

Foreigners and Inclusion in Academia

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This article discusses the category of foreigner in the context of academia. In the first part I explore this category and its philosophical significance. A quick look at the literature reveals that this category needs more attention in analyses of dimensions of privilege and disadvantage. Foreignness has peculiarities that demarcate it from other categories of identity, and it intersects with them in complicated ways. Devoting more attention to it would enable addressing issues affecting foreigners in academia that go commonly unnoticed. In the second part of the article I argue that current efforts to make academia a more inclusive environment should address the disadvantages that many foreign academics face. I focus on two senses of foreigner: working and living in a country that is not your country of origin, and being a nonnative speaker of the language in which you work.

This article discusses the category of *foreigner* in the context of academia. In the first part I explore this category and its philosophical significance. This category has been neglected in the existing analyses of privilege and disadvantage. Foreignness has peculiarities that demarcate it from other categories of identity, and it intersects with them in complicated ways. Devoting more attention to it will help address commonly unnoticed issues affecting foreigners in academia. In the second part I argue that current efforts to turn academia into a more inclusive environment should tackle the disadvantages faced by many foreign academics. I focus on two senses of foreigner: working and living in a country that is not your country of origin, and being a non-native speaker of the language in which you produce your work. Adopting Verena Erlenbusch's taxonomy (Erlenbusch 2017), I use *material foreigner* to refer to the former sense, and *linguistic foreigner* for the latter.

I. FOREIGNNESS AND ACADEMIA

In this part I briefly review some of the work on foreigners in academia, revealing a lack of attention from the philosophical community. I then note that in analyses of burdens

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and privileges, foreignness is usually overshadowed by other dimensions of identity, and I propose including this axis as part of a more encompassing intersectional approach. As a first step, I explore the peculiarities of the native/foreigner axis and how it is affected by factors like country of origin, language competence, and accent.

FOREIGNERS IN ACADEMIA

A scattered body of research on foreigners in academia, particularly in US academic institutions, highlights the obstacles foreign faculty face. A quick review reveals relevant work in education (for example, Manrique and Manrique 1999; Skachkova 2007; Hutchison 2015); in linguistics and psychology (for example, Rubin 1992; Lippi-Green 1997); and in women's studies (for example, Mohanty 1986; John 1989). These works document prejudice against foreign instructors, and contain reports by foreign faculty of feeling vulnerable, and of being outsiders in ways that are difficult to pin down. For example, foreign faculty are expected to have extra expertise in questions related to their culture and country of origin, whereas they are expected to lack or have deficient competence in topics unrelated to those—an imposition that turns them into *native informants* (John 1989) as opposed to being fully included in the hosting knowledge community. Being an outsider *qua* a foreign scholar is often conflated with other ways of being an outsider. For example, in some cases reported by Penska Skachkova, it is often difficult to tell whether a given reaction was a response to perceived foreignness, gender, or race/ethnicity (Skachkova 2007).

The philosophy profession has not paid much attention to foreigners. A significant exception is recent discussion on linguistic foreigners, and on the more general question of the role the English language plays in contemporary philosophy (Mizrahi 2013; Contessa 2014; Ayala 2015; Terrone and Contessi 2016). These works raise important questions, for example, Gabriele Contessa wonders whether philosophy in English is universal, and I suggest that philosophers who are nonnative speakers of English might be subject to testimonial injustice. Especially relevant for my purposes is the fact that no philosophical attention has been paid to whether (and if so, how) foreign scholars face disadvantages similar to those faced by other *outsiders* in academia. This philosophical silence on the question of foreigners has two sides. On the one hand, we lack a philosophical analysis of the rich complexities that the category of foreigner brings to intersectional analyses of identity and power distribution. On the other hand, the native/foreigner axis is excluded from current discussions of issues of climate in the profession and in academia in general. I address the latter question in the second part of this work. I explain next why this lack is also philosophically significant.

PHILOSOPHY: WHERE ARE THE FOREIGNERS?

In intersectional analyses of identity and of the different dimensions along which burdens and privileges are distributed, the category of foreigner is either absent or

overshadowed by more salient categories like race, class, or gender. Let me illustrate these claims.

Several places in feminist scholarship address the material foreigner. For example, in the context of feminism in the US, work in transnational feminism has paid attention to immigrant rights. In discussing globalization and the problematic production of migrant workers, Chandra Mohanty highlights how gender, race, class, and country of origin (according to the by itself problematic first/third world dichotomy) are tightly intertwined (Mohanty 2003). Moreover, feminist philosophers have examined immigration justice through a gender lens, for example, how seemingly gender-neutral immigration policies translate into practices that negatively affect women immigrants (Wilcox 2005). The work of Latin American philosophers working in the US has illuminated the peculiar and intricate ways in which Hispanics and Latin@s in the US live at the intersection of (negative) forces that operate upon race/ethnicity, class, gender, and immigration status (for example, Alcoff 2009). In those varied analyses, immigration is usually seen through the lens of race/ethnicity, class, and gender; as a result, the material foreigner is overshadowed by these other dimensions.¹ As I discuss below, this is for good reasons, but let me first illustrate it with an example.

