

EPISTEMIC INJUSTICE: UNDERSTANDING ACROSS DIFFERENCE

by

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This thesis is dedicated to my father, Alan Webster.

You are often in my thoughts.

## TABLE OF CONTENTS

ABSTRACT.....	vii
ACKNOWLEDGEMENTS.....	viii
CHAPTER 1: INTRODUCTION.....	1
CHAPTER 2: EPISTEMIC INJUSTICE.....	6
2.1 Feminist Theory and Power Inequalities.....	6
2.2 Two Forms of Epistemic Injustice.....	9
2.2.1 The Paradigm Case of Hermeneutical Injustice.....	14
2.2.2 The Virtue of Hermeneutical Justice.....	21
2.3 Conclusions.....	23
CHAPTER 3: HERMENEUTICAL INJUSTICE AND EPISTEMIC AGENCY...25	
3.1 We Understand More Than You Might Think.....	25
3.1.1 Epistemological Individualism.....	26
3.1.2 Community Holism.....	31
3.1.3 Individuals-in-Communities.....	43
3.1.4 Reframing the Paradigm Case.....	50
3.2 We Can Say What We Understand.....	63
3.2.1 Two Kinds of Discourses.....	65
3.2.2 First Wave Feminism and Marital Rape.....	66
3.2.3 Reciprocity in Testimonial Exchanges.....	72
3.3 Conclusions.....	75
CHAPTER 4: CONCLUSION.....	78
4.1 The Social Knowledge of Non-Dominant Social Groups.....	78
4.1.1 Testimonial Injustice.....	79

4.1.2 The Origin of the Collapse of Hermeneutical Injustice.....	88
4.1.3 The Collapse: Double Epistemic Injustices?.....	95
4.1.4 Testimonial Smothering.....	100
4.2 Clarifying our Role as Virtuous Listeners.....	106
4.2.1 Attending to Difference.....	108
4.3 Conclusions.....	117
BIBLIOGRAPHY.....	120

## **ABSTRACT**

Miranda Fricker argues that powerless social groups may be subject to a unique form of injustice: hermeneutical injustice. On her account, deficiencies in the shared tools of interpretation may render the experiences of powerless social groups (for instance, women prior to the era of second wave feminism) both incomprehensible and incommunicable. In this thesis, I argue that Fricker has mischaracterized hermeneutical injustice and the silence of marginalized social groups: rather than lacking understanding, powerless groups are often denied rational authority with respect to their own social experiences or choose to self-silence. For this reason, I argue that many of the cases of hermeneutical injustice offered by Fricker collapse into cases of testimonial injustice. This mischaracterization has led Fricker to propose solutions to hermeneutical injustice that are inadequate; in response, I offer a solution that prescribes self-reflexive awareness of the ways that power and privilege shape our interpretive frameworks.

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## CHAPTER 1: INTRODUCTION

One of the fundamental starting points in feminist epistemology is the notion that all knowledge is perspectival. On this view, knowledge claims and beliefs are systematically shaped by the social location of epistemic agents thereby structuring what is and what could be known. Due to the partial and particularized nature of epistemic agency, questions of value and justice are central to feminist epistemological projects: to approach epistemology as a feminist is to elucidate the ways that power and privilege influence epistemic practices and systems of knowledge. Crucially, because the material, epistemological and ontological conditions of social positioning shape our claims ‘to know’, approaching epistemology with the aid of a feminist lens offers alternative theoretical and critical perspectives to the traditional approaches of the Anglo-American mainstream.

Using the tools afforded by feminist epistemology, my thesis is devoted to illuminating those epistemic practices that hinder or enhance understanding and communication in two of our most commonplace knowledge practices: testimony and the interpretation of our everyday social experiences. My analysis is centred on Miranda Fricker’s account of epistemic injustice, specifically hermeneutical and testimonial injustice. In step with the feminist critique, Fricker argues that traditional Anglo-American epistemology has paid insufficient attention to the effects of social power on epistemic practices. In order to reveal the relationship between power and knowledge, Fricker maintains that we ought to think of epistemic subjects not in abstraction but as socially situated subjects who stand in relations of power to one another.

With the notion of power relations and epistemic practices in mind, my thesis has two main aims: first, to provide a critical analysis of Fricker and to remedy problematic features in her argument, in particular, her impoverished conceptualization of epistemic agency. I argue that once some of these problematic features are remedied, Fricker's account of hermeneutical injustice collapses into her account of testimonial injustice. My second aim is to supplement Fricker's account of testimonial injustice with theoretical resources from feminist epistemology in order to clarify the practices of testimonial silencing that socially powerless groups may experience.

I begin Chapter 2 with a brief overview of epistemic injustice and then home in on hermeneutical injustice, the starting point of my critique. Hermeneutical injustice, as explained by Fricker, is the injustice of having a particular social experience obscured from collective understanding due to a structural prejudice in the collective hermeneutical resources. On Fricker's account, hermeneutical injustice is caused by inequalities in social power that exclude members of certain social groups from participating in those practices where social meanings are generated. As a result, the shared tools of interpretation become structurally biased in favour of those with more social power and the experiences of less powerful social groups are distorted, or even absent, from the collective hermeneutical resources. As an upshot, when 'gaps' or 'lacunae' exist in the collective hermeneutical resources—absences of proper interpretations or concepts for certain social experiences—Fricker thinks that members of less powerful social groups may be unable to both make sense of their own social experiences and to render them communicatively intelligible. Using Fricker's paradigm case of hermeneutical injustice

and the development of the term ‘sexual harassment’, I sketch out the contours of this particular form of injustice.

In Chapter 3 I motivate resistance to Fricker’s account of hermeneutical injustice, and I argue for two claims. First, I contend that Fricker problematically assumes that the absence of a name for a given social experience generates a collective lack of understanding in society at large; I argue that this claim is false. Using Fricker’s own paradigm case of hermeneutical injustice, I show that even in the absence of the concept ‘sexual harassment’ and a proper widespread interpretation of unwanted sexual advances in the workplace (as instances of wrongdoing), there is good evidence to support my contention that women like Carmita Wood did understand the nature of their social experience. I argue that this problematic assumption stems from Fricker’s (implicit) commitment to ‘community holism’ as a model of epistemic agency. On this view, individual understanding is dependent on proper social understanding; when conceptualized in this way, individuals are merely derivative knowers of society at large. I offer an alternative account of epistemic agency based on Heidi Grasswick’s notion of ‘individuals-in-communities’. I argue that using Grasswick’s account we may plausibly explain how individual understanding may be achieved despite misunderstanding at the level of general social understanding due to a hermeneutical lacuna.

Following this discussion, I argue for a second claim; namely, Fricker’s assumption that a hermeneutical lacuna may render a given social experience communicatively unintelligible is false. In support of my argument, I first highlight an important objection raised by Rebecca Mason who argues that Fricker problematically conflates ‘collective’ with ‘dominant’ hermeneutical resources, thereby ignoring the non-

dominant resources available to render a given social experience communicatively intelligible. In support of Mason's argument, I argue by way of counter-example to Fricker's assumption. Using the example of first wave feminist activism and the protest of marital rape I show that using non-dominant discourses first wave feminists argued in 'plain language' and used the idiom of 'legalized prostitution' to protest the dominant social meanings that distorted the experience of forced sex in marriage.

With this in mind, I draw two conclusions in Chapter 3: despite lacunae in the dominant hermeneutical resources, in some cases, members of non-dominant social groups can still (i) understand their social experiences and (ii) render those social experiences communicatively intelligible. Finally, I end with a cautionary note about the use of non-dominant discourses in eliciting understanding when asymmetric 'gaps' exist across dominant and non-dominant discourses.

With the groundwork of Chapter 3 in place, in Chapter 4 I argue that in some cases Fricker's account of hermeneutical injustice collapses into testimonial injustice. That is, in those cases where members of non-dominant social groups are denied the rational authority to speak knowledgeably about their social experiences, they are silenced and prevented from participating in those epistemic practices that Fricker thinks are essential to human flourishing. I further motivate my argument and argue that Fricker's remedy for eradicating hermeneutical injustice is incoherent owing to a contradiction in her argument. I suggest that because Fricker fails to consider that non-dominant social groups may undergo a kind of coerced silencing, she mischaracterizes the silence of members of non-dominant social groups as a paucity in collective understanding. To elucidate the nature of this coerced self-silencing, I add theoretical

resources to Fricker's analysis and argue that Kristie Dotson's account of testimonial smothering more adequately captures the oppressive epistemic practices that prevent members of certain social groups from expressing their marginalized points of view.

Finally, I conclude Chapter 4 with a brief discussion of Fricker's virtue-based strategies, which are intended to mitigate hermeneutical and testimonial injustice. In doing so, I clarify our role as virtuous listeners, and I highlight the importance of attentive and self-reflexive awareness in virtuous listening. I argue that Lisa Bergin's account of communication across difference provides an important dimension that is absent from Fricker's virtue-based strategies. Because successful linguistic communication requires not only that a speaker is bestowed appropriate assessments of credibility but also that the speaker's words are (i) understood and (ii) understood in the way that the speaker intended them, a virtuous listener should attend to what the speaker is saying, as well as the interpretive framework that he or she uses to understand the speaker's testimony. I argue that when asymmetric gaps exist across dominant and non-dominant discourses, eliciting understanding when the dominant conceptual repertoire is impoverished may require a critical re-thinking of the way that a given piece of testimony is framed. Thus, attentive awareness of one's social positioning, as well as the ways that power and privilege may distort one's own understanding is a crucial feature in successful communication across difference.

## CHAPTER 2: EPISTEMIC INJUSTICE

### 2.1 Feminist Theory and Power Inequalities

One common point of concern among feminist theorists is the effect of power inequalities on the structure of interpretive and communicative resources within a given society. These theorists aim to elucidate the ways that those occupying positions of power influence the meanings and discourses that accompany aspects of everyday life and experience. Iris Marion Young highlights this asymmetric power dynamic in what she calls “cultural imperialism”—the notion that dominant groups are apt to exert considerable control over the means of interpretation within a society—so much so that the dominant group’s experience becomes the universalized norm and the perspectives of non-dominant groups are rendered invisible (Young 59). This projection of a universalized set of experiences by a dominant group often goes unnoticed and may simply be viewed as ‘business as usual’.

To illustrate this notion, Nancy Hartsock argues that traditional moral and political discourses are often grounded in “the standpoint of exchange” (qtd. in Fraser 425). The experiences of a person occupying this standpoint are characteristic of a white, male, property owner operating in the public sphere; this person believes that he or she embodies the qualities of rationality and self-sufficiency and engages with others in utility-maximizing and self-interested ways (qtd. in Fraser 425). Due to the nature of the qualities and experiences that might characterize a person occupying this social location (and a failure to recognize his or her physical and psychological dependence on others), our moral and political categories often fail to capture the experiences of less powerful groups whose experiences may include ongoing relationships of dependency and care, as

well as relationships of solidarity within a particular community (Fraser 425). This might include the relationship between a mother and her child or the intra-community networks within subordinated ethnic groups (Fraser 425). In a similar spirit, Seyla Benhabib argues that universalistic moral theories, as well as some social contract theories, conceptualize moral subjects as “generalized others”—identical and abstract rational agents—as opposed to “concrete others” with particular histories, affective states and interpersonal relationships (736-747). For instance, in the Rawlsian social contract theory, individuals occupying “the original position” bargain behind a “veil of ignorance” where one’s own class position, one’s natural abilities like intelligence and strength and one’s conception of the good are unknown (Benhabib 745).<sup>1</sup> On this view, Benhabib argues, “[d]ifferences are not denied; they become irrelevant” (745).

Like Hartsock and Benhabib, but in the context of health care discourses, Susan Sherwin argues that biomedical understandings of illness and disease often reflect the experiences of those occupying positions of power and authority (236). For instance, given that the paradigmatic image of stress is that of a high-powered business executive, the list of events that are associated with stress are factors that affect the stereotypical male working in the public sphere (Sherwin 236-237). Absent from this list are the stressors that may affect minority groups like immigrant elders who experience radical changes in life context (e.g. climate, food, language, and interpersonal relationships) or the poor who must live without adequate heat, shelter, nutrition, sanitation, and clean water. Consequently, in discourses centred on health and stress, the social and material reality of subordinated groups is often ignored.

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<sup>1</sup> See Rawls (1971).

When the interpretive and communicative resources within a society are structured in such a way that the perspectives and voices of the powerless go unheard, Young argues that the socially powerless experience a kind of “paradoxical oppression”; “they are both marked out by stereotypes and at the same time rendered invisible” (59). When the experiences of dominant groups within society are deemed ‘normal’ or ‘given’, changing the dominant perspective can require considerable shifts in social power. Margaret Urban Walker explains: “Some people’s standards of intelligibility may rule informally, protected from challenge by the challenger’s lack of socially recognized credibility” (78). Although this type of discrimination may be both harmful and unjust, because it is so deeply ingrained in the everyday habits, values and institutions of more powerful social groups, oftentimes it goes unnoticed.

In keeping with these feminist theorists, in *Epistemic Injustice: Power and Ethics of Knowing* Miranda Fricker argues that traditional Anglo-American epistemology has paid insufficient attention to the effects of social power on epistemic practices. In order to unearth the relationship between knowledge and power, Fricker argues that we need to bring to light the ethical aspects of two of our most ordinary knowledge practices: testimony and the interpretation of our everyday social experiences (2007, 1).<sup>2</sup> On Fricker’s account, epistemic practices necessarily involve socially situated human subjects whose experiences and understandings are shaped by the material, ontological, and epistemological conditions of their social positioning (Fricker 2007, 147). Social positioning, roughly, is defined as one’s social location within a given social or cultural

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<sup>2</sup> Fricker argues that although there are several phenomena that may be brought under the general heading of an ‘epistemic injustice’ (e.g. the distribution of epistemic goods like information and education), she is concerned with those injustices that she thinks are *distinctively* epistemic where “a person is wronged specifically in his or her capacity as a knower” (2007,1).



community. As a result of occupying a particular social location, an individual's experiences will be influenced (contingently) by "sex, race, class, sexual orientation, citizenship, [etc.]" (Intemann 2008). Importantly, Fricker thinks that epistemic subjects should not be "conceived in abstraction from relations of social power", but instead as "operating as social types who stand in relations of power to one another" (2007, 3). As a consequence of taking human psychology more seriously and elucidating the relationship between epistemology and ethics, Fricker develops an account of two different forms of epistemic injustice.

## **2.2 Two Forms of Epistemic Injustice**

In broad strokes, epistemic injustice is a wrong done to a person, specifically in his or her capacity as a knower (2007, 1). According to Fricker, epistemic injustice wrongs a person in his or her capacity to be a subject of knowledge—a capacity that she thinks is essential to being human (2007, 5). The systematic misrecognition that constitutes this particular form of injustice often arises due to the workings of social power. Social power, explains Fricker, is the capacity to influence how things unfold in the social world (2007, 9). Fricker suggests that this may play out in two ways: first, it may occur structurally where no particular agent exercises social power (2007, 10). For example, due to complex social dynamics, a particular social group may be (informally) excluded from democratic processes due to their lack of involvement in voting practices (2007, 10). Alternatively, social power may be agential and exercised in an active or passive manner: imagine a traffic officer who has the power to issue fines to drivers (Fricker 2007, 9). When a traffic officer issues a fine to a driver for a parking offence, she has exercised active power. Now, contrast this with a driver whose parking

behaviour is influenced in virtue of his knowledge that he could receive a fine for a parking offence; this is the traffic officer's passive power in action. Ultimately, like any kind of power relation, social power has an object whose actions are being controlled (Fricker 2007, 13). In a social context, the objects of control include those groups or communities who may be identified according to, for instance, the dimensions of gender, race, age, class, health or sexual identity. When power is aligned with social identity, i.e., identity power, the influence of power relations extends beyond the level of individual belief and operates at the level of the collective social imagination (Fricker 2007, 14). On Fricker's account, the collective social imagination is a kind of "imaginative social-coordination"—shared conceptions (or stereotypes) of what it means to have a particular social identity (Fricker 2007, 14).

The first kind of epistemic injustice, testimonial injustice, occurs when attributions of epistemic credibility imitate the structures of social power. Fricker suggests that this may occur in two ways. First, good informants may be ignored given their identification with a subjugated social group. This can lead to the denial of their rational authority even if they are legitimate possessors of knowledge—they are attributed a kind of credibility deficit (Fricker 2007, 21). As a result, these knowers are unable to participate in the transmission of knowledge and the hearer misses out on an opportunity to acquire knowledge. At the other end of the spectrum, individuals occupying positions of social power may be subject to a kind of credibility excess (Fricker 2007, 17). In this case, the attribution of epistemic credibility extends beyond the individual's actual knowledge base and epistemic competence—a kind of credibility

excess that may stem from his or her privileged social positioning (Fricker 2007, 18). In both kinds of testimonial injustice, Fricker thinks that the testifier may be wronged.<sup>3</sup>

Hermeneutical injustice, the second type of epistemic injustice and the starting point of my investigation, is defined as “the injustice of having some significant area of one’s social experiences obscured from collective understanding owing to a structural identity prejudice in the collective hermeneutical resource” (Fricker 2007, 155). The collective hermeneutical resource may be defined as our shared tools of social interpretation; they are the social meanings that we draw upon to make sense of our everyday experiences (Fricker 2007, 6). According to Fricker, when social power impacts the collective hermeneutical resources, the powerful tend to have an unfair advantage in structuring social meanings (2007, 147-148).<sup>4</sup> This means that, due to unequal power relations, the interpretive resources available for understanding social experiences tend to be well-suited to voicing the interests and the experiences of those who occupy positions of relative power and privilege. If we “think of our shared understandings as reflecting the perspectives of different social groups” Fricker explains, “relations of unequal power can skew shared hermeneutical resources so that the powerful tend to have appropriate understandings of their experiences ready to draw on as they make sense of their social

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<sup>3</sup> Fricker does qualify the wrong of credibility excesses. She argues that a single episode of credibility excess does not constitute a testimonial injustice per se; although a single episode of credibility excess may be disadvantageous to an agent it does not “undermine, insult, or otherwise withhold a proper respect for the speaker *qua* subject of knowledge” (2007, 20). However, cumulative cases of credibility excesses could wrong a subject in his or her capacity as a knower over the long-term (Fricker 2007, 21). For instance, a member of the ruling elite in a hierarchical class society might develop a false sense of confidence about his or her cognitive authority rendering him or her “dogmatic, blithely impervious to criticism, [etc.]” (Fricker 2007, 20). Thus, in a sense, Fricker suggests that we might think that this person “has in some degree quite literally been made a fool of” and may fail to develop certain epistemic virtues (2007, 20). This, of course, would constitute a special kind of testimonial injustice (one that is cumulative and develops over time), and it is not the focus of Fricker’s account.

<sup>4</sup> Fricker uses the terms collective hermeneutical resource (singular) and collective hermeneutical resources (plural) interchangeably. This suggests that Fricker thinks there is *one* collective pool of social meanings that members of a given society draw upon to make sense of their social experiences.

experiences” (2007, 148). This hermeneutic bias stems from the fact that our interpretive efforts tend to be geared toward our own interests and when the powerful have little interest in achieving proper interpretations of the experiences of less powerful groups, “hermeneutic hotspots” emerge (Fricker 2007, 152).<sup>5</sup> In other words, gaps arise in the conceptual repertoire—absences of proper interpretations—“blanks where there should be a name for an experience” (Fricker 2007, 160).<sup>6</sup> Oftentimes, these gaps will be filled in by extant (mis)interpretations, which are in the interests of the powerful to perpetuate. Consequently, when it comes to making sense of their own experiences the powerless will, sometimes, have “at best ill-fitting meanings to draw on in the effort to render them intelligible” (Fricker 2007, 148). As an upshot of this phenomenon, Fricker thinks that socially powerless groups are often unable to dissent from distorted understandings of their own social experiences (2006, 96).

Fricker argues that when certain social groups unequally participate in the generation of social meanings with respect to some area(s) of social life, members of that group are “hermeneutically marginalized”(2007, 153). As a result, the collective hermeneutical resource becomes structurally prejudiced; that is, powerful groups will tend to issue biased interpretations of other—less powerful—groups’ experiences (Fricker 2007, 155). When hermeneutical marginalization is both persistent, widespread *and* affects people according to their social identity—for instance, in virtue of being a woman or a member of a particular racial group—the collective hermeneutical resource is

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<sup>5</sup> To clarify the terminology, Fricker uses the terms hermeneutical ‘gaps’, ‘hotspots’ and ‘lacunae’ interchangeably in her account.

<sup>6</sup> Fricker often uses the terms ‘proper’ and ‘appropriate’ understandings; however, because she does not define what constitutes a ‘proper’ or ‘appropriate’ understanding, this point remains somewhat vague and unclear in her argument. Her account seems to imply that there may be one correct (or maximally accurate) way of interpreting a given social experience.

not just structurally prejudiced; it is fundamentally “discriminatory” (Fricker 2007, 155). In these cases, the prejudice affects individuals “qua social type” (Fricker 2007, 155).

Due to women’s powerlessness relative to men during the era of second wave feminism (roughly, from the early 1960’s to early 1980’s), women were marginalized across a range of social dimensions. To capture the general nature of this far-reaching social powerlessness, Fricker argues that: “[I]f marginalization tracks a subject through a range of different social activities besides the hermeneutical, then the hermeneutical injustices to which it gives rise are systematic” (Fricker 2007, 156). Systematic hermeneutical injustices are, thus, both persistent and wide-ranging (Fricker 2007, 156). Due to women’s social positioning prior to and during the era of second wave feminism, women were marginalized from many areas of the labour force. Because women did not tend to occupy professions that Fricker thinks makes for significant contribution to the collective hermeneutical resources (for instance, law, journalism, academia, and politics), they did not participate on par with men in the generation of social meanings (2007, 152). Fricker thinks that a social group’s exclusion from these types of meaning-generating practices creates the crucial background condition to hermeneutical injustice—hermeneutical marginalization (2007, 159). This, then, sets the conditions for a structural identity prejudice in the shared interpretive resources (Fricker 2007, 158). Consequently, in virtue of women’s membership in a socially powerless group, many of their experiences were characterized by a broad range of ill-fitting social meanings, for example: “sexual harassment as flirting, rape in marriage as non-rape, post-natal

depression as hysteria, reluctance to work family-unfriendly hours as unprofessionalism, and so on” (Fricker 2007, 155).<sup>7</sup>

In order to illustrate how this type of systematic hermeneutical marginalization plays out, Fricker uses an example from Susan Brownmiller’s memoir *In Our Time: Memoir of a Revolution*, a book about the US Women’s Liberation Movement. In the next section, I outline this real case study and the development of the term ‘sexual harassment’. Following this, I further explicate Fricker’s account of hermeneutical injustice.

