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# Epistemic Justice and Epistemic Participation

Kate C.S. Schmidt
*Washington University in St. Louis*

Washington University in St. Louis

Department of Philosophy

Program in Philosophy-Neuroscience-Psychology

Dissertation Examination Committee:
Julia Driver, Chair
Anne Margaret Baxley
Miranda Fricker
Ron Mallon
Kit Wellman

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by

Kathryn C.S. Schmidt

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# Acknowledgments

ABSTRACT OF THE DISSERTATION

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Professor Julia Driver, Chair

I advance a new theory of epistemic injustice, with important implications for pursuing epistemic justice. This project develops a positive account of epistemic justice, broadens the scope of the phenomenon, and motivates new interventions. This dissertations works towards a better understanding of what it means to be an epistemic subject and to be treated as such.

I argue that epistemic injustice can be understood through a lens of participation in inquiry, rather than using the received view that focuses on testimony. On my account, victims are marginalized when disrespected and devalued as potential participants in inquiry due to prejudice. This account broadens the domain of epistemic injustice, incorporating different instances of epistemic exclusion that do not involve testimony. This participatory account can better explain the core features of epistemic injustice and identifies mechanisms in subtypes of epistemic injustice. Preventing and remedying epistemic injustice requires creating inclusive communities that respect and foster participation in inquiry. I argue that the virtuous elements of inclusion are embodied in groups rather than individuals, and can

successfully address the wrong of epistemic injustice. Successfully fostering inclusion will require an intersectional approach in order to address varied forms of epistemic injustice.

My dissertation is a collection of five inter-related articles expanding the notion of epistemic injustice. In the first chapter, the article "What's unjust about testimonial injustice?" explores underlying notions of "justice" within the phenomenon of epistemic injustice. I argue that different philosophers rely upon different notions of justice (specifically David Coady and Miranda Fricker). In contrast to both of their views, I argue that epistemic injustice should be understood as a form of oppression. Next, I argue that there are at least two different ways to disrespect victims of epistemic injustice: by denying them recognition respect (their epistemic standing) or appraisal respect (their credibility). The article "Credibility and Recognition: Two Failures of Respect in Epistemic Injustice" makes up the second chapter. Chapter three, "Knowledge and Participation: Giving a Participatory Account of Epistemic Injustice" argues that epistemic subjects are wronged when de-valued as potential participants (by denying access, recognition, or appraisal).

This participatory framework is better able to analyze the category of epistemic injustice compared to other approaches. I propose cultivating the virtue of inclusion (as a virtue of social groups) in the next chapter: "Inclusion: Addressing Epistemic Injustice with a Group Virtue". Inclusion (rather than open-mindedness, testimonial injustice, or trust) is the virtue that is best able to prevent and remedy instances of epistemic injustice. Using a case study of patients with fibromyalgia, I show that different types of epistemic injustice impact and reinforce one another. Those who experience epistemic injustice encounter it while also experiencing other overlapping oppressions. As a result, I argue we must pursue *intersectional*

*epistemic justice.* The fifth and final chapter addresses this topic, in: "The Pain of Being Overlooked: A Case Study on Fibromyalgia and Intersectional Epistemic Justice".

The existing literature on epistemic injustice has been overly narrow in focus, missing significant instances of epistemic wrongs. My project can help both ethicists and epistemologists formulate solutions to epistemic oppression by providing a more fully developed account of epistemic ideals. Methodologically, I draw from varied approaches including virtue ethics, social epistemology, feminist philosophy, and social psychology. This approach has direct implications not only for ethics research but also for teaching pedagogy and provides new avenues for preventing the epistemic marginalization of vulnerable individuals.

# Preface

Epistemic injustice is an important moral and social wrong, perpetuating oppression in subtle ways in our everyday lives. In this dissertation I analyze this wrong; clarifying the mechanisms of epistemic injustice, broadening the range of cases considered, and pointing towards new interventions.

Epistemic injustice is a significant problem not only because of the wrong that it does to an individual but also because of the societal harms that it generates. Increasingly, it is becoming apparent that prejudice can negatively influence society's knowledge-seeking processes. Epistemic mistreatment has become the focus of popular philosophers as well as political activists and journalists. Many people know the term "gaslighting" or can complain about "mansplaining". It is more important than ever to attend to the role of prejudice in shaping public discourse. Race and gender can restrict one's ability to receive appropriate help, as in the case of individuals who are mistreated in medical or educational institutions.

Individuals who are not taken seriously cannot share their knowledge and experiences with the world. Such epistemic marginalization results in large caches of information that may never make it to public consideration. Sometimes the information builds up to eventually be considered, as with the "metoo" movement. All of a sudden, a wealth of testimony becomes socially visible at once.

The forces of social identity upon one's ability to function in society, including as a way of rendering one invisible, has previously been discussed in a wide variety of feminist work.

There is a long history of examining the ways that racism and sexism can undermine one's perceived credibility and reliability within a wider society. Black feminist work has emphasized the ethical and epistemic importance of listening to the experiences of black women. Anna Julia Cooper wrote that it is a "woman's strongest vindication for speaking that the world needs to hear her voice"(Cooper, 1988, p.121). Without using the same terms as current analytic tradition, the feminist literature has long emphasized the topic of testimonial oppression.[1]

I use the term "epistemic injustice" in this project, consistent with most currant usage in the profession, as a way to identify the central phenomenon at the heart of a variety of epistemic and moral wrongs. The term "epistemic injustice" was first used by Miranda Fricker in her 2007 book on the topic(Fricker, 2007).

Philosophic work on the topic of implicit prejudice is buoyed by work in psychology in the problem of implicit bias. More is being done to measure and understand how subconscious mechanisms or environmental forces can function to promote prejudicial actions despite one's conscious good intentions. Because this wrong is subconsious, and easily missed, it is critically important to take the time to highlight its harms and think creatively about possible interventions.

Examining the topic of epistemic injustice also raises bigger questions about the nature of epistemic agency and the relationship between the domains of ethics and epistemology.

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[1]Some other examples of early feminist work include the work of Audre Lorde and Chandra Mohanty(Lorde, 1984)(Mohanty, 1984)(Dotson, 2011). This is merely a few representative examples, but does not begin to encompass the previous work on this topic.

# Chapter 1

# What's Unjust about "Testimonial Injustice"?

### 1.0.1 Introduction

In the book <u>To Kill a Mockingbird</u> Tom Robinson is a black man who is wrongly convicted of a crime after an all-white jury dismisses his testimony. Tom is a victim of a *testimonial injustice*; his words are unfairly discredited due to racial prejudice (Fricker, 2007).

In a more recent example, a person in need of medical assistance was initially neglected after a flight attendant refused help from a black female doctor. Dr. Tamika Cross raised her hand when flight attendants called for any available doctors, but was then told "Oh no sweetie, put your hand down, we are looking for actual physicians or nurses..."(Wible, 2016). In this case, the flight attendant dismissed Dr. Cross's claim to be a medical expert and ignored Dr. Cross's expertise.[2] This phenomenon of dismissal is all too common and represents a significant moral wrong.

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[2]Luckily, in this case the person in need did not suffer from any medical harms as a result.

When someone's words are not taken seriously due to prejudice (as in the cases above) it is not only morally problematic but also epistemically problematic. Dr. Cross is mistreated as an expert, and as a knowledge seeker. Philosophers refer to these wrongs against a person "qua epistemic subject" as epistemic injustices(Kidd, Medina, & Pohlhaus, 2017). Adequately understanding and addressing this aspect of our moral and epistemic lives requires a closer analysis into the notion of (in)justice within epistemic injustice. Miranda Fricker has argued that these wrongs are best understood as *discriminatory epistemic injustices*(Fricker, 2013). Recently, David Coady has argued that this is incorrect, and they should be modeled according to a framework of *distributive* injustice(Coady, 2017). Fricker and Coady disagree on the nature of the injustice, and on whether distributive wrongs are fundamentally distinct or similar to the prejudicial dismissal that the term was initially designed to capture. This disagreement reveals a flaw in the current literature; when different philosophers rely upon different notions of injustice, they risk talking past one another when theorizing about epistemic injustice.

In this paper, I present a clarified notion of epistemic injustice as epistemic oppression. This can preserve the distinction between discriminatory and distributive wrongs and show that Coady is wrong to claim that testimonial injustice is best described and understood as a case of distributive injustice. Epistemic injustice is best characterized using a framework of *oppression*, where oppression represents a systemic network of wrongs that restrict the victim's epistemic capacities. More specifically, I outline my own account of *epistemic marginalization* to make sense of the central cases of "testimonial injustice". Using a model of oppression most clearly highlights what is at stake when deciding which epistemic wrongs do or do not constitute "injustices".

## 1.0.2  Criteria

There are many things that need to go into a successful account of epistemic injustice. While Fricker and Coady disagree, both are engaged in the same project of trying to clearly articulate the nature of epistemic injustice and its ethical features as a category. Both Fricker and Coady can label what happened to Tom a moral wrong and an injustice, but their different approaches suggest importantly different perspectives. Here I briefly propose four broad criteria for assessing accounts of the systematic wrongdoing characteristic of "testimonial injustice". A successful framework will facilitate accurate moral analysis and effective intervention. Frameworks for epistemic injustice will be more successful according to the extent that they meet the following four criteria (insight, categorization, application, and intervention).

First, a good account needs to facilitate moral *insight*. To facilitate insight an account must give a clearly defined notion of what is wrong with failing to take someone seriously due to prejudice. A strong account should provide ethical analysis, rather than just gesturing at the intuitive wrongness of the phenomenon. A better framework will be more successful at highlighting and explaining relevant moral features.

Second, a good account can explain the phenomenon of epistemic injustice as a distinctive category. Both Fricker and Coady are working to define a category or type of wrong that can be distinguished in a meaningful way from other forms of injustice. This *categorization* includes explaining the epistemic element of this wrong, how moral concerns are specifically applied to the epistemic domain. What is needed is a notion of wrongdoing that can also be understood in a distinctly epistemic way.[3]

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[3]Jeremy Wanderer has articulated this requirement as a "categorical connection" between injustice and social practice(Wanderer, 2017).

Understanding what goes wrong in testimonial injustice must include a close tie with our epistemic practices. It is also important to be able to distinguish testimonial injustice from mere testimonial mistakes or other forms of mistreatment that do not constitute an injustice. Consider the following case:

**TIRED COLLEAGUE:** Sue is exhausted at work when she meets with her colleague Kirsten. Sue discounts all the ideas she hears when she is tired, and so discounts Kirsten's testimony during their meeting.

In this case, the victim suffers due to a credibility deficit, but it also seems to be a different kind of wrong than the ones suffered by Tom. A good framework should help identify the key features that distinguish this case from the others. Sue commits an epistemic wrong, but she does not seem to be enacting or perpetuating epistemic injustice.

Third, a good account has useful *application* to new and different cases of testimonial injustice. A successful framework not only highlights what is morally salient about the central cases of Marge and Tom, but can also address new cases. New cases may or may not be considered central to the category of epistemic injustice, but a framework should be able to address them clearly. Part of what is at stake in the disagreement between Coady and Fricker is how to separate different categories of epistemic wrongs. While Fricker wants to delineate distributive wrongs as a separate category, Coady would include all new distributive cases within his definition.

The fourth and final criterion is that a successful account of testimonial injustice should suggest meaningful *interventions*. Work on epistemic injustice is meaningful to the extent that it can guide meaningful interventions, and promote more just epistemic interactions. I agree with Fricker that: "Ultimately, the point is to see how our epistemic conduct might

become at once more rational and more just."(Fricker, 2007, p.4). The best accounts of epistemic injustice will be practically helpful. Analysis and understanding are critical because they guide improvement.[4]

These basic criteria are broad considerations that line up with the expressed interests of both Coady and Fricker. I will refer back to them to assess the relative merits of different approaches.

## 1.1 The Phenomenon of Interest

### 1.1.1 The Cases

The literature on testimonial injustice is still primarily focused on two intuitive cases from Fricker(Fricker, 2007). Anyone seeking to understand this phenomenon must make sense of these cases which present clear central examples of testimonial injustice. Testimonial injustice and hermeneutical injustice are Fricker's main subtypes of discriminatory epistemic injustice. In this paper, I focus exclusively on testimonial injustice, as the most theoretically central example. Fricker has argued that testimonial injustice is the prototypical case of epistemic injustice.[5] Consider the following two cases:

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[4]In Fricker's 2007 book she proposes the virtue of "testimonial justice" as a solution to the problem of testimonial injustice. Someone who possesses this virtue "neutralizes the impact of prejudice in her credibility judgments"(Fricker, 2007, p.92). An agent who possesses testimonial justice is thus able to perform credibility assessments without allowing prejudice to influence her improperly.

[5]Fricker says that when understanding epistemic injustice, testimonial injustice is "the most basic of all"(Fricker, 2010, p.174). Hermeneutical Injustice occurs when "a gap in collective interpretive resources puts someone at an unfair disadvantage when it comes to making sense of their social experiences."(Fricker, 2007, p.1)

**TOM:** Tom Robinson is a black man on trial in the south in 1935, and his words are constrained by the stereotypes of the time. Specifically, the jury believes the words of Mayella Ewell, a white woman, over his own honest account in spite of evidence indicating Tom's innocence(Fricker, 2007)(Lee, 1960).[6]

**MARGE:** When her fiancé Dickie goes missing, Marge Sherwood becomes increasingly suspicious that Tom Ripley has killed him. However, her suspicions are discounted and then outright ignored by Dickie's father, Herbert Greenleaf, who suggests that women's intuition cannot be trusted. Marge is correct, but her views are unfairly discounted by Herbert, causing Ripley to get away with the murder. Herbert dismisses Marge, saying "Marge, there's female intuition and then there are facts"(Fricker, 2007, p.9)(Minghella et al., 1999)(Highsmith, 1955).

Both of the cases above demonstrate upsetting examples where an individual is treated badly and not taken seriously. I agree with Fricker that "Any claim of injustice must rely on shared ethical intuition", and these are intuitively cases of wrongdoing(Fricker, 2007, p.5). Both cases are intuitive examples of injustice and what remains to be done is to articulate a clear framework for understanding this phenomenon as a coherent category rather than a set of similar cases. A clear notion of epistemic injustice is needed in order to identify this category of cases as a morally distinct category.

### 1.1.2 The Disagreement

Fricker and Coady rely upon different notions of injustice to categorize epistemic injustice. Fricker characterizes the cases of Tom and Marge as instances of testimonial injustice, which

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[6]Specifically, Fricker highlights that his act of showing pity for a white woman, a taboo sentiment at the time, is what activates racial prejudices that hurt his ability to be truly heard by the jury.

wrongs someone "specifically in their capacity as a knower" because of an "identity preju-dicial credibility deficit"(Fricker, 2007, p.1,4). The term "testimonial injustice" is a phrase from Fricker although many other writers have focused on the same phenomenon both before and after her book was published. See Kristie Dotson's paper for a helpful starting point on the previous literature(Dotson, 2011). On Fricker's account, testimonial injustice is a paradigmatic case of epistemic injustice because it shows disrespect for an agent in a central epistemic role: offering testimony.

Fricker acknowledges the existence of distributive epistemic injustices - such as unequal distribution of epistemic goods like education - but argues that these injustices are impor-tantly different from *discriminatory epistemic injustices* such as the examples above(Fricker, 2017). The category of discriminatory epistemic injustice is supposed to be more "dis-tinct"; it highlights a wrong that causes an agent to be "disadvantaged in respect of their status as an epistemic subject" while being "fundamentally a form of (direct or indirect) discrimination"(Fricker, 2017, p.53). The wrong is fundamentally about the impact of prej-udice upon an epistemic interaction, such that the speaker receives a lowered credibility assessment. Fricker wants to clearly identify a distinct kind of epistemic wrong, and the case of testimonial injustice as an "identity-prejudicial credibility deficit" is most central(Fricker, 2007, p.4). Individuals are treated epistemically fairly when credibility assessments match up with the available evidence, unimpeded by prejudice. As a result, she explicitly rejects a distributive notion of injustice as an explanation of testimonial injustice(Fricker, 2007, p.19)(Fricker, 2017).