Jacqui Alexander and Chandra Mohanty explicitly mention briefly how being an immigrant constitutes an additional axis upon which exclusion within the US academy occurs. They relate their coming to the US in the 1980s (from Trinidad and Tobago and India, respectively), joining the US academy, in particular women's studies, and how they were positioned as outsiders along several dimensions, including their immigration status: "As 'immigrant' women of color, we were neither the 'right' color, gender or nationality in terms of the self-definition of the US Academy" (Alexander and Mohanty 1997, xiv). They point out that their position as material foreigners, defined and regulated by the *citizen machinery* system, added complexity to their (already given) status as outsiders: their exclusion was not exhausted by their race and gender. "The citizen machinery deployed by the state which positioned us as resident aliens ('deviant' non-citizens; 'legal' immigrants)" (xiv) was also operative within the discipline, women's studies, codifying an outsider status different from other outsider statuses, for example, that of women of color born in the United States.

I find especially important that their racialization, which significantly affects their position in US society and within academia, is completely determined by their entering into the US. It is in the US that they became people of color. "We were not born women of color, but became women of color here" (xiv). This makes their race entirely dependent on their geopolitical location.² There are two interesting questions here. First, this invites a (strongly context-dependent) social-constructionist account of race. Second, it highlights that for at least some cases, processes of racialization are guided and instantiated through migration moves. In this sense, the dimensions of foreignness and race are interdependent, and we could go further: in some cases, racialization is constituted, at least in part, by foreignness. This interdependence makes it difficult to identify, both in the abstract and in particular cases, upon which dimension (foreignness or race) certain social dynamics are operating. Conflating these dimensions might have negative effects. For example, Ronald Sundstrom warns

against analyzing xenophobia through the lens of (national narratives of) racism, for this diminishes xenophobia's moral wrongness (Sundstrom 2013). The high impact that migration often has on race stands in marked contrast to the common fate of the foreignness dimension in academia: being overshadowed by other salient dimensions, in particular, race.

As I see it, Alexander and Mohanty's attention to country of origin according to the first/third world dichotomy has more to do with class (economic and political position in the global economy) than with immigration status and foreignness. When immigration is discussed in the framework of first-/third-world workers, material foreigners are first of all classed persons: working-class or poor people who in more or less extreme circumstances migrate to richer countries to take low-paying jobs in usually abusive conditions.

Thus, although it is powerful and illuminating, Alexander and Mohanty's brief reference to the axis of foreignness does not completely engage with it. Their focus is race/ethnicity, gender, and class (via country of origin). My point here is not that we should pay attention to foreignness *instead of* race/ethnicity, sex/gender, or class, or that the former dimension is more important than any of the latter. Rather, I propose that a more substantive analysis of the peculiarities of the foreignness axis is an important project to pursue.

It is important to acknowledge that a focus on race/ethnicity, gender, and class as salient axes of discrimination is more than justified. When we try to explain the injustices that, for example, many Latin American migrants encounter in the US, most explanatory power comes from their being perceived as persons of color (and in many cases of certain socioeconomic status, real or perceived), which translates into the jobs they are given and the positions they end up having in US society. Compare these visitors to the other extreme of the spectrum: white visitors from northern Europe (tourists or temporary visitors staying for work or study reasons). In this comparison, it is obvious that race/ethnicity and socioeconomic status are the critical dimensions. Although both are migrants and have to deal with immigration policy, a person from Mexico who works washing dishes in a restaurant in Berkeley, and one from Germany who studies at the University of California have little in common; their different positions in US society and the things afforded to them in daily interactions (for example, perceived competence) to a large extent track with the way they are racialized and their (real or perceived) socioeconomic status. The dimensions of (dis)ability and sexual orientation intertwine in similarly powerful ways.

Race/ethnicity, gender, socioeconomic status, and country of origin according to the first/third world dichotomy, as well as (dis)ability and sexual orientation, are key dimensions affecting the landscape of possibilities for those who migrate. Distribution of burdens and privileges systematically tracks those dimensions. In contrast, being a migrant, a foreigner, by itself falls short of capturing what is important. An analysis of the aforementioned example, which pays exclusive attention to the foreigner dimension, would produce in many cases not only a limited, but also a distorted picture. Being a foreigner on occasion works as a privileged position,³ and isolating it would not help explain the radical shifts from privilege to the opposite. Does this

mean that the dimension of foreigner does not do any interesting work in the social dynamics or has no epistemic value? The answer is “no.”