### **2.2.1 The Paradigm Case of Hermeneutical Injustice**

In what I will refer to as Fricker’s ‘paradigm case of hermeneutical injustice’, Fricker sketches out the ways that an impoverished collective hermeneutical resource can negatively impact the lives of the socially powerless. In this example, Carmita Wood, a middle-aged single mother of two, quit her administrative job in the nuclear physics department at Cornell University. Having worked at the university for eight years, she applied for unemployment benefits, but struggled to articulate her reasons for leaving when she filed her claim. As she filled out the form, she remembered how she was treated by one of the distinguished professors in the department: after the annual Christmas party he cornered her in the elevator and kissed her on her mouth. He also deliberately brushed up against her breasts when reaching for papers, and he would jiggle his crotch while standing next to her desk. As a result of these unwanted occurrences, Wood tried to avoid this particular professor: she requested—and was declined—a

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<sup>7</sup> Fricker explains that hermeneutical gaps may also concern not just the content but the form of what can be said (160). Consequently, a characteristic expressive style of a particular social group may not be recognized in the collective hermeneutical resources. Fricker illustrates this phenomenon with Carol Gilligan’s argument that women have a ‘different voice’ when it comes to ethical deliberation and judgment. This ‘different voice’ is often interpreted as irrational and morally immature (160).

transfer to a different department, she developed a host of stress-related health problems and eventually she quit her job. At a loss for words to describe these episodes she scribbled “Personal” as her reason for leaving her job on the claim form. Consequently, her request for unemployment benefits was denied.

After being denied unemployment benefits, Carmita Wood decided to attend a seminar for women in the workplace organized by feminist activist Lin Farley. At the seminar, Wood shared her story with the other attendees. It was not long until all the women present—including both the staff and students—realized that at some point they all had the experience of unwanted sexual advances in the workplace. After sharing their stories for the first time, and upon discovering the commonalities of their experiences, one attendee described her experience as: “[O]ne of those *click, aha!* moments, a profound revelation” (Fricker 2007, 150).

The seminar set the wheels in motion for political activism: two feminist lawyers were contacted to handle Carmita Wood’s appeal for unemployment benefits. Moreover, the women decided to break the silence about ‘this’ type of experience and speak publicly—despite the fact that the ‘this’ they were going public about still had no name. After a brainstorming session and several attempts to name ‘this’ experience—“sexual intimidation”, “sexual coercion”, “sexual exploitation on the job”—the women still weren’t satisfied or in agreement on a name that captured the whole range of subtle to overt behaviours that they had experienced (Fricker 2007, 150). Then, as one of the women recounted, “Somebody came up with “harassment”. *Sexual Harassment!* Instantly we agreed. That’s what it was” (Fricker 2007, 150).

Fricker thinks that this case study illustrates how the collective hermeneutical resources can be deficient with regards to a distinctive social experience; there is a lacuna “where the name of a distinctive social experience should be” (2007, 150-151). As a result of a hermeneutical lacuna, Wood and the other women lacked a name and a proper interpretation for unwanted sexual advances in the workplace and because these women had no name—no concept—for this one social experience, Fricker thinks that they were both prevented from understanding and from rendering their experience communicatively intelligible (2007, 161). What they needed was a distinct concept—sexual harassment—to launch them out of the conceptual black hole. Without this concept, “Wood was at a loss to describe the hateful episodes” (Fricker 2007, 150). It is for this reason, Fricker thinks, when a lacuna is revealed it may be experienced as “a life-changing flash of enlightenment” by those who are negatively affected by the lacuna (2007, 153).

In those cases where the collective hermeneutical resources are impoverished, individuals or groups occupying positions of relative power (like the Cornell physics professor) may have little interest in achieving a “proper interpretation” of an experience (Fricker 2007, 152). Instead, they might rely on extant misinterpretations to understand and describe the situation. For example, in Fricker’s paradigm case, had Wood challenged the professor with regards to the unwanted sexual advances in the workplace, the professor and those in positions of comparative social power might have relied on extant social meanings, locating Wood as the source of the problem. She might have been labelled as “lacking a sense of humour” because surely everyone knows that “repeated sexual propositions in the workplace are never anything more than a form of ‘flirting’” (Fricker 2007, 152-153). In these situations, interpretations of this sort are often to the



advantage of those occupying positions of power and privilege. As Fricker's paradigm case is meant to illustrate, due to the 'filling in' of hermeneutical lacunae with misfit interpretations, hermeneutical inequality may go unnoticed.

Fricker argues that a gap in the collective hermeneutical resource results in a blanket "cognitive disablement" in collective understanding; that is, everyone is deprived of a proper understanding with respect to a given social experience (2007, 151). Prior to the linguistic baptism of the term 'sexual harassment' Fricker thinks that both men and women were prevented from understanding this particular social experience, so men acted as though sexual advances in the workplace were "*ex hypothesi* quite general" (2007, 151). Thus, in the case of Wood and her harasser, both "are cognitively handicapped by the hermeneutical lacuna—neither has a proper understanding of how he is treating her" (Fricker 2007, 151). However, Fricker argues, the injustice arises not from this cognitive disablement per se; rather, the injustice arises from the fact that the resulting harm due to this cognitive disablement is asymmetric (2007, 151). In the case of Wood, although both the harasser and harassee lacked the concept 'sexual harassment', it was Wood and women in general who were unable to render intelligible an experience that was in their best interest to render intelligible. Because this one social experience was not "collectively understood", in the case of Wood, it "remained barely intelligible, even to her" (Fricker 2007, 162). Owing to the hermeneutical lacuna, Fricker thinks that women like Wood were left "deeply troubled, confused, and isolated, not to mention vulnerable to continued harassment"(Fricker 2007, 151). The cognitive disablement of Wood's harasser, on the other hand, left him relatively unscathed: because the behaviour suited his purpose, the existence of a lacuna prevented his behaviour from even being

protested (Fricker 2007, 151).<sup>8</sup> Clearly, then, what makes hermeneutical injustice an injustice is that fact that it is “both harmful and wrongful” because it is “discriminatory [and/or] unfair” (Fricker 2007, 151).

Hermeneutical inequality manifests in full-blown hermeneutical injustice when a person’s “attempt at intelligibility is handicapped by it” (Fricker 2007, 159). This means that in cases of hermeneutical injustice, a person is essentially doomed from the outset when it comes to making sense of his or her own experience, either to herself or to an interlocutor, owing to a deficiency in the collective hermeneutic resources (Fricker 2007, 159). When this background condition is realized and a person tries to articulate a poorly understood experience to an interlocutor, without a name and proper interpretation, the speaker gropes to find the right words—which may not even exist (2007, 159). For example, had a woman in a position similar to Wood attempted to verbalize her experiences to an employer, she might have managed to articulate something along the lines of: “She is made uncomfortable” by his “persistent flirtation” because she did not have the words ‘sexual harassment’ (2007, 159). Similarly, in the case of Wood, without the concept ‘sexual harassment’ to write on her claim form, Fricker thinks she was “guaranteed [to lose] out” (2007, 162).

One distinctive feature of hermeneutical injustice is that it involves no specific culprit (Fricker 2007, 159). Since no particular agent perpetrates the harm—no one person is responsible for deficiencies in the collective hermeneutical resources—one

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<sup>8</sup> According to Fricker, the professor’s cognitive disablement is not a significant disadvantage to him; she suggests that the hermeneutical lacuna is merely a source of epistemic and moral bad luck (2007, 151). Fricker suggests that if the professor had understood the seriousness of his bad behaviour, he may very well have refrained from mistreating Wood (2007, 151). From the professor’s perspective, the epistemic problem, then, is that he was able (or perhaps even encouraged) to think of himself as a decent person while in fact, his actions harmed Wood.

cannot blame or hold an individual responsible for the lacuna, even if the injustice has devastating effects on a person's life. Hermeneutical injustice is, thus, a purely structural form of discrimination and asymmetries only play out in concrete social and practical circumstances (Fricker 2007, 159). To flesh this out further, Fricker invites the reader to imagine a welfare state, one that provides free health care at the point of delivery. There is, however, a lacuna in the available services—no free dental care. Fricker explains:

Formally speaking, there is nothing intrinsically unjust about there being a lack of free dental care, for it is the same for everyone—there is, so to speak, a collective lacuna in the welfare system. There is a formal equality, then; but as soon as one looks at how this formal equality plays out in practice in the lived social world, a *situated* inequality quickly reveals itself: people who cannot afford private dental care suffer from the lack of general provision, and people who can afford it do not. In such cases of formal inequality but lived inequality, the injustice is a matter of some group(s) being asymmetrically disadvantaged by a blanket collective lack[.] (Fricker 161)

What this shows, then, is that formal equalities, in this case, no free dental care, constitute genuine and substantive inequalities in actual social contexts. Analogously, hermeneutical lacunae (like gaps in the provision of dental care) are detrimental to the interests of only a particular social group despite a “blanket collective lack” of proper understanding (Fricker 2007, 161). The primary harm of hermeneutical injustice is, thus, a situated hermeneutical inequality: due to structural identity prejudice in the collective hermeneutical resources, a group of individuals, qua social type, is excluded from the pooling of knowledge. “Hermeneutical lacunas,” explains Fricker, “are like holes in the ozone—it’s the people who live under them that get burned” (2007, 161).

The harm, however, does not end there; one can experience secondary harms too. For example, Wood suffered physical symptoms brought on by stress, she was unable to transfer jobs, and as a single mother denied unemployment benefits, she ran the risk of

financial insecurity when she quit her job (Fricker 2007, 162). In addition to these practical disadvantages, hermeneutical injustice can trigger secondary epistemic harms: it can thwart your intellectual courage and throw your epistemic confidence into a tailspin (Fricker 2007, 163). Together, all of these factors may result in a literal loss of knowledge or an inability to gain new knowledge; for example, Wood could have lost out on opportunities for professional advancement if her mistreatment had remained occluded from collective understanding. Ultimately, Fricker argues, when there is a mismatch between one's lived experience and one's received understanding, the resulting feeling of dissonance can go so far as to "knock your faith in your own ability to make sense of the world" (2007, 163).

The picture Fricker paints is bleak: it is not clear how one could flee the hermeneutic shadows. Fortunately, Fricker contends, there is hope for the hermeneutically marginalized and the possibility of resistance. To a certain extent, this resistance may be a matter of historical contingency (Fricker 2007, 166). In addition, aspects of one's identity may bring about a second dimension that may be useful in resistance: for instance, perhaps one is educated and middle-class or intelligent and psychologically resilient (Fricker 2007, 166). So, it is in virtue of the fact that "authoritative constructions" affect people collectively but non-uniformly that a sense of dissonance may be created and one may even begin to see particular interpretations as absurdities (Fricker 2007, 166).<sup>9</sup> Importantly, it is this kind of cognitive bootstrapping

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<sup>9</sup> Fricker argues that hermeneutical 'gaps' impinge on society *collectively* thereby preventing society at large from achieving a "proper understanding" of a given social experience (2007, 151). However, she also argues that although misinterpretations affect society collectively, they do not necessarily affect individuals uniformly. Thus, Fricker seems to be suggesting that while individual understanding may be variable or a matter of degree, a "proper understanding" is beyond the reach of an individual. I return to this point in section 3.1.4.

that can instigate a hermeneutical revolution; once one finds one social construction to be foolish or nonsensical, it can throw a whole slew of others into question (Fricker 2007, 167). This sense of dissonance, then, serves as the launch pad for critical thinking and intellectual courage, which Fricker takes to be the crucial mechanism for resistance activities like consciousness-raising groups (Fricker 2007, 167).

### **2.2.2 The Virtue of Hermeneutical Justice**

When gaps in the collective hermeneutical resources hinder the communicative intelligibility of a speaker, Fricker thinks that a hearer—a virtuous hearer—can help mitigate this communicative impairment. According to Fricker, the virtuous hearer is one who possesses the virtue of hermeneutical justice, which takes the form of “an alertness or sensitivity to the possibility that the difficulty one’s interlocutor is having as she tries to render something communicatively intelligible is not due to its being nonsense or her being a fool, but rather to some sort of gap in the collective hermeneutical resources” (2007, 169).<sup>10</sup> When engaged in a testimonial exchange, the virtuous hearer exhibits a sort of reflexive awareness, a keen eye and a keen ear, to the ways that his or her social identity and that of the speaker impact on the intelligibility of what is said and how it is expressed. The guiding ideal, then, “is that the credibility of the speaker is adjusted upwards to compensate for the cognitive and expressive handicap imposed on the hermeneutically marginalized speaker by the non-inclusive hermeneutical climate, by structural identity prejudice” (Fricker 2007, 170). The virtuous hearer, recognizing that the testimony’s low intelligibility may be due to a hermeneutical lacuna, will promptly make the necessary upward adjustments such that “what the speaker is struggling to

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<sup>10</sup> It should be noted that Fricker does not suggest that a virtuous listener is one who might make the effort to put him or herself in the position to actually give authority to voices that are typically marginalized. I return to this point in section 4.2.1.

communicate would make good sense if the attempt to articulate it were being made in a more inclusive hermeneutic climate—one without structural identity prejudice” (Fricker 2007, 170). Consequently, the virtue of hermeneutical justice is a kind of “corrective” virtue that corrects for the initial credibility judgment (Fricker 2007, 170).

The proactive listening style of the virtuous hearer is characterized by a social awareness, which with practice could even be done with a certain amount of “spontaneity” (Fricker 2007, 173). The virtuous hearer thus displays a capacity for “indefinitely context-sensitive judgement” where he or she listens to “as much to what is *not* said as what is said” (Fricker 2007, 171-172). In doing so, in practical contexts with sufficient time, the virtuous hearer may be able to effectively create a more inclusive hermeneutical microclimate in a discursive exchange. The effectiveness of such a strategy will, however, be dependent on the degree to which the speaker shares a given social experience. For instance, the strategy may be more effective for two women who have both experienced unwanted sexual advances in the workplace. Since virtuous hearing may be limited by one’s own social identity, the speaker may seek out “corroborating evidence” from other people with similar social experiences (to the speaker) (Fricker 2007, 172). Of course, time is of the essence, and this may be difficult to achieve depending on the circumstances, so as a fall back the virtuous hearer will simply withhold judgment and keep an “open mind as to credibility” (Fricker 2007, 172).

Fricker thinks that one of the ethically positive roles for the virtue of hermeneutical justice is that, in theory, when collectively exercised, it could circumvent or even eliminate hermeneutical injustice altogether (2007, 174). Although the virtue is only corrective in structure, when stringently exercised by enough people, this ‘critical

mass' could generate enough hermeneutic microclimates that are "conducive to the generation of new meanings to fill in the offending gaps" (Fricker 2007, 174). So while the exercise of the virtue aims to eliminate hermeneutical injustice by mitigating hermeneutical marginalization, Fricker thinks that one must also remember the crucial background condition that is primarily responsible for hermeneutical marginalization in the first place—unequal relations of social power (2007, 174). So, while individual virtuous conduct has its place, at the end of the day "group political action for social change" is what is ultimately required (Fricker 2007, 174). Nonetheless, when the virtue is put into practice, "from the individual hearer's virtue, not to mention the individual speaker's experience of their exchange" Fricker believes "it is justice enough" (2007, 174).

### **2.3 Conclusions**

In this chapter, I presented a brief overview of Fricker's two forms of epistemic injustice, namely testimonial injustice and hermeneutical injustice. Hermeneutical injustice, the starting point of my critique, is the injustice of having one significant area of one's social experience collectively misunderstood due to a structural identity prejudice in the shared tools of interpretation. I explicated Fricker's paradigm case of hermeneutical injustice—a case study that is intended to illustrate the asymmetrical disadvantage experienced by members of hermeneutically marginalized social groups when the collective hermeneutical resources are biased in favour of those with more social power. As illustrated by the case of Wood, when structural identity prejudice exists in the collective hermeneutical resources, the experiences of less powerful social groups may be distorted, or even absent, from the collective conceptual repertoire. As an

upshot, when ‘gaps’ exist in the collective hermeneutical resources—absences of proper interpretations or concepts for certain social experiences—members of less powerful social groups may be unable to make sense of their own social experiences and render them communicatively intelligible to both themselves and to others.

In the next chapter, I motivate resistance to Fricker’s assumptions that hermeneutical deficiencies may render the experiences of members of hermeneutically marginalized groups both (i) incomprehensible and (ii) incommunicable to themselves and to others. I argue that these two problematic assumptions stem from a commitment to an impoverished conception of epistemic agency.



## **CHAPTER 3: HERMENEUTICAL INJUSTICE AND EPISTEMIC AGENCY**

### **3.1 We Understand More Than You Might Think**

According to Fricker, social understanding, in particular understanding our own social experiences, is an important part of epistemic life; through the process of interpretation we aim to make sense of our everyday interactions with others. Because social reality does not simply impinge on us in a passive manner, as agents we interpret meaning in our everyday social experiences. As a consequence of this hermeneutic practice, Fricker thinks that our own understandings of our social experiences can be particularly prone to asymmetric relations of social power. That is, in virtue of being self-interested creatures, our interpretive efforts are naturally geared at our own interests (Fricker 2007, 152). This, Fricker argues, highlights an important political dimension to social understanding: for those occupying socially subjugated positions, their social experiences are particularly vulnerable to distorted interpretations by those with more social power. As a result, ‘gaps’ or ‘lacunae’ may exist in the collective hermeneutical resources, and the socially powerless may only have ill-fitting meanings to draw upon to make sense of their own social experiences. Fricker thinks there is an important upshot from this: in virtue of one’s membership in a hermeneutically marginalized group, a person may find that a given social experience is both unintelligible to themselves and communicatively unintelligible to others.

In response to this view, in this chapter I motivate resistance to Fricker’s claim that a hermeneutical lacuna may render a given social experience unintelligible to members of hermeneutically marginalized social groups. Specifically, I argue for two claims: first, I contend that Fricker’s assumption that a hermeneutical lacuna may render

a given social experience incomprehensible to members of hermeneutically marginalized social groups is false. I diagnose this problematic assumption as stemming from Fricker's (implicit) commitment to community holism as a model of epistemic agency. Using resources from feminist epistemology, I offer an individuals-in-communities account of epistemic agency, which I argue remedies Fricker's problematic assumption.

Building from my individuals-in-communities account of epistemic agency, I argue that Fricker makes a second problematic assumption in her account. That is, she incorrectly assumes that a hermeneutical lacuna may render a given social experience so inchoate that members of hermeneutically marginalized social groups may be prevented from rendering a given social experience communicatively intelligible to both themselves and to others. Because Fricker does not consider that hermeneutically marginalized social groups can utilize non-dominant discourses to render a given social experience communicatively intelligible, she problematically conceptualizes these experiences as obscure and unspeakable. Thus, by showing that (in some cases) members of hermeneutically marginalized social groups can (i) understand and (ii) clearly communicate their social experiences even when dominant hermeneutical resources are impoverished, I lay the groundwork for Chapter 4 where I argue that hermeneutical injustice collapses into testimonial injustice.

### **3.1.1 Epistemological Individualism**

One of the fundamental concerns that feminist theorists have raised against some traditional epistemologies is their view of persons. Feminist theorists argue that on the traditional view, persons are conceptualized as abstract and disembodied agents, which are largely unaffected by social and historical contexts (Nelson 1993, 121). Because

persons are assumed to be isolatable and fundamentally independent from social contexts, some traditional epistemologies have considered the acquisition of knowledge to be a solitary endeavour and an achievement of the individual alone (Jaggar 1983, 355 qtd. in Nelson 1990, 259). This assumption is often said to be rooted in Cartesian foundationalism and is further espoused by the positivist-empiricists, where the isolated individual mind, along with its “sensory ideas”, is the “fundamental situation” of the epistemic agent (Potter 161).<sup>11</sup> Thus, on the traditional rubric of “S knows that P”, “S” may be considered a universal, homogenous knowing subject who, through the exercise of autonomous reason maintains a “view from nowhere”—a kind of value-free objectivity that transcends particularity and contingency (Code 1993,16).

These individualist epistemologies have come under attack for what Elizabeth Potter calls their starting point of methodological solipsism, the assumption “that when each individual learns language and produces knowledge, each does so, for all intents and purposes, alone” (Potter 163). It is this view that underlies epistemological individualism, the assumption that “knowledge is produced by each person alone from his or her own experiences” (Potter 163). As a corollary, because language acquisition and knowledge production are assumed to be wholly private endeavours concepts like ‘cars’, ‘kettles’ and ‘stoves’ that constitute the content of our beliefs like “Jones owns a car” or “The kettle is on the stove” are constructed privately by each individual. This notion of a private language—one where we construct concepts and the meaning of words according to our own devices—was the target of Wittgenstein’s attack in his private language argument.

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<sup>11</sup> Potter lists some specific examples of what she considers to be individualist epistemologies; this includes those espoused by Carnap, Descartes, Locke, Quine, and Russell (161-164).

As Potter explains, Wittgenstein argued that as language speakers we must be able to differentiate between true and false statements so that we can make the distinction between truths and falsehoods (163). However, without concepts like ‘same’, ‘different’, ‘truth’ or ‘reference’, an isolated individual is unable to make such a distinction, which means he or she cannot know which statements are true and which statements merely seem true (Potter 163). As an upshot, without standards of correctness, there is no way for the speaker of a private language to distinguish whether or not a word has been used correctly or incorrectly—a feature that language needs in order to be understood (Campbell 1997, 112). This means, then, that the meaning of words cannot be a private matter: “A word means what it does not because I have joined it in my mind to an idea or an image...but because there exists a set of social practices in which I participate, in terms of which I can get the meaning right or wrong” (Scheman 139). So, since language requires standards of correctness—standards that need two or more people to work—Wittgenstein argues that a private language cannot be a language at all (Potter 165).