Coady criticizes Fricker for being imprecise in her notion of justice, and argues in favor of a distributive analysis of epistemic injustice, saying that a distributive account can best make

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sense of the phenomenon. He rejects Fricker's proposed separation between the discriminatory and the distributive.[7] As a result of this analysis, it becomes clear that previously ignored phenomenon (such as unequal access to education) can be considered types of epistemic injustice.

He has previously argued that uneven distributions in epistemic goods are a form of epistemic injustice(Coady, 2010). Individuals are wronged when a distribution of epistemic goods is unjust, and the epistemic goods might include things like interesting true beliefs(Coady, 2010, p.106). He argues that the cases of Marge and Tom should be understood according to the same framework, as *distributive epistemic injustices*, where the wrong is unfairly distributed *credibility*.[8] He has also highlighted inadequacies in Fricker's account, arguing that it fails to give a complete analysis of testimonial injustice. Treating these examples as cases of distributive injustice prompts a different approach than Fricker's, one he argues will be more philosophically rewarding.

## 1.2   Epistemic Injustice as Distributive Injustice

Coady argues that all instances of epistemic injustice can be understood as types of distributive injustice. More specifically:

> "...each of the forms of epistemic injustice that Fricker describes is a form of
>
> distributive injustice (or at any rate can be fruitfully treated as such) and that

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[7]Specifically, he says: "I will challenge Fricker's distinction between discriminatory and distributive epistemic injustice"(Coady, 2017, p.61).

[8]In this case, we can treat credibility "as a good (like wealth, healthcare, education or information)"(Coady, 2017).

considerable insight into the nature of these injustices, and into the interrelations between them, can be gained from recognizing this fact."(Coady, 2017, p.61).[9]

Using a distributive framework focuses on the way various goods can be allocated fairly or unfairly. A distributive injustice wrongs its victim because they do not receive an appropriate portion of some object or good. To explain testimonial injustice, this framework must be applied to distinctly epistemic goods. Coady clarifies: "If we think of credibility as a good (like wealth, health care, education or information), then it is natural to think that testimonial injustice consists in an unjust (or unfair) distribution of this good"(Coady, 2017, p.61). This treats credibility as a finite resource. Agents suffer from this injustice when they are denied the credibility that they deserve.

Coady argues that this framework is the most "fruitful", in the sense that it grants insight into the phenomenon. This framework helps to get at the relevant philosophic question, which for Coady means asking about what makes for a fair distribution of epistemic goods. This question is highlighted on a distributive framework but obscured on Fricker's.

His argumentation relies upon the criteria explicated earlier: he says that his framework will better provide insight, clear categorization, and the ability to make sense of new cases. Specifically, Coady argues that a significant advantage of his framework is that it is better able to make sense of credibility excesses.

An example will help to demonstrate the significance of his account for credibility excesses. Imagine the following example:

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[9]Coady is here referring not only to testimonial injustice but also to hermeneutical injustice. Coady argues that hermeneutical injustice can be understood as a failure to properly distribute "hermeneutical power"(Coady, 2017).

**TALL LAWYER:** Adam is a mediocre lawyer who is tall, white, and conventionally attractive. As a result, people find him highly credible beyond what is justified based on his arguments and expertise.

This is a case of a credibility excess - Adam is misjudged due to prejudice, but his credibility is increased rather than decreased. Fricker says very little about cases of credibility excess. Ultimately, they are not epistemic injustices on her account, because no individual instance "wrongs him sufficiently in itself"(Fricker, 2007, p.21). While this is intuitively not a case of testimonial injustice like that of Tom and Marge, it might also seem more closely related than Fricker suggests. José Medina has criticized Fricker for being unable to properly account for cases of credibility excesses like this one(Medina, 2011).

Coady argues that his distributive account can plausibly make sense of credibility excesses (such as the TALL LAWYER case). On a distributive framework, it is emphasized that competition exists over a limited supply of credibility. As such, decreased credibility for one agent is linked to increased credibility for another agent.[10] Coady emphasizes that this relationship can hold true for instances of testimonial injustice, where "...some have less than they deserve of the good in question because others have more of it than they deserve"(Coady, 2017, p.63). Even though there may be a great deal of credibility available in general, there is still a sort of competition for credibility relative to others. Credibility is limited or scarce because in social contexts individual credibility is assessed relative to those nearby, or relative to those who make competing claims. Specifically, Coady argues that the cases of Marge and Tom show this, where part of the injustice done is that the wrong people (Tom Ripley, Mayella Ewell) are given too much credibility relative to the victims(Coady, 2017, p.62).

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[10]Medina has also made the argument that the two types of credibility assessments should be understood as closely related, although without endorsing a distributive framework(Medina, 2011).

Treating credibility as a distributed good has an advantage over Fricker's framework because it can more clearly make sense of credibility excesses. On a distributive account, credibility excesses are wrong because they are necessarily linked with corresponding credibility deficits. However, on Fricker's account, it is difficult to see how credibility excesses can be problematic since the core notion of injustice is focused on prejudicial decreases in credibility (and the epistemic disrespect and harms that co-occur).

### 1.2.1 Assessing a Distributive Account

I agree with Coady's criticisms of Fricker's underlying notion of injustice; the existing account is not clear enough about the notion of justice at work. Looking specifically at my four criteria (insight, categorization, application, and intervention), Coady's distributive account has significant strengths.

Regarding categorization, his account has advantages over Fricker. His framework can better make sense of the case of credibility excesses. The clarity of his account makes it easier to apply to new cases, meeting the application criterion.

However, there are reasons to worry that a distributive framework does not accurately portray the ethical mechanisms at work. Specifically, that it is misleading to portray credibility as an object or good that is distributed (and so can be understood on a distributive framework). Misrepresenting credibility in this way makes the account weak on the insight and intervention dimensions. A distributive account fails in these criteria because it mistakenly treats credibility as an object and oversimplifies the phenomenon.

## 1.2.2 Misrepresenting Credibility

Fricker and Coady disagree about whether credibility is scarce. Coady considers and rejects one objection to treating credibility as a good: the thought that credibility is not finite and scarce in the right ways to be subject to distributive concerns (as opposed to something like wealth). He argues that our usual epistemic practices show that credibility *is* finite. There is something incoherent about picturing a world where everyone has limitless credibility. He concludes "There is no disanalogy between credibility and wealth here"(Coady, 2017, p.63).

Using a distributive framework misrepresents credibility as an object-like good, and as a result it fails to accurately portray central elements of the phenomenon of testimonial injustice. For the sake of clarity, it is possible to draw a distinction between objective credibility and attributed credibility. Objective credibility refers to an agent's actual trustworthiness, while attributed credibility refers to how credible the agent is seen to be by others. To understand Coady's claims, it must be attributed credibility that is being unfairly distributed. In the central cases, the victims are not receiving enough credit from others for their actual epistemic successes. Talking about distributions of agent's attributions as if they were concrete goods makes for a warped account of credibility.

Understanding credibility as an object obscures rather than illuminates how credibility functions in our epistemic practices. Iris Marion Young has argued that all distributive frameworks face problems when treating non-object goods as objects, even metaphorically(Young, 1990)(Forst, 2007). She argues it obscures important elements of institutional context and misrepresents the non-object goods. More specifically "Applying a logic of distribution to such goods produces a misleading conception of the issues of justice involved"(Young, 1990, p.25). This critique highlights the problems with Coady's framework.

First, a representation of credibility as an object suggests that credibility is something stable, and an item that can be held or possessed by an agent. This is mistaken, as attributed credibility in our epistemic practices is often unstable. Credibility will vary across different contexts, topics, and relationships. When giving a talk, I am likely to be seen as possessing different amounts of credibility by the different members of my audience. If you fail to give me money that you owe me, you can always pay me back later. Credibility importantly does not function this way - I cannot boost my credibility judgment of you tomorrow to make up for ignoring you today. Credibility cannot be averaged out across different domains and interactions (the way we might with wealth). Credibility is a positional good, and its value shifts with differing time and context - giving credibility at a later date may not have the same epistemic or moral significance. In this way, credibility does not function as a possession, and it is overly simplistic to treat credibility as a mere object to be possessed (or not) by an agent.

Understanding credibility on this framework obscures important elements of credibility judgments, such as the way the judgments are context-dependent. They occur as part of an ongoing process between situated knowers. Distributive approaches are often pre-disposed to focus on end-state arrangements, rather than dynamic, ongoing processes(Young, 1990). Focusing on a more static distribution obscures the actual mechanisms of conversation.

A similar worry about Coady's distributive account is that it fails to properly highlight the historical factors that play into a given injustice and the way current interactions are linked to factors from the past. In the case of Tom, the injustice he experiences is closely related to many similar injustices against black men stretching back in time to when black men were not permitted to testify in court at all. Medina makes this point when he argues that we must look at instances of epistemic injustice as "temporally extended" and "socially

extended" phenomena(Medina, 2011, p.15). The unfairness that occurs when Tom cannot influence his own court proceeding is importantly connected to a historic social practice.[11] A distributive approach that emphasizes only the credibility that Tom is owed at the moment misses this important historic element.

Rather than being fruitful, this framework presents a warped perception of credibility. A distributive approach is still partially correct, as credibility is judged and metaphorically distributed during testimony. However, a distributive account of testimonial injustice risks flattening a complex interpersonal interaction into merely a transaction of objects. This framework fails to correctly model the relevant ethical and epistemic issues at hand, leaving out key features of the interactions. A better account of credibility is needed. Young argues that the distributive paradigm fails politically especially for goods that are relational, context-dependent, or emerge during ongoing processes(Young, 1990). Credibility is a good of this type, and the epistemic impact of misjudged credibility cannot be properly modeled on a distributive framework.

Returning to the criteria for a successful account of testimonial injustice, it is clearer that a distributive account has significant weaknesses. When examining the central cases, the distributive framework fails to properly represent the significance of what is happening. For Marge's situation, it would be inaccurate to sum up the interaction merely as one where she ends up possessing less credibility than she ought to be given. This wrong cannot be fully understood by examining Marge, and how much credibility she does or does not possess in Herbert's eyes. The wrong functions to portray her inaccurately in a way that goes beyond Herbert's isolated assessment, and her ability to function as an inquirer is more broadly limited by her gender. Her testimony is not merely undercut in a single instance, but in fact,

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[11]This may be part of what Fricker is trying to emphasize when she insists that the wrong is *discriminatory*.

Ripley repeatedly acts in ways to undermine her. The wrong is not just Herbert's disbelief in her assertion, but the way her epistemic standing is more broadly undermined. The wrong occurs within a social context, drawing on socially shared prejudices.

In addition to failing to clearly represent the significant moral features at play, a distributive account also struggles with peripheral cases. If the core wrong is best analyzed as misallocated credibility, then it looks like the case of TIRED COLLEAGUE may be identical to the cases of Marge and Tom. In both cases, the appropriate credibility is unfairly withheld. However, this analysis goes against intuitions that these cases are importantly distinct. Using a distributive framework does not fully capture the intuition that the social factors at work in Marge's case make it morally different in an important way from the case of workplace fatigue. These weaknesses in analysis show that Coady's account fails to provide adequate insight, and it raises worries for whether the framework can be fruitfully applied to new cases.

The account also had weaknesses when being used as a framework for intervention. Solutions on a distributive account will likely revolve around ways to re-distribute credibility. This might include interventions designed to artificially boost one's credibility perceptions when interacting with others who might be victims of prejudice. Benjamin Sherman has argued that due to what we know about unconscious biases, it is unlikely that individuals will be able to notice their own mistakes and cultivate an effective virtue of testimonial justice(Sherman, 2016). As a result, interventions that emphasize individuals re-setting their own perceptions of credibility may be unsuccessful. Viewing attributed credibility as an object perpetuates a misunderstanding of its nature that makes it difficult to propose realistic solutions.

## 1.3 Epistemic Oppression as Restricted Epistemic Capacity

Rather than defending Fricker or Coady against the concerns I have raised, I will use a different notion to elucidate what is unjust about epistemic injustice. I use a framework of epistemic *oppression* to understand what takes place in the cases of Marge and Tom. The terms 'oppression' and 'injustice' can be used in overlapping ways, but here I mean to illustrate a contrast between the two. 'Oppression' picks out a specific and narrower notion than the usual term 'injustice', and I highlight this focus by using the term 'oppression'. (Oppression is a specific type of injustice, the type at work in testimonial injustice; all oppressions are injustices, but not all injustices are instances of oppression). By using this strategy to define injustice, I can more clearly articulate the mechanisms at work in old and new cases of testimonial injustice, while also preserving a distinction between testimonial injustice and other distributive epistemic wrongs. This view is an alteration of Fricker's although it is one that she may be motivated to support since it accomplishes her key goals. The category of interest, testimonial injustice, is unjust because it is an instance of epistemic oppression.

Oppression occurs when there is "repeated, widespread, systemic injustice"(Deutsch, 2006, p.10). Marilyn Frye has likened oppression to a birdcage, made up of a number of intersecting barriers. Examining any one wire in the cage (a single wrong) is not enough to see the overall picture of oppression(Frye, 2000). Instead, oppression is often characterized by double-bind situations where a person faces constrained agency in a number of ways. Young has proposed five different "faces" or expressions of oppression: exploitation, marginalization, powerlessness, cultural imperialism, and violence(Young, 1990). Any one face is sufficient

for a group to be oppressed, and different groups may suffer different combinations of these types of cultural and political oppression. In this paper I focus solely on Young's account of marginalization, setting aside the other four faces. While Young's account emphasizes political and economic oppression, my account describes oppression within the epistemic domain (by which I mean: directly pertaining to knowledge and inquiry).

A single instantiation of oppression will necessarily also be an instance of injustice, but the phenomenon of oppression cannot merely be characterized as the phenomenon of injustice. Understanding the cases of Marge and Tom as mere injustices fails to serve as a sufficient analysis. Instead, a different vantage point is needed in order to fully and accurately understand what goes wrong. Marge and Tom are victims of epistemic oppression.

Starting from a viewpoint of oppression rather than injustice shifts the focus from the individual onto social groups: "Oppression is injustice that, first and foremost, concerns groups; individuals are oppressed just in case they are subjected to injustice because of their group membership"(Haslanger, Tuana, & O'Connor, 2017). Shifting to talk of oppression requires that we make sense of this phenomenon as it pertains not only to individuals but also to social groups. Marge and Tom are not only wronged as individuals but also suffer specifically because they belong to oppressed social groups.

## 1.3.1   Epistemic Oppression

The notion of oppression can be usefully applied within the epistemic domain. Oppression is constituted by systems of interacting injustices, and characterized by the way it restricts an agent's capacities. Applying the notion of oppression within the epistemic domain focuses on

the ways in which *epistemic* capacities can be constrained.[12] Epistemic oppression functions as a restriction on an agent's capacities and successes within the epistemic domain. This might restrict an agent's ability to develop key epistemic skills, or to express them in pursuit of her goals within an epistemic community.

One way that agents are epistemically oppressed is when they are excluded from critical social epistemic practices.[13] Epistemic agents rely upon their social community to develop and enact their basic epistemic capacities(Grasswick, 2004). Many important epistemic practices are essentially social, for example, pooling shared knowledge, monitoring members of the community for epistemic errors, and cooperating during inquiry.[14] This list is not exhaustive but demonstrates the ways that individuals who are marginalized are cut off from important and fundamental epistemic activities. It is important to note that this exclusion and failure of recognition, with the exclusion from shared social processes, is central to my definition of marginalization.[15]

Oppression is multi-faceted, and the same oppression can be expressed in a number of ways. A variety of different wrongs might all represent varied elements of the same oppression. For example, Dotson has shown that in the case of "self-smothering" a speaker might restrict her own testimony when she knows she will be dismissed by her audience(Dotson, 2011).