THE PECULIARITIES OF FOREIGNNESS

A lesson from intersectional analyses is that when multiple identities and systems of oppression combine (which is usually the case), the goal is not to identify the most fundamental and important one to which all the others can be reduced. Instead, the aim is to understand the different contributions and how they modulate one another, acknowledging the complexity, also when (even if!) it complicates our analysis (it certainly complicates empirical research, and perhaps also political strategies, as it was often said back in the day to justify feminist movements that excluded non-heterosexual or nonwhite women). A not uncommon assumption within White feminist approaches to oppression in the US before Black feminists introduced the need for an intersectional perspective, was that some systems of oppression and the identity dimensions upon which they operate necessarily overshadow others (ontological sense), and therefore in order to understand (epistemic sense) and address (pragmatic sense) those systems of oppression, isolating and focusing on the most fundamental one is the right way to go. In contrast to these ontological, epistemic, and pragmatic assumptions, intersectional analyses vindicate the simultaneous and irreducible operations of multiple dimensions, therefore inviting more inclusive, less biased (ableist, heteronormative, racist, elitist. . .) approaches to discrimination and oppression (Crenshaw 1991). Excluding or overshadowing the category of foreigner from intersectional analyses therefore betrays one of the imperatives of intersectionality.

As mentioned above, although many researchers have highlighted the significance of the citizen-machinery system of oppression (by focusing on immigration justice), the category of foreigner remains overshadowed (often for the good reasons indicated above) by more powerful axes of, for example, race/ethnicity, class, and gender. Drawing attention to this, as I am doing here, does not call for a drastic revision. That is, in order to rescue foreignness from the shadows, we do not need to give up the idea that other dimensions are more explanatorily powerful. I propose to explore ways in which the native/foreign axis can be introduced into the mix, without questioning the critical role the other axes play. This exploration is possible if, in the spirit of intersectionality, we picture dimensions of identity and systems of oppressions not as isolatable variables composing a hierarchy, but as a complex system encompassing a variety of axes upon which distribution of burdens and benefits operates. This system is importantly context-sensitive and changes over time. These two features acquire extra importance when foreignness is included in the picture: over time, individuals might cease to be material foreigners because they become permanent residents or citizens, while continuing to be foreigners in other senses (for example, linguistic or cultural; see Erlenbusch 2017). Given the peculiarities of foreignness that set it apart from other dimensions of identity, including it might bring some new nuances into intersectional analyses. Let me briefly go over some of them.

Foreignness is extremely context-sensitive and transient. It can be modulated, that is, it can be gradually increased or decreased, by changing behavior, appearance, and also by training speech (which invites some degree of choice), and it can be modulated also in absolute terms, by changing geographical location, which is not necessarily a free choice. It is also importantly transient, and usually, and interestingly, *desired* to be overcome, so independently of whether people become foreigners by an indirect act of will (that is, a more or less forced migration), my impression is that they often wish to reduce their foreignness through both formal ways, for example, applying for permanent residency, and informal ways, for example, not identifying as foreigners, or working to minimize their accents. This wish to blend in might be a need, rather than a preference, in response to the habitual practices of *othering* foreigners. For as long as there are traces of foreignness (for example, foreign accents), individuals are constantly confronted with the need to address (and explain) their identity as foreigners. It is relevant to note that although questioning people on other dimensions of identity is acknowledged as morally problematic, this is not the case with foreignness. For example, comments on foreign accent are generally accepted, and accent commonly triggers questions and assumptions about country of origin that are assumed to be unproblematic.⁴

Several moderators (that is, accent, language proficiency, country of origin) push foreignness in different directions, boosting some disadvantages or alleviating them (more on this below). So there is an extra step of complication when adding foreignness to the picture: depending on these moderators, foreignness will combine with the other categories, resulting in very different statuses of vulnerability or power.

MODERATORS OF FOREIGNNESS

There are at least three moderators of foreignness: competence in the language(s) of the country of destination, accent, and country of origin. Language proficiency is of obvious importance. Language competence is not advantageous only because it enables someone to communicate, but because it doesn't signal foreignness. In order for language competence to count in foreigners' favor, they also need to be perceived as competent. However, accented speech is often wrongly taken as a proof of lack of competence, and people with perfect command of, for example, English are often treated as if they lack competence due to their accents. In turn, accent often serves as a powerful trigger of prejudice and discrimination, although in a surreptitious and unacknowledged way (Lippi-Green 1997).