In the same way that language requires public standards of correctness, some theorists have argued that the possibility of belief requires standards of correctness as well. For instance, as Wittgenstein explains, an individual “checks” his or her belief “that *a* and *b* are the same against the beliefs of other people” (Potter 164). This allows for the possibility that a belief can be “correct or mistaken”, that is, the possibility that a “belief might be true or false” (Potter 164). Similarly, Lynn Hankinson Nelson argues that although we might be inclined to think of beliefs as a kind of “private property”—every individual has beliefs that they know—beliefs require public language for their formulation, as well as communal standards of evidence (where ‘communal’ refers to the

accepted standards of, for example, one's socio-linguistic community) (Nelson 1990, 255). For instance, if I observe a rabbit on the porch, my belief that "A rabbit is on the porch" is dependent on "a theory whose ontology includes rabbits, and standards for appropriately noting their presence, and so on", all of which Nelson contends are necessarily public (1990, 298). Similarly, other ordinary run-of-the-mill beliefs like "The cup is on the table", "Suzy's tongue is frozen to the screen door", "Your purse is empty"—while not closely coupled to evidence as claims to know, must still meet some public standards if we are to understand someone's claims to believe. If someone were to say, "I don't know if your belief that a cup is on the table is reasonable. Prove to me that your belief is true," we would march them over to the table, point to the cup, open the blinds so that the cup was clearly illuminated and let them touch the cup. We would point out the facts that make the belief true—those things that would "count" based on a community criterion of evidence. If, on the other hand, we marched our interlocutor over to the sink, pointed to some soap bubbles and asserted, "The cup is on the table", our interlocutor would not be able to understand our claim given that it is inconsistent with the obvious evidence. Our interlocutor would not tolerate our assertion, nor credit it as a true belief, since what we believe is unreasonable given the evidence. Nelson suggests, "The most we will tolerate is belief in the absence of convincing counterevidence" (1990, 256).

In the context of knowledge claims, similar constraints apply: "[K]nowing depends on the community having determined a set of current standards of evidence, and it is these standards that one must be answerable to if one is to know as an individual" (Grasswick 91). While Nelson recognizes that there are individual knowers, she denies

that individuals can know in some “logically or empirically ‘prior’ sense” to the community (1993, 124). For instance, if I construct a proof for a theorem, my proof will only be deemed correct if other mathematicians agree that it is in keeping with extant theories (like the rules of inference) (Nelson 1990, 298). Granted, there is the possibility that my proof is not compatible with extant theories (and theories do change over time) but as an individual, I cannot ‘go it alone’ and make these theoretical changes myself. Rather, changes made to the accepted standards only occur if there is agreement among members of the community (in this case, a community of mathematicians). So, even though I was the first to construct the proof “my” knowing is dependent on “our” knowing—it is not until my community accepts my proof that my claim to know is warranted.

Unlike individualist epistemologies, I cannot know what no one else could know, and it is for this reason that Nelson thinks it is communities and not individuals who are the primary epistemic agents (1993, 124). Because it is communities who are “the primary generators, repositories, holders and acquirers” of knowledge, Nelson argues that “you or I *can* only know what *we know* (or could know), for some ‘we’”, where “can” pertains to evidence and “we” pertains to the community that constructs and shares knowledge and standards of evidence (1993, 124). So while individuals have beliefs and can know, “[t]here is not an equal sharing of the epistemological burden” between individuals and their communities (1990, 299). On Nelson’s account, knowledge, then, is a social affair and individuals are only derivative knowers of their community. For the purpose of this thesis, I will refer to this view of epistemic agency as ‘community holism’.

In the next section, I briefly sketch out Nelson’s community holism in more detail, and from this outline I argue that Fricker is (implicitly) committed to community holism as a model of epistemic agency in her account of social understanding.<sup>12</sup> I argue that because of Fricker’s (implicit) commitment to community holism, her own paradigm case of hermeneutical injustice does not support her assumption that a hermeneutical lacuna—the absence of a name and proper interpretation for ‘sexual harassment’—prevented society as a whole from understanding unwanted sexual advances in the workplace.

### **3.1.2 Community Holism**

Nelson’s argument for community holism is based on a Quinean view of evidence. According to Quine, no distinct boundaries exist between evidence and theory because evidence and theory are already constrained by background theories and assumptions (Grasswick 91). Thus, in the context of, for instance, scientific knowledge, individuals do not and could not know something independently of anybody else. If they could, it would require that there are theories waiting to be discovered—sense experience alone would enable one to access reality and discover the one “true” theory—an assumption that Nelson thinks is not warranted (1993, 140). Instead, Nelson argues that knowledge claims always occur within “communal ways of organizing things, *systems* of connected theories, methodologies and practices” (1993, 139). Granted, individuals use these systems, but the “systems themselves are communal enterprises; it is these that make possible and shape relevant experience and these by which an individual and her community will judge her claims” (Nelson 1993, 138).

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<sup>12</sup> I will use the terms ‘social knowledge’ and ‘social understanding’ interchangeably in this thesis.

In the realm of social understanding, Fricker thinks that an individual's understanding of his or her own social experiences is (largely) derivative of extant community knowledge. On Fricker's account, we may understand the community to be one's sociolinguistic community or simply society in general. What this means, then, is that Fricker conceptualizes society as *a single* community—that is, one monolithic social structure. This suggests that, like Nelson, Fricker is (implicitly) committed to a kind of community holism as a model of epistemic agency.<sup>13</sup> Because individuals are dependent on the shared tools of interpretation and existing knowledge practices to make sense of their social experiences, in those cases when there is no socially sanctioned meaning attached to a given social experience or when the socially sanctioned meaning distorts a given experience, Fricker thinks that individuals must rely on these defunct interpretive resources. She writes:

[T]hink of our shared understandings as reflecting the perspectives of different social groups, and to entertain the idea that relations of unequal power can skew shared hermeneutical resources so that the powerful tend to have appropriate understandings of their experiences ready to draw on as they make sense of their social experiences, whereas the powerless are more likely to find...at best ill-fitting meanings to draw on in the effort to render [some social experiences] intelligible. (2007, 148)

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<sup>13</sup> It should be noted that Nelson does not posit epistemological communities as monolithic (1993, 150). Nelson argues that multiple communities and sub-communities do exist and that individuals may be members of multiple communities (1993, 150). However, in Heidi Grasswick's critique of Nelson, Grasswick argues that when communities are conceptualized as the primary epistemic agents, an individual's epistemic agency is restricted by the extant systems of knowledge production, standards and static bodies of shared knowledge even within these sub-communities (96). Moreover, Grasswick contends, membership in multiple communities fares no better with regards to a plausible account of transformative knowledge practices; despite Nelson's suggestion that individuals will have access to knowledge that he or she can "use" to transform existing community standards, Nelson also argues (as quoted by Grasswick): "[I]ndividuals can in fact use such systems, but the systems themselves are communal enterprises; it is these that make possible and shape relevant experience and these by which an individual and her community will judge her claims" (1993, 138 qtd.in Grasswick 96). So again, Grasswick thinks, we end up with a picture of individuals who are bound by existing community standards that are resistant to being transformed (96).



As this quote suggests, individual understanding is significantly constrained by the body of current social knowledge and shared tools of interpretation to make sense of their own social experiences. And, given that individuals are only derivative knowers of a single socio-linguistic community, when a given social experience is eclipsed at the level of social understanding, Fricker thinks it is obscured at the level of individual understanding as well. In terms of the experience of unwanted sexual advances in the workplace Fricker writes:

For the lack of proper understanding of women's experience of sexual harassment was a collective disadvantage more or less shared by all. Prior to the collective appreciation of sexual harassment as such, the absence of a proper understanding of what men were doing to women when they treated them like that was *ex hypothesi* quite general. (2007, 151)

As a point of clarification, in the domain of social understanding a socio-linguistic community does not have formal or explicit public standards of evidence like scientific communities on Nelson's model. However, I think it can reasonably be argued that widely accepted social knowledge is constrained by some broadly accepted public standards of evidence in the same way that Nelson takes belief to be. For example, in the context of social understanding behaviours like 'crotch jiggles' and kisses in the workplace did not meet extant standards to constitute moral wrongdoing during and prior to the mid 1970's. Consequently, according to the prevailing standards of evidence (for moral wrongdoing) within society in general, sexual advances in the workplace were generally understood to be harmless flirtations or mere office romances.

Recall from Chapter 2 Fricker argues that in the paradigm case of hermeneutical injustice, the experience of unwanted sexual advances in the workplace was collectively ill-understood because the concept 'sexual harassment' was missing from the shared

hermeneutical resources. For this reason, Fricker thinks, women like Wood were unable to properly understand unwanted sexual advances in the workplace and render their experience communicatively intelligible both to themselves and to others. According to Fricker, it is not until a particular social experience is given the proper ‘linguistic baptism’ that *anyone* can properly understand or render intelligible this particular social experience. However, closer analysis of the paradigm case of hermeneutical injustice reveals a problematic feature in Fricker’s account. Specifically, Fricker’s own paradigm case does not support the assumption that a hermeneutical lacuna—the absence of a name and proper interpretation for ‘sexual harassment’—prevented everyone from understanding unwanted sexual advances in the workplace. In support of my observation, as Rebecca Mason argues, if we consider the actions of Wood, Fricker’s assumption seems manifestly false (297). That is, although Wood may not have known that her workplace experiences were (unfortunately) pervasive during the 1970’s, the fact that she attended and shared her experiences at a seminar for women in the workplace (organized by a well-known feminist activist), helped organize a public speak out, and enlisted the help of two feminist lawyers to appeal her denial for unemployment benefits, does not support Fricker’s claim that Wood lacked understanding or was “mystified” by her situation (Mason 297).

With these facts in mind, it is not at all clear that Wood or the women in her consciousness-raising seminar were utterly baffled with regards to their workplace experiences; at minimum they recognized that their own felt experiences were in discordance with extant dominant interpretations (Mason 297). Granted, having the opportunity to share their experiences enhanced their understanding of their workplace

molestations and the development of the term ‘sexual harassment’ spurred important political and legal changes; however, Mason argues, one must remember that naming does not occur “*ex nihilo*”—it was because women understood their treatment as unjust that the resistance movement that named sexual harassment came about (Mason 298). Consequently, it is not as though the naming of the term ‘sexual harassment’ flicked a cognitive switch that instantaneously elicited clarity and understanding. As Mason explains: “[R]ather than functioning as a “life changing flash of enlightenment”, naming created a hermeneutical environment conducive to organized social activism against one manifestation of sexism” (298).

I find Mason’s argument persuasive. Contrary to Fricker’s claim, it is not clear to me why an impoverishment in the hermeneutical resources—for instance, the absence of the concept of ‘sexual harassment’—necessarily resulted in a collective lack of understanding. Granted, as Fricker suggests, the perspectives of women were not well accounted for in the hermeneutical resources at the time—there was a definite conceptual gap that prevented them from fully articulating their experience as ‘sexual harassment’. However, Fricker’s conclusion that “[Wood’s] hermeneutical disadvantage renders her unable to make sense of her on-going mistreatment, and this in turn prevents her from protesting it, let alone securing effective measures to stop it” is at odds with the fact that Wood *did* go out and protest her experience even *before* naming it sexual harassment (Fricker 2007, 151).<sup>14</sup> What this suggests, then, is that Fricker’s own paradigm case does not support the assumption that a hermeneutical lacuna resulted in *collective* misunderstanding.

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<sup>14</sup> As a point of clarification, by ‘protest’ I mean that Wood attended the seminar for women in the workplace, helped the other women organize a public speak out and worked with Lin Farley and two feminist lawyers to appeal her denial for unemployment benefits.

On Fricker's account, during the time of second wave feminism, consciousness-raising through speak-outs served as a crucial means for pinpointing hermeneutical lacunae. Fricker writes, "If we look to the history of the women's movement, we see that the method of consciousness-raising through 'speak-outs' and the sharing of scantily understood, barely articulate experiences was a direct response to the fact that so much of women's experience was obscure, even unspeakable for the isolated individual" (Fricker 2007, 148). Thus, Fricker thinks that consciousness-raising groups served as a crucial means to circumvent incidences of hermeneutical injustice.

A closer look at consciousness-raising groups may be helpful. As Young explains, consciousness-raising was used by second wave feminists to describe a process by which women were able to share their feelings of "frustration, unhappiness and anxiety" in order to find common patterns in their personal experiences that were indicative of oppressive harm (153). By sharing their personal stories, women were able to illuminate the political dimensions of problems originally experienced as private or personal (Young 153). During the era of second wave feminism the slogan "The Personal is Political" resonated in consciousness-raising groups where the political dimensions of abortion, housework, standards of feminine beauty, sexual satisfaction, and male-female relations were called to the forefront (Brownmiller 44-45). Brownmiller explains, "[M]eeting in private without the intimidating presence of men had opened the floodgates to a host of larger dissatisfactions that none of them had *dared* to articulate before" (24, emphasis added). As this quote suggests, women possessed an understanding of their dissatisfaction, but did not *dare* to articulate it—I further develop this point in my discussion of testimonial smothering in Chapter 4.

Fricker is right to point out that consciousness-raising activities helped women to better understand their own social experiences—by articulating their personal stories with other women they revealed common themes that led to the naming of social experiences like sexual harassment. Sue Campbell explains:

Consciousness-raising is an activity that is both knowledge-producing and personally transformative. Individuals with some understanding of the dynamics of oppression come together to reassess their pasts and to recognize the commonalities and differences in experiences they may have regarded as private or personal. (2004, 191)

As Campbell suggests, through personal testimony, women were collectively able to analyze the dynamics of privatizing their lives that made them vulnerable to certain kinds of harms (Campbell 2004, 192). Moreover, in support of Campbell, Young also writes that the strategy of consciousness-raising presupposes that participants already have some knowledge or understanding of the dynamics of oppression and participants “are committed to social justice enough” to want to change present circumstances (Young 155). In light of these insights, and in addition to my previous argument, it is not at all clear that women lacked an understanding of their workplace experiences as Fricker suggests. That is, contrary to Fricker’s claim that a woman’s (like Wood’s) “hermeneutical disadvantage renders her unable to make sense of her ongoing mistreatment,” it seems more likely that the women who attended the consciousness-raising seminar understood the wrong of their mistreatment—the whole premise of consciousness-raising depends on it. Thus, while I agree with Fricker that consciousness-raising enhanced women’s understanding of the oppressive and systematic nature of their workplace mistreatment, without qualifying what a “proper” understanding entails,

Fricker's account seems to suggest that women lacked an understanding of their experience as *both* a personal and oppressive harm.<sup>15</sup>

With this in mind, it seems more likely that Wood and the other women who experienced unwanted sexual advances in the workplace understood the experience well enough that they felt they were wronged and had something to protest and speak publicly about—even before their experience had a name. Their plan was not to hold a public forum and babble incoherently about confused and disparate tidbits of workplace drama—articulated as nothing more than “persistent flirting” where they were made to feel “uncomfortable”. Rather, the women understood that they'd been the subjects of wrongdoing, even without a clear-cut or definitional account of what they'd experienced. Ultimately, this suggests that even before seeing the unwanted sexual advances *as* sexual harassment, they saw it *as* an incidence of wrongdoing and unacceptable behaviour. In virtue of the women's perceptual acuity with regards to their social experiences, the ‘cognitive gestalt’ of seeing their workplace molestations *as* unjust occurred long before the linguistic revolution where the term ‘sexual harassment’ was coined.

Consider a second example in support of my argument. According to Fricker, due to the complexity of social identities, hermeneutical marginalization need not impinge on a person uniformly—just because I am a woman does not mean that I will be hermeneutically marginalized in *all* areas of my life—instead, I may be in a “hermeneutically luxurious position” with respect to some areas and marginalized in others (Fricker 2007, 154). For example:

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<sup>15</sup> Fricker seems to set a very high bar for understanding in her account of hermeneutical injustice. She seems to suggest that in order to have a “proper” understanding of sexual harassment one must have knowledge of the pervasiveness of this type of workplace mistreatment and/or the knowledge that it is an oppressive harm. I present an objection to these conditions for understanding in section 3.1.4.

If [a woman] has a well-paid job in a large corporation with a macho work ethic, she may be entirely unable to frame meanings, even to herself, relating to the need for family-friendly working conditions (such sentiments can only signal a lack of professionalism, a failure of ambition, a half-hearted commitment to the job), and yet she may be in a hermeneutically luxurious position as regards to her ability to make sense of other, less gendered areas of her work experience. (Fricker 2007, 154)

This example puzzles me. It is not clear to me why a woman in this position “may be entirely unable to frame meanings, even to herself, relating to the need for family-friendly working conditions” (Fricker 2007, 154). Fricker’s account of hermeneutical injustice is geared at explaining how *one’s own* understanding of a given social experience can be obscured, or even unintelligible, owing to it being poorly understood by society at large. What puzzles me is why Fricker thinks this woman would be unable to make sense of this social experience in the absence of a concept like ‘family-unfriendly work conditions’.

Let me motivate resistance to Fricker’s interpretation by offering an alternative reading of this scenario. To do this, first consider the following thought experiment: Suppose that this woman is a newly single mother of two and needs to leave the office by 7 pm to pick up her children from daycare—the absolute latest that she can swing by. After that, she must stop by the grocery store, cook dinner, bathe the children and put them to bed—only to awaken at 6 am to start the routine again. In this case, I do not see why this woman would be unable to understand this aspect of her own social experience, that is, why she would draw on ill-fitting meanings and interpret her *own* behaviour as an instance of her ‘unprofessionalism’ or ‘lack of commitment to the job’. Surely, she could understand that her children are her priority and that her work situation is not conducive to balancing work and family commitments. Her colleagues and her employers may

interpret and understand her behaviour according to these extant misinterpretations, but would the woman really have “at best ill-fitting meanings to draw upon in the effort to render them intelligible” (Fricker 2007, 148)? This seems unlikely to me. With regards to the woman’s cognitive state, I think a more plausible description would be a recognition of the tension between her own beliefs (i.e. that the demands of her employer were unfair, or at least, not conducive to a healthy, balanced, family life) and those of her employer, colleagues, or society in general (i.e. where “such sentiments can only signal a lack of professionalism, a failure of ambition, a half-hearted commitment to the job”) (Fricker 2007, 154). Without doubt, the tension between this woman’s responsibilities in her professional and private life would be both troubling and a source of stress, but it is not at all clear to me that the experience of this woman would be inchoate or poorly understood.

In further support of my alternative interpretation, consider two letters written to *Ms. Magazine* and published in Mary Thom’s anthology *Letters to Ms. 1972-1987*. The first letter was written by H. Nancy Spector and was published in the September 1979 issue. The second letter was written by Cassie Annschild and was published in the January 1979 issue.

[...] For ten hours a week, I teach college English in a state jail; this affords me lots of prestige, because people (correctly) assume that college teaching is a job that demands a high level of ingenuity, commitment, education and love. For five or six hours a week, whenever I can find the time, I write; this affords me lots of prestige, because people (correctly) assume that writing is a job that demands a high level of ingenuity, commitment, education and love. For 168 hours a week, I am the mother of a two-and-a-half-year-old child; for this I receive virtually no prestige, despite the fact that parenting is a job that demands a high level of ingenuity, commitment, education and love.

Come *on*, you guys. (110)



Several years ago I was working for Los Angeles County in the Department of Social Services (welfare) as a supervisor in charge of fifteen to thirty women and men. Although my supervisor (the *big boss*) was a woman, with children, who had “come up through the ranks,” she seemed to have no sympathy or understanding for the average working woman. Perhaps she was trying to impress *her* bosses by her strict adherence to the rules.

Whatever the reason, I, as the first-line supervisor was required to dock employees when they were late even fifteen minutes; to “gram” them (give written warnings) when they were absent without a doctor’s excuse; to “counsel” them about excessive tardiness and absences; and to include in written evaluations, submitted every six weeks, a summary of every instance of tardiness or absence and what was done about it (never mind that this left the supervisor little time to supervise).

My supervisor always said she preferred working with men. They were more reliable. And it’s true that the men who worked *did not* have records of excessive tardiness and absences similar to the women’s, although they too, had children. I’ll bet you can guess who did stay home.

I finally quit my supervisory job because I could not continue what I felt was unjust harassment of working mothers. Of course, that did not improve the situation [...]. (112)

As the first example illustrates, Ms. Spector worked in a prestigious job, which on Fricker’s account afforded her relative ‘hermeneutic privilege’ enabling her to make proper sense of her work experiences. However, contrary to Fricker’s assumption that she may be unable to ‘frame meanings’ with respect to the ‘gendered areas’ of her experience, Ms. Spector was clearly able to frame meanings in a way that differed from prevailing social meanings; specifically those social meanings that downplayed the demands of motherhood.

As for the second example, Ms. Annschild was also able to ‘frame meanings’ with regards to the need for family friendly work conditions—so much so, that she quit her job in protest against the ‘unjust harassment of working mothers’. Of course, one could also argue that this example also supports Fricker’s argument; that is, one could argue that the actions of ‘the *big boss*’ show that she was unable to frame meanings, even to herself, with respect to the need for family friendly work conditions. I think, however,

that the actions of ‘the *big boss*’ could also be interpreted in a different way. As Ms. Annschild suggests, ‘the *big boss*’ may have been trying to impress her supervisors, but I think that just as plausibly, ‘the *big boss*’ may have been *powerless* to do otherwise. More specifically, she may have had few options but to strictly adhere to the rules given that, had she done otherwise, her job would have been at stake. While Ms. Annchild’s act of protest may be commendable, one must also keep in mind that unemployment is not an available option for all mothers. Hence, while ‘the *big boss*’ may have appeared unsympathetic and ‘a stickler to the rules’ one should also consider the personal ramifications of acting otherwise. Again, I further address the notion of powerlessness in Chapter 4 in my discussion of testimonial smothering.

In summary, Fricker’s paradigm case of hermeneutical injustice is intended to illustrate how power dynamics can bias and adversely shape social knowledge. And, because individual understanding is constrained by extant social knowledge, Fricker thinks that unless society in general has a proper understanding—a collective understanding—of a given social experience *no one* has a proper understanding. I attributed this assumption to Fricker’s (implicit) commitment to community holism as a model for epistemic agency. However, as a result of Fricker’s (implicit) commitment to community holism, I argued that a problematic feature arose in her account; specifically, in the paradigm case of hermeneutical injustice Wood’s behaviour suggests that she *did* have an understanding that differed from prevailing social knowledge. Moreover, without this kind of understanding, I argued that much of Wood’s and the other women’s behaviour would be an utter mystery. I provided further support for my argument with two case studies from *Ms. Magazine*.

In the sections to follow, I argue that community holism is an impoverished model of epistemic agency. Because Fricker conceptualizes society as a monolithic structure—as a *single* community—from which individuals only know derivatively from a *single* body of social knowledge, she (problematically) assumes that individual understanding is constrained by prevailing ill-fitting social meanings. I argue that Fricker does not attend to the fact that individuals are members of *multiple* communities characterized by *situated* bodies of knowledge, which can enhance their understanding of any given social experience.