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[12]This is not to say that oppression need be fully characterized through a restriction of agency or capacity: just that it is always a central element, and a significant one for identifying and addressing intersecting epistemic injustices.

[13]Dotson has used similar language, saying epistemic oppression, is a "persistent epistemic exclusion that hinders one's contribution to knowledge production"(Dotson, 2014, p.115). I disagree with her focus on knowledge production. On my understanding of epistemic oppression, it is defined by any limitation on epistemic capacities, not merely on limitations that impact whether knowledge is produced.

[14]Edward Craig has argued that pooling shared information is one of the foundational epistemic activities and that the concept of knowledge emerged as a way to track reliable informants who could contribute to this shared goal(Craig, 1990). Others have argued that the notion of inquiry is more central to the notion of knowledge(Kelp, 2011).

[15]Young places more of an emphasis on the material deprivation that results from economic marginalization, in addition to the misrecognition(Young, 1990).

This is still an element of an epistemically oppressive system. The speaker silences herself because she knows the ways her words will be received. Using a framework of oppression means shifting away from a singular type of injustice, and instead looking for a phenomenon "through which groups of persons are systematically and unfairly or unjustly constrained, burdened, or reduced by any of several forces"(Cudd, 2006, p.23). A framework of epistemic oppression lets us draw connections between these different forces acting upon the same epistemic subjects.

## 1.3.2   Epistemic Marginalization

An agent is epistemically marginalized when he or she is excluded from social epistemic practices in light of group membership. Young describes marginalization as when "A whole category of people is expelled from useful participation in social life"(Young, 1990, p.53). On my epistemic account, we should think of this "useful participation" in terms of central epistemic practices, rather than in terms of employment. Epistemic marginalization is a form of oppression that blocks participation within the epistemic economy. Marginalized agents are denied appropriate recognition and communal space to participate in inquiry. Young emphasizes the way that marginalization can restrict an agent's ability to develop key capacities. This need not be the case with epistemic marginalization, as oppressed individuals are often able to thrive within alternative epistemic environments where they are not marginalized. Instead, the wrong is more primarily about blocked participation and societal neglect and misrecognition.

Epistemic marginalization pushes agents to the periphery which directly impacts one's individual epistemic agency. Heidi Grasswick has argued that any model of epistemic agency

must understand actors as "individuals-in-communities" (Grasswick, 2004). Agents who are denied consideration by their peers, or the ability to develop and express their epistemic capacities, have constrained epistemic agency.

This model can better analyze the two central cases of testimonial injustice. Marge and Tom both experience epistemic marginalization when they are treated wrongly. Marge is epistemically marginalized when Herbert, because of her gender, blocks her ability to participate in the process of discovering what happened to her fiancé. Her words are dismissed, without even receiving full consideration. She is not treated as a potential source of epistemic cooperation for Herbert as he seeks answers about his son. Marge's own epistemic goals are thwarted, and she is denied the potential ability to contribute towards communal goals.

In the case of Tom, his experience is dismissed even in the midst of a legal procedure that purports to focus on the truth. Tom is not treated as an active player, as someone who can contribute to the shared social activity of pooling information. Instead, his words are doubted. Tom is not given a full chance to explain himself, or to be understood. In this way, his epistemic capacities are limited by the treatment of the townspeople. In both the cases of Tom and Marge, their epistemic marginalization is occurring because of their membership in specific social groups.

It is important to be clear about how this notion of marginalization is grounded in a framework of oppression. Coady uses the term "marginalization" when discussing hermeneutical injustice, and he says: "To be marginalized with respect to a certain good is just to have less than an equal share of it" (Coady, 2017, p.65). This is a mistaken characterization and does not count as marginalization on my view. Marginalization is an instantiation of oppression: where an agent's capacities are restricted in systematic or structured ways because of group membership. This system of exclusion cannot be accurately characterized as merely lacking

a share of some good. As discussed earlier, the distributive approach misrepresents and oversimplifies the mechanisms at play.

Like Young, I want to emphasize that epistemic marginalization is designed to capture a more complex and process-based concern(Young, 1990). Young says: "While marginalization definitely entails serious issues of distributive justice, it also involves the deprivation of cultural, practical, and institutionalized conditions for exercising capacities in a context of recognition and interaction"(Young, 1990, p.55). While she is speaking of political marginalization, the same holds true for epistemic marginalization. Treating this wrong as a mere absence of some good misrepresents the nature of the claim being made by the marginalized.

### 1.3.3   Fricker's Framework and Epistemic Marginalization

Understanding testimonial injustice as primarily a wrong of epistemic marginalization is a departure from Fricker's analysis. Fricker analyzes the wrong as a prejudicially driven credibility deficit. As such, she emphasizes the role of prejudice in one's testimonial sensitivity when listening to testimony. My position differs from Frickers' however ultimately it better serves her goals to take up my framework. By focusing on epistemic oppression, my framework explicitly focuses on shared social identities, and on the restriction of agency that occurs when multiple forms of injustice intersect. Fricker's account does not have these restrictions: she emphasizes prejudice, but without a framework that explicitly considers historical or contextual factors regarding which social groups are oppressed. She also does not require multiple forms of injustice or specific impacts on one's agency.

The account of epistemic marginalization differs from Fricker's in three significant ways.

First, epistemic marginalization emphasizes one's social role rather than an individual role: victims are wronged as members of a marginalized social group. Understanding the phenomenon requires considering group social and historical factors, not just whether or not there is implicit prejudice in the mind of the hearer. Rather than emphasizing the role of prejudice in causing a decreased credibility assessment, this account emphasizes the way individuals are treated within a social context where they are seen as a member of a marginalized group.

Second, this account differs in the identification of the core wrong at the heart of testimonial injustice. Fricker analyzes the primary wrong as one of objectification, where one is treated as a mere source of information, rather than as an informant(Fricker, 2007). In contrast, epistemic marginalization is wrong because of the way it acts to constrain an agent's free actions within the epistemic realm. Gaile Pohlhaus Jr. calls this "constrained subjectivity", and this restriction (characteristic of oppression), is the central wrong that takes place(Pohlhaus Jr, 2014).

Finally, this account more clearly highlights how some epistemic mistreatment will not qualify as a testimonial injustice, or (in the language of my account) that some injustices are not instances of oppression. Misjudging a speaker because of an inappropriate influence on my judgment may treat them unfairly, but it will not be an instance of epistemic marginalization unless the victim is mistreated as a member of a socially marginalized group. This also explains why in the *tired colleague* case there is epistemic mistreatment, but not testimonial injustice (epistemic marginalization).

This account may be a welcome adaptation to Fricker's account, rather than a competing viewpoint. It can successfully address Coady's criticisms and explain the relevance of cases that deal with increased credibility. One of Fricker's primary goals is for an account that

intuitively captures a notion of "discrimination" as distinct from other notions (such as distributive injustices, or one-off epistemic wrongs). I have shown that the best way to draw this distinction is by highlighting the way social status is used to epistemically marginalize individuals. As such, my account best suits her goals.

### 1.3.4   Assessing this Approach

Returning to the criteria from the start of the paper, this framework of epistemic marginalization has advantages over both Coady's and Fricker's approach. (Although Fricker may be willing to adjust her framing to incorporate these strengths).

In terms of insight, the framework of epistemic marginalization can better help us to understand what happens morally in cases of testimonial injustice. There is a rich background of philosophic literature in which to ground the account of epistemic oppression. In particular, Young has worked to develop a grounding account of the moral mechanisms that are constitutive of oppression. Her work lays out the function of oppression as an "institutional constraint on self-development"(Young, 1990, p.37).[16] The notion of oppression can also apply within the epistemic domain, serving to restrict the epistemic capacities of individuals who belong to oppressed groups. Looking at testimonial injustice as an instance of epistemic marginalization highlights the significance of socio-political context, and draws attention to group status as ethically relevant. It also emphasizes the significance of freedom (or unconstrained subjectivity) within an epistemic context.

On this account, the main focus is most aptly applied to members of certain social groups. This better explains the significance of social identity to the phenomenon at hand. This

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[16]See Nancy Fraser for a helpful analysis of Young's work(Fraser, 1995).

account correctly highlights how epistemic relationships are revealed through ongoing processes, social context, and historical location. Culture and context impact and illuminate the problem. Examining a testimonial injustice from a framework of epistemic oppression highlights these critical elements and illuminates why the central cases are wrong. Marge and Tom are not being permitted to fully participate in activities that are epistemically important. This exclusion leaves them unable to pursue their own epistemic goals or act as full epistemic agents. In Young's terms: "... Marginalization is unjust because it blocks the opportunity to exercise capacities in socially defined and recognized ways"(Young, 1990, p.54).

On the second criteria, categorization, this account can differentiate between epistemic wrongs that should not qualify as testimonial injustices, because they do not meet the criteria for being instances of epistemic marginalization. This account emphasizes unconstrained knowledge-seeking, highlighting how this phenomenon is distinctively epistemic. Importantly, it can preserve Fricker's categorization of testimonial injustice as fundamentally discriminatory.

On the third criteria, application, this approach can better account for new cases; it can successfully illuminate features of central cases, and be applied to peripheral cases. This account is better able to differentiate between central and peripheral cases in ways that are consistent with moral intuitions. Talk of oppression rather than injustice shifts the central focus from a single individual onto the wider social group. Whenever an individual experiences oppression, it is necessary to also consider the way his or her social group is oppressed.

For example: imagine dismissing someone's testimony because of their favorite baseball team. While baseball preferences could result in decreased credibility, this does not result from a

wider limitation on the epistemic agency of that group of baseball fans. A framework of oppression highlights the significance of social groups.

This also explains why the case of TIRED COLLEAGUE is different from the case of Marge. The case of the tired colleague is a single instance of epistemic injustice, but it is not a case of epistemic oppression. One isolated wrong does not set up the necessary pattern of hindrances that is characteristic of epistemic oppression. It also lacks the characteristic element that the victim of oppression is harmed in light of a social identity. The background historical and social contexts illuminate how these cases are significantly different.

Consider another puzzling case:

**FEMINIST CLUB:** Josh joins the campus feminist club during a discussion on sexual harassment. He offers testimony, but his words are discredited because of his gender.

Here it seems as though Josh is suffering testimonial harms due to a social identity, but this case is intuitively not the same as central instances of testimonial injustice. There would be something vaguely misleading about characterizing Josh's dismissal using the same framework as Marge's. Josh is treated unfairly in this case, but not in the same way that Marge suffers, even though both are singled out based on their gender. Using a notion of distributive injustice, this case does look the same as Marge and Tom - individuals who are not given the credibility that they fairly ought to receive. However, intuitively this case is not the same type of case as the earlier examples. That is because this is not a case of epistemic marginalization.

The oppression framework (but not the distributive) can make sense of why the FEMINIST CLUB case is importantly dissimilar from the other scenarios. While Josh is dismissed because of his gender, it is not something that happens to his social group more broadly, or

that functions as a restriction on his epistemic capacities more generally. In contrast, when Marge is dismissed, it is one instance of many that serve to restrict her epistemic agency because she is a woman.

In this case, historic and social factors mean that even while Josh suffers from an epistemic wrong, he does not suffer from epistemic oppression. In contrast, Marge is subject to epistemic oppression in the form of marginalization. Throughout the literature, it seems clear that the concerns surrounding testimonial injustice are closely linked to concerns about existing discrimination in our society, such as sexism, racism, and other oppressions. Using a framework of oppression highlights this important element.

In terms of the fourth criteria, intervention, this approach suggests new methods of solving the problem of testimonial injustice (epistemic marginalization). A broader range of interventions are appropriate in light of the shifted focus to social group status, and background context.

## 1.3.5 Pursuing Justice

Frameworks of injustice shape the ways that we pursue justice. This account is better able to suggest meaningful interventions and solutions to the problem of testimonial "injustice". On a distributive account, interventions ought to somehow redistribute credibility. It's unclear how this works because credibility is not an object. Individuals may seek to redistribute credibility in their own interactions, but these types of solutions may be ineffective. The distributive framework also might suggest that the best solution is to prevent offending agents from acting wrongly. Similarly, Fricker suggests a virtue of "testimonial justice" where each individual is responsible for reducing their own internalized prejudice(Fricker, 2007).

Shifting to a language of oppression opens up new conceptual space to discuss resistance, transformation, and liberation in our epistemic practices. So, we might begin to think about how to structure society so that all epistemic agents have secure access to critical epistemic practices. Reducing oppression includes dismantling and disrupting existing social systems, in addition to challenging essentialist notions of social identity. This could include both individual and structural interventions that promote the agents' epistemic capacities.

Resisting epistemic oppression will involve a variety of intersecting approaches, depending upon the specific context. There is no single overarching solution to the problem - just as there is no single intervention to dissolve oppression. However, on this lens solutions need not be narrowly focused on the actions of the offending agent (as is the case on other frameworks). Importantly, individuals who are not perpetrators or victims are still able to take actions that resist oppressive social norms and structures. Understanding oppression as tied to restricted agency means that solutions can include working to change structures of society to better *support* each person's epistemic agency.

Unlike distributive wrongs, instances of testimonial injustice cannot be undone with a redistribution of credibility. Atoning for epistemic marginalization is not possible until societal forces shift to better accommodate fair and equal participation. Part of the wrong that occurs is reducing one's agency and possible modes of inquiry based upon his or her social identity. Promoting justice requires more than simply believing (or viewing as credible) members of marginalized groups; it requires promoting their ability to act as individual inquirers instead of facing restrictions due to identity prejudices.

## 1.3.6    New Insights

On this framework, new aspects of the central cases are highlighted. An account of oppression shows the ways that varied social roles can combine in order to wrong the victim. This account draws attention to the complexities of the phenomenon, for example, agents with intersecting identities. Epistemic expectations and norms vary among social groups and agents with intersecting identities will experience oppression in different ways. Additionally, experiences of epistemic oppression may be constituted by a variety of intersecting wrongs, only some of which arise during testimony. These complexities are highlighted on this framework but erased on a purely distributive framework.

This account can also highlight the ways in which other agents are impacted (morally and epistemically) through exposure to epistemic marginalization even if they are not directly involved. Shifting focus to group status illuminates the way that oppression generates harms beyond merely the two agents interacting. Claudia Card has highlighted how social institutions share this hallmark: that people who seem uninvolved may still benefit or suffer(Card, 1991). When discussing rape as a social institution, she argues that all men can benefit from the fear that is generated by rape, even if they never commit a crime. All women have reasons to change their behavior (not going out alone at night) even if they have never been a victim. Similarly, the social practices that facilitate epistemic marginalization generate third-party harms. Imagine that another woman witnessed the exchange between Marge and Herbert. She might, like Marge, recognize that her gender left her at a disadvantage for making knowledge claims within their shared social context. She might be less likely to express her beliefs in the future. If it was a young girl, experiences of this kind might stunt the development of important epistemic capacities. Those who witness but do not directly experience being dismissed may still suffer epistemically and morally. Using a framework of

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oppression makes it clear how this can occur - the woman is wronged in virtue of her shared social identity with Marge.

## 1.4   Conclusion

The testimonial injustice literature is currently lacking an adequate framework of justice to discuss the central phenomenon of interest in the cases of Tom and Marge. Treating this wrong as merely a distributive injustice means ignoring elements of the central cases. Coady's distributive framework fails to fully explain the phenomenon at hand or to most fruitfully direct philosophical analysis. Instead, we ought to take a different approach and look through a framework of oppression. An account of testimonial injustice as epistemic marginalization does the best job focusing on key elements of the central cases and providing new avenues for solutions.