The significance of country of origin is not restricted to the country's location in the first/third world dichotomy.⁵ The various foreign policies of countries result in extremely different immigration procedures people have to go through to enter, stay in, work in, and re-enter a country different from the one issuing their passport. And this translates into extreme variability in opportunities. Whereas someone from Germany or Spain can enter the US as a tourist and stay for three months without needing to apply for a visa, a Russian person needs to apply for a visa, which makes the

process longer and more costly (visas have associated fees, and involve taking trips to embassies that can last days or even weeks). All of this introduces a lot of uncertainty for the visitor. For example, Russian scholars working in the US who want to attend a conference in Europe must go through a long, expensive, and uncertain preparation process. First, they need to secure a US visa stamp that would allow them to return to the US. To do that they need to leave the US and go back to Russia for an appointment at a US embassy—or, if they are lucky, they might be able to go to a third country to process their visa; often the latter is a more desirable option due not only to time and money savings but to safety considerations (for example, for queer people, a trip to Russia is rather risky nowadays); however, traveling to a third country requires first obtaining a visa for that country, which involves an extra round of paperwork, fees, and traveling to the embassies for interviews. Once at the US embassy, they go through an interview (if they are on a nonimmigrant visa, as is usually the case for students, postdocs, and visiting scholars, they need to prove a lack of intent to stay in the US—a challenging process where evaluation of evidence is highly dependent on the subjective impression the embassy officer forms about the applicant). If the visa is approved, they wait until their passport is returned with the visa stamp, so they can re-enter the US. Finally, they need to apply for a European visa to attend the conference, going through yet another round of paperwork, fees, and interviews, proving they will not stay in Europe after the conference. The same holds for many other nationals (for example, from India, China, Ecuador, Syria, and so on) traveling from the US to Europe or vice versa to attend academic events.⁶ In contrast, for an Australian scholar working in the US, going to a conference in Europe entails none of this expensive, time-consuming labyrinth.

Clearly, country of origin has a significant impact on the finances, well-being, and opportunities of foreign scholars. To the travel expenses, accommodation, and visa fees for every round of a visa application, add the weeks that the scholars are not working while they go through the process; add the risk of wasting all the invested resources, because the visa frequently fails to arrive in time to attend the conference; and finally, add the stress. Thus, under current immigration regulations, Russian citizens face extra obstacles compared to, for example, citizens of the European Union—and race does little to explain this difference.

Country of origin also exerts its influence through the associated stereotypes. The stereotype valence varies with the country, resulting in a positive or a negative impact on migrants' daily interactions, the very process of visa application, and their opportunities in the academy. The more negative the stereotypes associated with one's country of origin, the more one's credibility is undermined on the street, in the classroom, and during the travel and immigration processes.⁷

WELCOMING FOREIGNNESS

In spite of the obvious salience of race/ethnicity, gender, class, (dis)ability, and sexual orientation, to do justice to the intersectional framework, in particular to its emphasis

on the inclusion of all the different dimensions of identity and their irreducibility, we need to include in our analyses the category of foreigner in a full-bodied sense, not only as an immigrant (material foreigner), but also as a linguistic foreigner. The complexities and transience of the foreignness axis, and the varied and intricate ways in which it interacts with other dimensions of identity, makes it a difficult but highly interesting target of analysis. Importantly, and as I argue in the next section, there are disadvantages some linguistic and material foreigners face in academia that typically go unnoticed. The benefits of an intersectional analysis that includes foreignness are not only theoretical, but also practical.

II. FOREIGNERS AND DIVERSITY AND INCLUSION EFFORTS IN ACADEMIA

In this part I argue that diversity and inclusion efforts in academia (DIEA from now on) should pay attention to the disadvantages that many foreign scholars face, in particular the ones I describe below. My argument is as follows:

- (i) in some cases being a foreigner disadvantages scholars in ways that are similar to the disadvantages that are the focus of DIEA
- (ii) attention to these disadvantages, and the dimension of being a foreigner as a dimension of exclusion, is absent from current DIEA
- (iii) if DIEA are to be coherent, they should address these disadvantages
- (iv) therefore, DIEA should include in their agenda the disadvantages faced by foreigners.

Before focusing on disadvantages affecting foreigners specifically, I discuss some academic practices that disadvantage different groups of scholars generally.

BIASED STANDARDS

It is getting to be more and more difficult to overlook and justify the exclusion practices that shape all stages (from student admissions to tenure evaluation) and aspects (from the design of syllabi to the format of conferences) of academia. Attention is being paid to the harm these practices cause (both to individual scholars and to institutions) and to the injustice they constitute. Awareness-raising efforts address several ways in which exclusion operates. Here I focus on the practice of *biased standards*: applying flawed measures of academic success that put many individuals at a disadvantage by falsely attributing to them incapacity or inadequacy of performance. I focus here on three cases.

Student Evaluations of Teaching

It is a standard practice to measure teaching effectiveness in great part (or even completely, depending on the institution) based on student evaluations of instructors.