Drawing insight from feminist epistemology, I argue that the ‘individuals-in-communities’ model of epistemic agency offers a more plausible account of epistemic agency than community holism. With this account in place, I explain how it is that individual agents could understand a given social experience in the absence of a name and proper interpretation at the level of general social understanding. I argue that because Fricker myopically focuses on naming as a source of understanding, she abstracts away all other types of knowledge acquired through multiple community membership. Importantly, because a single social experience is never understood in isolation from other types of knowledge, I argue that we can use whatever epistemic tools might facilitate understanding in interpretive contexts.

### **3.1.3 Individuals-in-Communities**

Rather than seeing our social dependence as a threat to individual epistemic agency, reducing our epistemic contributions to mere “use” of existing communal knowledge practices, the [individuals-in-communities] view offer[s] us an outline of how our individual epistemic agency can reach beyond the existing social practices of knowing. (Grasswick 106)

According to Heidi Grasswick, in order to avoid the self-sufficient and atomistic individualism of some traditional epistemologies, some theorists (like Nelson) have swung in the opposite direction and posited communities as the primary epistemic agents (98). However, one of the problematic consequences of community holism is that it places excessive constraints on individual knowers and offers an implausible account of transformative knowledge practices (95-96). Grasswick diagnoses this problem as a commitment to an overly strong contrast between two levels of agency, i.e., community and individual, and as a result, community holism misses out an important interaction between these two levels (97). Consequently, as a result of this strong contrast, an individual's derivative epistemic agency amounts to nothing other than conformity to the existing standards of practice and the shared body of knowledge of a single community. Furthermore, within these "consensus communities" it is not clear how knowledge production could be improved or transformed (Grasswick 97).

For a more plausible account of transformative knowledge practices, Grasswick argues that we need to recognize individuals as the primary epistemic agents: individuals who can dissent from current norms and challenge prevailing standards of practice (97). Highlighting the social dependencies of individuals on their communities, but sidestepping community holism, Grasswick posits an "individuals-in-communities" model of epistemic agency (98). On this view, individuals-in-communities are reflective inquirers who are actively engaged, critically involved, and immersed in deeply relational interactions with other individual knowers. Aiming to capture the "normal range of activities" that human beings engage in, Grasswick develops an account of agency "that directs us to attend to the moral and political quality of our social relations as a part of the

epistemic picture” (Grasswick 99; 107). Although a full discussion of Grasswick’s argument is beyond the scope of this thesis, I highlight those aspects of her descriptive and normative account of knowers that are relevant to this discussion.

Grasswick argues that individual knowers are characterized by their particularity—because each knower has a unique history, having occupied different communities with other knowers, each will learn a broad range of epistemic skills within those communities (103). The epistemic skills and tools that one acquires can be both limited and enhanced according to one’s positioning; thus, what one ‘brings to the table’ as a knower is profoundly shaped by one’s situatedness and interactions with others (103).

Drawing insights from Annette Baier and Lorraine Code, Grasswick thinks that both socialization and dependency relations are crucial ingredients in our development as epistemic agents. As Baier suggests, we are fundamentally “second persons”—as persons we are socially constituted and it is only through the support and relations with other persons and our communities that we develop cognitive capacities and skills (Baier 84 qtd. in Grasswick 100). Code builds on this idea in the context of epistemological practices and stresses that knowing involves interpersonal engagement; we never confront the material world in isolation, “but against a background of attributions of degrees of epistemic authority to other knowers and their claims” (Grasswick 104). Code writes: “Epistemological positions developed around a ‘second persons’ conception of subjectivity represent the production of knowledge as communal, often cooperative, though sometimes competitive activity” (1991, 121-122 qtd. in Grasswick 104).

As individuals-in-communities we are socially engaged with others and these social engagements can be “analyzed along the lines of a number of possible frameworks—practical, sociological, ethical, political, or epistemic” (Grasswick 104). The partial and particularized nature of our epistemic tools means that we are always involved in reciprocal interactions with others; maneuvering across the varied epistemic terrain, we negotiate different points of view, shift frames, and incorporate, modify or reject aspects of our own epistemological framework (Grasswick 103). Communities are comprised of people who share various and partial connections with others and due to unequal distribution of epistemic authority, power structures are often at play (Grasswick 101). For example, Grasswick explains, a young girl growing up in a patriarchal society may have little confidence in her own epistemic judgement; due to her relationship with an authoritative father, she might question her own ability to make good decisions (101). However, this lack of epistemic self-confidence may be alleviated by her membership in other communities: as a Girl Scout she learns to be assertive and as a diligent student she is encouraged to share her own ideas. So while each community is prone to asymmetric power relations, through one’s involvement in multiple communities, a person can develop the skills in one community that may be compromised in another (Grasswick 101).

As to the normative dimension of Grasswick’s account, “to be a good knower” requires both critical engagement and building positive social relations with individuals in our own and in other communities (99; 107). Due to our deep social dependence on others and the partial and particularized nature of our own epistemic location, we can learn a great deal by considering the “perspectives, claims, and epistemic tools of other

*individuals-in-communities*” (Grasswick 107). Through critical engagement and reflection, individuals-in-communities can diagnose areas of improvement in current practices, apply the knowledge that they learn from other individuals-in-communities, and positively transform directions of inquiry, methods and practices. When we ignore the value that other agents can bring to epistemic practices, or ignore agents altogether, we undermine that person’s agency as a competent knower (Grasswick 102). Ultimately, to withhold the recognition of another’s epistemic agency constitutes one dimension of oppression (Grasswick 102).

Grasswick’s account of individuals-in-communities highlights the crucial importance of social relations between members in their own communities (in addition to those communities that they may themselves not be members of) in all domains of epistemic life. Recognizing the value of multiple community membership and the partial and particularized nature of individual epistemic agency, I contend that individual-in-communities offers a more plausible account of agency than community holism.<sup>16</sup>

With this in mind, I argue that as individuals-in-communities, epistemic agents can draw from a diversity of epistemic tools and situated knowledges in order to understand and make sense of any given experience in interpretive contexts. In support of my argument, I first present a case study of Professor Elisabeth Lloyd—a member of multiple academic and professional communities—who, through the use of various situated knowledges, provided alternative interpretations of evolutionary theories and evidence that differed from ‘mainstream’ practices in the context of the biological sciences.

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<sup>16</sup> A full defense of the individuals-in-communities model of epistemic agency is beyond the scope of this thesis.

In “Pre-Theoretical Assumptions in Evolutionary Explanations of Female Sexuality” Lloyd argues that “evolutionary explanations of female sexuality exemplify how social beliefs and social agendas can influence very *basic* biological explanations of fundamental physiological processes” (139). According to Lloyd, one of the problems in evolutionary explanations of female sexuality is that it is simply assumed that female sexuality should be explained in terms of reproductive functions (139). This assumption persists despite (substantial) biological evidence that supports other possible explanations (Lloyd 139). For example, Lloyd contends, the majority of evidence supports the hypothesis that human female sexual interest and activity is actually “decoupled” from a female’s reproductive state; “most studies found peaks of sexual desire right before and after menstruation, when the woman is almost invariably infertile” (143). According to Lloyd, in many studies about women’s sexuality, two strong forces seem to unite sex and reproduction: (i) adaptationism and (ii) the social tradition of defining women in terms of sexual and reproductive functions alone (151). As a result of these two forces, Lloyd thinks that women’s sexuality and reproduction tend to be more tightly coupled in evolutionary explanations than what evidence supports (151).

As a member of multiple academic and professional communities, Lloyd currently holds “the Arnold and Maxine Tanis Chair of History and Philosophy of Science [at Indiana University Bloomington]. She is also Professor of Biology, Adjunct Professor of Philosophy, Affiliated Faculty Scholar at the Kinsey Institute for Research in Sex, Gender and Reproduction, and Adjunct Faculty at the Center for the Integrative Study of Animal Behaviour” (“Elisabeth Lloyd” para. 2). Through Lloyd’s plural community membership (e.g. biology, philosophy, gender studies, and feminist theory),



she acquired a diversity of partial and situated knowledges, which provided her with the epistemic tools to dissent from current ‘mainstream’ interpretations of theory and evidence. Through philosophical and feminist insight, Lloyd elucidated the prevalence of androcentric and adaptationist assumptions that underwrote many predominant evolutionary explanations. In virtue of her active inquiry and particularized epistemic tools, Lloyd analyzed data and mainstream theories through a critical epistemic lens.<sup>17</sup> Consequently, this not only enhanced her understanding of a particular biological phenomenon, but also enabled her to understand a given phenomenon in a way that *differed* from prevailing community knowledge.

As I’ve demonstrated in the context of scientific understanding, individuals-in-communities may draw from a diversity of epistemic tools to facilitate and enhance understanding. Importantly, these particularized and situated knowledges not only allow individuals-in-communities to understand a given phenomenon, but to understand a given phenomenon in a way that differs from current epistemic practices and extant interpretations. Because no scientific theory or explanation is understood in isolation, abstracted away from other theories and background assumptions, we bring to interpretive contexts whatever tools might facilitate understanding.

Likewise, in the domain of social understanding, no single social experience is understood in isolation, abstracted away from other types of situated knowledges and context. However, as I’ve argued, in Fricker’s account of hermeneutical injustice, due to her (implicit) commitment to community holism and her focus on derivative knowing (through one’s membership in a single community with a single body of social

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<sup>17</sup> See also the work of Ruth Bleir, Lynda Burke, Ruth Doell and Helen Longino, Evelyn Fox Keller, Donna Haraway, Sandra Harding, Ruth Hubbard, and Kathleen Okruhlik for similar examples and feminist critiques in the philosophy of science.

knowledge), she fails to consider the epistemic tools and situated knowledges acquired through plural community membership. In what follows, I reframe Fricker's paradigm case of hermeneutical injustice according to an individuals-in-communities account of epistemic agency. I highlight the types of tools and situated knowledges that might have been available to women, like Wood, that enhanced social understanding. In doing so, I offer an alternative account of agency that remedies Fricker's problematic assumption that the hermeneutical lacuna—the gap where the concept 'sexual harassment' should have been—prevented women like Wood from understanding their experience of unwanted sexual advances in the workplace.

### **3.1.4 Reframing the Paradigm Case**

Fricker's paradigm case of hermeneutical injustice and the naming of sexual harassment occurred in 1975—approximately ten years after second wave feminism had gotten underway. During this time, Women's Liberation was active on a number of fronts: issues pertaining to abortion, standards of feminine beauty, anti-rape protests, and women's health were both in the news and on people's minds. The Women's Liberation Movement followed on the heels of a slew of political rebellions and societal transformations including: “the erection of the Berlin Wall, [the] brutal beatings and murders of civil rights protestors in the American south, the Bay of Pigs incident, the assassination of John Robert Kennedy, Malcolm X, and Martin Luther King...and, above all, American military involvement in Vietnam” (LeGates 333-334). During this time, the New Left movement challenged the institutions of bourgeois society, and out of women's experiences with the New Left, the Women's Liberation Movement was born (LeGates 334). Many women were involved in the civil rights protests, and like the

female abolitionists who fought for women's suffrage, the women of second wave feminism worked alongside men and other social groups; together, they fought to alleviate the wrongful mistreatment of African Americans (Brownmiller 11).

Brownmiller recalls that it was during this time when women were actively participating in a radical movement geared at improving the lives of others that: "[T]he women then woke up and wondered, 'What about us?'" (11).

In terms of Wood's own social experience and that of other women in Lin Farley's consciousness-raising seminar, I doubt that they were completely in the dark as to the societal change that was happening during and shortly before 1975 when the name 'sexual harassment' was coined.<sup>18</sup> And surely this type of social, political and historical knowledge factored into Wood's understanding of her own wrongful mistreatment in the workplace. Granted, none of these movements specifically addressed 'sexual harassment', but the New Left spoke of 'discrimination, equality of rights and reform' and radical feminism spoke of 'oppression, liberation and revolution' (LeGates 334). I think it would be reasonable to assume that these discourses had some sway over the way Wood framed her workplace experience. Second, Wood must have known that the kind of treatment she experienced in the workplace was not something that both men and women experienced to the same degree or with the same pervasiveness—it was clearly a type of behaviour that (mostly) targeted women. Third, as Grasswick suggests, "Being in communities means that these individuals are living with each other, experiencing rich practices of social engagement" (104). We might imagine these kinds of relations occurring amongst members of social communities that are founded in communication.

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<sup>18</sup> It should also be noted that Lin Farley was a well-known feminist activist during this time. Not only had she worked as a reporter for the *Associated Press* but also testified at the 1971 New York Radical Feminist Conference on Rape (Brownmiller 280).

This could include face-to-face talk, telephone calls, or letter writing between friends, family members, colleagues, or total strangers, each sharing their understandings and perspectives. For example, consider the following story from Paula J. Caplan:

[A] woman I interviewed discussed a meeting she convened, of woman secretaries and academic staff from the same department, where they learned that the same male professor had been unfairly pressuring his secretary to type papers when she had other departmental obligations to meet and also pressuring two junior faculty women to give several guest lectures in each of his courses (thus lessening his workload). Before the meeting, each woman had believed she was the only person upon whom this man was imposing, and each had been trying to be cooperative by agreeing to his demands. But once they got together, they realized that in many ways he was sloughing off his own responsibilities onto other people, mostly women and mostly people in positions junior to himself. As a result of their meeting, each woman felt strengthened in her resolve not to be taken advantage of by this professor. (87-88)

Like these professional women in Caplan's case study, I doubt that Wood and the other women in the seminar were cut off from their relationships with other individuals-in-communities. More likely, for women like Wood, their interactions with others epistemic agents would have shaped and enhanced their understandings with regards to their social experiences.

As I have suggested, the individuals-in-communities model of epistemic agency involves multiple community membership and deeply relational interactions with others. In interpretive contexts—whether it is in the sciences or in everyday social engagement—we bring with us whatever type of knowledge facilitates understanding. As I have argued, no biological explanation or social experience is necessarily understood in isolation, abstracted away from all other types of knowledge and context. Contrary to community holism, epistemic agents need not be constrained by extant standards, practices and knowledge of a single community in terms of 'what they can know'. Dissent on the part of individual agents is critical for transformative knowledge practices to occur, and this

can only happen if epistemic agents have understandings that differ from prevailing communal norms.

On a final note, one type of understanding that I would like to discuss in more detail—one that is not addressed in Grasswick’s account of individuals-in-communities—is experiential or ‘implicit’ understanding. With regards to this type of implicit understanding Alexis Shotwell writes: “Even though humans are more committed to language than other animals, we use more than words in every aspect of engagement with our lives. We are intricately and intimately connected with others and with the world, and most of these connections happen alongside, beneath, and in other spheres than the words we say and the propositions we formulate” (ix).

In *Knowing Otherwise: Race, Gender and Implicit Understanding* Shotwell develops this insight and argues that in traditional epistemology, little attention has been paid to the “implicit frameworks of practices, understandings and situated knowledges” through which propositions are formulated (4). This type of “knowing otherwise” conditions the very possibility of propositional knowledge, where “P exists only in relation to a framework of assumptions, practices, presuppositions, suppressed propositions, emotions, and more” (4). Consequently, propositional knowledge is deeply intertwined with our implicit understanding of “being in the world” (Shotwell x).

On Shotwell’s account, one dimension of implicit understanding is emotional understanding—a type of understanding that is underplayed in Fricker’s account. Emotional understanding, which is the category of feeling and affect, is not generally propositional but “textures” our experiences and can serve as a category of behavioural explanation (Shotwell xii; Campbell 1997, 120). Feminist theorists have written

extensively on the importance of emotional understanding in one's perception of moral wrongdoing. Alison Jaggar coined the term "outlaw emotions" to describe, "inappropriate emotions"—that is, emotions that are considered disproportionate to the circumstances or that are occasioned by stimuli that do not normally elicit those responses" (1997, 384-405 qtd. in Meyers 205). For example, "[a] woman might be humiliated, saddened, or infuriated, not flattered, by leers and whistles on the street. Her boss's or client's bawdy jokes might prompt her to retreat into her shell or arouse indignation instead of the laughter and camaraderie that these humorists expect" (Meyers 205). Diana Tietjens Meyers thinks that these types of emotional reactions can play an important role in "heterodox moral perception"—the ability to discover unacknowledged kinds of wrongs (198; 210).

In Fricker's paradigm case of hermeneutical injustice, Wood is reported to have felt "ashamed and embarrassed" and was "at a loss to describe the hateful episodes" as she filled out her claim form for unemployment benefits (Fricker 2007, 150). With regards to feelings of shame, Alexis Shotwell argues that this type of feeling often brings to attention "the intersection of inarticulate frameworks of understanding with systems of power, visible in the exercise of dominant privilege" (77). Because shame is always relational, we feel shame in relation to actual or imagined others, it highlights those occasions where we feel powerless and can help reveal harmful norms that often "go without saying" (Shotwell 77). Thus, shame marks an "embodied situation within a schema of social relations"—it makes "unspeakable things viscerally present" (Shotwell 87; 77).

With these considerations in mind, to be sure, I am not suggesting that Wood played some kind of private language game, named a concept, and thus knew that her furtive workplace molestations were in fact instances of ‘sexual harassment’. As Donald Davidson writes, “it takes two to triangulate. Two or three or more of course,” referring to the fact that the establishment of new semantic meanings is always a public affair (160 qtd. in Campbell 164). What I am suggesting is something more along the lines of Susan Babbitt’s insights where she writes:

It seems clear that people usually know things about their situation that cannot be expressed now. There is always something about a situation that cannot be expressed, even in principle. But in certain cases what a person knows as a result of being in a particular situation constitutes understanding of a larger situation. That is, being in a particular personal state and relationship to society that could not be obtained through an examination of the expressible truths about that society. (253)

To illustrate this point, Babbitt uses an example from the novel *The Colour Purple* by Alice Walker.<sup>19</sup> In this example, Mister taunts his wife Celie and says: “Look at you. You black, you pore, you ugly, you a woman. Goddam...you nothing at all” (Babbitt 253). Celie replies, “I’m pore, I’m black, I may be ugly and can’t cook...but I’m here” (Babbitt 253). According to Babbitt, based on the categories that Mister has for interpreting the world, Celie is nothing, that is, based on the conceptual framework that he uses to interpret the world, as a black woman, she is not even a person (253). But, it is the very fact that Celie challenges Mister’s categories—that she “*act[s]* against the grain”—of the dominant conceptual framework that shows she knows something about her situation (Babbitt 253). “What she understands, but is incapable of expressing

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<sup>19</sup> Babbitt’s example and discussion is based on literary critic Barbara Christian’s analysis of *The Colour Purple* (135 qtd. in Babbitt 253).

provides, or potentially provides, the interpretive standards that could make for a more adequate *expressed* experience possible” (Babbitt 254).

In Fricker’s paradigm case, Wood did not have the concept of ‘sexual harassment’ to express her mistreatment by the Cornell professor. However, the very fact that she *acted*, that she sought out feminist activist Lin Farley and worked with other women in the consciousness-raising seminar supports the notion that Wood *knew* something about her experience and that the current conceptual framework for interpreting ‘sexual advances in the workplace’ was inadequate. Although she lacked a name for a given social experience, this need not have prevented her from understanding her workplace mistreatment—even without the concept ‘sexual harassment’. Therefore, I contend, because Fricker myopically focuses on naming as a source of understanding and conceptualizes a given social experience in a way that abstracts away all context and other types of knowledge (that one may use in order to understand a given social experience) she is left with an impoverished account of epistemic agency and the deeply relational character of multiple community engagement. As a result of Fricker’s community holism, she misses out on important dimensions of knowing that stems from knowers being individuals-in-communities, which likely plays a significant role in enhancing understanding in the face of hermeneutic deficiency.

One might object to my argument on three points: first, Fricker explicitly states in her argument that Wood and the other women did not share their workplace experience with others prior to attending the consciousness-raising seminar. Specifically: “We realized that every one of us—the women on staff, Carmita, the students—had had an experience like this at some point, you know? And none of us had ever told anyone



before” (Fricker 2007, 150). Consequently, it might be argued that my focus on individuals-in-communities as critically engaged communicators is not applicable to this example. That is, I have argued that communication with other individuals-in-communities is a crucial means of knowledge acquisition and an important source for enhancing social understanding. So, one might contend that the social isolation that women like Wood experienced does not support my argument and my claim that interpersonal engagement and communication with other individuals-in-communities enhanced her understanding of her mistreatment in the workplace.

While I am sympathetic to this objection and Fricker’s use of personal testimony in support of her account, as a methodological point, I worry about the use of a single personal narrative as being representative of *all* women’s experience. While Fricker does follow a common methodological approach and uses a very detailed case study to illustrate her argument, as a cautionary remark, we might worry about the generality of her claims. In other disciplines, for instance, science or the social sciences, a sample size of *one* is seldom sufficient in terms of generalizing a result or drawing a conclusion about an entire population. For example, if a psychologist interviewed one woman who reported: “She is happy to subordinate herself to her husband and finds her life complete and satisfying in virtue of the fact that she serves her husband so well” and then generalized the sentiments of this one woman across an entire population of women and concluded: “All women are happy to subordinate themselves to their husbands and find their lives complete and satisfying in virtue of the fact that they serve their husbands so well” would be highly suspect.<sup>20</sup> Not only would the psychologist’s generalization be

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<sup>20</sup> This example is inspired by Susan Babbitt’s discussion of Thomas Hill’s *Deferential Wife* (Hill 87 qtd. in Babbitt 249).

suspect but we would not tolerate such a conclusion because a sample size of one is unlikely to be representative of an entire population of women.

In the same respect, while it is true that the patterns of behaviour in the workplace that would now be interpreted as ‘sexual harassment’ were likely not openly discussed by many women with their colleagues, friends, or families, there were certainly many women who surely *did* share their personal experiences with others, thereby enhancing their understanding of their own experience. In support of this claim, I offer a counter-example to Fricker’s paradigm case to show that some women did share their experience of unwanted sexual advances in the workplace with others.

Consider the case of Barbara Green. Green was a summer student at an engineering firm in the early 1970’s and reports: “I was on the receiving end of a lot of rude comments (and the occasional wolf whistle) when I went down to the lab. I knew that I was paid half of what the men were making too. Sure, I talked to the other women in the lab about it—we couldn’t do much about it though. We would have been told to find another job if we had a problem with it” (Green “Personal Interview”). As this counter-example demonstrates, not all women kept their workplace mistreatment in furtive silence; moreover, women report sharing their experience because they recognized that they were treated unfairly relative to men, but they did not have the power to protest it as individuals. Therefore, as this case study is meant to illustrate, it is unclear how representative Fricker’s paradigm case is with respect to women’s experiences of sexual harassment.