# Chapter 2

# Credibility and Epistemic Standing: Two Failures of Respect in Epistemic Injustice

This paper illuminates two different types of disrespect at work in epistemic injustice, defining a notion of epistemic standing as distinct from credibility. Victims of epistemic injustice are treated badly, and not respected as epistemic subjects. While much has already been written about respecting the credibility of others, this paper discusses a different kind of respect that recognizes an agent's epistemic standing. There are at least two conceptually separate types of disrespect that constitute epistemic injustice.

Distinguishing between the two notions of disrespect clarifies the target of epistemic disrespect. Individuals can be disrespected in a variety of ways, including but not limited to their capacity for knowledge. This reveals that epistemic respect and epistemic justice requires *more* than only respecting one's "capacity for knowledge" as Miranda Fricker argues(Fricker,

2007). Treating other agents epistemically justly requires recognizing an agent's social standing as a participant in an epistemic community. Accurately appraising epistemic skills may extend beyond the act of testimony, to include other socially significant actions such as questioning and criticizing.

Clearly articulating the nature of two types of epistemic disrespect provides an important way to better understand and prevent against epistemic injustices.[17] While some cases of epistemic injustice will include both kinds of disrespect, the cases that do not will require different types of interventions corresponding to the different types of disrespect. Demonstrating the separation of these types of disrespect helps to more clearly identify the inner mechanisms of epistemic injustice. Treating other agents epistemically justly requires that we recognize and respect other epistemic agents as such.

## 2.1 Epistemic Injustice and Disrespect

Epistemic injustice represents a widespread, everyday sort of injustice; victims of epistemic injustice are wronged both morally and epistemically(Fricker, 2007).[18] Fricker argues that the paradigmatic case of any sort of epistemic injustice is that of testimonial injustice: when the victim has her words discredited because of prejudice(Fricker, 2007). I will focus on two central cases of testimonial injustice widely discussed in the literature, setting aside work on hermeneutical injustice.[19]

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[17]There may be more than two, the claim of this paper is that there are at least two distinct types.

[18]The term was first coined by Miranda Fricker, although others have written about the phenomenon both before and after(Fricker, 2007). Agents can be mistreated epistemically in a variety of ways; such mistreatment can be called epistemic oppression, epistemic injustice, or just systematic epistemic wrongs. Different philosophers have their own preferred language, but in this paper, I am seeking to address the broader phenomenon without taking a stance on appropriate language.

[19]Hermeneutical injustice occurs when the victim lacks important epistemic tools and is unable to make sense of her own experiences because of prejudice. It does not seem to be as clear a case of disrespect.

**Marge**: When her fiancé Dickie goes missing, Marge Sherwood becomes increasingly suspicious that Tom Ripley has killed him. However, her suspicions are discounted and then outright ignored by Dickie's father, Herbert Greenleaf, who suggests that women's intuition cannot be trusted. Marge is correct, but her views are unfairly discounted by Herbert, causing Ripley to get away with the murder. At one point Herbert explicitly dismisses Marge to her face, saying "Marge, there's female intuition and then there are facts"(Fricker, 2007, p.9).

**Tom**: Tom Robinson is a black man on trial in the south in 1935, and his words are constrained by the stereotypes of the time. Specifically, the jury believes the words of Mayella Ewell, a white woman, over his own honest account in spite of evidence indicating Tom's innocence(Fricker, 2007)(Lee, 1960).

In both cases, the victim is treated badly and disrespected on Fricker's view in light of their "capacity for knowledge"(Fricker, 2007, p.20). This type of dismissal is a sort of disrespect where the speaker is not treated as she actually is - an epistemic agent with knowledge to contribute. The core wrong of testimonial injustice is that it wrongs someone in their capacity as a knower, which represents a core human capacity.[20]

Fricker argues that this testimonial dismissal thus carries a social meaning that the victim is symbolically dismissed as a person. The wrong consists in an intrinsic injustice, in addition to often triggering harmful secondary effects.

More specifically, Fricker describes this wrong as a form of objectification(Fricker, 2007, p.133). Allowing prejudice to impact one's credibility judgment does not treat the testifier

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[20]Testimonial injustice occurs when a victim "receives a credibility deficit owing to identity prejudice in the hearer"(Fricker, 2007, p.28).

fully as a person. Individuals are wronged because they are epistemically objectified, demoted "from informant to source of information" (Fricker, 2007, p.133). Treating individuals as merely an epistemic object undermines or denies the victim's actual epistemic agency.

Gaile Pohlhaus Jr. has criticized this assessment, noting that sexism and racism usually function to restrict and typecast individuals, rather than to treat them as objects(Pohlhaus Jr, 2014). For example, treating people as less trustworthy (because of race) portrays them not as objects but as deceptive testifiers. Instead of stripping a victims subjectivity (in objectification), Pohlhaus argues that subjectivity is warped and constrained during testimonial injustice. Victims have their subjectivity misrepresented, but are not treated as objects.

In either analysis, the central cases of testimonial injustice can be understood as a kind of epistemic disrespect. Victims are not treated as they deserve to be treated, and are wronged. Their full subjectivity and status as an epistemic agent is disrespected through wrongful treatment. They are not seen as epistemically valuable and are disregarded due to prejudice. This mistreatment might also be described as a failure of trust(Marsh, 2011). However, individuals could suffer a testimonial injustice when speaking to a strangers in which case it might not seem appropriate for there to be much trust between individuals. For this paper I'll use the term respect, but accounts of thin trust and robust respect will overlap.

In the next three sections, I will outline a distinction between two different kinds of epistemic disrespect, give an explanation of epistemic standing as the basis of epistemic recognition respect, and show how this distinction reveals weaknesses in Fricker's view. This also illuminates two different mechanisms by which epistemic injustice functions.

## 2.2 Two Kinds of Respect

There are two different ways that agents can be denied respect qua epistemic subjects. Individuals can be denied epistemic appraisal respect and epistemic recognition respect. This distinction parallels one drawn by Stephan Darwall about the nature of moral respect; in this way resources from the ethics literature can help to illuminate this epistemic phenomenon(Darwall, 1977).

Darwall argues that moral and philosophical talk of respect actually includes two different notions: appraisal respect and recognition respect(Darwall, 1977). He explains recognition respect as "giving appropriate consideration or recognition to some feature of its object in deliberating about what to do"(Darwall, 1977, p.38). This notion of respect recognizes some essential feature of a person and connects that feature to normatively appropriate behavior. Appraisal respect is "an attitude of positive appraisal of that person either as a person or as engaged in some particular pursuit"(Darwall, 1977, p.38). This notion can be used to compare differences between people. It might also apply only within a narrow domain. Importantly, appraisal respect might not have bearing on appropriate interpersonal interaction and can be felt "without having any particular conception of just what behavior from oneself would be required or made appropriate"(Darwall, 1977, p.39). In contrast, recognition respect ought to bear on one's actions.

Epistemic respect also comes in two forms. **Epistemic recognition respect** is appropriate recognition or consideration of an agent's standing within an epistemic community. As with Darwall's notion of recognition respect, epistemic recognition respect ought to impact an agent's practical decision-making and impact which actions are appropriate. In the epistemic context, individuals ought to recognize epistemic standing when considering how to interact

with those around them during inquiry. A failure to consider an agent's situatedness is a kind of misrecognition; in the cases of epistemic recognition disrespect, the perpetrators have failed to appropriately see the epistemic status of the victim. **Epistemic appraisal respect** is a sort of comparative respect and positive appraisal that results from assessing the relevant epistemic skills or accomplishments of an individual (such as their credibility).

These two kinds of disrespect are conceptually distinct, and likely function through different mechanisms. These two different kinds of epistemic disrespect (appraisal and recognition) can also pull apart from one another in practice: It's possible for agents to be denied only one or the other.

While the two types of respect are conceptual separable, and can occur in isolation, they may often co-occur. For example, the Tom and Marge cases seem to represent cases that are mixed, or ambiguous regarding the type of disrespect at work.

In the central cases, such as Tom, he is certainly suffering appraisal disrespect. The white jurors assess him subjectively as possessing very little credibility, likely due to stereotypes that portray black men as untrustworthy. As a result, they do not take his words seriously. However, his is also experiencing recognition disrespect, to the extent that the jurors do not see him as a responsible epistemic agent at all.

Marge more clearly suffers from a lack of recognition respect. When Herbert dismisses her outright, he treats her as something other than an inquiring agent, someone who is not relevant to the domain of inquiry. She is also seen as an unreliable observer, which is a failure of appraisal respect.

In all cases of epistemic injustice, prejudice is the driving force behind the epistemic wrong. It seems that if prejudice leads to one type of disrespect, it is also likely to influence the

other type of respect, and so overlapping cases will be common. However, not all cases will overlap, and the two types of disrespect function in different ways.

## 2.2.1  Credibility and Epistemic Appraisal

The literature on epistemic injustice remains primarily focused on notions of credibility. It is intuitive that treating an epistemic agent with respect requires acknowledging their credibility. Unfairly discounting credibility is at the heart of the wrong of testimonial injustice. In a typical scenario of testimonial injustice, agent A will be assessing the credibility of agent B. So, if B asserts that "p", agent A will use a credibility assessment to inform her own degree of credence that "p". In a broad sense, credibility is whether an agent can be taken at her word.[21] There are two different elements to credibility that need to be distinguished: credibility as it is actually possessed by the speaker (objective credibility) and credibility as it is perceived by the listener (appraised credibility, which is subjective). Any misalignment between objective and appraised credibility represents an epistemic misperception. In cases of testimonial injustice, this misperception not only exists but is caused by prejudice and results in a lowered credibility appraisal(Fricker, 2007, p.1).

Fricker's work emphasizes credibility deficits, showing how dismissal during testimony can restrict an agent's ability to act as an informant. However, there may also be cases where prejudice accidentally causes an accurate appraisal (accurate for other reasons). If this credibility assessment is driven by prejudice, it still represents a testimonial injustice. Additionally, other writers have argued that credibility excesses can be instances of epistemic injustice(Medina, 2011)(Davis, 2016). In the case of a credibility excess, the individual is still missapraised due to prejudice.

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[21]In everyday language, synonyms for credibility often include reliability or trustworthiness.

Credibility concerns epistemic appraisal respect. Appraising an epistemic subject includes trying to determine the likelihood that they will act in epistemically advantageous ways. When I assess you as highly credible, I am respecting the epistemic skills (perhaps competence and sincerity) that I think you have.[22] Individuals who are seen as more credible are receiving a higher epistemic appraisal respect.[23] The problem of being denied epistemic appraisal respect is well-articulated by discussing denied credibility.

The two kinds of respect highlight distinct elements that may be dismissed during an interpersonal epistemic interaction. Relying upon only a notion of credibility (epistemic appraisal respect) cannot fully capture the disrespect that takes place in instances of epistemic injustice: some victims are not merely misappraised but dismissed as epistemic subjects outright. They are not recognized or acknowledged for their actual status and epistemic capacity. This second kind of respect (epistemic recognition respect) is better understood as focusing on epistemic standing. In the next section, I present an account of epistemic standing, to further explain the notion of epistemic recognition respect.

## 2.3   Epistemic Standing

It is important to be clearer about what is being recognized in instances of epistemic recognition respect, in order to see how it goes wrong in cases of epistemic injustice. Specifically,

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[22]Fricker has argued that credibility is fundamentally composed of two elements: competence and sincerity(Fricker, 2007).

[23]In rare cases, the term "credible" may be used to refer not to epistemic appraisal respect, but to epistemic recognition respect. If I ignore someone unfairly, you might come to her defense by saying "She's credible". In this sense credibility refers to an agent's standing and what actions are appropriate, rather than referring to a specific type of positive appraisal; so it is an instance of epistemic recognition respect. However, in general credibility seems to refer to epistemic appraisal respect.

epistemic recognition respect is an attitude that is appropriate in light of an agent's possessing epistemic standing. This standing consists of an agent's situated position within an epistemic community, including roles and relationships to other epistemic agents. Victims denied recognition of this standing are mistreated in light of their status as participants in the epistemic community.

In order to better explain I will draw a parallel with the case of moral standing, distinguishing between broad standing and more specific standing.

Within the moral community, there is a broad sort of moral standing: everyone who is a moral agent possesses moral standing.[24] Every person with certain rational (and emotional) capacities counts as a moral agent, and this status can only be lost due to death or severe brain damage. However, there are also more *specific* contexts that generate additional special moral standing. My good friends have the moral standing to make certain claims on me that other moral agents do not - perhaps to request or demand my help. Similarly, my spouse has the moral standing to demand certain sacrifices of me that would be unreasonable if requested by anyone else. This special (and more specific) type of standing can change or be lost, unlike the broader sense. If I no longer consider someone a friend, or if a marriage ends in divorce, those individuals no longer have additional moral standing to make some claims on me (but they do not cease to be moral agents).

Within an epistemic community, there will also be both broad and more specific notions of epistemic standing. In specific contexts, individuals may have special epistemic obligations. In a broad sense, everyone with certain rational capabilities has standing in the broadest sense of *the* epistemic community. This standing makes certain behavior appropriate: it is unfair to summarily discount the words of a speaker as unreliable without good reason.

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[24]I'm limiting my discussion to moral agents for this article, but some non-agents also have moral standing.

Agents can also have standing within a specific epistemic community, such as a school, or a study group. In this a more specific sense, there will be contexts that have varied requirements for judging special standing, and this type of epistemic standing can be gained or lost. For example, a stranger who wanders into a classroom does not have the standing to participate in the discussion, regardless of her epistemic skills. However, the stranger still has rational capacities, and ought to be regarded as an inquirer more generally. In both types of standing, individuals who are denied recognition because of prejudice are victims of an epistemic wrong. Individuals ought to be treated well with respect to their actual epistemic status.[25]

Part of what seems required for the broad sense of epistemic standing is a capacity for justified belief, as this means that one can be contributor and participant during inquiry. In other words, this could be considered a capacity for inquiry. Some additional skills might also be needed to ensure that the agent has a capacity for understanding. (Right now I would like to remain neutral about whether knowledge, understanding, or both are the ultimate goal of community inquiry.) There are some rational requirements that an individual might fail to meet, and so he or she would fail to possess even a broad epistemic standing. For example, very young children may lack even a general epistemic standing. Smaller epistemic communities may have a variety of context-dependent reasons to deny a specific sense of epistemic standing to someone.

Heidi Grasswick has argued that epistemic agency is best understood as an "individual-in-community" rather than according to the older atomistic model of agency(Grasswick, 2004). Individuals on their own cannot be considered full agents or subjects. A notion of epistemic

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[25]This does not mean a blanket requirement to believe everyone you speak with. However, it means that without a good reason, people should be presumed to have some sort of minimal epistemic standing.

standing fits closely with Grasswicks' approach, recognizing the ways that individuals are socially embedded, giving a more accurate model of epistemic agency(Grasswick, 2004).

## 2.3.1 Epistemic Standing and Recognition Respect

Recognizing an individual as having epistemic standing (granting epistemic recognition respect) means that several actions are apt. This recognition properly acknowledges a person's status or role in the epistemic community. This makes a variety of actions appropriate, such as: allowing access to epistemic resources, permitting the agent to speak, and granting a standing to criticize. Agents who are disrespected are not treated as epistemic subjects within a given context. This epistemically wrongs them and impedes their ability to act.

Recognizing epistemic standing (epistemic recognition respect) comes apart from the issue of credibility (epistemic appraisal respect). Consider the following case, that of the implicitly sexist manager.

**Sexist Boss** A female employee always generates valuable contributions to her work team but never gets acknowledged for them. Instead, her male boss takes her ideas to later use and present as his own. He does this in part because of sexist beliefs that men need to move up the business ladder, but women do not need to advance in business.

