, **racialized minority students are being professionalized to accept that their work must focus on global problems and sustain the supposed universalism of reason, ethics, and dialogue**, even while they rhetorically claim they reject such an orientation. Ensuring that young Black philosophers fear being labeled as too radical, or having their work designated as controversial or unsafe, is reason enough to self-censor and revise the original thinking of Black scholars. As such, **Black philosophy becomes a discipline accepted as philosophy by the extent to which it mirrors, or Blackfaces, the insights of white thinkers and theories**. Philosophy departments have ensured that conversations go unattended that concern the permanence of racism and the histories of trauma and bidirectional violence amongst Blacks (Hernandez et al. 1993; Cascardi and Avery-Leaf 2015; Curry and Utley 2018c). They have also ignored the imperialism and colonial heritage of feminism and the paternal benevolence that white women receive from patriarchal power and sexism, despite decades of research that documents the truth of such positions in the social sciences and history (Newman 1999, 2007; Glick and Fiske 2001).

Black philosophy is forced to interpret the world in the most elementary terms of white theory. Ellen Pence, one of the founders of the Duluth model, admitted that she simply made up the idea that patriarchy and sexist attitudes are causally linked to intimate partner violence, but Black philosophy commits itself to propagating this theory despite countless studies showing this is not true in white culture, and has never been the case amongst Blacks (Pence 1999; Mills 2009; Caetano et al. 2005). The intellectual repression of Black philosophers is so severe that popularly held opinions and majority (white) consensus can dictate the interpretations of race, class, and gender amongst Blacks. Many of the theories proposed by Black philosophers concerning racism, intimate partner violence, classism and privilege, underrepresentation, and sexism are routinely found to be out of line with, if not outright rejected by, the scientific accounts of the very same social problems. **The social sciences**, history, and epidemiology **have shown that the causes of social problems in white communities often have very different causes when analyzed in Black or Brown communities. In philosophy, however, there are no distinctions in causation. All social ills stem from** ignorance, patriarchy, or **some incredibly general theory that often lacks cultural specificity or racial nuance**. To appear legitimate, these categories simply mimic the already established thinking of whites and in doing so gain the appearance of truth. No matter the empirical findings or authoritative literatures by experts in other disciplines, all conversations about racism and Black folk that run contrary to the endorsed whites are effectively banned by social stigma and punished through professional ostracism.

**Black philosophy has a responsibility to engage the Black experience as a genuine site of existential reflection and epistemological tool making. The idea that Black experience and reality must be accounted for by white theories of causality or aim towards the same ends of white philosophy is delusional. Black philosophy must engage in radical theorizations that can be traced back to the problems tackled in the texts and debates of Black thinkers**. The **social prognoses suggested** by Black philosophers **should also have some accountability to the realities that Black people are facing in the U**nited **S**tates, **if not the world**. There is no time for idle thought that simply attempts to imitate white theories of causality and canonical traditions in order to be accepted. How can we demonstrate the importance of Black philosophy, if not for what we observe and verify in the lives of Black people in the world? **Its ability to express the full complexity of Black life and death in theory at the most abstract levels of thought is what is at stake in the Black philosophical project**.

#### Framework: Evaluate the 1AC as a holistic paradigm over just their plan text. To clarify, they need to win that their embodied performance and 1AC as a research object utilized in debate is valuable, as opposed to winning LAWs should be banned in the abstract.

## Case

#### The inventor’s property rights must be legally enforced through IP protections.

Sonderholm 10 discusses [Jorn Sonderholm (Professor with Specific Responsibilities at Aalborg University, Denmark, PhD in Philosophy from the University of St Andrews, UK, director of the Centre for Philosophy and Public Policy (C3P)), “Ethical Issues Surrounding Intellectual Property Rights”, Philosophy Compass 5/12 (2010): 1107–1115] SG

Traditionally, two distinct lines of thought have been fielded for the suggestion that IPRs are ethically justifiable. **One line of thought appeals to a natural right of an inventor to control the use of her innovation. This is the libertarian defense of IPRs** which has its historical roots in the writings of John Locke (Locke 1690). Robert Nozick has in more modern times been an advocate for this line of thought (Nozick 1974). **The libertarian view endows individuals with a natural right of appropriation.** This is the idea that **any innovator ⁄ worker who mixes her labor with a previously unowned object or natural resource comes to own this object or resource in full and can legitimately deny that other people use ⁄ appropriate this object or resource.** The natural right of appropriation central to libertarianism has an important proviso (famously formulated by Locke) which is an ‘enough and as good’ clause on original appropriation. The proviso states that one can only appropriate unowned resources if one leaves enough and as good for others. Where resources are scarce, one cannot legitimately stake a claim to something by annexing one’s labor to it. Neither can one come to own the scarce resource by enhancing its value. If the resource is necessary for the continued well-being of others, then the fact that x was the one who developed or improved the resource does not give x exclusive rights over it. x’s entitlement to reward for her labor is overridden by the entitlement of others to that which is necessary for their survival. **On the libertarian view, there is no morally relevant difference between, say, a farmer who mixes her labor with the land and thereby come to own the results of this interaction (the timber, the harvest, the fruits, etc.) and a medical researcher who mixes her labor with certain chemicals and thereby come to own the results of the interaction (physical objects and an intellectual idea ⁄ formula for an useful drug).** Provided that the farmer and the medical researcher pay heed to the Lockean proviso, they both come to enjoy a strong property right on the objects that result from their mixing their labor with unowned natural resources. **This natural property right is**, moreover, to be **written into the legal framework and enforced by the proper authorities** (police and courts of law). **Libertarians can therefore see trade agreements such as TRIPS as a legitimate legal enforcement of a pre-existing natural ⁄ moral right.**