These evaluations are also used for the tenure decision. We know, however, that teaching evaluations are biased against women (Boring, Ottoboni, and Stark 2016). Therefore, this standard of heavy reliance on teaching evaluations disadvantages women.

Conference Services

The standard services available to attendants at conferences are limited in a way that disadvantages mostly women and people with disabilities. For example, the usual lack of childcare at conferences disadvantages mostly women with children (and/or who are nursing), who are forced to decline invitations to academic events that are important for their careers (Lombrozo and Gruber 2016). Although there are now regulations in many countries and institutions to make conferences accessible to everyone (for example, by providing interpreting services), compliance is lagging behind, and in many cases scholars need to engage in long exchanges with organizers and institutions to get those accommodations in place and/or the associated expenses covered. This has a clear negative impact on people with disabilities, limiting their opportunities to participate and the consequent professional development, or putting on them the burden of securing those accommodations, investing time and effort in negotiations with institutions.

Time and Investment

There are (implicit) standards about the time it takes to do work-related tasks like reading a text, or preparing for a conference or for a new job. And these standards disadvantage deaf and disabled academics. Teresa Blankmeyer Burke points out “the limited resource of time that constrains Deaf and disabled academics in unique ways in the academy” (Blankmeyer Burke 2016). This standard of time consumption creates disadvantages in two ways. On the one hand, people do job-related tasks in different ways, for example, getting information from an American Sign Language video versus from an English text. These formats require different time investments, but because the standard measure of time consumption is set for nondisabled people, disabled academics are disadvantaged. On the other hand, for many disabled people the arrangements to give a talk at a conference might take a huge amount of extra time and effort, for doing so often requires exchanging (many!) emails with institutions to secure accommodations. When institutions don’t cooperate, these emails are emotionally taxing, and more time is then invested “in getting information about the institutional budget and institutional structure; looking for allies, including other deaf academics who had worked with this institution; looking up institutional policies and law (state and federal); plus consulting with lawyer friends and academic friends about what to do” (Blankmeyer Burke 2016). These two different ways in which time standards affect disabled people invite different sorts of considerations. With regard to the first sense, Blankmeyer Burke suggests a possible parallel case: women who give birth while they’re on the tenure track are disadvantaged on the tenure path.

Stopping the clock for tenure for these women, and parental leave, are ways of alleviating this. This shows that the standards for time consumption can be questioned and adjusted to be less exclusive. With regard to the second sense, it seems obvious that the burden of securing participation in academic events should not be on individual scholars. Regulations and protocols, and competent staff, should take care of that. It should be a formality, instead of a personal battle the affected individual scholar has to fight.

In these three examples, the standards about what a fair evaluation of teaching effectiveness and tenure is, what services conferences provide, and the time and effort scholars are expected to invest in work-related tasks are biased in favor of some people, and against many others. With such standards, the performance of many people might look insufficient (for example, fewer conferences on one's CV, worse teaching evaluations, lower overall number of publications at the time of tenure evaluation), which easily invites explanations in terms of some deficiency of the individual. These practices have clear negative effects on the careers and well-being of those scholars. As a consequence of attending fewer events, scholars have fewer chances to have their work discussed and known by others; as a consequence of the time and effort dedicated to preparing for participation in a single conference, scholars are unable to work on their research; and worse teaching evaluations might jeopardize getting tenure.

WHEN FOREIGNNESS IS A DISADVANTAGE

Here I argue for premise (i) in the list at the beginning of this section. I contend that the three biased practices described above *also* disadvantage some foreigners.

Student Evaluations of Teaching

Although data about gender bias in teaching evaluations have appeared only recently, there is a well-established body of research about prejudiced perception of nonnative speakers. People with foreign accents are generally perceived as less credible and skilled, less intelligent, and less competent (for example, Giles 1973; Bradac 1990; Boyd 2003; Fuentes et al. 2012). Interestingly, for these effects to occur, the speaker does not even have to have an accent; as long as listeners merely *believe* they are listening to accented speech, that is sufficient to bias their perception (Rubin 1992). Negative attitudes toward nonnative speakers affect how native English-speaking US college students perceive the quality and success of communication exchanges with non-native-speaker instructors, relative to objective measures of success (Lindeman 2002). Once we connect this body of research with the academic practice of reliance on teaching evaluations, it is difficult not to conclude that this academic practice disadvantages scholars who are nonnative speakers (linguistic foreigners).

Conference Services

Given travel limitations for immigrants (for example, visa procedures are long; some visas get denied), many material foreigners cannot attend conferences. That conferences are not expected to offer accommodations in the form of remote participation via internet (a reasonable option given existing technology in many universities, and its common use for other purposes, for example, job interviews) turns this into a disadvantage for material foreigners.