This case is interesting because it seems like a clear case of an epistemic wrong, but it is a different sort of wrong than that of testimonial injustice. The sexist boss is not misjudging his employee's credibility; in fact, he very accurately sees that she is capable of producing good ideas. However, the case is intuitively an instance of epistemic injustice: the female employee is wronged because of an identity prejudice.

Relying upon notions of credibility would result in missing cases of epistemic injustice like this one. Decreased credibility does not occur in this case, and so cannot explain why it is wrong. (Although, over time his mistreatment is likely to have the consequence that others in the company will be more likely to view her with inaccurate decreased credibility). By separating out the two notions of respect I have reviewed, it is possible to see how this is still an epistemic injustice.

The boss does demonstrate appraisal respect: he sees that she has the capacity to produce valuable work (and his assessment matches the objective truth in this case). When asked, he can accurately report her actual epistemic accomplishments. What he fails to do is to give recognition respect - to see his employee as a fellow epistemic agent, a peer in some sense, who deserves credit for her ideas. Instead, he treats her as a mere source for his own epistemic goals.[26] Misrecognition need not always result in dismissal; individuals can misrecognize one another by failing to accurately see one's social epistemic standing. In the case of the sexist boss, the misrecognition led to exploitation rather than marginalization.

In addition to being denied social recognition, individuals can be wronged through misrecognition if they are perceived to occupy the wrong social role. For example, imagine the only woman in a meeting is asked to take notes(Rogers, 2019)(Quast, 2017). She is receiving acknowledgement for an important epistemic role, but it is still an instance of misrecognition if that is not her actual role within the organization. She may suffer no ill effects to her perceived credibility, but is treated as though she occupies a different role than the one she does. This restricts her agency to act within her actual epistemic role (perhaps by making proposals, or challenging the ideas of her peers). In this way her epistemic standing is misrecognized, while her epistemic skill need not be misappraised. (Although, this may

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[26]Because this occurs frequently, it probably also counts as a case of epistemic exploitation.

sometimes be a case of credibiliy excess where a woman is assumed to be naturally gifted at administrative work.)

This distinction reveals that existing accounts are overly simplistic, by lumping together the two concepts I have identified (or incomplete by not considering recognition respect). Specifically, Fricker's framework cannot explain examples like the sexist manager above, because Fricker defines testimonial injustice using the notion of decreased credibility. Her account emphasizes epistemic appraisal respect. She can analyze recognition disrespect as a disregard for one's capacity for knowledge, but this cannot fully capture the nature of the disrespect.

## 2.4   The Target of Disrespect

Drawing a distinction between two types of disrespect also illuminates various targets for that disrespect. Individuals may be subject to disrespect through either misappraisal or misrecognition. In the case of appraisal, the target is usually one's epistemic skills. Specifically, Fricker argues that the disrespect at the core of epistemic injustice is addressing one's capacity for knowledge(Fricker, 2007). A capacity for knowledge is a central human capacity, so the disrespect to an agent as a knower also symbolically disrespects her as a person(Fricker, 2007). However, misrecognition could target a number of epistemic factors, beyond one's capacity for knowledge.

Current accounts of epistemic injustice are incomplete because there are examples that intuitively seem to be cases of epistemic disrespect (or epistemic injustice), but which do not involve disrespecting one's capacity for knowledge. Christopher Hookway gives an example

of epistemic participation that is non-testimonial, that I refer to as **Bad Teacher**(Hookway, 2010).

**Bad Teacher:** A bad teacher ignores or misconstrues questions from a student over the course of a discussion as a result of prejudice. In Hookway's words: "When the student raises a question which is not a request for information, and is apparently intended as a contribution to continuing debate or discussion, then the teacher makes a presumption of irrelevance and ignores the question or takes things over and construes the question as a request for information that is loosely related to the question asked"(Hookway, 2010, p.155).

Hookway argues, highly intuitively, that the student has suffered a wrong as an epistemic agent. When the bad teacher acts, she "fails to take the student's questions seriously"(Hookway, 2010, p.155). Hookway concludes that: "In this case, the student is not treated as a potential participant in discussion but just as someone who can ask for and provide information"(Hookway, 2010, p.155).

It is clear that the student who has her questions ignored is disrespected as an epistemic agent in some way. As with the case of the sexist manager, it seems the victim is primarily suffering from a lack of epistemic recognition respect. However, it is not her capacity to know that is disrespected, so the case cannot be understood on Fricker's framework. The student may be seen as a capable knower but is not treated as a person who can appropriately contribute to discussion, and not seen as a participant in the community.

## 2.5 Implications

Drawing a distinction between two kinds of epistemic disrespect has further implications for understanding epistemic injustice more broadly. The account I've given clarifies details about the mechanisms of disrespect as they function in instances of epistemic injustice. Successful participation in the process of inquiry involves more than just asserting knowledge. Agents who are wronged during this process are disrespected as participants, even when their knowledge is not directly called into question.

### 2.5.1 Feeling Out of the Loop

Distinguishing different types of disrespect can help to make sense of new instances of epistemic injustice. Individuals may face recognition disrespect in a wider variety of ways.

Being "out of the loop" is a form of exclusion that psychologists have explored while researching ostracism, but has not been discussed among philosophers examining epistemic injustice(Jones, Carter-Sowell, Kelly, & Williams, 2009). People are out of the loop when they "perceive being uninformed of information mutually known by others"(Jones et al., 2009, p.157). If one is out of the loop because of implicit prejudice, this seems like an instance of epistemic injustice. Individuals are disrespected epistemically when they are not seen as appropriate recipients of knowledge or information that has otherwise been shared widely.

This case again serves to illustrate why it's important to understand the sub-mechanisms of epistemic injustice. An individual left out of the loop is not necessarily being misappraised: they might not be seen as lacking any skill. Instead, individuals who are left out of the

loop are lacking appropriate epistemic recognition respect. They are not seen as appropriate recipients of information, despite their epistemic standing.

### 2.5.2   The Scope of Epistemic Injustice

Rather than understanding epistemic injustice as a disrespect towards one's capacity for knowledge, it can be understood as a broader failure to recognize epistemic standing.

General accounts of epistemic injustice must be able to account for both types of disrespect. Matthew Congdon has argued for four different possible interpretations of epistemic injustice: harm, vice, objectification, and misrecognition(Congdon, 2017). Epistemic injustice could also be understood as a distributive injustice, a form of oppression, or a rights violation (although I don't know of anyone who defends the latter)(Coady, 2010)(Dotson, 2014).[27]

However one understands the phenomenon, an account needs to be able to accommodate both varieties of disrespect, or else risk excluding intuitive instances of epistemic injustice. As such, this distinction between types of disrespect may lend greater support to some accounts of epistemic injustice over others.

## 2.6   Conclusion

Victims of epistemic injustice face two sorts of disrespect: epistemic recognition disrespect and epistemic appraisal disrespect. I have shown how to understand epistemic recognition disrespect as a failure to recognize epistemic standing. I have also argued that epistemic

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[27]There is also a literature on whether justice can be understood as an individual virtue(Slote, 2002).

recognition must extend beyond (although it will still include) recognizing an agent's capacity for knowledge. Ultimately, a better understanding of epistemic respect should help agents to improve their epistemic behavior toward one another. When agents are granted the recognition respect they are owed, they can be seen as epistemic participants embedded in an epistemic community.

# Chapter 3

# Knowledge and Participation: Giving a Participatory Account of Epistemic Injustice

When individuals are not taken seriously due to prejudice, they suffer from a distinctively epistemic kind of injustice. While there are varied cases discussed in the literature, in all instances individuals in different contexts are treated unjustly because of prejudice (usually gender or race). Christopher Hookway is concerned about a teacher dismissing a student's question, Gerald Marsh imagines a woman whose husband receives more attention in a hardware store, and Gaile Pohlhaus Jr. considers the wrong that occurs when a privileged knower rejects the epistemic insights of her marginalized conversational partners(Hookway, 2010).(Marsh, 2011)(Pohlhaus Jr, 2012). These examples all differ from the original cases defended by Miranda Fricker, where a testifier is denied appropriate credibility(Fricker, 2007). The cases are all intuitively instances of epistemic injustice – where an individual is wronged *qua* epistemic subject(Kidd et al., 2017). This reveals a problem: as philosophers continue

to propose new examples, it becomes less clear what is centrally at stake in the discussion of epistemic injustice.

In this paper, I solve this problem by giving a new unified account of epistemic injustice that can assert shared central features while also distinguishing between different types of cases. Epistemic injustice should be understood as centrally about the capacity to participate in inquiry, rather than centrally about testimony. In section one I show the significance of two different approaches to epistemic injustice, what I call the "testimonial" and "participatory" approaches.[28] In section two I provide my own fully participatory account of epistemic injustice. On my account, epistemic injustice wrongs epistemic subjects in their capacity as participants in inquiry, disrespecting agents by denying them appropriate access, recognition, or appraisal. In section three I assess this model, showing how my participatory approach provides a better framework for understanding new cases, and address a possible objection.

## 3.1 Two Accounts of Epistemic Injustice

Fricker's testimonial view, implicit in much of the literature, focuses on testimony and knowledge possession to understand epistemic injustice(Fricker, 2007)(Fricker, 2003). The literature on epistemic injustice is ever growing, and the topic was discussed even before Fricker's 2007 book coined the term.[29] Fricker characterizes epistemic injustice as a wrong that occurs in one's "capacity as a knower"(Fricker, 2007, p.1).[30] In many ways, this is the received view, used by other philosophers in their own explorations of epistemic injustice(Kidd & Carel, 2017)(McKinnon, 2016).

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[28]Hookway refers to his example as taking a "participant perspective"(Hookway, 2010).

[29]See Kristie Dotson's article for a helpful overview(Dotson, 2011).

[30]Or in one's "status as an epistemic subject", which she seems to treat as synonymous(Fricker, 2017, p.53).

The most significant reason for needing an account of epistemic injustice is to identify, under-stand, and address an important category of moral and epistemic wrongs in the world. The two accounts I discuss offer different lenses on the same phenomenon. A testimonial account emphasizes knowledge-possession, while my participatory account focuses on knowledge-seeking. The differences are worth discussing because they characterize the phenomenon differently. These two different lenses on epistemic injustice focus on different examples and suggest different interventions. A good account will highlight what is ethically significant, as well as highlight practical details that matter for intervention. Extensional accuracy is also essential: a good account should include and exclude the right cases.

In several important ways, the testimonial and participatory accounts agree; I will not con-test Fricker's emphasis on discrimination – I agree that epistemic injustice is essentially characterized by prejudicial actions towards individuals with marginalized social identities. Both approaches to epistemic injustice emphasize two separate elements to the phenomenon: a core wrong (a disrespect or dis-valuing of an epistemic subject) in addition to the follow-up harmful consequences. Fricker and I share a commitment to eliminating epistemic injustice.[31]

The accounts also disagree in significant ways. Proposed interventions will differ between the testimonial and participatory approaches. On a testimonial framework, it is vital to prevent epistemic injustice by appropriately recognizing when others have knowledge. Fricker's solu-tions focus on properly adjusting one's testimonial sensitivity(Fricker, 2007). A participatory approach highlights a different avenue for promoting epistemic justice: promoting epistemic participation. This participatory account is broader, including more cases as examples of epistemic injustice. This approach broadens the realm of epistemic injustice, encompassing more cases because there are epistemic injustices that are non-testimonial.

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[31]I view my project as ameliorative, as Sally Haslanger uses the term, which is to say that the importance of this philosophical work is deeply tied to political and ethical outcomes(Haslanger, 2005).

### 3.1.1 Testimonial Account

On the testimonial approach, epistemic injustice is prototypically embodied through discounted testimony; the key feature on this account is one's capacity to know. Specifically, Fricker focuses on the act of testimony, asserting knowledge, highlighting how one's capacity as a "giver of knowledge" is central to what it means to be an epistemic subject(Fricker, 2007, p.44). Fricker has argued that epistemic agents are distinctively wronged when they are not respected in their capacities as knowers. The central scenario is when a listener judges that a speaker has decreased credibility as a result of social-identity-based prejudice(Fricker, 2007).

Consider one of her key examples:

**Marge:** When her fiancé Dickie goes missing, Marge Sherwood becomes increasingly suspicious that Tom Ripley has killed him. However, her suspicions are discounted and then outright ignored by Dickie's father, Herbert Greenleaf, who suggests that women's intuition cannot be trusted. Marge is correct, but her views are unfairly discounted by Herbert, causing Ripley to get away with the murder. At one point Herbert explicitly dismisses Marge to her face, saying "Marge, there's female intuition and then there are facts"(Fricker, 2007, p.9)(Minghella et al., 1999)(Highsmith, 1955).

This action is an instance of testimonial injustice – it treats the speaker (Marge) as lacking knowledge, and Fricker argues it is wrong because it dismisses one's capacity for knowledge as an epistemic subject. This approach treats the act of testimony as central to the phenomenon: being dismissed as a reliable informant or knower is the prototypical instance of being epistemically wronged. The capacity for knowledge is important not only epistemically, but is a core capacity of human agency as well. Failure to treat epistemic subjects as knowers denies them in a capacity that is core to their humanity(Fricker, 2007, p.44). Marge

is mistreated as an epistemic subject because she is not treated as an informant by Herbert. Instead, prejudice contributes to Herbert's unfair dismissal of her testimony.

Individuals can also be wronged on Fricker's model when they suffer hermeneutical injustice, when lacking the resources to make sense of their own experiences(Fricker, 2007). Although Fricker's framework includes both subtypes, testimonial injustice is the prototypical case. Fricker argues that when understanding epistemic injustice, testimonial injustice is "the most basic of all"(Fricker, 2010, p.174). Dismissal as an informant is fundamental. Analyzing this wrong, Fricker draws upon work by Edward Craig who sets out to perform a conceptual analysis of knowledge(Craig, 1990). Craig argues that the notion of knowledge (or proto-knowledge) was first developed to help facilitate communities of agents sharing information. Early epistemic communities needed to pool their shared information together. In order to do so, a critical skill was to be able to tell when one's peers were acting epistemically well (or poorly) during testimony. Thus, our notion of knowledge developed as a way to flag reliable informants. The most reliable informants have information that can be added to the communal pool. This account bolsters Fricker's argument that dismissal during testimony is a fundamental way to misjudge another epistemic agent.

### 3.1.2 Non-Testimonial Account

On this framework, epistemic injustice is prototypically embodied through disrespecting an agent's capacity for participation in inquiry. Consider the following case, slightly modified from Hookway(Hookway, 2010):

**Bad Teacher:** A bad teacher ignores or misconstrues questions from a student over the course of a discussion as a result of a belief that the student cannot contribute anything

valuable to the discussion. Specifically, the teacher is white and the student is black; the teacher's implicit racism drives her dismissal of the student.[32]

In Hookway's words:

> "...when the student raises a question which is not a request for information, and is apparently intended as a contribution to continuing debate or discussion, then the teacher makes a presumption of irrelevance and ignores the question or takes things over and construes the question as a request for information that is loosely related to the question asked"(Hookway, 2010, p.155).

Hookway argues that the student has suffered a wrong as an epistemic subject. Despite the student's efforts, the teacher interprets the questions and attempts to participate as irrelevant and fails to see how they might contribute to the collective activity. [33] This is an epistemic dismissal.

This case intuitively represents an epistemic injustice, but it is non-testimonial because the student is not offering testimony. The student who has her question ignored is mistreated in a way that seems intimately related to her standing as a capable epistemic subject. However, it is not the student's capacity to know that is disrespected, nor her role as an informant, so it is difficult to understand this wrong through a testimonial lens.[34] The case would need to be analyzed in a way related to a testimonial wrong, or otherwise as a peripheral variant of epistemic injustice. A testimony-based analysis seems to miss the key element of the case,

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[32] Hookway's case is based around prejudice against the student as a non-valuable contributor. I have altered the case to be explicitly about race in order to better keep this element of the case consistent with Fricker's commitments, to better illustrate the relevant contrasts with her examples.