A second objection that one might raise is that Fricker does not argue that women *completely* failed to understand the experience of unwanted sexual advances in the

workplace prior to the naming of sexual harassment; rather, Fricker argues that “the sharing of these *half-formed* understandings awakened hitherto dormant resources for social meaning that brought clarity, cognitive confidence, and increased communicative facility” (2007, 148, emphasis added). Moreover, one might point out that Fricker does say:

Authoritative constructions in the shared hermeneutical resource, then, impinge on us collectively but non-uniformly, and the non-uniformity of their hold over us can create a sense of dissonance between experience and the various constructions that are ganging up to overpower us, while others, for whatever reason do not [...]. The dissonance, then, is the starting point for both critical thinking and the moral-intellectual courage that rebellion requires. That, I take it, is part of the mechanism of consciousness-raising. Put a number of people together who have felt a certain dissonance about an area of social experience, and factor in that each of them will have a different profile of immunity and susceptibility to different authoritative discourses, and it is not surprising that the sense of dissonance can increase and become critically emboldened. (2007, 166-168)

This, I think, is a fair objection to my argument. As this objection suggests, I have interpreted Fricker as arguing that women failed to understand their experience of unwanted sexual advances in the workplace (not simply that their experience was inchoate or implicit). From this I argued that Wood’s actions betrayed that of a woman who failed to understand her mistreatment, and I diagnosed this problematic feature in Fricker’s account as an (implicit) commitment to community holism.

Despite these criticisms, I first want to point out some inconsistencies in Fricker’s argument. As the aforementioned passages suggest, while Fricker does argue that a sense of dissonance is possible (and that dissonance is the starting point for collective understanding), she also makes some stronger explicit claims in her argument. For instance:

[Wood’s] cognitive disablement *prevents her from understanding* a significant patch of her own experience: that is, a patch of experience which is strongly in her

interest to understand, for *without that understanding* she is left deeply troubled, confused and isolated, not to mention vulnerable to continued harassment. Her hermeneutical disadvantage renders her *unable to make sense* of her ongoing mistreatment, and this in turn, prevents her from protesting it, let alone securing effective measures to stop it. (2007, 151, emphasis added)

In addition, Fricker says:

For the lack of a proper understanding of women's experience of sexual harassment was a collective disadvantage, more or less shared by all. Prior to the collective appreciation of sexual harassment as such, the absence of a proper understanding of what men were doing to women when they treated them like that was *ex hypothesi* quite general... In the [paradigm case] harasser and harasee alike are cognitively handicapped by the hermeneutical lacuna—neither has a proper understanding of how he is treating her. (2007, 151)

Despite these inconsistencies, I think this objection fails on an important point.

Specifically, Fricker seems to set a very high bar for understanding; that is, she seems to be (implicitly) suggesting that a “proper” understanding entails some understanding of:

(i) the systematic and pervasive nature of unwanted sexual advances in the workplace and/or (ii) an understanding of the workings of oppressive practices in a patriarchal

society. I argue, however, that Fricker is too stringent in her requirements as to what constitutes a “proper” understanding.<sup>21</sup> I do not think that a woman who fails to

understand (i) the widespread nature of unwanted sexual advances in the workplace or (ii) the nuances of oppressive systems fails to properly understand her workplace

mistreatment. Rather, the type of understanding that is most important in eliciting any kind of social change is an understanding that first and foremost, one has experienced wrongful, unjust and discriminatory treatment on a *personal* level.

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<sup>21</sup> Thank you to Kirstin Borgerson for her helpful suggestions with regards to this response; in particular, her observation that Fricker seems to set a high bar for understanding.

Examples might clarify. Consider first the case of Rosa Parks, who, on December 1, 1955, refused to give up her seat to a white passenger on a city bus in Montgomery, Alabama. Parks recounts the story as follows:

One evening in early December 1955 I was sitting in the front seat of the coloured section of a bus in Montgomery, Alabama. The white people were sitting in the white section. More white people got on, and they filled up all the seats in the white section. When that happened, we black people were supposed to give up our seats to whites. But I didn't move. The white driver said, "Let me have those front seats." I didn't get up. I was tired of giving in to white people. (1992, 1)

As this example illustrates, because Park's understood that she was personally wronged (resulting from the segregation laws), she was motivated to take action. As Parks' behaviour and her testimony reveal, her reasons and actions were unambiguous. Parks recalls: "I did not want to be mistreated; I did not want to be deprived of a seat that I had paid for. It was just time and there was an opportunity for me to take a stand to express the way that I felt about being treated in that manner" (Neary 1992).

Consider a second example in support of my argument. This is a case study by Mary Mahowald in Hilde Lindemann's *An Invitation to Feminist Ethics*:

Al Brown is a seventy-three-year old man with cerebral palsy and severe spastic paralysis in all four limbs. He was admitted to a dependent care facility forty years ago and has lived there ever since. Despite his significant physical impairment and need for assistance with basic life functions, he is cognitively intact.

Several years ago, Mr. Brown was given phenobarbitol for treatment of a seizure disorder. When the threat of seizures subsided, he continued to receive 60 milligrams of phenobarbitol four times a day. Now, each time a new pharmacist or physician is assigned to his unit, phenobarbitol levels are drawn. These invariably run in the 50's in micrograms per millilitre, suggesting to clinicians that his dosage should be reduced. Mr. Brown objects to this reduction, stating that he is doing fine, has not had any seizures, and "always gets messed up when people fool around with my medications." (Mahowald 107 qtd. in Lindemann 117-118)

In Mary Mahowald's analysis of this case she argues that Mr. Brown's testimony is likely to be dismissed by the health care professionals—despite Mr. Brown's knowledge of the dosing that works best for him—because the professionals are in the position to know authoritatively relative to Mr. Brown (Lindemann 118). Because Mr. Brown does not occupy a position of authority that is (recognized as being) on par with the pharmacists or physicians, his knowledge of the effects of his dosing is likely to be ignored because he “lacks scientific training and is unfamiliar with the risks reported in the medical literature” (Lindemann 118).

What this example is intended to illustrate is that in the event that Mr. Brown's testimony is dismissed—resulting in him feeling wronged because he was ignored or not taken seriously—it would seem odd to say that he failed to have a ‘proper’ understanding of this social experience because he did not know, for instance, that “the dominance structures that are pervasive throughout society are reproduced in a medical context” or that patients are often members of oppressed groups (Sherwin 228). Rather, we would say that he understood this experience—even without the knowledge that his experience may be pervasive in healthcare contexts. Importantly, the wrong of Mr. Brown's treatment can surely be recognized at the individual level—even though the political character of the wrong must await information from others. Thus, it I do not think that in order for one to have a ‘proper’ understanding of a given social experience that a person needs to have a comprehensive understanding of oppressive systems or the knowledge of the pervasiveness of one's experience. Therefore, since understanding occurs along a single spectrum (i.e. of more or less understanding) and understanding is a matter of

degree, Fricker simply sets the bar too high for what constitutes a ‘proper’ understanding.<sup>22</sup>

The final worry that one might raise is that the scope of my own argument is limited; that is, I have only shown that the paradigm case of hermeneutical injustice fails, not that the Fricker’s account fails more generally. I take this up in more detail in Chapter 4, where I argue that the coherence of Fricker’s own account presupposes the kind of understanding that I have outlined.

### **3.2 We Can Say What We Understand**

In the context of social understanding, Fricker is concerned with those mechanisms that skew discourses in favour of the experiences of more powerful groups. On Fricker’s account, communication is dependent on understanding: when an individual fails to understand a social experience, he or she may not be able to articulate it. For this reason, Fricker thinks that hermeneutical injustice is discernible in communicative exchanges; when the background condition is realized and “erupts in injustice”, the hermeneutically marginalized speaker is “unable to render an experience intelligible, either to herself or to an interlocutor” (Fricker 2007, 159). Fricker thinks this phenomenon is well supported by her paradigm case of hermeneutical injustice: owing to a lacuna in the hermeneutical resources—a gap where the concept ‘sexual harassment’ should have been—Wood was prevented from rendering her experience of unwanted sexual advances in the workplace communicatively intelligible.

Fricker’s account is grim: in discursive exchanges the hermeneutically marginalized appear to have few options in terms of escaping the hermeneutical shadows.

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<sup>22</sup> Thank you to Letitia Meynell for helpful comments and suggestions in terms of formulating this objection.

As an implication of Fricker's (implicit) commitment to community holism, hermeneutically marginalized individuals appear to have no choice but to adopt the dominant perspective that distorts their social experiences. However, as I established in the previous sections, if we adopt an-individuals-in-communities model of epistemic agency, we are in a better position to see how it is that hermeneutically marginalized individuals could acquire an understanding of a given social experience, even when the hermeneutical resources are deficient and they do not have a name or a concept for a particular social experience.

In the sections to follow, I attend to the second problematic assumption in Fricker's account of hermeneutical injustice; namely, her assumption that a hermeneutical lacuna may render a given social experience communicatively unintelligible. I argue that this claim is false: even in the face of hermeneutic deficiency, members of hermeneutically marginalized social groups often do develop their own vocabularies, or at the very least have the linguistic resources available that accurately captures their marginalized points of view.<sup>23</sup> These linguistic resources enable hermeneutically marginalized individuals to render a given social experience communicatively intelligible, both to themselves and to others.

To support my argument, I first present an objection by Mason. Mason argues that Fricker problematically conflates dominant and collective interpretive resources and ignores the non-dominant interpretive resources available to render a given social experience intelligible. In support of Mason's objection, I argue by way of counter-example to Fricker's assumption, and I show that prior to the "collective" understanding

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<sup>23</sup> In addition, the hermeneutically marginalized may have non-linguistic expressive resources available to communicate personal significance. See Campbell (1997).



of marital rape, first wave feminists actively protested what Fricker mistakenly assumes to be ‘the unspeakable’. I end this chapter with a cautionary note about non-dominant discourses, and I argue that we must also attend to the conditions of reciprocity required for successful linguistic communication.

### **3.2.1 Two Kinds of Discourses**

According to Mason, one of the problematic features of Fricker’s account of hermeneutical injustice is her failure to distinguish between three categories of hermeneutical resources, namely: (i) collective, (ii) dominant and (iii) non-dominant. Consequently, Mason argues, Fricker ends up conflating “collective” hermeneutical resources and “dominant” hermeneutical resources where ““collective’ hermeneutical resources function as *de facto* dominant on her own account” (300). In doing so, Fricker downplays, or even more strongly—disempowers—the epistemic practices of marginalized social identities (Mason 295). By conceptualizing hermeneutical lacunae as a ‘blanket collective lack’ of understanding as opposed to an interpretive shortfall in *dominant* hermeneutical resources, Fricker (problematically) assumes that marginalized social groups may be unable to both understand and communicate their experiences intelligibly to others (Mason 299-300). Ultimately, because Fricker conflates ‘dominant’ with ‘collective’ hermeneutical resources and ignores ‘non-dominant’ interpretive resources, she does not consider that hermeneutical lacunae could be asymmetric. Mason explains: “A gap in dominant hermeneutical resources with respect to one’s social experiences does not necessitate a corresponding gap in non-dominant hermeneutical resources” (300). What this suggests, then, is that in Fricker’s paradigm case of hermeneutical injustice, women like Wood could have used the non-dominant resources

of the women's liberation movement to make sense of their experiences of unwanted sexual advances in the workplace despite deficiencies in dominant interpretive resources at the time (Mason 300). As a result, Mason argues, in the absence of appropriate interpretive resources in dominant discourses, non-dominant social identities need not be rendered "confused" and "speechless" as Fricker suggests—proper interpretations in non-dominant discourses may elicit both understanding and communicative clarity (298).

Mason is right to highlight the importance of non-dominant discourses in both understanding and communication. As I argued in previous sections, as individuals-in-communities we are privy to a variety of situated knowledges that may be used to render a given social experience intelligible in the absence of widespread social understanding. Thus, as epistemic agents, we may use whatever resources are available to elicit understanding of any given social experience and building from Mason's objection, this also includes non-dominant interpretive resources.

In support of Mason's objection, in the next section I provide a counter-example to Fricker's assumption that a hermeneutical lacuna may render the social experiences of non-dominant social groups communicatively unintelligible. Using the longstanding interpretation of 'rape in marriage' as 'non-rape' I argue that even before marital-rape received uptake into the dominant discourses women effectively communicated and protested against this wrongful and unjust social experience.

### **3.2.2 First Wave Feminism and Marital Rape**

Fricker argues that when non-dominant social groups have little influence on the collective hermeneutical resources, then the collective hermeneutical resources may become unfairly biased in favour of those with more social power. As illustrated by her

paradigm case of hermeneutical injustice, because women did not tend to occupy positions in meaning-generating professions, men unduly influenced the social meaning of sexual advances in the workplace resulting in a lacuna where the concept ‘sexual harassment’ should have been. Fricker thinks that this lacuna rendered women’s experience of unwanted advances in the workplace both obscure and inexpressible.

A second example that Fricker uses to illustrate her claim that the collective hermeneutical resources may become unfairly prejudiced is the interpretation of “rape in marriage as non-rape” (155). Presumably, in keeping with Fricker’s account of hermeneutical injustice, because women were excluded from meaning-generating professions, in this instance, law in particular, a lacuna manifested in the shared tools of interpretation.

Prior to and for the majority of the 20<sup>th</sup> century in Canada, husbands could not be held criminally responsible for raping their wives. As Jennifer Koshan explains, several reasons have been proposed to explain a husband’s exemption from criminal responsibility (11). Many of these reasons directly correspond with dominant views and social meanings regarding a woman’s status in relation to her husband. Some of these reasons include: (i) “women gave up their entitlement to resist sexual relations with their husbands upon marriage” (ii) “after marriage a woman was incorporated into the person of her husband, making marital rape impossible”, (iii) wives were considered to be “the property of their husbands, conferring an entitlement on husbands to rape their wives with impunity”, and (iv) “marital rape was less serious than rape outside of marriage” (Koshan 11).

As a result of these dominant social meanings, in Canada, from the time that the first *Criminal Code* was established in 1892, until 1983, “men were immune from the criminal consequences for raping their wives” (Koshan 10). From 1970 until 1983, rape was defined in the *Criminal Code* as follows:

A male person commits rape when he has sexual intercourse with a female person who is not his wife (a) without her consent, or (b) with her consent if the consent (i) is extorted by threats or fear of bodily harm, (ii) is obtained by personating her husband, or (iii) is obtained by false and fraudulent representations as to the nature and quality of the act. (qtd. in Koshan 10-11)

For the sake of consistency with the paradigm case of hermeneutical injustice, Fricker would likely argue that because marital rape was ill-understood at the level of social understanding, individual understanding was abstruse as well. From this, as in her paradigm case, Fricker would argue that marital rape was collectively ill-understood until the time of second wave feminism when the predominant social understanding (and legal meaning) of ‘non-rape’ in marriage changed to ‘rape’—in the same way that the predominant social understanding of ‘unwanted sexual advances in the workplace’ changed to ‘sexual harassment’. That is, during the time of second wave feminism, society underwent a ‘collective’ change in consciousness due in large part to consciousness-raising, social and legal reform and the ‘filling in’ of hermeneutical lacunae with a proper interpretation and name for both ‘rape in marriage’ and ‘sexual harassment’. Fricker says: “If we look to the history of the women’s movement, we see that the method of consciousness-raising through ‘speak-outs’ and the sharing of scantily understood, barely articulate experiences was a direct response to the fact that so much of women’s experience was obscure, even unspeakable, for the isolated individual” (148).

If this is in fact Fricker's view (and it ought to be for the sake of consistency), then it would be consistent with some feminist theorists who assume that second wave feminism was the first organized political opposition to marital rape (Hasday 1376). Jill Elaine Hasday attributes this assumption to both Catharine MacKinnon and Susan Moller Okin, and in support of her claim, Hasday quotes:

Since 1970, feminists have uncovered a vast amount of sexual abuse of women by men. Rape, battery, sexual harassment, sexual abuse of children, prostitution, and pornography, seen for the first time in their true scope and interconnectedness, form a distinctive pattern: the power of men over women in society. (MacKinnon 242 qtd. in Hasday 1376)

[I]n the 1970's and 1980's, partly as a result of the feminist children's rights movements that originated in the 1960's wife abuse has been 'discovered'...Family violence is now much less sanctioned or ignored than in the past; it is becoming recognized as a serious problem that society must act on. (Okin 129 qtd. in Hasday 1376)

However, Hasday argues, feminist theorists like MacKinnon and Okin (and some legal theorists as well) are erroneous in their assumption that challenges to marital rape first became controversial during the latter part of the twentieth century (1377). For some theorists, this assumption is grounded in a second erroneous assumption, namely, that prior to the 1960's women never saw the need to challenge a husband's marital rights (1377). However, Hasday continues, these views mark a grave oversight of first wave feminist activism: marital rape has been on the forefront of the feminist agenda dating back to at least 1848 (1377). As Hasday explains, "leading nineteenth-century feminists argued—in public, vociferously, and systematically—that economic and political equality, including the vote, would prove hollow, if women did not win the right to set the terms of marital intercourse" (1379). Although some feminist and legal scholarship problematically conceptualizes marital rape as a "private concern that nineteenth-century

feminists feared discussing in any public or systematic way,” Hasday argues that “the historical record makes clear that these advocates not only publicly demanded the right to sexual self-possession in marriage, they pressed the issue constantly, at length, and *in plain language*” (1378-1379, emphasis added).

Hasday supports her argument with personal testimony and letters written by 19<sup>th</sup> century feminists. The testimony of these women shows not only that they did *understand* the wrong and injustice that women incurred as a result of forced sex in marriage, but they *communicated* (intelligibly) about it as well. This occurred despite the fact that a hermeneutical lacuna existed in the dominant discourses—a gap where the words ‘rape in marriage’ should have been—and dominant social meanings filled in the hermeneutical lacuna with misfit interpretations. Consider a sample of statements from first wave feminist activists in support of my argument:

“There is no subject,” Matilda E.J. Gage says, “‘which lies deeper down into woman’s wrongs’ than ‘the denial of the right to herself’” (Hasday 1426). Similarly, in a letter to Elizabeth Cady Stanton, Lucy Stone writes, “I know [...] that the abuse in question is perfectly appalling. [...] Shall we keep silence when such curses are inflicted through woman upon the race?” (Hasday 1423). Stanton, a staunch advocate for a woman’s “right to her person”, spoke publicly against the dominant views on marital rape and “was certain that the vast majority of women, including those who would never speak publicly, regarded present arrangements with ‘deep and settled disgust’” (Hasday 1420-1421). “Women’s degradation is in man’s idea of his sexual rights,” Stanton writes, “How this marriage question grows on me. It lies at the very foundation of all progress” (Hasday 1422). Moreover, Hasday explains, many feminist activists

articulated the social experience of marital rape using the language of “legalized prostitution”, which Hasday maintains, “became one of the most powerful idioms” of nineteenth-century feminists (1428). The language of legalized prostitution was introduced in virtue of the fact that: “[L]awyers and judges were never willing, or able, to present a substantive explanation differentiating the work of prostitution from the sexual services that husbands were entitled to take from their financially dependent wives” (Hasday 1428).

With these examples in mind, and as Hasday suggests, closer attention to the historical record reveals nineteenth-century feminists’ “garrulousness about the supposedly unspeakable” (1378). Contrary to the assumptions of predominant feminist theorists like MacKinnon and Okin, second wave feminism was not the first organized political opposition to marital rape. Moreover, closer attention to the historical record does not support Fricker’s claim that a hermeneutical lacuna—a gap where the words ‘marital rape’ and a proper interpretation should have been—rendered the experience of marital rape incommunicable. Rather, from the personal testimony and activism of many women, undoubtedly they understood and communicated that forced sex in marriage was wrong and unjust—and they did so ‘in plain language’. Granted, the radical agenda articulated in the non-dominant discourses of nineteenth century feminists failed to amend customary norms or revolutionize legal practices (Hasday 1379). Nonetheless, despite the fact that marital rape was a newly *legitimated* harm during the era of second wave feminism, it does not follow that it was (i) not understood or (ii) communicatively unintelligible prior to this era. So, as this example illustrates, Fricker’s assumption is false: a hermeneutical lacuna does not necessarily render an experience so inchoate that

members of marginalized social groups are prevented from communicating intelligibly about that experience. Non-dominant discourses may be available to elicit communicative ease, and as Mason argues, gaps in discourses need not be symmetric.

### **3.2.3 Reciprocity in Testimonial Exchanges**

While Mason is right to argue that non-dominant discourses may be available to render a given social experience communicatively intelligible (in the absence of proper interpretations in dominant discourses), one problem with subjugated idiolects is that they may not always receive the needed uptake—that is, the recognition—from dominant groups who are unfamiliar with the vocabularies and conceptual resources of the socially marginalized. Thus, while non-dominant discourses may facilitate understanding and communicative intelligibility between members of non-dominant social groups, from a practical standpoint, I worry that non-dominant discourses may not always be used to accomplish the practical task of rendering social experiences communicatively intelligible between members of dominant and non-dominant social groups when asymmetric gaps exist across discourses.

One fundamental feature of linguistic communication is the speaker's dependence on a hearer (Dotson 238). According to Jennifer Hornsby, this means that two reciprocity conditions must be met: first, a listener must understand the speaker's words, and second, the listener must understand the *intended* meaning of the speaker's words (134 qtd. in Dotson 237). What this means, then, is that it is not just a matter of being heard when one voices a claim, but as Kristie Dotson explains; it is a matter of the speaker's words being properly understood, so the listener must find the speaker's words "accurately intelligible" (237; 245). When the two conditions for reciprocity, i.e., accurate



intelligibility are met, Dotson suggests that a listener exhibits “testimonial competence” (245). Since every speaker requires reciprocity in a testimonial exchange, speakers are vulnerable because a listener may or may not meet their linguistic needs (Dotson 238).

When interpretive gaps exist in dominant discourses, Mason is right to argue that there need not be a corresponding gap in non-dominant discourses; hermeneutical lacunae are not necessarily symmetric. As a result, when dominant discourses are deficient with regards to a proper understanding of a given social experience, non-dominant discourses may facilitate understanding and communicative ease in some testimonial exchanges. However, as I have outlined, for any successful testimonial exchange, conditions of reciprocity must be met. Consequently, the use of non-dominant discourses in discursive interactions may not always be successful in facilitating understanding in members of dominant social groups.