Time and Investment

Material foreigners deal with immigration processes that require a lot of time (for example, preparing applications, exchanges with administrative staff, traveling to embassies) and economic investment (fees, including for attorneys), and this often comes with stress, given the high stakes. To the uncertainty associated with any immigration process, we have to add that many institutions lack appropriate information and professional support. Many institutions neither have staff competent on immigration issues nor consult immigration attorneys when filing for visas, and this not only invites costly mistakes (like losing a tenure-track job due to a missed deadline by HR staff, as reported in Leiter 2013),⁸ it also puts a huge burden on foreigners, who often need to figure many things out on their own, as if they were the first international scholars hired in the country.⁹ This lack of institutional support entails that the foreigner has to do extra research (for example, on immigration and employment laws) and invest money even before starting the job. Thus, incorporating into a new job can be an extra-taxing procedure for a foreigner. When hiring foreign tenure-track faculty, some US institutions do not take responsibility for the application for permanent residency (that is, green card). This means that the institution does not cover the expenses (which for an individual applicant can be around \$11,000),¹⁰ and that the scholar needs to hire an attorney and take sole responsibility for the process. This would make sense if the green card were an optional perk for foreign tenure-track faculty, in which case the institution has no principled obligation to provide support and take an active role in the process. But as it happens, it is not optional. A work visa has a duration limit (for example, the H-1B visa that foreign tenure-track faculty usually hold has a limit of six years). Without a green card, the scholar is hired for a “permanent” job that they will necessarily have to leave in a few years (six years or fewer, depending on the type of visa the scholar previously had). This lack of support for green-card filing essentially signals that the institution is counting on the new hire *not* getting tenure. Apart from being self-contradictory, this practice puts the whole burden on scholars, who need to invest a lot of time, effort, and money in making sure everything is (correctly) done so they can start (and retain) the jobs they have been hired for.

The questions that arise regarding women and people with disabilities who are disadvantaged by these three practices of biased standards (that is, who needs to accommodate what? If a person cannot participate in a conference because no interpreters

have been arranged for them, are they to blame? Should the scholar be responsible for securing funding to pay for interpreters? Is the burden on the woman who cannot attend the conference because of the lack of childcare and/or a nursing room? Are individual scholars responsible to battle and negotiate with each organizing institution so childcare/appropriate accommodations are provided?) also arise for foreigners (that is, if foreigners cannot attend an international conference because their immigration status restricts their international travel, are the foreigners to blame? Must foreigners work to secure their own visas/green cards in order to be able to start and/or continue their jobs, or should the institution provide support [financial and in the form of professional advice and handling]?). Whereas for some people the impossibility of attending a conference or starting a job due to immigration laws and procedures is merely unfortunate, I think there is a case to make for a claim of injustice. Most important, and as I explain below, this situation is neither inevitable (inevitability is the golden argument of those who lazily conform to injustice or do not want to see it), nor outside the domain of academia. A lot could be done to alleviate it (for example, expanding what we consider to be reasonable accommodations on the part of conferences, and what we consider to be the duties of an institution with regard to international scholars).

(COHERENT) SOCIAL JUSTICE CONCERNS

In this section I argue for premises (ii) and (iii) above, and address two possible objections to my argument. In relation to (ii), I merely state what should be apparent to everyone: DIEA neither include foreignness as a dimension of exclusion, nor address the disadvantages I described above.

Let's now turn to premise (iii). The current exclusion of foreigners from DIEA is not coherent with the motivation and goals of those efforts, that is, the concern for social justice and a commitment to improve the quality of research and education. The exclusion of people from tenure positions, conference participation, and in general from positions and contributions within academia on the basis of academic standards that are biased is a main concern of DIEA. The inclusion of women, racial minorities, LGBTQIA people, and people with different (dis)abilities is a goal of DIEA. If I am right that biased standards also disadvantage some foreigners, excluding those foreigners from DIEA goes against its very fight for a fair and inclusive academy. Like the aforementioned groups and identities, foreignness is also a protected class,¹¹ and if at least some foreigners are disadvantaged, how can their exclusion be justified? Two possible objections to my argument undermine my conclusion.¹²

Choice Objection

The first objection says that the disadvantages foreigners might face are critically different from the disadvantages that operate upon dimensions of sex/gender, race/ethnicity, disability, class, and sexual orientation, which are the focus of DIEA, and so

even if we accept that they are somehow disadvantaged, they are not so in the way that matters for DIEA. For one thing: people do not choose the dimensions of identity listed above, whereas most if not all foreigners in academia choose to be so. This objection echoes a very powerful distinction: the refugee/economic migrant distinction that is part of legal systems and public discourse. Whereas the refugee has no choice, the economic migrant does; and it is only the former who deserves legal protection, exactly for that reason. The appeal of this distinction has been revived in recent months in Europe, in what some call the “refugee crisis” and others the “migrant crisis.” Some media outlets have angrily talked about fake refugees trying to take advantage of the asylum system. To be eligible for refugee status you must prove you have no choice with regard to leaving your country of origin. In this reasoning, not having a choice in what you are or do is what grants you the right to protection. Notice that mainstream LGB political movements have taken up the same choice framework in the “born this way” campaign.