[33] When the bad teacher acts, she "fails to take the student's questions seriously"(Hookway, 2010, p.155). Hookway concludes that: "In this case, the student is not treated as a potential participant in discussion but just as someone who can ask for and provide information"(Hookway, 2010, p.155).

[34] The student also does not suffer from a hermeneutical injustice.

since the student may be seen as a capable knower by the teacher, but also not treated as a person who can appropriately contribute to the discussion.

Hookway addresses this problematic case by suggesting that there are two different perspectives that one can take towards epistemic interactions, both of which are valid: an "information perspective" and a "participant perspective"(Hookway, 2010). He interprets Fricker as taking an "information" perspective in contrast to his "participant" perspective on the bad teacher case.[35] Coming from a "participant perspective", we think of the student as "trying to participate in activities"(Hookway, 2010, p.155). The bad teacher fails to recognize that the student can contribute to the social process. Specifically, "In this case the student is not treated as a potential participant in discussion"(Hookway, 2010, p.155).

The bad teacher case helpfully highlights shortfalls in Fricker's theory by showing that a capacity for knowledge is not the only thing that characterizes an epistemic subject. To be treated well, individuals need to have a variety of epistemic capacities appropriately recognized. In principle, participatory injustices can occur by questioning any of a number of capacities that contribute to epistemic participation, including the ability of an agent to give relevant contributions.[36]

Hookway's dual perspective analysis sets up his account as a parallel perspective to Fricker's.[37] However, the bad teacher case supports a stronger position: that Fricker's account is inadequate to fully explain the phenomenon of epistemic injustice because it leaves out cases

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[35]On an "information" perspective, we think about the student "as a potential recipient or source of information"(Hookway, 2010, p.156).

[36]Hookway says: "Our ability to contribute to collaborative inquiry depends upon our possession of a whole range of such abilities"(Hookway, 2010, p.161). He also asserts that: "We can be victims of epistemic injustice without making assertions and claims to knowledge, and without suffering from conceptual impoverishment"(Hookway, 2010, p.152).

[37]In footnote 2, Hookway mentions: "... it may be best to interpret informational injustice as a kind of participant injustice...", but does not pursue the thought(Hookway, 2010, p.162).

that seem emblematic of the phenomenon. I take Hookway's complaint towards Fricker as a starting point for a more fully developed account of epistemic injustice: one centered on the act of participation rather than testimony. Rather than understanding epistemic injustice as a denial of one's capacity for testifying (and role as a knower and informant), an account of epistemic injustice can focus on denying an agent's capacity to participate in the social activity of inquiry. Agents can be wronged in a variety of ways when they are marginalized or excluded from this central epistemic activity due to prejudice.

## 3.2   A Participatory Account of Epistemic Injustice

Epistemic injustices can be understood as fundamentally about participation: the capacity of an epistemic subject to make a contribution to the social act of inquiry. Individuals can express agency in their process of knowledge-seeking. Justice focuses on facilitating participation, in contrast to exclusion and marginalization.

Epistemic injustice occurs when subjects are disrespected as potential participants; this injustice both disrespects agents and blocks their participation by denying either access, recognition, or appraisal. Epistemic activities at their most basic level are characterized by who is included or excluded: who is seen as a potential participant.[38]

On this framework, there are different (although similar) types of prejudicially-based blockages that prevent agents from freely acting in pursuit of epistemic goals. With this expansive notion of participation, individuals first need to have *access* to basic resources and sites of intellectual exchange. Once access is gained, individuals need a minimal level of *recognition*

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[38]This contrasts with Fricker, who argues that "informing people of everyday things is in every way the most basic of social epistemic practices"(Fricker, 2010, p.176).

in order to participate in social exchanges that constitute inquiry. Even if individuals are able to access epistemic activities, and are recognized, they can still be misjudged and denied appropriate *appraisal*. Failure in any of these ways disregards an epistemic subject's capacity to participate and constitutes an epistemic injustice.[39]

## 3.2.1 Respecting The Capacity to Participate

An individual is a participant when engaging in the social act of inquiry. This participation may have a variety of roles, including but not limited to: assertion, criticism, questioning, and facilitating group communication. Inquiry requires cooperation from various agents in pursuit of the truth.

Epistemic justice requires recognizing the capacity to participate in inquiry. This does not entail that exclusion is never permissible: there are good reasons (moral or epistemic) to exclude individuals even if they have a capacity to participate. Prejudice is never an acceptable ground for such exclusion. Instead, individuals ought to be recognized for the value that they have as *potential* participants.

Inquiry is a social act, one that requires different agents to cooperate. Recognizing a person as a potential participant requires seeing the potential for cooperation. Cooperation is not merely an instance of joint orientation and action, but requires a certain stance towards the agent with whom one cooperates(Tuomela, 2011).

Raimo Tuomela argues that either weak or strong forms of cooperation involve certain beliefs and perceptions of one's cooperator as such.[40] For weak forms of cooperation, one

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[39]These last two could both be understood as types of respect: I use the terms recognition and appraisal to distinguish between them.

[40]He refers to two forms of cooperation as "I-mode" and "We-mode" cooperation(Tuomela, 2011).

must understand that one's cooperator shares goals and actions with oneself, and is acting cooperatively in pursuit of these overlapping goals(Tuomela, 2011, p.67). In this case of inquiry, these shared goals might be to gather information or deliberate about the truth of a proposition. A stronger form of cooperation requires joint intention to act on behalf of a group, in accordance with group reasons and norms(Tuomela, 2011, p.73).

To respect an individual's capacity to participate, it is necessary to acknowledge the possibility that an agent could serve as a cooperator within the process of inquiry. This will include not only recognizing that individuals possess relevant epistemic capacities (including a capacity for knowledge, for reasoning, etc), but also a capacity to share epistemic goals and intentions. Respecting an agent's capacity to participate takes a stance towards an epistemic subject that they will be able to contribute towards shared inquiry in ways that share epistemic goals with other members of the social epistemic group.

Failing to recognize another agent as a potential source of cooperation denies their actual status within an epistemic community. In instances of epistemic injustice, prejudice warps an individual's perception; falsely portraying the victim as one who is unable to contribute or cooperate in the relevant ways. Individuals may be rejected in a number of ways, perhaps as lacking the epistemic capacity to assert, criticize, ask questions, or make other contributions.[41]

The capacity of an epistemic agent to participate could also be described by referencing agency. Individuals are disrespected when not treated as autonomous epistemic agents who are able to direct and control their own epistemic activities. Alternatively, Gaile Pohlhaus Jr. uses the term "subjectivity" and has criticized Fricker's account (which focuses on

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[41]Specifying all the various capacities that could be involved in inquiry falls beyond the scope of this paper, but these are a few important candidates.

objectification). Pohlhaus argues that objectification cannot explain the wrong that occurs, and the primary wrong is one of constrained subjectivity: where agents have their ability to act as epistemic subjects constrained(Pohlhaus Jr, 2014).[42] People with constrained subjectivity are seen as "other", and this can more clearly account for what is going wrong when agents like Marge are denied epistemic recognition and respect. Marge is seen as "other" within the context of Herbert's investigation. A participatory account highlights these features. By understanding one's "subjectivity" as the freedom to make a self-directed contribution to the process of inquiry, we can see how any block to epistemic participation functions to constrain subjectivity. Epistemic subjects are free when they can develop and utilize their intellectual capacities in self-directed ways in pursuit of epistemic ends.

## 3.2.2   Failures of Epistemic Appraisal

Epistemic subjects can be wronged as participants when they are improperly appraised and not give appropriate epistemic respect for their skills. This is a specific type of respect: the act of appraising epistemic skills (which is what goes wrong when there is a credibility deficit). This contrasts with two following categories I will address: failures of recognition and failures of access. When agents are epistemically misappraised, their efforts and contributions will be inaccurately seen as less valuable, and so less able to shape group progress.

On my framework, epistemic appraisal involves more than just acknowledging a capacity for knowledge. When agents are misappraised in this way, during testimony, they suffer the type of testimonial injustice that Fricker highlights. All epistemic subjects are due not

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[42]She says: "I propose that the intrinsic epistemic harm of testimonial injustice is more aptly described in terms of a subject/other relation rather than the subject/object relation proposed by Fricker"(Pohlhaus Jr, 2014, p.100). In the case of testimonial injustice, the victims are defined as a class of people who are "other", and their "sole purpose is to recognize the class of persons deemed fully as subjects"(Pohlhaus Jr, 2014, p.105).

only respect for their capacity for knowledge, but also for their capacity to be epistemic participants in inquiry as part of a community. For example, Hookway's case highlighted how asking questions is a significant epistemic activity(Hookway, 2010).

### 3.2.3 Failures of Epistemic Recognition

Epistemic subjects may also be blocked from participating when they are not recognized as having basic epistemic standing. This misrecognition is also a kind of disrespect, but distinct from the misappraisal discussed in the previous section. Before a speaker can be appraised, she must first be granted the basic recognition that allows her to speak and her audience to listen. A subject may be unable to inquire if denied recognition from others – consider "the silent treatment" as a punishment. This misrecognition is distinct from the question of whether individuals are misappraised and underestimated in terms of epistemic skill. Recognition acknowledges epistemic standing, expertise, or an appropriate epistemic role. Possessing epistemic standing makes certain sorts of epistemic activities are appropriate, such as involvement in social practices. Recognizing a person treats her with respect as an epistemic participant. Individuals in some cases are denied this basic recognition of status prior to participating in exchanges involving appraisals of respect.[43]

In these cases, agents might not have their testimony downgraded, but they could be assessed as being irrelevant. Thus, an understanding of epistemic injustice must include the ways that individuals can be denied recognition even before they make a contribution. Hookway's **Bad Teacher** case is an example of this(Hookway, 2010). The student is not seen as less intelligent; instead, she is perceived as already speaking in a way that is simply not relevant for the social activity at hand. Rather than being seen as making a contribution to the

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[43]Individuals can be misrecognized and misappraised at the same time.

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group discussion, she is seen as asking a clarificatory question, acting in a capacity as a non-inquirer.

In other cases, individuals may be denied appropriate epistemic recognition when their authority or expertise is not properly seen. When women are seen as less capable than equally educated men, they fail to receive proper recognition. Consider the experiences of Dr. Tamika Cross, a doctor whose medical authority was dismissed on an airline flight. When flight attendants called for a doctor due to a medical emergency, they dismissed Dr. Cross saying "Oh no sweetie, put your hand down, we are looking for actual physicians or nurses..."(Wible, 2016). Prejudicial beliefs about who is a doctor likely resulted in Dr. Cross' dismissal.[44] Dr. Cross in this situation is not viewed as epistemically relevant or given recognition for her actual status as a medical professional. This is a wrong of misrecognition. Consider another case:

**Sexist Boss**: A female employee always generates valuable contributions to her work team but never gets acknowledged for them. Instead, her male boss takes her ideas to use later and present as his own. He does this in part because of sexist beliefs that men need to move up the business ladder, but women do not need to advance in business.

In this case, the woman clearly suffers an epistemic injustice. However, she is not misappraised: in fact, her male boss accurately recognized the quality and worth of her ideas. Instead, she is being misrecognized and not treated as someone who deserves credit for her ideas. Rather than being treated as an independent inquirer, she is seen as a mere tool for advancing the epistemic goals of her boss. In this way, she is not treated as a true participant. This is not a failed assessment of her credibility, but rather a denial of her social epistemic standing. On his view, she is not an appropriate candidate for a certain epistemic role: that

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[44]We do not know for sure what caused this interaction, but implicit bias seems likely.

of generating ideas and getting social recognition for it. Individuals can be misrecognized in a variety of ways, not all of which pertain to their capacity for knowledge.

Misrecognition is not only a serious wrong but also has devastating consequences. Recognizing an agent as a possible participant is a type of social perception, and occurs in a public setting. For example, if I ignore you during a conversation, I am signaling to others around us that you are not a participant in this type of inquiry. Over time this might shape how others perceive you, and how you perceive yourself. This type of mistreatment might also increase the chance that others dismiss or misappraise the subject, leading to a vicious cycle of marginalization. Kristie Dotson has highlighted how experiences with epistemic oppression can lead to self-silencing, where agents restrict their own testimony when predicting that they will not be seen as credible(Dotson, 2011). Denying an epistemic subject recognition denies them any minimal epistemic standing.

### 3.2.4 Failures of Epistemic Access

This form of epistemic injustice blocks agents from being positioned well-enough to have access to basic resources or spaces that are necessary components of epistemic exchanges and prevents agents from participating at all. Victims are wronged when they are misjudged as not having the basic worth to be permitted to access epistemic resources or spaces, due to prejudice. Without access to epistemic resources, epistemic subjects may not experience misrecognition or misappraisal because they are effectively excluded.

Not all cases of denied access are cases of epistemic injustice, as some goods may be unevenly distributed for a number of reasons. Only some cases will be discriminatory and distinctively

epistemic. Victims are subject to epistemic injustice when their inability to access epistemic resources is grounded in discrimination and prejudice tied to their social identity.

David Coady highlights some examples of this category when he discusses a distributive notion of epistemic injustice(Coady, 2010). Individuals might lack access to the internet, or to education, in ways that are systematically determined and reflect social status.[45] An unfair distribution of a good or resource that is fundamentally epistemic is an epistemic injustice on his view(Coady, 2010).

A vivid example occurred recently in Detroit when students acting as plaintiffs in a lawsuit were told they had no fundamental right to "access to literacy"(Jackman, 2018). Counterintuitively, the court ruled that while school must be provided, it need not ensure that students who graduate are able to read. If students are being denied equal educational resources in part because of their race, then this constitutes an epistemic injustice. Without "access to literacy", students will struggle to participate in socially significant epistemic practices.

Epistemic injustices that deny access sometimes seem more egregious or obvious than the testimonial injustice that Fricker describes. She sets up her account to specifically highlight subtle and easily missed instances of epistemic injustice(Fricker, 2007). My participatory account is broader than other accounts by including this category. However, instances of denied access are instances of epistemic injustice and can be subtle. Victims who are unfairly denied access do not have the opportunity to act freely in pursuit of epistemic ends, as a result of prejudice. One example is the phenomenon of all-male panels, when all invited

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[45]While Coady emphasizes a distributive approach, this denial of access can also be a form of marginalization or discrimination when it occurs as a consequence of one's membership in a marginalized social group.

speaker at an academic event are male[46] This blocks women academics from attending conferences where only men were invited, denying them access to spaces of inquiry. It also perpetuates notions that women are not experts or are not worthwhile additions to academic panels.

### 3.2.5 A Broader Account

This perspective on epistemic injustice is broader, and highlights connections among parts of the literature that have previously been viewed as addressing separate phenomenon. For example, Fricker's two examples of testimonial injustice and hermeneutical injustice no longer look like completely different kinds of injustice. Hermeneutical injustice results from epistemic marginalization, which is the same mechanism at work in testimonial injustice.

This shows how wrongs like gaslighting, and other forms of epistemic manipulation, can be forms of epistemic injustice; They can occur in light of one's marginalized social identity, and function to disrespect and undermine epistemic abilities.[47] This lens on epistemic injustice emphasizes the importance of self-directed epistemic agency. Actions that undermine this capacity to act freely in pursuit of one's epistemic ends are wrong. Intentional or unintentional epistemic manipulations based on prejudice restrict the self-direction of epistemic subjects, constraining their subjectivity. Epistemic subjects should have the ability to direct their own lines of inquiry, free from unjust influences of prejudice.

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[46]The "Gendered Conference Campaign" seeks to stop this behavior(*Gendered Conference Campaign*, 2019).

[47]Abramson has a helpful analysis of gaslighting(Abramson, 2014).