#### Moral and economic rights go hand-in-hand – authors deserve compensation if others benefit from their work.

Pozzo 06 [Riccardo Pozzo (Professor of History of Philosophy at University of Verona, PhD from Saarland University), “Immanuel Kant on Intellectual Property”, Trans/Form/Ação, v.29(2), 2006, p.11-18] SG \*brackets for gendered language

**The peculiarity of intellectual property consists thus first in being indeed a property, but property of an action; and second in being indeed inalienable, but also transferable in commission and license to a publisher. The bond the author has on [their] his work confers [them]** him **a moral right that is indeed a personal right. It is also a right to exploit economically [their] his work in all possible ways, a right of economic use**, which is a patrimonial right. Kant and Fichte argued that **moral right and the right of economic use are strictly connected**, and that the **offense to one implies inevitably offense to the other.** In eighteenth-century Germany, the free use came into discussion among the presuppositions of a democratic renewal of state and society. In his Supplement to the Consideration of Publishing and Its Rights, Reimarus asked writers “instead of writing for the aristocracy, to write for the tiers état of the reader’s world.” (Reimarus, 1791b, p.595). He saluted with enthusiasm the claim of disenfranchising from the monopoly of English publishers expressed in the American Act for the Encouragement of Learning of May 31, 1790. **Kant**, however, **was firm in embracing intellectual property.** Referring himself to Roman Law, he asked for its legislative formulation not only as patrimonial right, but also as a personal right. In Of the Illegitimity of Pirate Publishing, **he considered the moral faculties related to intellectual property as an “inalienable right** (ius personalissimum) always himself to speak through anyone else, the right, that is, that no one may deliver the same speech to the public other than in his (the author’s) name” (Kant, 1902, t.8, p.85). Fichte went farther in the Demonstration of the Illegitimity of Pirate Publishing. He saw intellectual property as a part of his metaphysical construction of intellectual activity, which was based on the principle that thoughts “are not transmitted hand to hand, they are not paid with shining cash, neither are they transmitted to us if we take home the book that contains them and put it into our library. In order to make those thoughts our own an action is still missing: we must read the book, meditate – provided it is not completely trivial – on its content, consider it under different aspects and eventually accept it within our connections of ideas” (Fichte, 1964, t.I/1, p.411). At the center of the discussion was the practice of reprinting books in a pirate edition after having them reset word after words after an exemplar of the original edition. Given Germany’s division in a myriad of small states, the imperial privilege was ineffective against pirate publishing. **Kant** and Fichte **spoke for the acceptance of the right to defend the work of an author by the usurpations of others so that [they] he may receive a patrimonial advantage from those who utilize the work acquiring new knowledge and/or an aesthetic experience.** In particular, Fichte declared the absolute primacy of the moral faculties within the corpus mysticum. He divided the latter into a formal and a material part. “This intellectual element must be divided anew into what is material, the content of the book, the thoughts it presents; and the form of these thoughts, the manner in which, the connection in which, the formulations and the words by means of which the book presents them” (Fichte, 1964, t.I/1, p.411). Fichte’s underlining the author’s exclusive right to the intellectual content of his book – “the appropriation of which through another is physically impossible” (ibid.) – brought him to the extreme of prohibiting any form of copy that is not meant for personal use.

#### Reducing IP protections arbitrarily coerces pharmaceutical firms and it’s not their obligation to solve the AC’s harms.

Sonderholm 09 [Jorn Sonderholm (Professor with Specific Responsibilities at Aalborg University, Denmark, PhD in Philosophy from the University of St Andrews, UK, director of the Centre for Philosophy and Public Policy (C3P)), “Paying a high price for low costs: why there should be no legal constraints on the profits that can be made on drugs for tropical diseases”, Journal of Medical Ethics, 2009; 35: 315–319, https://jme.bmj.com/content/medethics/35/5/315.full.pdf?casa\_token=b8TNX5kGB\_wAAAAA:zRKPmCqJ-kr3DVtwY2o0SLrIkohVq871eo2UO6mHs3pxLy\_kODqFnzdfqUI3XUnjnXjWKP0vmQj-] SG

It is, however, difficult to see why these people are supposed to take an economic loss. **By allocating resources into the research and development of a treatment for malaria** (an enterprise that is likely to involve high economic risk), **the people with an economic interest in the company responded to a health crisis that existed independently of them. However, the moment the research has proved successful, a special obligation is laid on these people in the sense that they have to take an economic loss whereas the rest of us** (wealthy individuals, governments of developed and/or developing countries and international organisations) **do not have to incur a similar loss. Such a way of distributing the economic burden related to making the treatment available to those who would benefit from it is unfair in itself.** The unfairness of the proposal becomes even more startling when one considers that, **in addition to legally forcing the producer of the malaria treatment** (or, at a more abstract level, the producer of D) to lower the price on the treatment, **there are at least two other ways of fulfilling the victims of malaria’s right to the treatment being available to them** (or, at a more abstract level, the victims of T’s right to D being available to them). **One solution** consists in **creating a fund that buys the expensive drugs from the producers and thereafter distributes it to those who need it.** The resources of this fund will come from contributions made by individuals, governments, charities and international organisations. **Another solution** consists in **letting the governments of those countries that are affected by tropical diseases pay for the drugs.**