One response to this objection is to question the boundaries between what is inevitable and what is a choice. Many international scholars actually do not have much choice, given the scarcity of professional opportunities in their countries of origin (and they certainly had no choice about being born into such countries). Thinking about migrants more generally, choices of some so-called economic migrants are not that different from what many refugees face. (Is running away from persistent poverty and disease that different from fleeing the poverty and disease brought by war? How do torture and persecution compare to hunger and systematic exploitation?) If we accept that rights and protection lie where choice is absent, a case could be made that many people who migrate (scholars included) do not have a choice.

A different response, the one I favor, consists of avoiding the framework of choice altogether. Choice has no bearing on discrimination, all the more when the choice is not about something morally salient. Protection against injustice should not depend on people meeting certain conditions. Kieran Oberman makes a relevant point. He invites us to imagine a health-care system that treats only those who are sick or injured for particular reasons. This system would treat victims of assaults, but not those suffering from a stroke or malnutrition (Oberman 2016). Such a system, which identifies eligible patients based on the reason for their need for medical attention, and not on the need itself, lacks any moral sense. Migrants should not have the burden of proving lack of choice for their rights to be recognized. Epistemic limitations are not the only source of concern about the choice framework (that is, how can we make sure they really do not have a choice? Can even people leaving their country be completely sure of that? If they could possibly tolerate a single additional abuse before leaving, does this make leaving a choice?). Even if we could overcome these limitations, justice should not depend on the morally irrelevant choices people make (such as country of residence). With regard, again, to LGB political movements, Edward Stein proposes that arguments for LGB rights should appeal to fairness and justice, as opposed to biological considerations about what sexual orientation is and whether choice is involved (Stein 2011). I take a similar position with regard to DIEA and the rights that these efforts are aimed at granting. DIEA is about securing

inclusion and diversity, out of concern for social justice. Excluding from DIEA a group of people because they chose to be part of an academic community in a country different from their country of birth is untenable in moral terms, and starts a dangerous slippery slope not unfamiliar in debates about social injustice: aren't all underrepresented groups in academia choosing to be there?

The Academia Versus Immigration Objection

The second objection addresses premise (iii) and states that academic practices that affect foreigners qua immigrants are not the concern of DIEA, and of academia in general. Disadvantages derived from immigration status belong to a different terrain, that is, immigration laws, which lie outside of academia's social-justice concerns. Against this objection, I first point out that law and justice do not always go together, and concerns for social justice often aim at changing the law. Resistance to unjust laws is actually the goal of many academic endeavors, and of admirable movements within academia (for example, providing education and protection to undocumented students). Moreover, limiting the beneficiaries of social justice to citizens (and therefore distorting it) is a disputable consequence of the nation's sovereign right to determine membership. It is not obvious, and certainly questionable, that academic institutions should work as nations within nations and endorse the same border control and exclusion of nonnationals from social justice. Second, many of the disadvantages faced by material foreigners in academia respond to how institutions (mis)handle and/or implement the relevant legal regulations. In a number of unfortunate cases of bad faith on the part of institutions, existing legal regulations have actually protected foreign scholars from losing their jobs and being deported. Alleviating some of the disadvantages foreigners face, and in particular those resulting from biased standards, might not require any legal changes.¹³

WHAT TO DO NEXT

Now, what would it take to make DIEA more inclusive of foreigners? Here are some possible steps. First, when departments in US institutions turn to students' teaching evaluations of non-native-speaker instructors, they should take into account the solid empirical evidence about the negative perception of nonnative speakers. Second, conference organizers could plan to accommodate online participation.¹⁴ This does not necessarily require more money (quite likely the opposite) and might have other advantages. Finally, institutions could address the disadvantages related to time and investment in two ways: a) institutions could adopt a common protocol in the process of hiring foreign scholars, so each foreigner does not have to reinvent the wheel and invest time researching visa and green card application processes; b) institutions should take responsibility for assisting international faculty by creating the conditions necessary for them to perform the jobs for which they were hired. This includes legal aid and financial assistance. Institutions that do not support tenure-track scholars'

applications for green cards should consider that it is incoherent to hire someone for a permanent job while refusing to take responsibility for the procedures necessary to keep that person on the job beyond the first few years. The assumption that taking care of the *immigration issue* is foreign scholars' responsibility reflects a very problematic idea commonly held in xenophobic discourses: that being a foreigner, an immigrant, is an individual's flaw, a handicap the individuals need to overcome with their own means in order to be incorporated into *normal* functioning. Besides being morally problematic, this attitude devalues the positive contributions of foreign scholars to their institutions.