Consider the following example to illustrate my argument. According to some Deaf scholars, for example, H-Dirksen L. Bauman, human identity is oftentimes linked with spoken language (242). Bauman writes, “Historically, we humans have identified ourselves as the speaking animal; if one does not speak, then he or she is akin to human in body, but to animal in mind. In this orientation, we see ourselves as becoming human *through* speech” (242). In keeping with this observation, neurologist Oliver Sacks explains that the congenitally deaf were labelled as “deaf and dumb” for many years and “were regarded by an unenlightened law as ‘incompetent’—to inherit property, to marry, to receive education, to have adequately challenging work—and were denied fundamental human rights” (9). Bauman adds to Sacks’ list and notes that additionally,

deaf people have systematically been denied opportunities like the right to own property, to have children, and to drive a car (Bauman 239).

In 1975, Deaf scholar Tom Humphries coined the term ‘audism’ to capture the discrimination experienced by deaf persons (Bauman 239).<sup>24</sup> The term “*audism* gathers together what has been there all along as isolated instances, events and experiences and unifies them into a single concept” (Bauman 240). According to members of the Deaf community, this discrimination also takes the form of forced medical procedures like cochlear implants and genetic screening—procedures that are used to mitigate or eradicate their “disability”. These procedures are considered by some members of the Deaf community to be a form of ethnocide (Lane, Hoffmeister and Bahan 403).

As Jackie Leach Scully explains, for the majority of hearing people, deafness is considered to be a disability—they conceptualize deafness as the mere loss of hearing (60). However, for members of the Deaf community, being Deaf is more like being a member of a minority cultural group—one with its own distinctive language, some shared history, specialized social organizations like Deaf schools and social clubs, etc. (Scully 60-61). For this reason, members of the Deaf community do not identify as disabled; rather, they see themselves as belonging to a minority community that thrives outside the dominant mainstream, i.e., the hearing community (Scully 60).

Like racism, sexism and classism, audism existed long before the term was coined. As Mason argues, naming does not occur *ex-nihilo* suggesting that an understanding of deaf persons differential treatment relative to hearing persons did not

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<sup>24</sup> Persons who identify as deaf are those persons with a hearing impairment who have “assimilated into hearing society and do not view themselves as members of a separate culture” (Tucker 215). On the other hand, those hearing impaired persons who identify as Deaf “define deafness as a cultural identity rather than as a disability for some purposes; they insist that their culture and separate identity must be nourished and maintained” (Tucker 215).

necessarily elude a deaf person's understanding. However, unlike the concepts of racism, sexism and classism, the term 'audism' has received little uptake into dominant discourses despite its prevalence in the Deaf community; consequently, the term is rarely used or recognized by society at large. This may be in part due to the failure of members of the hearing community to meet the conditions of reciprocity: in conversation, members of the hearing community might fail to understand why it is that these "disabled" people would feel that the development and implementation of medical procedures used to "cure" them of their "disability" would be considered instances of moral wrongdoing.

With this being said, this is not to suggest that I think the term 'audism' has no place in the dominant discourse. Instead, I want to highlight the fact that both the recognition and understanding of subordinated idiolects by socially powerful groups can be a matter of degree. Consequently, as a cautionary note, non-dominant discourses may not satisfy the conditions of reciprocity for successful linguistic exchanges between non-dominant and dominant groups. I take this up further in Chapter 4 in my discussion of testimonial smothering, and I offer a solution to this problem in my discussion of virtuous listening.

### **3.3 Conclusions**

In this chapter, I motivated resistance to Fricker's account of hermeneutical injustice, and I argued for two claims. First, I argued that Fricker problematically assumes that the absence of a name for a given social experience results in a collective lack of understanding in society at large; I argued that this claim is false. Using Fricker's own paradigm case of hermeneutical injustice, I showed that even in the absence of the concept 'sexual harassment' and a proper widespread interpretation of unwanted sexual

advances in the workplace (as instances of wrongdoing), there is good evidence to support my contention that women like Wood did understand their social experience. I diagnosed this problematic assumption as stemming from Fricker's (implicit) commitment to community holism as a model of epistemic agency. On this view, individual understanding is dependent on proper social understanding, and when conceptualized in this way, individuals are merely derivative knowers of society at large. I offered an alternative account of epistemic agency, namely, Grasswick's account of individuals-in-communities. I argued that using Grasswick's model we can explain how it is that individual agents may achieve an understanding of their own social experiences despite the existence of a hermeneutical lacuna and misunderstanding at the level of general social understanding. Ultimately, due to Fricker's myopic focus on naming as a means of understanding, I suggested that she does not account for the importance of multiple community membership, interpersonal engagement, general social, historical and political knowledge, and experiential understanding as important types of knowledge that we may use to make sense of any given social experience.

Following this discussion, I argued for a second claim. Specifically, Fricker assumes that a hermeneutical lacuna may render a given social experience so inchoate that it becomes communicatively unintelligible; I argued that this assumption is false. In support of my argument, I highlighted an objection raised by Mason who argues that Fricker problematically conflates 'collective' with 'dominant' hermeneutical resources, thereby ignoring the non-dominant resources available to render a given social experience communicatively intelligible. In support of Mason's argument, I argued by way of counter-example to Fricker's assumption. Using the example of first wave

feminist activism and the protest of marital rape, I showed that using non-dominant discourses, first wave feminists argued in plain language and used the idiom of legalized prostitution to protest the dominant social meanings that distorted the experience of forced sex in marriage. Finally, I offered a cautionary note about the use of non-dominant discourses in eliciting understanding in members of dominant groups when asymmetrical ‘gaps’ exist across dominant and non-dominant discourses.

Thus, in this chapter, I established two conclusions: despite lacunae in the dominant hermeneutical resources, members of hermeneutically marginalized social groups may still (i) understand their social experiences and (ii) render them communicatively intelligible. With this groundwork in place, in the next chapter, I argue that in some cases, Fricker’s account of hermeneutical injustice collapses into testimonial injustice.

## CHAPTER 4: CONCLUSION

### 4.1 The Social Knowledge of Non-Dominant Social Groups

Fricker's account of hermeneutical injustice aims to elucidate the ways that inequalities in social power can influence and distort social knowledge production. As her account suggests, powerful social groups may exert considerable control over the dominant means of interpretation and communication within a given society. However, as I established in Chapter 3, asymmetric relations of social power need not render the experiences of non-dominant social groups incomprehensible to themselves and communicatively unintelligible to others. Consequently, despite a hermeneutical lacuna in the dominant hermeneutical resources, members of non-dominant social groups may possess the epistemic tools and situated knowledges needed to make sense of their own social experiences.

With the groundwork of Chapter 3 in place, in this chapter, I argue that in some cases Fricker's account of hermeneutical injustice collapses into her account of testimonial injustice. That is, in those cases where members of non-dominant social groups are denied the rational authority to speak knowledgeably about their social experiences, they are silenced and prevented from participating in those epistemic practices that Fricker thinks are essential to human flourishing. Because Fricker fails to consider that non-dominant social groups may undergo a kind of coerced silencing, she problematically diagnoses their silence as stemming from a paucity in social understanding. To elucidate the nature of this coerced self-silencing, I add theoretical resources to Fricker's analysis, and I argue that Kristie Dotson's account of testimonial smothering more adequately captures the oppressive epistemic practices that prevent

members of certain social groups from expressing their marginalized points of view. Finally, with this account in place, I clarify our role as virtuous listeners, and I highlight the importance of attentive and self-reflexive awareness as to the ways that differences in power and privilege might limit a listener's own understanding in a testimonial exchange.

#### **4.1.1 Testimonial Injustice**

Recall from Chapter 2 that Fricker defines testimonial injustice as “a distinctively epistemic injustice, a kind of injustice in which someone is *wronged specifically in her capacity as a knower*” (2007, 20). As a result of “prejudicial dysfunctions” in discursive exchanges a speaker may experience a kind of “credibility excess”—that is, a speaker receives more credibility than is warranted—or a kind of “credibility deficit”—a speaker receives less credibility than is due (2007, 17). In both cases, Fricker thinks that a speaker may be harmed, although her primary concern is with the latter case. In this type of epistemic oversight, the norms of credibility imitate the structures of social power, so that the rational authority of members of certain social groups is overlooked or continuously called into question.

Fricker argues that if we want to understand the effect of social power in epistemic practices, then we need to consider at what point social power “*must*” enter into epistemic practices (1998,161). To do this, Fricker considers Edward Craig’s epistemic State of Nature—a genealogical approach used to elucidate our most basic epistemic needs.<sup>25</sup> Like other State of Nature scenarios (for instance, as employed in political philosophy), the epistemic State of Nature is presumed to a minimally social state where people live in groups and share the same fundamental needs (Fricker 2007,

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<sup>25</sup> See Craig (1999).

109). The motivation behind Craig's scenario is to explicate why it is that the concept 'knowledge' evolved; that is, why it was needed in addition to the concept of 'true belief' (2007, 129).<sup>26</sup>

Craig argues that because epistemic practices in the epistemic State of Nature are geared at survival, then individuals must acquire a sufficient number of true beliefs in order to survive (for instance, which foods are safe to eat and which foods are poisonous) (Fricker 2007, 109-110). Clearly, if the possession of true beliefs is crucial for survival, it will be advantageous for individuals to collaborate with one another and develop a collective strategy, i.e. an epistemic practice, where information is communal (Fricker 2007, 110). In this type of epistemic practice, individuals must adopt a trusting and cooperative attitude towards their fellow inquirers (Fricker 1998, 162). Of course, this trusting and cooperative attitude must also be discriminating (it would be unwise to trust every informant equally on every matter), which suggests that there must be some public criteria to discriminate between good and sub-par informants (Fricker 1998, 162). From this, Craig argues, any human society will develop the concept of a 'good informant' and "knowledge is what good informants can be relied on to share with us" (Fricker 2007, 129; 130).

Working from Craig's genealogical account, Fricker thinks it may sensibly be argued that a good informant has the three key attributes: (i) competence, (ii) trustworthiness and (iii) indicator-properties (1998, 162). Competence may be specified

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<sup>26</sup> My discussion of Craig's epistemic State of Nature is supplemented by Fricker's paper "Rational Authority and Social Power: Towards a Truly Social Epistemology" (1998). Thus, my discussion of Craig's epistemic State of Nature covers some details that are not included in *Epistemic Injustice: Power and Ethics of Knowing*.



counterfactually, “so that the good informant as to whether p must believe that p if p is the case, and not believe that p if *not*-p is the case across those possible worlds that are relevant to the predicament of the inquirer” (Fricker 1998, 162). Simply put: a competent informant is one who believes p if p is true and does not believe p if p is false.

Trustworthiness essentially involves having a good “track-record” of truth telling, but is broadened in scope to also include things like “an informant’s accessibility, speaking the same language, [and] willingness to part with the information” (1998, 163). This list is not exhaustive and could include other requirements depending on the context of the discursive interaction. Finally, indicator-properties “indicate that the potential informant is ‘likely to be right about p’” (1998, 163). Indicator properties, then, are used to assess a speaker’s competence and trustworthiness on a given matter (1998, 163). In sum, Fricker thinks that a good informant is one who is characterized by two key attributes. First, a good informant has “rational authority”—he or she is both competent and trustworthy; and second, a good informant has “credibility”—he or she possesses the relevant indicator-properties (1998, 166-167). With this in mind, “[k]nowledge, then, is enshrined in the figure of the good informant” (Fricker 1998, 163).

Since good informants are the transmitters of knowledge, norms of credibility are useful heuristics that may be used to identify those persons with the relevant indicator properties both in the epistemic State of Nature and in fully social settings. Because hearers need to be attuned to indicator properties in order to identify trustworthy and non-trustworthy informants, hearers need “dispositions that lead them reliably to accept truths and reject falsehoods” so that they can participate in the pooling of knowledge (Fricker 2007, 114-115). In the epistemic State of Nature, credibility judgments will be dependent

on some basic kinds of social categorization (e.g. the concepts of “insider or “outsider”) and will involve dependence on stereotypes (Fricker 2007, 115). Stereotypes may have a positive, negative or neutral valence and are frequently used as rules of thumb in assessing the credibility of a given speaker (Fricker 2007, 30). Granted, although some stereotypes will be reliable, Fricker thinks that others will “produce some basic identity-prejudicial stereotypes” (2007, 116). In the epistemic State of Nature, one such example would be that of the “ignorant outsiders” (Fricker 2007, 116).

Fricker conceptualizes stereotypes as shared conceptions that actively take shape and are disseminated in the collective social imagination; typically, they are “widely held associations between a given social group and one or more attributes” (2007, 30). This “imaginative social co-ordination” perpetuates conceptions of what it means to have a particular social identity, for instance, what it means to be a particular gender, race, sexual orientation, or age (Fricker 2007, 14). Stereotypes, then, may perpetuate one type of social power—identity power—and while stereotypes may take the form of belief, they often operate at a subtler level in the form of non-doxastic attitudes or “images” about different social identities (Fricker 2007, 36-37). Ultimately, as we move from the epistemic State of Nature to fully social settings there will be new impetuses for prejudice owing to the complexity of social interactions and the diversity of social groups (Fricker 2007, 120).

Fricker thinks that prejudice typically finds its way into credibility judgements through stereotypes. On Fricker’s account, prejudice is the basic mechanism through which credibility judgments are corrupted in a discursive exchange (2007, 30). Prejudices are a kind of “pre-judgement[s]” and may have a positive or negative valence (2007, 33;

2007, 35). Although not all prejudices are negative in nature, Fricker thinks that negative identity prejudice is the most morally problematic and is defined as “[a] widely held disparaging association between a social group and one or more attributes, where this association embodies a generalization that displays some (typically epistemically culpable) resistance to counter-evidence owing to an ethically bad affective investment” (Fricker 2007, 35). It is this type of prejudice that is most often the motivating force behind testimonial injustice.

Fricker argues that “prejudice will tend to surreptitiously inflate or deflate the credibility afforded to the speaker, and sometimes this will be sufficient to cross the threshold for belief or acceptance so that the hearer’s prejudice causes him to miss out on a piece of knowledge” (Fricker 2007, 17). When norms of credibility imitate the structures of social power, the rational authority of certain social groups may be systematically undermined. In these types of cases, in virtue of one’s membership in a particular social group, one may be wrongly denied the credibility that is deserved, and hence, dismissed or ignored as an informant and bearer of knowledge. Ultimately, if epistemic practices are such that the norms of credibility track the structures of social power, then those practices may not be conducive to veracity (1998, 173).

When the credibility of good informants is systematically deflated or cast into doubt (due to negative identity prejudicial judgments), opportunities to transmit knowledge are thwarted. In the most severe forms of testimonial injustice, Fricker thinks that identity-prejudicial credibility deficits tend to be: (i) systematic, where “testimonial injustices are connected, via a common prejudice, with other types of injustices”, for

instance, “economic, educational, professional, sexual, legal, political, religious, and so on” and (ii) persistent, where testimonial injustices are repeated frequently (2007, 27-29).

Although testimonial injustice is epistemically disadvantageous to both the hearer and the epistemic community (because an opportunity to acquire knowledge is lost), Fricker is primarily concerned with the harm that is done to the speaker (2007, 44). According to Fricker, when a speaker is on the receiving end of a testimonial injustice, the speaker may experience two kinds of harm. The first kind, the primary harm, stems from the fact that the “subject is wronged in her capacity as a knower”—a capacity that Fricker thinks is “essential to human value” (2007, 44). Because the capacity to give knowledge is tightly coupled with the capacity to reason—which, according to some philosophers (Kant for instance) is the capacity that makes us distinctively human—to undermine a person as a knower is to undermine that person’s humanity (Fricker 2007, 44).

In a related point, Fricker thinks that the ethically distinctive character of the hearer’s attitude towards a speaker ought to be one of respect (2007, 132). In some cases of testimonial injustice, especially those cases where the injustice is systematic, Fricker thinks that a speaker may be deprived of this fundamental form of recognition. In these types of situations, a subject of knowledge is reduced to a mere source of information. Consequently, when a speaker is treated as a mere source of information, Fricker thinks that the speaker is objectified; she calls this intrinsic harm “epistemic objectification” (2007, 133). Fricker explains: “The moment of testimonial injustice wrongfully denies someone their capacity as an informant, and in confining them to their entirely passive capacity as a source of information, it relegates them to the same epistemic status as a

felled tree whose age one might glean from the number of rings” (Fricker 2007, 132-133). So, in instances of epistemic objectification, Fricker thinks that the moral attitude of the hearer towards the speaker actually undercuts the speaker’s epistemic subjectivity and undermines his or her status as a subject of knowledge (2007, 135-136).

With these considerations in mind, Fricker argues that the primary harm of testimonial injustice has an important symbolic dimension to it: “When someone suffers testimonial injustice, they are degraded *qua* knower, and they are symbolically degraded *qua* human” (Fricker 2007, 44). This type of degradation is not just dehumanising, but in the presence of others, it is oftentimes humiliating (Fricker 2007, 44). Consequently, when a subject is wrongfully excluded from the sharing of knowledge, he or she is also excluded from the community of trusted informants (2007, 132).

The secondary harm of testimonial injustice has two components: a practical and an epistemic component (Fricker 2007, 46). In terms of the practical component, a person who suffers from testimonial injustice may experience repercussions in his or her everyday life; perhaps a black man is innocent, but is found guilty of a crime in a court of law because he is not perceived as a credible testifier. Alternatively, a person may experience a professional disadvantage; perhaps a woman fails to receive credit for her ideas at work because they do not receive uptake from her colleagues until verbalized by a male co-worker (Fricker 2007, 46). The second component of the secondary harm is epistemic: a person may lose confidence in his or her beliefs, or in his or her justification for those beliefs (Fricker 2007, 47). In persistent and systematic cases of testimonial injustice, Fricker thinks that this loss of confidence could translate into the speaker literally losing knowledge, hindering both a person’s educational or intellectual

development (2007, 47-49). As an upshot, Fricker argues, a person's general loss of epistemic confidence could result in a failure to develop intellectual virtues like intellectual courage (Fricker 2007, 49).

According to Fricker, one specific form of testimonial injustice is a kind of "pre-emptive silencing"—she refers to this phenomenon as "pre-emptive testimonial injustice" (2007, 130). In pre-emptive testimonial injustice, a negative identity prejudice undermines a speaker's credibility in advance of a testimonial exchange. As a result, the potential testimony is not even asked for. When certain social groups are not solicited in the sharing of information, "their thoughts, their judgments [and] their opinions" go unheard (Fricker 2007, 130). When indicator properties for trustworthiness are subject to a negative identity prejudice, then members of social groups bearing those properties are excluded from the pooling of knowledge.

Recall from my discussion of hermeneutical injustice that Fricker argues that the crucial background condition for hermeneutical injustice is hermeneutical marginalization. Hermeneutical marginalization arises when marginalized social groups are excluded from meaning-generating practices that make for significant hermeneutic participation. This suggests to me, then, that Fricker must concede that these marginalized social groups experience a pre-emptive testimonial injustice because they are "deprived of opportunities to contribute their points of view to the pool of collective understanding" (2007, 131).<sup>27</sup> When certain social groups are excluded from meaning

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<sup>27</sup> This observation is supported by Fricker who says: "If we turn our imagination to the real world and place the phenomenon of pre-emptive testimonial injustice in relations of social power, we readily see how it could function as a mechanism of silencing: not being asked is one way in which powerless social groups might be deprived of opportunities to contribute their points of view to the pool of collective understanding. (We shall explore this general theme in the next chapter [Chapter 7: Hermeneutical Injustice].) Testimonial injustice, then, can silence you by prejudicially pre-empting your word" (2007, 131).

generating practices and powerful social groups control the generation of social meanings, Fricker argues that the socially powerless will have at best ill-fitting meanings to draw upon to make sense of their social experiences. Problematically, this may prevent marginalized social groups from understanding their own social experiences and rendering them communicatively intelligible to both themselves and to others.

In contrast to Fricker's view, in Chapter 3, I established that members of hermeneutically marginalized social groups may (i) understand a given social experience and (ii) be capable of rendering a given social experience communicatively intelligible despite a lacuna in the dominant hermeneutical resources. With these considerations in mind, in the sections to follow, I argue that in those cases where members of hermeneutically marginalized social groups do understand a given social experience and have the ability to communicate this social knowledge (even in the face of hermeneutic deficiency in the dominant resources and the absence of a name for a given social experience), Fricker's account of hermeneutical injustice collapses into *testimonial injustice*.

To motivate my position, I argue that unless Fricker revises her original argument, her account of hermeneutical injustice is incoherent. That is, Fricker's own remedy for hermeneutical injustice depends on the assumption that hermeneutically marginalized individuals possess the social understanding that she argues they lack (prior to the 'filling in' of hermeneutical lacunae) and the ability to communicate this knowledge. Specifically, Fricker argues that if marginalized identities occupied positions in meaning-generating practices, they would be able to contribute to the pooling of social knowledge so that their social experiences would be better represented. That is, by contributing to the

shared tools of interpretation, socially marginalized groups would have better interpretative resources to draw upon than the ill-fitting and distorted meanings that may be generated by more powerful groups. However, this leads to a contradiction in her account: in order for this to occur, hermeneutically marginalized individuals must have the knowledge of where hermeneutical lacunae exist so that they can challenge extant and defunct interpretations. Consequently, Fricker's own remedy for hermeneutical injustice is grounded on the assumption that hermeneutical lacunae do not generate a *collective* paucity in understanding.

#### **4.1.2 The Origin of the Collapse of Hermeneutical Injustice**

Fricker defines hermeneutical marginalization as “unequal hermeneutical participation with respect to some significant area(s) of social experience” (2007, 153). Marginalization is itself a moral-political concept where an individual (or group) is subordinated and barred from some practice that would have been of value for them to be a part of (Fricker 2007, 153). For example, most Canadian women were denied the right to vote in federal elections prior to the 1920's. Marginalization stemming from material power is one dimension of oppression and marginals may be defined as those people who are excluded from the system of labour (Young 53). As Young explains, within North American society, marginals are often people from particular racial groups—for example First Nations, Blacks or East Indians—but may also include older persons, single mothers, the physically and mentally disabled, and the poor (Young 53). Fricker notes that many of the negative stereotypes affecting these historically powerless groups involve “an association with some attribute inversely related to competence or sincerity or both: over-emotionality, illogicality, inferior intelligence, evolutionary inferiority,



incontinence, lack of ‘breeding’ lack of moral fibre, being on the make, etc.” (2007, 32). While these empirical generalizations occur along a spectrum (e.g. *all* First Nations people are alcoholics versus *some* First Nations people are alcoholics), in day-to-day interactions, these stereotypes often go unnoticed by those personally unaffected by the stereotype (Fricker 2007, 31; Young 59).