## 3.3   Assessing the Participatory Account

I have presented an alternative framework for understanding epistemic injustice that does not center upon references to testimony and assertion. This account has all the strengths of a testimonial account and can include Fricker's key examples. Marge is wronged in light of not being seen as a participant in the project of solving Dickie's disappearance. When she is rejected, she is no longer seen as a potential cooperator, and she is blocked from contributing to the process of inquiring into Dickie's death. This example can still be analyzed without a focus on testimony. It is also clear how Tom is disrespected, and not seen as a full participant in the process of inquiring into what happened to Mayella Ewell.

While looking through the lens of participation, it is easier to see how various forms of epistemic injustice are similar, in that they all wrong one in light of the capacity to participate in inquiry. (In addition to blocking or undermining the ability to participate, there are three different sub-mechanisms of blocked participation (access, recognition, appraisal).) This lens suggests overcoming epistemic injustice by facilitating participation, for example by cultivating inclusiveness in a group.

A participatory account is also able to capture and analyze a broader class of wrongs, beyond Fricker's account. One advantage for this account is that it can include epistemic injustices done to subjects when they are not offering testimony (like the Bad Teacher case). This shows that an individual's epistemic status includes a wider variety of capacities, and emphasizes the social context of inquiry. Most significantly, it shows how individuals can be treated unjustly in ways that are not centered on the capacity to know. Testimony is not the key to understanding epistemic injustice. A testimonial account misses out on other significant ways that agents are unfairly constrained and wronged qua epistemic subjects.

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### 3.3.1 Explaining New Cases of Epistemic Injustice

My participatory framework can offer resources to make sense of new cases. Consider the following:

**Atwood Case:** In <u>The Handmaid's Tale</u>, the protagonist "Offred" faces a variety of restrictions upon her epistemic goals(Atwood, 1986). She is denied any exposure to the written word, forbidden from reading or writing. However, she is still permitted to speak, albeit under the implied threat of violence if she says the wrong thing. At one point in the book, she is approached by tourists who ask her if she is happy. Her situation is so dire that Offred is unable to risk saying anything of substance. "'Yes, we are very happy', I murmur. I have to say something. What else can I say?"(Atwood, 1986, p.29).[48]

Offred is intuitively wronged in multiple ways and the victim of epistemic injustice. She is denied appropriate treatment as an epistemic subject, who ought to be allowed to participate in the pursuit of knowledge. She is treated morally and epistemically badly in light of her gender. Additionally, the wrong targets her specifically in her status as an epistemic subject.

Testimonial accounts struggle to make sense of this case, as it does not fit with a traditional understanding of testimonial injustice. It is not a case of testimonial injustice, and it is unclear how to analyze the case in terms of testimony.[49]

The participatory account can provide insightful analysis of Offred's situation, highlighting at least two ways that Offred is wronged. First, she is wronged when she is unfairly denied access to basic epistemic activities such as reading and writing. The epistemic wrongdoing

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[48]In the TV series this moment is made even more dramatic, as Offred is asked the question in front of an ambassador, explicitly asked to respond as a representative of her fellow handmaids(Miller, 2017).

[49]This is also not a case of hermeneutical injustice - where a victim lacks the epistemic resources to make sense of a significant life experience.

is so severe that she is denied even the barest access to knowledge-production practices. On a participatory framework, we can see this as a denial of access: specifically, access to the written word. She is not seen as valuable enough to be given epistemic resources. Second, she is wronged when she is manipulated into lying about her own beliefs and knowledge of her oppression. What is notable about this case is that Offred is still encouraged in this instance to offer testimony, and her words still carry weight. However, danger pressures her into lying, and later clearly feels upset at her inability to assert what she genuinely believes.

On the participatory model, we can see that Offred's ability to act freely is being restricted: she is being manipulated. In Atwood's example, Offred is straightforwardly denied access to large portions of the intellectual world when she is blocked from reading or writing. Offred's agency is also constrained in another, subtler way when she is pressured into lying about her experiences. In this case she is manipulated into not acting as a participant: she cannot freely direct her own inquiry, or even be recognized as capable of contributing the evidence of her own experience: instead, she is treated as an epistemic tool of her superiors. At the same time, her social recognition as an epistemic subject is warped. She is not seen as someone with the ability to direct her own inquiry but instead is used by those around her as a puppet to support their own political ends.

### 3.3.2   A Potential Problem

Some epistemic wrongs look non-participatory. In <u>A Room of One's Own</u>, Virginia Woolf argues that women must have a room of their own in order to write fiction. She makes this claim in the midst of a broader story about the status of women in academia. In particular, her discussion suggests that it is seen as not *worth it* to spend resources on the education of

women. Considering the schools that are accessible to each gender, she considers on the one hand "an unending stream of gold and silver", but on the other hand "women working year after year and finding it hard to get two thousand pounds together"(Woolf, 1929, p.9,18). It is more common and culturally intuitive to spend wealth and resources on the epistemic pursuits of men.

This lack of status not only marks women as outsiders but also limits their contributions in the form of the written word(Woolf, 1929). Women in these cases are denied the necessities to cultivate or express their ideas. This presents an example of an injustice rooted in gendered prejudice in our society. Woolf also discusses the example of Shakespeare's hypothetical sister: she is just as gifted as him, but it is nevertheless impossible for her to become the same sort of writer.[50] Consider the real-world example of Benjamin Franklin's sister: while he was an author, inventor, and leader, his sister Jane spent her life raising 12 children in relative poverty(Lepore, 2014). In either of these cases, it is clear that the sister is a victim of an epistemic injustice. Her gender, as a social identity marker, results in prejudicial treatment that wrongs her qua epistemic subject.

The solution for Woolf is to acknowledge needs that must be met in order to be academically productive: "500 a year and a room of one's own"(Woolf, 1929). To have a quiet place to collect one's thoughts, and the money to spend on artistic endeavors is necessary for any important new ideas to be developed and shared publicly. Cultural expectations and norms deny women many of the same opportunities for writing that are assumed to be appropriate for men. This feeds and reinforces women's lack of artistic or academic spaces. To specify the case more precisely:

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[50]This disproportionate treatment has existed throughout history: "It would have been impossible, completely and entirely, for any woman to have written the plays of Shakespeare in the time of Shakespeare"(Woolf, 1929).

**Woolf Case:** An unnamed woman is trying to write important works and share them with the world. She is denied the time and space to think quietly by herself. The world seems to say "What's the good of your writing?" She faces this systematic lack of support, and cannot think quietly by herself, because of her gender. As a result, she struggles to write, and her ideas are not developed or shared(Woolf, 1929).

This scenario presents a challenge to the participatory view, as it emphasizes a victim's need for isolation, rather than social exchange. In contrast, a testimonial approach looks like it can successfully explain the case. It seems as though the victim is unable to testify because she is unable to collect her thoughts. Lacking space and resources, in this case, serves to effectively prevent her testimony (in this case testimony in the form of written works). It is hard to see how to assess this wrong as a participatory wrong.

Despite the fact that this case looks initially troubling, my participatory account can explain this epistemic injustice. The sister in the Woolf case is wronged because she is mistreated and disrespected in terms of her capacity to participate.

The Woolf case is an instance of misrecognition and blocked access. Both wrongs disrespect the unnamed woman's capacities to participate in inquiry, even though it is not a direct exclusion. When the victim is denied a room of her own, she is being denied access to the realm of inquiry. Without a way to collect her thoughts, she does not have essential resources needed to make a contribution to academia. Collecting and sharing meaningful thoughts takes a great deal of effort, and requires space to oneself. This blocked ability to make a contribution is a way of disregarding the epistemic subject's capacity to participate. Woolf highlights how women are not seen as appropriate recipients of academic resources: care, attention, and space(Woolf, 1929). Women are treated unfairly when their epistemic development is seen as less important than men's. They are not recognized as potentially

valuable epistemic agents. The victim in the Woolf case suffers a sort of gendered injustice that hinders her qua epistemic subject. Woolf is highlighting a subtle but important way that gender still blocks access to the literary world.

My account, centered on epistemic participation, gives the best analysis of the cases from Atwood and from Woolf. In both cases, the women are not merely dismissed as un-credible, because in an important sense they are not recognized and given full access to intellectual activities in the first place. Neither case is well understood through a lens of testimony. What both cases share is the way that women are prevented from acting as inquirers in light of their gender. While the mechanisms of exclusion differ, both cases wrong their victims by blocking their capacity to participate in inquiry.

### 3.3.3   A Unified Account?

One problematic case remains for presenting a fully unified participatory account of epistemic injustice: the case of individual epistemic development. This case is a thought experiment based on Woolf's case and then taken to an extreme. I examine this case because it seems least likely to be related to participation, and so the strongest case against a participatory account.

**Secluded Sue:** A woman (Sue) wants a room of her own, and quiet time to think about the world. However, she has no desire to share any knowledge she gains with anyone else (and will never share any of her knowledge). If she were to have access to this space, she would gain the propositional knowledge p. However, she is unfairly denied these resources because of her gender (and so does not gain the knowledge).[51]

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[51]Case is adapted from examples in Woolf(Woolf, 1929)

Intuitively, the case of the isolated thinker represents an instance of epistemic injustice. The victim desires her own epistemic development and is unfairly denied the opportunity. It is difficult to see how a participatory account can deal with such a case: Sue's ability to actively participate is not actually blocked, because our case stipulates that she will not share her knowledge. This is intuitively an epistemic justice, and so a unified account must explain why this is wrong, and be able to articulate in what way Sue is being treated epistemically badly.

It is possible that there is no unified account of epistemic injustice. If the participatory account cannot make sense of this case, then it is not comprehensive (being unable to cover all intuitive cases). Fricker's account, or one focused on testimony, can easily explain this wrong. If this is the case, then while a participatory account is still valuable, it cannot provide a unified analysis of epistemic injustice. While a testimonial approach captures a category of wrongs, and the participatory approach captures a category of wrongs, neither can successfully capture all cases. The lack of a unified account may not be that bad. Dotson has argued that there should not be any single unified account of epistemic injustice, because there is always "more to say"(Dotson, 2012, p.42). Shifting and overlapping partial accounts offer a pluralistic view of the phenomenon. A lack of unification is still somewhat unsatisfying because it seems there is not a central feature to all cases that are intuitively epistemic injustice, raising worries about the category.

However, there are still resources for making sense of the Secluded Sue case. Sue is wronged in her *capacity* as a participant in inquiry. This core capacity is disrespected, regardless of whether her *ability* is in fact blocked. Although Sue's ability is not blocked in the case above, her capacity to participate is still disregarded. She is disrespected and treated as though she is not a valuable participant.

In this way, the participatory account can explain why this case is wrong, although it's explained from a very different perspective than a testimonial account. Subjects are wronged whenever they are unfairly restricted from participating in inquiry – which includes knowing as a component part. From this perspective, it is important to understand epistemic subjects in light of the social framework of which they are a part. By explaining this case, the participatory framework is able to remain fully unified, covering all the important cases of epistemic injustice.

## 3.4   Conclusion

I have argued for a broader unified account of epistemic injustice as fundamentally about the capacity to participate in inquiry. This is contrasted with the received view that characterizes epistemic injustice as centering on one's capacity to know or testify. I have presented a participatory account of epistemic injustice, subdividing the phenomenon according to different key mechanisms of exclusion; victims may face denied access, misrecognition, or misappraisal. Epistemic subjects who are unfairly blocked from contributing to the process of inquiry are victims of epistemic injustice. This new account places self-direction and agency at the center of the phenomenon - epistemic subjects are treated justly when they are unconstrained in their capacity as inquirers. It also highlights the context of inquiry as central for the goal of epistemic justice.

This account shares many of the strengths of a testimonial approach and can explain key cases from Fricker. A participatory account has better extensional adequacy: it is able to include classic cases of epistemic injustice as well as cases that are left out on Fricker's account. Using this framework is advantageous for addressing the problem of epistemic

injustice because it better highlights what is centrally important about the phenomenon and illuminates the relationship between different subtypes of epistemic injustice. Using a participatory account of epistemic injustice presents an important new perspective that can better illuminate a way to achieve epistemic justice.

# Chapter 4

# Inclusion: Addressing Epistemic Injustice with a Group Virtue

### 4.0.1 Introduction

Individuals whose epistemic skills are dismissed due to prejudice are distinctly wronged in their status as epistemic subjects, and this wrong is referred to as an epistemic injustice(Fricker, 2003)(Kidd et al., 2017). For example, Dr. Tamika Cross was traveling by air when a passenger suddenly needed assistance. In response to an announcement looking for doctors, she raised her hand only to be told by a flight attendant "we are looking for actual doctors or nurses"(Wible, 2016). In that instance, Dr. Cross was viewed not as a physician, but as a black woman, and someone who does not look like a stereotypical doctor. In cases like this, the victim suffers from an epistemic injustice: a moral and epistemic wrong that results in a variety of harms not only for the victim but also for the wider community.

In this paper, I propose that the virtue of inclusion, understood as a group rather than individual virtue, is the best remedy for epistemic injustice. Addressing epistemic injustice is both an epistemic and a moral problem. Epistemic injustice can occur in a variety of

ways; the most widely discussed case is that of *testimonial injustice* where a hearer unfairly discredits a speaker's testimony due to prejudice(Fricker, 2007). Instances like this epistemically and morally wrong their victim and represent a significant threat to justice in our society. Different authors have proposed various virtues to cultivate in order to address this problem, seeking to prevent prejudice from undermining interpersonal epistemic practices. Miranda Fricker argues that cultivating a virtue of epistemic justice requires having appropriately tuned testimonial sensitivities, while others argue in favor of trust or open-mindedness(Fricker, 2003)(Marsh, 2011)(Kwong, 2015).

Understanding and addressing epistemic injustice requires articulating morally virtuous ways of epistemically interacting with one another. While much has been written about the harms of epistemic injustice, less has been written about how epistemic interactions can go morally and epistemically well. In this paper I argue for the virtue of inclusion; this provides a positive framework focused on an epistemic ideal rather than only focusing on a negative account of how to resist the influence of prejudice. The emphasis on bias-resistance in the literature means that inclusion has not been sufficiently considered as a potential solution to epistemic injustice.

In this paper, I aim to: elucidate the virtue of inclusion, argue for its status as a group virtue, and show how it is crucial for addressing the problem of epistemic injustice. I argue that the quality of inclusion is best predicated upon groups, not individuals; the beneficial effects emerge at the group level, and cultivating inclusion cannot be reduced to individual virtues. Groups instantiate inclusive environments as a result of their structure, norms, and individual constituents. In section one I argue that inclusion is a better solution to the problem of epistemic injustice than existing proposals. In the next section, I review three different senses of inclusion, clarifying the folk notion in order to pursue the virtuous notion

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more precisely. In section three I argue for understanding inclusion as a group virtue, rather than an individual virtue. I close by discussing the benefits of seeking to cultivate inclusion among social groups. Inclusion is an important virtue that groups should seek to cultivate, as it promotes epistemic flourishing and can act as a preventative measure against epistemic injustice.

## 4.1  Inclusion and Epistemic Justice

Ethicists and epistemologists have a vested interest in preventing and remedying instances of epistemic injustice. Epistemic injustice wrongs a person qua epistemic subject(Fricker, 2007)(Kidd et al., 2017). While there are a wide variety of examples of epistemic injustices, in all cases the victim is wronged as an epistemic subject because of prejudice. Two examples helpfully illustrate the type of wrong that's at stake.

> **Marge:** Marge's testimony is discounted because of her gender. When she expresses her (true) belief that Tom Ripley has killed her partner Dickie, Herbert Greenleaf (Dickie's father) dismisses her saying "Marge there's female intuition and then there are facts". In this case, Marge suffers a testimonial injustice(Fricker, 2007)(Highsmith, 1955)(Minghella et al., 1999).