III. A FINAL CAUTIONARY TALE

One explanation for the scarce attention paid to foreigners' disadvantages within academia is that their position as educated people, connected to well-reputed academia, is at odds with the stereotype of an immigrant, which prevents the transfer of any negative force operating upon the latter. The negative consequences of being an "immigrant" may appear to be canceled out by membership in the somewhat prestigious category of "international scholar," removing all the obstacles immigrants face. This view fares well in highlighting many injustices associated with immigration that are absent in the context of academia, but the picture it paints is far from accurate, and it certainly prevents a complete analysis and a better understanding of the nuances of foreignness in academia. More attention to foreignness promises both theoretical and practical benefits.

As a final, cautionary note: Elora Chowdhury warns about the "benevolent first world feminist" in the US who devotes her efforts to trying to alleviate oppression of women elsewhere while being "oblivious to the US government's role in creating or exacerbating harsh conditions for the women with whom she so wanted to be in solidarity" (Chowdhury 2009, 52). I take Chowdhury's point to highlight how efforts toward inclusiveness and diversity within academia might be on occasion in conflict with the very goals motivating them. The social-justice-seeking actions (and omissions) designed from (more) accommodated positions (citizen academics, in this case) can end up reinforcing the opposite of what motivates them when they fail to question the bigger political picture with which they align, one that jealously guards national borders and demands a high price from those who cross them.

NOTES

In 2016 I was awarded a *Hypatia* Diversity Project Grant that enabled me to organize the workshop "Foreigners in Philosophy" (March 29, 2016, University of California, Berkeley). This article is the result of that experience. I would like to thank *Hypatia* for the support, and the speakers and audience at that workshop for coming together to discuss this

underexplored topic. I would also like to thank Monika Chao, Ásta Sveinsdóttir, and Shelley Wilcox for their help with organizing the workshop.

1. Although these analyses pay attention to country of origin, they do so through the lens of the first/third world dichotomy. As I discuss below, this makes class, rather than foreignness, the focus of analysis.

2. Examples abound of this process of gaining a race as one crosses borders, for example, people from Spain are often racialized as white in some parts of Europe, but become persons of color in the US.

3. Examples of foreignness being a privilege include not only the obvious tourists and business people in poor countries, but also North American activists in South American countries, European volunteers working in NGOs in African countries, and so on.

4. See Ayala 2017 for an analysis of the impact that comments about accent have on conversations.

5. This dichotomy is highly problematic for many reasons; here my concern is exclusively that it does not exhaust the variety of associations between country of origin and a positive/negative impact on migrants.

6. In the process of writing this article, legal regulations in relation to immigration have rapidly changed in the US and Europe. Nationals from several countries are facing new, extreme obstacles, especially in the US.

7. Stereotypes and negative assumptions about countries are often imposed on individuals, undermining their credibility. This adds a challenge to the requirement for some visa applicant categories to prove the lack of intent to stay in the destination country. For example, in one (real) case, a Russian woman scientist applying for a US visa to give a job talk at Harvard was questioned and required to give a part of her talk on molecular biology to the embassy officers to prove she was really a scientist, because they suspected she was actually traveling to the US just to marry the male faculty member whose name appeared in the invitation letter. The stereotypes around Russian and Eastern European women undermined her credibility and jeopardized her freedom to travel.

8. I know of four cases of irresponsible handling: filing an incomplete visa application and preventing the scholar from starting their job; filing an application with incorrect name, date of birth, and visa category, forcing the scholar to hire a lawyer to correct the mistakes and avoid having the visa denied; filing visa documents too late and demanding that the scholar pay for expedited processing (\$1,225) in order to secure the visa and job before classes started; not responding to inquiries about extending an existent work visa, and doing so too late, so the scholar did not have the extension approved on time to travel abroad during the summer.

9. This lack of responsible handling on the part of some institutions conflicts with what is expected given existing legal regulations. The applicant for a H-1B visa must be the employer, not the employee.

10. Estimate from Eng & Nishimura law firm.

11. US law includes national origin and citizenship as protected classes against employment discrimination.

12. Here I do not address a more basic objection according to which foreigners are not disadvantaged in any way within academia.

13. Immigration regulations in the US and UK are rapidly changing, so things might look different in the near future.

14. For example, the annual Philosophers' Cocoon conference (University of Tampa) offers remote participation; the Minds Online conference (The Brains Blog) is entirely online.

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