When individuals are excluded from meaningful employment opportunities, they run the risk of material deprivation, which can itself result in harms to one’s health and overall well-being. Sherwin notes that “people’s health care needs usually vary inversely with their power and privilege within society” and that poverty is an important determining factor for health (222). Because the poor do not have access to adequate housing, nutrition and shelter (leading to increased vulnerability to illness and disease), in addition to the fact that oftentimes, they do not have extended health insurance, people living in poverty only seek professional help when they are extremely ill or when their diseases have reached advanced stages (Sherwin 222). Marginalization may be one of the most dangerous forms of oppression because it can result in what Young calls the “extermination” of a marginalized person (53). Moreover, Young thinks that the harms of marginalization may extend even further than material deprivation, and this may play out in two ways: first, even though material deprivation is often addressed through welfare and redistributive policies, these policies themselves can perpetuate a different sort of injustice. Because those individuals on the receiving end of social welfare policies are dependent on bureaucratic institutions for their aid, they may be subject to “the often arbitrary and invasive authority of social service providers and other public and private administrators, who enforce rules with which the marginals must comply, and otherwise

exercise power and control over their lives” (Young 54). In sum, marginals living in a liberal society are effectively denied equal rights to the freedoms of citizenship.

Second, even in those cases where marginals live relatively comfortable lives (for example, with acceptable levels of nutrition, shelter, and sanitation) and their rights and freedoms are respected by those institutions that they are dependent on, their marginality may take the form of feelings of “uselessness, boredom, and a lack of self-respect” (Young 55). This particular form of injustice stems from the fact that when marginals are deprived of opportunities to participate in those social structures that elicit recognition and interaction, they are excluded from those practices of meaningful social cooperation (Young 55).

In addition to these harms that marginals may encounter, Fricker thinks that they may also be on the receiving end of a distinct form of injustice—a hermeneutical injustice—stemming from a collective hermeneutical resource that is inadequate with respect to their social experiences. This deficiency in the collective hermeneutical resources stems from the exclusion of certain social groups from an important handful of professions that Fricker thinks are the loci of social meaning-generation. In other words, when members of certain social groups are subject to systematic marginalization, they are deprived of the opportunity to voice their experiences in these vital meaning-generating professions. Fricker says: “for systematic cases [of hermeneutical injustice] the hermeneutical marginalization *entails* marginalization of a socio-economic sort, since it entails non-participation in professions that make for significant hermeneutical participation (journalism, politics, law, and so on)” (2007, 155-156). With respect to her paradigm case of hermeneutical injustice, Fricker adds:

Women's position at the time of second wave feminism was still one of marked social powerlessness in relation to men; and, specifically, the unequal relations of power prevented women from participating on equal terms with men in those practices by which collective social meanings are generated... Women's powerlessness meant that their social position was one of unequal hermeneutical participation, and something like this sort of inequality provides the crucial background condition for hermeneutical injustice. (2007, 152)

Fricker further illustrates the consequences of marginalization with an example of a group of employers who do not employ older persons (e.g. over the age of fifty) due to ageist stereotypes of the "slow senior worker who lacks ambition" (Fricker 2007, 154). This bias against the older population "threatens (among other things) to hermeneutically marginalize them by excluding them from the sorts of jobs that make for fuller hermeneutical participation" (Fricker 2007, 154).

With this in mind, let us turn our attention to Fricker's claim that hermeneutical marginalization is the crucial background condition for hermeneutical injustice. Recall from Chapter 3 I argued that even in the absence of a name (sexual harassment) and a proper widespread interpretation of unwanted sexual advances in the workplace (as instances of wrongdoing), it is not clear that Wood, nor the other women in her consciousness-raising seminar, were unable to understand the nature of their social experience. I attributed Fricker's problematic assumption that individual understanding is dependent on proper social understanding to her (implicit) commitment to community holism as a model of epistemic agency. I argued that by conceptualizing epistemic agents as individuals-in-communities we might explain how individual agents could achieve an understanding of their own social experiences despite the existence of a hermeneutical lacuna and misunderstanding at the level of general social understanding. Finally, I highlighted an important objection raised by Mason who argues that Fricker

problematically conflates ‘collective’ with ‘dominant’ hermeneutical resources, thereby ignoring the non-dominant resources available to render a given social experience communicatively intelligible. I supported Mason’s argument with the example of first wave feminist activism and the protest of marital rape. Thus, I concluded that in some cases, members of hermeneutically marginalized groups (i) can understand their social experiences and (ii) render them communicatively intelligible despite a hermeneutical lacuna in the dominant hermeneutical resources.

This, then, brings me to Fricker’s claim that “hermeneutical marginalization is first and foremost the product of unequal relations of social power” where marginalization is largely responsible for hermeneutical marginalization, and hermeneutical marginalization is the crucial background condition for hermeneutical injustice (2007, 174). To counteract hermeneutical injustice, Fricker proposes two remedies for mitigating hermeneutical marginalization. The first remedy, a virtue-based solution, requires virtuous hearers to follow a guiding ideal where credibility is increased “to compensate for the cognitive and expressive handicap imposed on the hermeneutically marginalized speaker” (Fricker 2007, 170). This corrective virtue moderates, rather than pre-empts, hermeneutical injustice but if exercised stringently by the community, Fricker thinks it could—in theory—generate enough hermeneutical microclimates to eradicate hermeneutical injustice altogether (Fricker 2007, 170). Of course, Fricker realizes that such virtue-driven optimism must be “tempered” by the fact that hermeneutical injustice is first and foremost a result of power inequalities, and ultimately, the second remedy for hermeneutical injustice involves “group political action and social change” (2007, 170). Based on her account, what this seems to suggest is that

the eradication of hermeneutical injustice will first result from eliminating the crucial background condition (hermeneutical marginalization), which is itself the product of social inequalities (marginalization) that excludes certain social groups from those professions that make for significant hermeneutical participation.

The problem with Fricker's second remedy for hermeneutical marginalization is that if she thinks that increased participation by certain social identities in meaning-generating practices would alleviate skewed hermeneutical resources and fill in hermeneutical lacunae, then she seems to be assuming that certain social identities will *already have a proper understanding* of those social experiences. If this is the case, and socially marginalized identities do in fact bring with them a proper, or more appropriate, understanding of their social experiences to meaning-generating professions, then it is not clear to me why Fricker conceptualizes the "cognitive disablement" produced by hermeneutical lacunae as a "blanket collective lack" of understanding (2007, 151; 2007, 161). Surely, if marginalized social identities can contribute to the hermeneutical resources and identify misfit interpretations, it is not because they are unable to frame meanings with regards to areas of their social life—it is precisely because they can frame meanings that their participation in meaning-generating practices would be beneficial. Thus, it is in virtue of the fact that the marginalized social groups "find themselves defined from the outside, positioned, placed by a network of dominant meanings they experience as arising from elsewhere, from those with whom they do not identify and who do not identify with them" that they can add to the deficient hermeneutical resource where they have been "excluded from the central discursive institutions and arenas of societies" (Young 59; Fraser 426).

There is a contradiction in Fricker's account. While much of Fricker's work highlights the importance of power dynamics in the production of social knowledge, it is not clear how the hermeneutically marginalized could not properly understand their social experience outside of meaning-generating practices, yet bring with them a proper understanding of their social experiences to meaning generating practices. Fricker's *own* account seems to imply that it is not so much a matter of members of hermeneutically marginalized social groups lacking knowledge or a proper understanding of a given social experience; but rather, the problem is that they are prevented from voicing their knowledge and interpretations—they *only* experience a pre-emptive testimonial injustice.

As Mason suggests, if we consider Fricker's paradigm case of hermeneutical injustice, because unwanted sexual advances in the workplace were not yet recognized by society at large as cases of wrongful mistreatment, Wood was left virtually powerless in terms of putting an end to the professor's unwanted sexual advances (298). Moreover, Mason argues, because neither Wood nor the other women in the consciousness-raising group had the authority to determine the social, legal, and political ramifications of their experience in isolation, they had few options available in terms of protesting their unjust workplace experiences (298). Their silence then, was not due to a lack of proper understanding or a loss for words, but stemmed from those practices that prevented their voices from being heard. Consequently, by naming their social experience women found the "linguistic ammunition" to "galvanize political action" (Mason 298).

As a consequence of this analysis, I suggest that unless Fricker revises her original argument, her account of hermeneutical injustice is incoherent. Given that Fricker suggests that the ultimate remedy for hermeneutical injustice is a shift in social

power and that hermeneutical marginalization is largely due to the exclusion of certain social groups from ‘those sorts of jobs that make for fuller hermeneutical participation’, it follows that members of marginalized social groups must be able to understand (or at least, have more appropriate understandings) and identify defunct social meanings if their participation in these types of professions would counteract hermeneutical injustice.

With these considerations in mind, in the next section, I argue that in cases of “hermeneutical injustice” where individuals possess both an understanding and the ability to render their social experiences communicatively intelligible, Fricker’s account of hermeneutical injustices collapses into testimonial injustice. I further explicate my analysis by reframing some of Fricker’s case studies of hermeneutical injustice as instances of testimonial injustice.

#### **4.1.3 The Collapse: Double Epistemic Injustices?**

Fricker argues that hermeneutical injustice tends to manifest when a “speaker is struggling to make herself intelligible in a testimonial exchange” (2007, 159). In these cases, because the speaker will be trying to render intelligible a “scantly understood experience” to an interlocutor, Fricker thinks that their testimony will already warrant a “low *prima facie* credibility judgment owing to its low intelligibility” (2007, 159). If the speaker is a member of a systematically marginalized group, his or her credibility may be further deflated owing to a negative identity prejudice. Therefore, not only will the speaker experience hermeneutical injustice—Fricker thinks that he or she or she may be on the receiving end of a testimonial injustice as well (2007, 159).

To illustrate how this ‘double epistemic injustice’ unfolds, Fricker invites the reader to imagine someone in a similar position to Wood who is trying to articulate her

experience of unwanted sexual advances in the workplace to her employer. Fricker suggests that because the concept of ‘sexual harassment’ is absent from the woman’s linguistic repertoire that “there is already a serious problem about the plausibility of whatever it is she manages to articulate by way of telling her story (perhaps she succeeds in saying that she is ‘made uncomfortable by his persistent ‘flirtation’)” (2007, 159). When compounded with a negative identity prejudice—for example, gender identity prejudice—then the woman faces not only a “double epistemic injustice”, but also may experience a “runaway credibility deflation” (Fricker 2007, 159).

Based on my arguments in the previous section (4.1.2), I argue that this is not a case of a ‘double epistemic injustice’ as Fricker suggests. Although the speaker does not have a name or a well-defined concept to capture her experience (for instance, ‘sexual harassment’), she may still be attempting to communicate what she believes to be an instance of wrongdoing or unfair workplace behaviour. As a testifier, she is attempting to communicate a piece of social knowledge regarding discriminatory workplace conduct to her interlocutor. Moreover, she satisfies Fricker’s criteria of a good informant: she has both rational authority and credibility. That is, in terms of rational authority she is competent: she believes that she is made uncomfortable by the persistent flirtations and has been unfairly targeted as a woman. She is trustworthy—(presumably) she has a good track record of truth telling and her testimony is in fact truthful. Finally, she has credibility—as a testifier, she is speaking about how she feels and what she believes to be unfair and discriminatory treatment that targeted her as a woman. Clearly, she has the indicator properties to speak from a woman’s perspective—she is a woman after all. Moreover, she is expressing how she feels and what she thinks about the persistent



flirtations, so surely she has the indicator properties in terms of being in a position to give a first-person account of her feelings and her beliefs.

Although this woman (very likely) understands her social experience and is a good informant in terms of transmitting this knowledge, her employer might in turn fail to understand her testimony or dismiss it on the grounds that as a woman, she is simply being, for example, ‘hypersensitive’ or ‘overemotional’. As Meyers argues in the context of perceived wrongdoing, “[w]hen people are accused of committing a wrong that is to some extent controversial...they often try to disarm their critics by deflecting attention from the very issue by attacking the victim” (206). Moreover, Meyers suggests:

Prominent among these diversionary strategies is the tactic of dismissing the complaints as products of a warped emotional attitude...[it] is often the first line of defense against unwelcome charges of unfair practices or oppressive conditions. It may also be the last line of defense, for this move often succeeds in shaming the victim and silencing protest. (206)

Granted, in Fricker’s example, the employer does not make an overt judgment about the woman’s emotional state, but I think it is reasonable to suggest that judgments of an unhealthy or unstable emotional constitution often underlie negative gender identity prejudice with regards to woman’s credibility.<sup>28</sup>

Consider another example in support of my position. As discussed in Chapter 3, the experience of marital rape was (generally) interpreted and legally codified as ‘non-rape’ in Canada until the 1980’s. However, as I argued, the activism of first wave feminists suggests that despite dominant interpretations of marital rape as non-rape, feminist activists not only understood that forced sex in marriage constituted rape, but they publicly advocated their marginalized points of view using everyday language.

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<sup>28</sup> See Chapter 6 of Campbell (1997) for a discussion of the politics of emotional expression.

Furthermore, despite the dominant (mis)interpretations that distorted women's experience of marital rape, during the 19<sup>th</sup> century, social purity campaigns also advocated for social justice issues across English Canada, Britain and the United States (LeGates 206).

Motivated by a desire to remedy existing social problems that they believed were largely caused by the “selfish individualism’ that accompanied industrialization” reformers were also involved in protests and campaigns against both sexual abuse and marital rape (LeGates 206). In addition to marital rape, feminist repealers advocated against “the centuries-old definition of woman as a sexual animal” (LeGates 205).

For instance, consider a case study Josephine Butler, a feminist repealer during this era. Butler spoke out against the “arbitrary authority that laws gave to police and doctors” and she fought to repeal the Contagious Diseases Acts (an act intended to regulate prostitution and limit the spread of venereal disease), which permitted the detention and forced medical examination of female prostitutes (LeGates 205-206). The law exempted all male clients from any kind of forced medical examination, and Butler, like some other feminist repealers, considered the Contagious Diseases Acts to be yet another form of male oppression (LeGates 206). Butler condemned the double standard that “unjustly punished victims instead of the perpetrators” and argued that the Contagious Diseases Acts was “degrading, a form of ‘instrumental rape’ with the speculum used as a ‘steel penis’” (LeGates 205-206). However, her outspokenness against dominant interpretations and radical activism for social justice had its price: “In one confrontation a mob covered Josephine Butler with flour and excrement, her clothes had been torn off her body, her face was discoloured and stiff with dried blood, and she was so bruised that she could hardly move” (LeGates 206).

For the sake of consistency with her own case study, Fricker ought to argue that in this example, Butler experienced a double epistemic injustice: first, due to a hermeneutical lacuna where a proper interpretation was missing from the conceptual repertoire, the dominant social meaning of womanhood was that of a ‘sexual animal’. This resulted in a widespread misunderstanding regarding what it “means” to be a woman—a misunderstanding that was particularly disadvantageous to women like Butler. Second, due to a negative identity prejudice, in virtue of being a woman, Butler was dismissed as a testifier; thus, she experienced a testimonial injustice as well.

In the case of Butler, once again, I do not think that hermeneutical injustice adequately captures her experience. First and foremost, I am certain that Fricker would agree that the horrific violence that Butler was subject to was certainly an injustice. However, with regards to Butler’s epistemic state, Fricker and I part ways: neither Butler’s actions nor her testimony suggest that she was a woman who, as a result of dominant social meanings that conceptualized women as ‘sexual animals’, rendered her own experience as a woman obscure and inchoate. On the contrary, Butler’s actions and testimony suggest to me that she had a very good understanding of this area of social life, and as a result, went to great lengths to speak publicly and fight a double standard. Certainly, Butler experienced a significant negative identity credibility deficit—as a woman, she was not considered to have rational authority on these types of subject matters. Nonetheless, it would seem wrongheaded to suggest that in speaking out, Butler experienced a ‘double injustice’ given that she had a good understanding and social knowledge that she attempted to communicate. Similarly, it would seem wrongheaded to suggest that first wave feminists experienced a double epistemic injustice because they

failed to understand or intelligibly communicate the experience of rape in marriage as ‘non-rape’ for the reason that marital rape was “collectively” ill-understood.

As these examples illustrate, hermeneutical injustice—the notion that understanding is *collectively* obscured owing to a lacuna in the hermeneutical resources—fails to capture the injustice experienced by these women. Rather, I argue, these women were wronged not because they experienced a double epistemic injustice, but because they experienced a testimonial injustice—others failed to listen owing to a credibility deficit and a denial of women’s rational authority with respect to their own social experiences.

With my analysis in place, in the next section, I add theoretical resources to Fricker’s account of testimonial injustice. I argue that Kristie Dotson’s account of testimonial smothering more accurately captures the coerced self-silencing incurred by many members of “hermeneutically marginalized” social groups.

#### **4.1.4 Testimonial Smothering**

Recall from Chapter 3 that one of the features required for successful linguistic communication is ‘reciprocity’ between a speaker and a listener. On this view, when there is reciprocity between a speaker and a listener, two conditions are satisfied: (i) the listener understands a speaker’s words, and (ii) the listener understands the speaker’s *intended* meaning of the words (Dotson 237). In those situations where a speaker perceives the listener as being unable to satisfy either of these conditions (either willingly or unwillingly) Dotson argues that the speaker may experience a particular kind of agential silencing—“testimonial smothering” (244).

Testimonial smothering, according to Dotson, “is the truncating of one’s own testimony in order to insure that the testimony contains only content for which one’s audience demonstrates testimonial competence” (Dotson 244). In other words, when a speaker does not think that the listener will find the testimony “accurately intelligible”—that is, the listener may not be able to understand the testimony and/or the listener may not be able to recognize that he or she has failed to understand—then the speaker preemptively edits the testimony (Dotson 245). This kind of “coerced silencing” is the result of the speaker anticipating that the testimony is “risky” or “unsafe”, and due to “pernicious ignorance” on the part of the listener (i.e. a reliable type of ignorance that causes harm to another person), the speaker will eliminate the “unsafe” parts of the testimony (Dotson 241-244). On Dotson’s account, “reliable ignorance” is the repetitive failure to “meet the dependencies of the speaker” (241). Because reliable ignorance is a recurring failing on the part of the listener, it constitutes a “practice of silencing”, as opposed to a mere “instance of silencing” (Dotson 241). Dotson thinks that reliable ignorance may be the result of “situated ignorance”—“unknowing” owing to one’s social or epistemic positioning that generates epistemic differences in understanding and worldviews (248).<sup>29</sup> Ultimately, testimonial smothering is a coerced self-silencing resulting from a speaker’s powerlessness as to how his or her testimony will receive uptake.

Dotson thinks that the omission of ‘unsafe’ testimony is well illustrated by Kimberlé Crenshaw’s discussion of “public silences” in “non-white communities” (244). According to Crenshaw, African American women often remain silent with regards to

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<sup>29</sup> Dotson’s very brief discussion of epistemic difference is based on Lisa Bergin’s work on epistemic difference in communication and testimony (2002). I return to Bergin’s work and discuss epistemic difference in much more detail in section 4.2.1.

domestic violence and rape, especially when a member of the African American community commits the crime (Dotson 245). Crenshaw argues that these “public silences” stem from the worry of some (not all) African Americans that a full disclosure of sexual violence in black communities would only substantiate the stereotype of the “violent” black male (Dotson 245). In the literature, this type of behaviour has sometimes been referred to as a “politics of respectability”—a politics, in part, aimed at deflecting racist stereotypes (Dotson 245). Due to the fact that negative stereotypes are so pervasive in, for instance, the United States, black women may make the conscious choice to ‘smother’ their testimony in an attempt to counteract negative identity prejudice which may cause further social, political and material harm (Dotson 244). Dotson quotes Crenshaw who writes:

[R]ace adds yet another dimension to sources of suppression of the problem of domestic violence within nonwhite communities. People of colour must weigh their interests in avoiding issues that might reinforce public perceptions against the need to acknowledge and address intracommunity problems. Yet the cost of suppression is seldom recognized, in part because of the failure to discuss the issue shapes perceptions of how serious the problem is in the first place. (1256 qtd. in Dotson 244)

Because some individuals may fail to detect that they have not properly understood a black woman’s testimony—that is, they will not realize that what they understand to be corroborating evidence for the ‘stereotype of the violent black male’ was not the intended meaning of the speaker’s words—survivors of rape or domestic abuse may keep silent. Consequently, testimonial smothering has epistemic consequences for an individual knower, but also, for the epistemic community at large due to an

underestimation of the social problems that affect the quality of life of oppressed groups.<sup>30</sup>

Prior to the era of second wave feminism, issues pertaining to sexual oppression were oftentimes not openly discussed. Once consciousness-raising groups began to surface in the 1960's, many women felt like they had an opportunity to talk more freely about their own experiences. Susan Brownmiller's, (the author of the memoir *In Our Time: Memoirs of a Revolution*) own baptism into second wave feminism began at a consciousness-raising meeting in the late 1960's. Upon her arrival at the consciousness-raising session— "a group exercise designed to unlock the door to collective truths unmediated by the opinions of men"—with the New York Radical Women feminist group, she and the other female attendees were asked a single question: "When you think about having a child...do you want a boy or a girl?" (Brownmiller 5). One by one, the women went around the room and shared their stories: one woman gave her baby away because she didn't know how to get an abortion, another woman, not wanting a baby, had to feign mental instability in order to be granted a legal abortion, and a third woman, following a substantial lump sum payment, was taken blindfolded to an unknown destination for her Mafia-protected abortion—no names and no questions asked (Brownmiller 5-6).

Brownmiller told the group about the three illegal abortions she had: two in Puerto Rico and another one in Cuba. Her second abortion, she recalls, almost ended in disaster. Following a consultation with a New York City gynecologist who told her that as a "resourceful person" she could "ask around" and "connect with someone" she was

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<sup>30</sup> This observation is from a pre-publication working draft of Dotson's paper "Tracking Epistemic Violence, Tracking Practices of Silencing" (n.d.16).

left to her own devices to find someone who would terminate her pregnancy (Brownmiller 6). Deciding against a back-alley procedure (i.e., a basic wire hanger procedure), she wound up in a basement in Baltimore where she was injected with sodium pentathol. Prior to starting the procedure she was made to sign three blank pieces of paper so that if something went wrong, her “confession” could be filled in (Brownmiller 6). She was then told that she would be injected with saline—a solution that would surely have killed her. Still pregnant, Brownmiller fled and ended up in a clinic for poor women in San Juan, where three hundred dollars later, her pregnancy was terminated.

As a journalist Brownmiller managed to keep her medical procedures shrouded in silence—when asked on the “Female” side of her job application at ABC for the “Date of last period? Have you ever had an illegal operation?” she lied (7). Having kept her experience largely to herself, she explains that it was during the consciousness-raising session she realized that the medical procedure that she was forced to secure in isolation was not a “personal problem” (Brownmiller 7). Instead, Brownmiller realized that her solitary experience was, like other women’s, one aspect of their sexual oppression. She explains, “The simple technique of consciousness-raising had brought my submerged truths to the surface, where I learned that I wasn’t alone” (Brownmiller 7).

As this example illustrates, Brownmiller underwent a kind of coerced silencing—or in Dotson’s terms ‘testimonial smothering’—with regards to her experience of abortion. For women like Brownmiller, individual solutions for unwanted pregnancies were sought out in silence; during this era, not only was the dominant interpretation of abortion “a crime” –abortion literally was illegal (Brownmiller 102-103). Although



women had rational authority with respect to their experience of unwanted pregnancies, these women had few options but to undergo coerced self-silencing because the social and legal institutions were not in place to protect them from this kind of oppressive harm. Were women like Brownmiller to openly discuss their experiences, they were powerless as to how their testimony would receive uptake. For instance, had Brownmiller disclosed her three illegal abortions on her job application form with ABC, it might have served as corroborating evidence for the stereotype that women ‘like her’ are ‘loose’, ‘irresponsible’ or ‘morally bankrupt’—something which likely would have impeded her professional career or, worse, brought it to a grinding halt.

Consider another example in support of my position. During the era of first wave feminism, feminist activists “attacked the tremendous legal, social and economic pressures that pushed women into marriage and kept them there” (Hasday 1428). During this time, the current laws and practices explicitly excluded women from many professions and they received low wages for ‘women’s work’; thus, their marginalization made it extremely difficult to be self-sufficient (Hasday 1428). Due to the tremendous social risk that women undertook in speaking out against injustice, some feminists report the pressure to keep silent or to self-silence. For instance, Stone, a prominent feminist was “reluctan[t] to discuss [a married woman’s right to her person] in public, out of fear that outraged audiences would react by rejecting the entire feminist agenda” (Hasady 1422). Moreover, as illustrated by the case study of Josephine Butler, speaking out against dominant social meanings meant that women also ran the risk of violence and significant physical harm.

Although Fricker stipulates that cases of testimonial injustice involve a hearer assigning credibility deficits to the speaker, I think it can reasonably be argued that in cases of testimonial smothering, a speaker undergoes a self-silencing *because* he or she knows that he or she will be on the receiving end of a testimonial injustice owing to (i) a credibility deficit and/or (ii) the formation of “false beliefs” on the part of the hearer causing potential “social, political, and/or material harm” (Dotson 244). As Dotson argues, “[a] speaker cannot “force” an audience to “hear” her/him, where hearing refers to an audience fulfilling the demands for reciprocity in a successful linguistic exchange”, so “to communicate we *all need an audience willing and capable of hearing us*” (238).

Thus, Dotson’s notion of testimonial smothering is an important type of silencing that is not accounted for by Fricker. There is a crucial difference between silence owing to testimonial smothering and the silence that Fricker attributes to a hermeneutical lacuna. That is, the silence owing to testimonial smothering is coerced and self-induced—one has knowledge that may be too “risky” or “unsafe” to speak openly about. Silence owing to hermeneutical lacunae, on the other hand, is the result of a collective lack of understanding—a paucity of knowledge regarding a given social experience. Thus, in cases of marital rape, abortion, and sexual harassment, it seems more likely that women understood that dominant interpretations distorted their social experiences—but as individuals, many were powerless to contest it.

## **4.2 Clarifying Our Role as Virtuous Listeners**

A dialogue which claims absolute understanding of the other is, in effect, a monologue which subsumes differences under norms already in place. (Rosalind Diprose qtd. in Scully 39)

According to Fricker, when marginalized social groups are prevented from participating on par with more powerful social groups in the generation of social meanings, society in general may be prevented from properly understanding a given social experience. As an upshot of this, Fricker thinks that hermeneutical lacunae may prevent members of hermeneutically marginalized social groups from understanding and rendering a given social experience communicatively intelligible both to themselves and to others.

In response to this view, I argued that a lacuna in the dominant hermeneutical resources need not, and often does not, prevent members of hermeneutically marginalized groups from both understanding and speaking intelligibly about a given social experience. For this reason, I argued, in some cases (including the paradigm case and in other cases offered by Fricker), hermeneutical injustice simply collapses into testimonial injustice. Because hermeneutically marginalized social groups often have proper social understandings (that differ from prevailing social understandings), it is crucial to elucidate the type of testimonial silencing that prevents them from speaking knowledgeably about their own experiences. Drawing from the work of Dotson on testimonial smothering, I added theoretical resources to Fricker's account of testimonial injustice, and I argued that the silence of marginalized social groups ought to be understood as a kind of coerced self-silencing owing to their inability to ensure "uptake" by members of more powerful groups. Finally, I suggested that the silence of members of marginalized social groups is further compounded by institutional structures and social practices that fail to protect them from political, physical and material harm when they do contest the dominant social meanings that distort their social experiences.

With this in mind, in the next section, I clarify our role as virtuous hearers. While an in-depth discussion is beyond the scope of this thesis, I explicate Fricker's virtue-based remedy for hermeneutical and testimonial injustice, and I offer an amendment. Specifically, given the two conditions for reciprocity, I argue that virtuous listening requires attentive and self-reflexive awareness as to the ways that differences in power and privilege might limit one's *own* understanding in a testimonial exchange, especially when asymmetrical 'gaps' exist across dominant and non-dominant discourses.

#### **4.2.1 Attending to Difference**

One of Fricker's remedies for hermeneutical injustice is the corrective virtue of hermeneutical justice. Because Fricker thinks that lacunae in the hermeneutical resources may hinder a speaker's communicative intelligibility, a virtuous hearer will be one who exercises an alertness or sensitivity in discursive exchanges. In doing so, the virtuous hearer recognizes that in those cases when a speaker is struggling to render him or herself communicatively intelligible that the speaker's incomprehensibility may not be a "subjective failing", but rather, may be indicative of an "objective difficulty" (Fricker 2007, 169). This objective difficulty, Fricker thinks, is the result of a lacuna in the collective hermeneutical resources. The guiding ideal motivating this type of proactive listening is that "the degree of credibility is adjusted upwards to compensate for the cognitive and expressive handicap imposed on the hermeneutically marginalized speaker by the non-inclusive hermeneutical climate, by structural identity prejudice" (Fricker 2007, 170). Consequently, the hearer revises his or her initial credibility judgment (which Fricker thinks will be low due to the speaker's relative intelligibility) and amends it upwards to compensate for the speaker's communicative impediment.

What I think is particularly effective about Fricker's account of virtuous listening is the notion of *attentive* listening in a testimonial exchange. Although Fricker does not explicitly discuss the moral attitude of attention in her argument, to be a virtuous hearer, Fricker prescribes a kind of heightened socially aware listening—a social awareness that exceeds what is typically required in the average communicative exchange. Fricker explains: “This sort of listening involves listening as much to what is not said as to what is said” (2007, 171-172).<sup>31</sup>

Other theorists, like Simone Weil, also emphasize the moral import of attention in epistemic practices, as well as broader areas of human inquiry and practice. According to Weil, attention is “crucial for any genuinely human interaction” and is “critical to all areas of human endeavour” including intellectual pursuits like philosophy and education, but also extends to activities like physical labour (Tronto 128; Frost and Bell-Metereau 53). For Weil, every inquiry begins from the standpoint of deliberation in terms of where to look and where to direct one's attention (Frost and Bell-Metereau 53). Feminist care ethicists like Joan Tronto elaborate on this idea and argue that attentiveness, specifically, “recognizing the needs of those around us” is the first moral task when it comes to caring for others (127). Tronto argues that in an ethics of care, “caring about” requires taking note that a need exists, followed by the judgment that the need should be met (106). To do so, one must be attentive to others. Tronto illustrates this by way of example: people who are debilitated by disease may have difficulty with mobility (for instance, they may have difficulty eating or shopping on their own), thereby creating a recognizable need,

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<sup>31</sup> For further discussion of attention, virtue (specifically, the virtue of testimonial justice) and institutional prejudice with reference to Simone Weil see Fricker's forthcoming essay “Silence and Institutional Prejudice” (n.d.).

which ought to be assessed and met by others (106). To be inattentive—to wilfully ignore others—is, Tronto thinks, a moral failing (129).

In many ways similar to Weil and Tronto, Fricker emphasizes the importance of the moral attitude of attention in epistemic practices. That is, attentiveness on the part of the hearer is a crucial ingredient in creating hermeneutical microclimates where hermeneutical lacunae may be identified. In discursive exchanges, should a speaker be struggling with communicative intelligibility, the virtuous hearer—in attending to a need on the part of the speaker— will promptly adjust credibility upward to compensate for the hermeneutically marginalized speaker (2007, 170). Thus, in testimonial exchanges, virtuous hearers—those who exercise the virtue of hermeneutical justice—will be reflexively aware of: (i) what is being said and how it is being said and (ii) “their own social identity *vis-à-vis*” that of the speaker” (2007, 172). Importantly, what hearers bring to communicative exchanges is a kind of “background social theory”—a theory informed by the possibility of hermeneutical injustice—so that, first and foremost, hearers may recognize those situations where a speaker’s communicative struggles are not “due to its being nonsense or her being a fool, but rather to some sort of gap in collective hermeneutical resources” (Fricker 2007, 172; 2007, 169). In doing so, Fricker thinks that hearers may be able to cultivate more inclusive hermeneutic microclimates that are “conducive to the generation of new meanings to fill in the offending hermeneutical gaps” (2007, 174).

While I endorse Fricker’s claim that proactive and attentive listening are important qualities of any listener, as I have argued, when members of marginalized social groups understand their social experiences and possess the ability to communicate

this subjugated social knowledge (even when lacunae exist in dominant discourses), hermeneutical injustice simply collapses into testimonial injustice. Consequently, hermeneutical microclimates are not necessary to generate new meanings to ‘fill in the offending gaps’ per se; rather, what is needed are attentive and self-reflective listeners who adjust the credibility of the speaker upwards to compensate for their *own* failure to assign the appropriate level of credibility. In doing so, listeners exercise the virtue of *testimonial justice* where the hearer “reliably neutralize[s] prejudice in her judgments of credibility” and corrects for negative identity prejudicial judgments (Fricker 2007, 92).

According to Fricker, when exercising the virtue of testimonial justice, in order for listeners to identify the effects of identity power on a credibility judgment they must be attentive to both the speaker’s social identity, as well as the ways that their *own* social identity might influence a credibility judgment (2007, 91). In exercising this self-reflexive and critical self-awareness, listeners are attuned to the fact that no person in a testimonial exchange is “neutral”; that is, each person occupies a specific social location where “everybody has a race, everybody has a gender” (Fricker 2007, 91). Fricker thinks we could imagine the self-reflexive nature of testimonial justice exercised in a court of law: if a black man is testifying, a group of white jurors who exercised the virtue would be attentive to those ways that differences in social identity may affect their credibility judgments—as listeners, they would be attentive to the fact that the testifier is black, but also, to the fact that they are *white* (Fricker 2007, 91). In doing so, as virtuous listeners, they would be sensitive to those ways that differences in social identity influence their credibility judgments. In the event that a listener suspects negative identity prejudice in a credibility judgment as a result of his or her “self-conscious reflection” or a feeling of

cognitive dissonance in his or her “perceptions, beliefs and emotional responses”, then Fricker thinks the listener ought to “shift intellectual gear out of spontaneous, unreflective mode and into active critical reflection in order to identify how far the suspected prejudice has influenced her judgment” (2007, 91). To borrow a turn of phrase from Donna Haraway, the virtuous hearer attends to the fact that there are no “innocent positions”, meaning that there is no privileged or entirely objective point of view (584). In doing so, virtuous listeners recognize that epistemic perception is always embodied, situated, partial, and socially located. Thus, in recognizing that epistemic perception is never purely objective—there is no such thing as a ‘view from nowhere’—the guiding ideal of the virtuous listener is to correct upwards for credibility deficits owing to a negative identity prejudice that may taint their own credibility judgments (Fricker 2007, 91-92).

As Fricker suggests, attending to *difference* is an important component in developing a testimonial sensibility. As I established in Chapter 3, as individuals-in-communities, we are always socially situated members of multiple communities involved in deeply relational interactions with others. As Grasswick suggests, the normative dimension of an individuals-in-communities account of epistemic agency involves critical engagement with others; “good knowing” involves recognizing the differences between knowers, yet engaging with others despite these differences (2004, 106-113). As I have outlined, on Fricker’s account, communication across difference requires the listener to actively self-reflect on both the social identity of the speaker, as well as his or her social identity relative to the speaker. While I am in agreement with this aspect of Fricker’s account, I believe that the scope is too narrow. Given the two conditions for



reciprocity in a testimonial exchange, I argue that a virtuous listener should also attend to his or her own social positioning relative to the speaker and the ways that it may contribute in his or her *own* failure to *understand* and/or *understand the intended meaning* of the proffered testimony. Thus, I propose an amendment to Fricker's account: a virtuous listener ought to be self-reflexively aware of the ways that differences in power and privilege might limit his or her own understanding in a testimonial exchange.

To illustrate how this self-reflexive listening occurs, consider a case study from "Testimony, Epistemic Difference and Privilege: How Feminist Epistemology Can Improve Our Understanding of the Communication of Knowledge". In this case study, Lisa Bergin highlights the ways that both epistemic differences with respect to worldviews and differences in privilege may affect a testimonial exchange (198). Drawing insight from feminist anthropologist Ruth Behar's ethnography *Translated Woman: Crossing the Border with Esperanza's Story*, Bergin argues that the standard model of testimony—one where knowledge is transmitted from an active testifier to a passive subject—insufficiently captures the complexity of "real, complicated situations[s] of knowledge communication [when there exists differences between participants]" (197). In support of her argument, Bergin examines the actual communicative encounters between Behar (a Cuban-American) and Esperanza Hernandez (a Mexican peddler), to show that knowledge is always connected to a point of view and the communication of knowledge via testimony involves dialogic interaction (201).

As Behar explains, she first became interested in interviewing Hernandez because it was rumoured that Hernandez had blinded her unfaithful husband with magic (Bergin 201). As Behar recounts, during her first conversations with Hernandez, differences in

worldviews and privilege initially hindered their communicative encounters (201). For instance, in developing Hernandez's life story, Behar often tried to frame Hernandez's biography in the way that she would frame her own life story—that is, by focusing on emotional and more intimate aspects of personal relationships and family life—topics that were met with “laughter and a refusal to find these topics interesting ones to discuss” on the part of Hernandez (Bergin 202). In recognizing that each woman had different conceptions of what a life story was, in order to (more accurately) capture Hernandez's point of view, Behar had to engage in active, self-reflective inquiry and examine how her own categories, beliefs and commitments shaped their communicative encounters (202). By attending to her own social positioning, as well as the Hernandez's own words and reactions, Behar developed a critical awareness of the implicit commitments and unexamined beliefs that affected (or could have affected) the knowledge that she acquired in a testimonial exchange (Bergin 203). Bergin says:

Through [our interactions with others, particularly others who are significantly different from ourselves], our own commitments become illuminated by someone else's reactions to them; we gain self-knowledge through the vehicle of engaging in conversations in the presence of our differences. (203)

Communication across difference requires attending to what others are saying but also requires a critical lens on our own categories of understanding. As Bergin writes: “Examining these assumptions sets the stage for the successful communication of knowledge: I am in less danger of misunderstanding the communication than if I were to assume that what another means by her words is what I mean by those words” (203). As I have argued, since conditions for reciprocity involve both understanding a speaker's words, as well as the ability to recognize when one has not understood the speaker's words in the manner that he or she intended, in order for a successful linguistic exchange

to occur, a listener must reflect on his or her own assumptions and categories of understanding; in doing so, the virtuous listener is attentive to the ways that his or her own social positioning may limit conditions for reciprocity.

Recall from Chapter 3 the potential difficulties in communication when asymmetric gaps exist across dominant and non-dominant discourses. To illustrate this phenomenon, I used the example of audism, which I defined as the discrimination against non-hearing persons. Applying my amendment to this example, we can see the importance of attentive, reflexive self-awareness on the part of members of dominant groups (i.e. hearing members of society) regarding their own categories of understanding. That is, in discussions about audism, given that members of the hearing community typically conceptualize deafness as a disability, understanding the marginalized points of view the Deaf community might require rethinking certain beliefs, attitudes and assumptions about disability, impairment and group identification.

For instance, while interviewing participants in a study on chronic illness and disability, bioethicist Jackie Leach Scully says that members of the Deaf community identified so strongly with other hearing impaired persons that when asked to state their nationality, they cited “the Deaf world” as opposed to their country of origin (74). Moreover, almost without exception, Deaf participants opposed somatic gene therapies to treat deafness in adults for the reason that it would “sever a person’s existing connections with the Deaf world”—something they considered to be a central ethical concern (Scully 74). This sense of intra-community solidarity and group identification based on the inability to hear is apt to be misunderstood by some members of the hearing community. Scully says, “[F]or hearing people, there is no such thing as ‘the hearing world’. There is

just *the world*; because being hearing is the norm, it is not recognized as a marker for group identity” (73). Because hearing members of society typically conceptualize deafness as a *mere* loss of hearing, they fail to recognize what is *gained* through membership in the Deaf community. Therefore, based on my amendment to Fricker’s account, a virtuous listener would not only assign appropriate levels of credibility to the Deaf “speaker”, but would also reflect on the ways that *difference* impacts their *own* ability to understand the proffered testimony regarding a Deaf person’s experience of hearing impairment.

Bergin’s treatment of communication across difference provides an important dimension that is missing from Fricker’s virtue-based strategy. As I have argued, successful linguistic communication requires not only that a speaker is bestowed appropriate assessments of credibility, but also, that their words are (i) understood and (ii) understood in the way that the speaker intended them. In order for these conditions of reciprocity to be met, a virtuous hearer should attend to both what the speaker is saying and his or her own interpretive framework through which the testimony is understood. When asymmetric gaps exist across dominant and non-dominant discourses, eliciting understanding when the dominant conceptual repertoire is impoverished may require a critical re-thinking of the way that given piece of testimony is framed. Thus, attentive awareness to one’s social positioning, as well as the ways that power and privilege may distort one’s own understanding, is a crucial feature in successful communication across difference.

### 4.3 Conclusions

My thesis has been in large part devoted to illuminating those epistemic practices that hinder or enhance understanding and communication in the production and transmission of social knowledge. Specifically, I aimed to elucidate how differences in power and privilege are reflected in two of our most ordinary epistemic practices—making sense of our social experiences and testimony. My analysis was organized around Fricker’s account of epistemic injustice, specifically, hermeneutical and testimonial injustice. Using a feminist lens, I diagnosed problematic features in Fricker’s account of hermeneutical injustice, in particular, her impoverished account of epistemic agency. I argued that using the tools afforded by feminist epistemology, we ought to understand epistemic agents as individuals who are members of plural communities and engaged in deeply relational interactions with others. As a consequence of multiple community membership, individuals are privy to a rich diversity of situated knowledges, many of which may be used to make sense of any given social experience. Importantly, because a single social experience is never understood in isolation, abstracted away from all context and different systems of knowledge, we bring to interpretive contexts a range of epistemic tools that could be used to facilitate understanding.

Building from my individuals-in-communities account of epistemic agency, I argued that in those cases where members of hermeneutically marginalized social groups possess both an understanding and the ability to render a given social experience communicatively intelligible (despite a lacuna in the dominant hermeneutical resources), Fricker’s account of hermeneutical injustice collapses into her account of testimonial injustice. Based on what I have established in my arguments, I believe that

hermeneutical injustice, understood as a *collective* paucity in social understanding owing to a structural identity prejudice in the collective hermeneutical resources, occurs far less often than Fricker might think (and possibly never). While more work needs to be done to prove that all cases of hermeneutical injustice collapse into testimonial injustice, I argue that the burden of justification is on Fricker to present a convincing case of hermeneutical injustice.

Because dominant hermeneutical resources are not the only resources available to make sense of a given social experience, non-dominant groups often do reject dominant social meanings because they understand that these defunct interpretive resources distort their own experiences. Granted, as I have argued, voicing one's marginalized point of view can involve significant risk, and as Claudia Card suggests the need for social uptake in changing dominant social meanings is a moral problem in society—especially in those cases where the dominant social meanings are negative or harmful to members of certain social groups (149-150). Card writes:

It is absurd to think that you can change the meaning of something just by intending a different meaning when you use it yourself or with your friends... Our freedom to act on meanings we can stand behind partly depends on our success in changing meanings. Since that is a social success, not an individual one, there is genuine moral risk here. There is a risk that the requisite validation will not be forthcoming or will not be sustained... [f]or an appropriately responsive community is not within anyone's control. (150)

In keeping with Card's observation, and as evidenced by my discussion of first wave feminist activism and marital rape, challenging dominant social meanings does not guarantee that dominant communities will be receptive to changing the current norms of social understanding. As discussed, dissent on the part of non-dominant groups is

sometimes met with a defensive (and sometimes violent) rejection of their claims.<sup>32</sup> As a result, due to the significant risk involved in contesting dominant social understandings, members of non-dominant social groups may consciously choose to self-silence. To explicate this type of silencing, I introduced the notion of testimonial smothering. Testimonial smothering, understood as a kind of coerced self-silencing, occurs when speakers truncate their testimony because they believe that articulating their marginalized points of view is ‘risky’ or ‘unsafe’.

With respect to the normative dimension of social knowledge production and transmission, ‘good knowing’ involves critical engagement and negotiation with the epistemic contributions of other individuals-in-communities (Grasswick 106). As virtuous listeners, this requires a reflexive self-awareness that epistemic and social difference may hinder successful communication, especially when asymmetric gaps exist across dominant and non-dominant discourses. I argued that through the critical examination of our own frameworks of understanding, this type of critical engagement “not only describes the kind of activity that constitutes good knowing on the part of individuals, but at the same time, it demonstrates the mechanism by which communal epistemic practices can be transformed and improved” (Grasswick 106). Ultimately, ‘good knowing’ in the realm of social understanding requires attending to those voices that contest current norms but also attending to those voices that feel they must self-silence.

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<sup>32</sup> Thanks to Greg Scherkoske who poignantly articulated this observation.

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