> **Handmaid's Tale:** Offred is repeatedly denied access to basic epistemic resources. She is forbidden from reading or writing of any kind, and from speaking to others except under certain circumstances. Because of her gender, Offred cannot access essential elements necessary for her to act as an inquirer(Atwood, 1986).

In these examples of epistemic injustice, the victim is wronged, and prevented from fully acting as an epistemic subject, because of prejudice. Epistemic injustice is a significant moral and epistemic problem that needs to be addressed. Addressing epistemic injustice requires a notion of epistemic justice - some type of ethical and epistemic concept that is framed positively as worthy of pursuit. Pursuing epistemic justice requires articulating what sorts of interactions can be considered morally and epistemically just. Inclusive interactions (inclusive behaviors instantiated for the right reasons) offer one model of just epistemic interactions. When individuals are included, they are not marginalized based on prejudice, as in the examples above.

The virtue of inclusion offers a way to both prevent and remedy instances of epistemic injustice. First, inclusion is preventative because inclusive groups facilitate an environment where individuals have the resources to recognize their own flaws and implicit prejudice and take steps to change. They also provide an environment where peers may intervene and highlight to one another when mistakes are being made. Both of these things may reduce or prevent epistemic injustices before they occur.

Inclusive environments also facilitate moral and epistemic goods even after epistemic injustices have taken place. In a safe epistemic environment, victims of epistemic injustice can point out that they have been treated wrongly, and expect the community to listen carefully to their concerns. Inclusive epistemic environments provide ways of undoing some of the harms done to individuals who are regularly victims of epistemic injustice.

In a more significant way, cultivating inclusive groups represents a way of counteracting the core wrong at the heart of much epistemic injustice: that of exclusion and marginalization. Individuals who are excluded and mistreated during social interactions because of prejudice about their social identities suffer from marginalization, a form of oppression. They are

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excluded from social participation in a way that disrespects them, and represents a funda-mental sort of misrecognition of their epistemic worth (or epistemic standing). Cultivating inclusion corrects this wrong and is a way of showing the respect and recognition that has otherwise been ignored. Inclusion instantiates epistemic environments that can be sites of epistemic renewal and epistemic resistance.[52] As such, it represents a significant tool in the fight against oppression.

Focusing on epistemic inclusion emphasizes that epistemic justice is a social phenomenon, rather than an individual virtue. This provides advantages over other proposed solutions to the problem of epistemic injustice.

**Individualized Epistemic Justice**

Other philosophers have argued that agents must cultivate individual moral and epistemic virtues in order to correct for the problem of epistemic injustice. These past proposals have emphasized anti-prejudicial individual virtues.

Fricker suggests solving the problem in part by cultivating an individual virtue of *testimo-nial justice* according to which individuals adjust their perceptions in order to correct for the presence of implicit bias(Fricker, 2007). We live in a prejudiced society, so all of us have implicit prejudices that will lead us to discount the testimony of members of certain groups. Thus, we should all seek to look more closely at how we assess credibility and cul-tivate an accurate testimonial sensitivity. The virtue of testimonial justice is an individual virtue that effectively counters the impact of prejudice on one's testimonial sensitivity and credibility assessments. Individuals with this virtue can properly adjust for the prejudices in

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[52]Medina especially emphasizes the importance of epistemic resistance(Medina, 2013).

their epistemic environment, to prevent the prejudices from impacting individual credibility judgments. Individuals with this virtue will no longer commit testimonial injustices.

Gerald Marsh argues instead that *apt trusting* is the right virtue to cultivate. Rather than focusing only on credibility assessments, his account expands to include all judgments of trust. Individuals do not commit epistemic injustices when they appropriately trust those around them (and so do not allow prejudices to shape ones judgments about who is trustworthy and who is not) Thus, a virtuous individual will trust appropriately, and the accurate testimonial perception (that Fricker discusses) is a specialized subset of apt trusting(Marsh, 2011). "Apt trusting is that virtue possessed by those who trust reasonably, fairly, to the appropriate extent and in the right circumstances, and for the right reasons"(Marsh, 2011).

Jack Kwong argues for open-mindedness as the best way to address the problem of epistemic injustice(Kwong, 2015). Epistemic injustices are perpetrated by those who are close-minded, and so a virtue of open-mindedness is the remedy. Wayne Riggs has argued that open-mindedness is the best virtue for bias-reduction, saying: "nothing short of the kinds of self-knowledge and self-monitoring that are constitutive of open mindedness will serve to eliminate them"(Riggs, 2010, p.184).[53] Open-mindedness represents an epistemic virtue where an individual does not allow bias to cloud their consideration of new or unfamiliar proposals. [54] Individuals fail to be open-minded when they lack key self-knowledge or fail to implement it appropriately. Individuals who are open-minded are able to act epistemically and morally well.

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[53]Riggs discusses open-mindedness as a general epistemic virtue, while Kwong focuses specifically on epistemic injustice.

[54]Riggs says: "So, it is through gaining self-knowledge, which one applies in the moment of challenge through self-monitoring, that the open-minded person makes her awareness of her own cognitive fallibility efficacious in her cognitive practice"(Riggs, 2010, p.183).

### 4.1.1 Worries about Individual Virtues

There are reasons to worry about individualized notions of epistemic justice.

One worry is empirical: that dismissal and exclusion are best understood as social (not individual) phenomena. Research suggests that individuals not only avoid those who exclude them but also avoid anyone associated with excluders, in what is called the "Involuntary Excluder Effect"(Critcher & Zayas, 2014). Other psychology research has shown not only that individuals are highly sensitive to any form of social ostracism, but also that it is usually perceived on a group level. As some researchers have summarized the issue: "Being excluded by one means being excluded by all"(Chernyak & Zayas, 2010).

A closely related worry is that humans are poorly situated to notice and remedy our own implicit tendencies. Benjamin Sherman has addressed the empirical literature on bias prevention in the paper: "There's no (testimonial) justice: Why pursuit of a virtue is not the solution to epistemic injustice"(Sherman, 2016). Even when more objective information is available, individuals are prone to ignore it in favor of their biased instincts. Individuals are particularly blind to their own limitations. Sherman argues that the empirical evidence, and failure of past bias-prevention interventions, indicates that individual anti-prejudicial virtues are unattainable.

There is another concern about individual virtues and epistemic injustice that has not been discussed: One individual is not able to achieve the targeted moral and epistemic benefits of epistemic justice. A single inclusive (or fair or just) individual will be unable to prevent epistemic injustices from occurring. A lone individual is unable to prevent other individuals, or a group, from committing epistemic injustice. Proper epistemic treatment of others

requires respect and recognition, rather than prejudiced dismissal; a single individual is also not able to provide enough recognition to constitute epistemic justice.

Imagine a philosophy department with only one woman faculty member, and four men. Imagine that one of the men harbors unconscious prejudices against women, and so discounts her ideas and expertise during faculty meetings. This wrong is not undone, or even mediated, by the presence of two other non-prejudicial men. One accepting person is not enough to make someone feel safe if the rest of the environment is not accepting. An individual may still not feel free to speak if she is worried that a third party may judge her or intervene harshly. Even if she does feel safe, one conversation is not enough to facilitate personal growth. Even the most inclusively-minded individual will fail to reliably achieve the benefits of inclusion when surrounded by the wrong people. Epistemic justice requires repeated and reliable exposure to an environment that is inclusive - something that is only possible when a group as a whole is inclusive. Individuals need more than a single support in a group in order to feel included.

The existing proposals to address epistemic injustice through individual virtues also do nothing to address the long-term harms of epistemic injustice. Victims of epistemic injustice are morally and epistemically harmed, in ways that persist even if they are later treated justly. For example, Fricker's intervention does not address lost-self-esteem for marginalized individuals. Some supportive communities actively practice affirming one another's ideas - this would be a way to promote the growth of an individual epistemically. An inclusive group creates a space that not only prevents epistemic injustices but also provides epistemic resources for healing and growth after epistemic injustice.

Cultivating the virtue of inclusion is essential for our epistemic communities and in order to pursue epistemic justice. In the next section, I spell out a clearer notion of inclusion, to more specifically show how it can address epistemic injustice.

## 4.2   Understanding Inclusion

Developing inclusion as a virtue to counter epistemic injustice first requires understanding the concept more precisely. The notion of inclusion is used in a wide variety of ways, both inside and outside academia. In this section I separate three distinct usages, making their definitions more precise.

In everyday usage, inclusion is usually highlighting morally praiseworthy features of groups, individuals, or procedures.[55]  Shelley Burtt argues in favor of a robust inclusion as a key element in a just and successful liberal state(Burtt, 2007). She focuses on how individuals can cultivate virtues that not only benefit them individually but also promote civic values to promote a flourishing community. For her, inclusion is a proper state of being for a liberal community, one where everyone receives equal social consideration.[56]  Ideally, individuals will be "welcomed and accommodated, cared for and socially integrated" into a way of life(Burtt, 2007, 558).

Intuitively, inclusion seems like a good candidate for a moral virtue, as an admirable way to interact with others. It is rare to hear "inclusive" or "inclusion" used in a context where it is a criticism. Epistemically speaking, inclusion reflects a willingness to listen and take the

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[55]Being "open-minded" also has this quality of being nearly exclusively used as a compliment, but "trusting" does not (as it is common to hear people talk about someone negatively for being too trusting).

[56]Her article especially emphasizes including those with disabilities, and how such inclusion is not sufficiently emphasized using social contract theories.

ideas and experiences of another person seriously, as well as to promote their participation in epistemic activities. Inclusion is usually something that is not done by accident but rather represents intentional action and activity on someone's part.

One way to understand the wrong of epistemic injustice is as a kind of exclusion: individuals are marginalized when treated as less than full epistemic subjects. When individuals are dismissed by others due to prejudice, then they are being excluded from proper consideration in a social process. The wrong inherent to epistemic exclusion can be seen in the way that individuals are marginalized and restricted in their epistemic agency and capacity as participants in inquiry.

Humans seem to be highly attuned to instances of social exclusion; individuals suffer psychological consequences even when excluded by a group they despise(Gonsalkorale & Williams, 2007). Experiences of exclusion can impact one's self-identity, undermine self-confidence, and even decrease emotional regulation(Buelow, Okdie, Brunell, & Trost, 2015)(Baumeister, De-Wall, Ciarocco, & Twenge, 2005)(Stenseng, Belsky, Skalicka, & Wichstrøm, 2015)(Twenge, Catanese, & Baumeister, 2002)(Williams, Cheung, & Choi, 2000). In an epistemic environment, experiences of exclusion have the potential to impact one's ability to function as an epistemic agent; experiences might undermine one's confidence and prevent action, or inhibit the development of important epistemic abilities. Exclusion in the epistemic domain has the potential to damage a victim's epistemic abilities, which also leads to the harmful consequence that inquiry will be less successful for the entire community.

Understanding epistemic injustice as an exclusion, it is intuitive that the corresponding virtue is one of inclusion: drawing individuals into a shared social activity. Individuals who are included are able to express their capacities as inquirers fully. Inclusion is also often tied to democratic ideals. Our models of citizenship and civic decision-making revolve around

equal participation from various agents in different life situations. A core democratic idea is that the best political decisions will be those that are reached through group processes where everyone can be involved. Inclusion may have further moral and political benefits beyond the epistemic domain.[57]

To better understand inclusion, I will separate and specify three different notions from both folk and academic uses. Separating out these elements helps to illuminate different features of inclusion more clearly. Each one is more demanding than the previous; the three types are: definitional inclusion, functional inclusion, and aspirational inclusion. I will argue that understanding inclusion as a virtue that addresses epistemic injustice relies upon the third aspirational notion.

## 4.2.1  Definitional Inclusion: Inclusion vs Exclusion

The most minimal or thin definition of inclusion is defined in opposition to exclusion. Groups are inclusive when they do not exclude certain individuals, in this sense of intentionally preventing certain individuals from participating. This notion of inclusion addresses explicit barriers, usually codified in the expectations or practices of an organization. Individuals or groups are exclusive when there is a conscious effort made to identify certain individuals and separate them from the group by not allowing them in.

Individuals and groups are definitially inclusive when they do not exclude. For example, women are allowed to become lawyers, but not priests: the Catholic church (but not the bar association) explicitly excludes on the basis of gender. The judicial system is definitionally inclusive: anyone with appropriate training and credentials may serve. Similarly, colleges

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[57]In this paper I will focus only mainly on the impact inclusion can have on epistemic injustice.

in the United States are now inclusive in ways that they were not in the past (when some colleges explicitly excluded based upon gender and race).

Another example of this inclusion is the Boy Scouts of America organization. Recently they announced they would be allowing girls to join their organization, and will now be known as "Scouts, BSA"(Domonoske, 2018). Since there will not be any official gender-based exclusion, they are now inclusive according to this notion of definitional inclusion.

A definitional sense of inclusion is often used when discussing the fairness of different groups or organizations, as with the examples above. On this approach, the notion of inclusion emphasizes access. To be inclusive is to allow an individual to have access to the activities of the group. It is also a fairly minimal notion of inclusion. As long as there are no explicit requirements that exclude, the group is inclusive. This is true regardless of the actual facts about who gains access to the group. This thin level of inclusion can address some barriers but is not sufficient to ensure that individuals are actually included or that the group is equally accessible to people from different social groups. Even though the legal profession is definitially inclusive, women make up only 35% of the legal profession and represent only 3.5% of all supreme court justices(Campisi, 2018)(*A Current Glance at Women in the Law*, 2018).

Definitional inclusion represents a low threshold for inclusion and fails to capture significant ways that individuals are still excluded. This notion of inclusion cannot prevent epistemic marginalization in the ways necessary to prevent the moral harms of epistemic injustice. The problem with emphasizing access is that it does not seem to capture all instances of exclusion fully. People can be excluded "in practice" without facing any official barriers. Because there is no intentional choice to exclude, companies and individuals count as inclusive according to this first form of inclusion.

A relative lack of representation can be a driving force for exclusion during group interactions. Many decision-making groups still lack the presence of women, or anything close to equal representation. Less representation can also mean even lower levels of participation within a group. Researchers have shown that when women make up 20% of a group, they take up 40% less "floor time" than a male participant(Karpowitz, Mendelberg, & Shaker, 2012) So even granting access to some women will fail to provide them equal opportunities to act as participants. Reducing this gap in participation requires a group with at least even numbers of men and women(Karpowitz et al., 2012). This again shows that a definitional type of inclusion is shallow, and does not fully capture what it could mean for a group to be inclusive.

## 4.2.2   Functional Inclusion

Functional inclusion focuses on preventing exclusion by addressing any existing functional barriers that block participation. This is a different and more demanding notion of inclusion, focusing specifically on the goals of diversity. Various organizations, from college groups to businesses work hard to claim that they are inclusive and diverse in contrast with other less progressive or socially-minded organizations. Here the notion of inclusion is explicitly set up as a solution to the under-representation of minority groups.

Inclusion in this sense means drawing in people to participate who represent a divergence from the predicted or actual social makeup of a group.[58] A business might be inclusive by being especially accommodating to people with disabilities, or by implementing recruitment efforts aimed at non-white applicants. For groups to be inclusive in this sense, they must seek

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[58]Here I mean predicted in a descriptive sense: we can predict descriptively that a given CEO will be male, while still thinking that such underrepresentation of women is problematic.

to address non-explicit barriers and must be at least minimally successful at maintaining a diverse population. Burtt says that in pursuing inclusion the first step requires "the presence of those whose differences and disabilities mark them as in need of inclusion"(Burtt, 2007, p.576). Not all excluded individuals are disabled, but this quote highlights that it is necessary to have at least some individuals within an organization with differing needs in order to be an inclusive group. To be functionally inclusive, an organization must succeed in at least minimally including individuals who have faced (or currently face) functional obstacles to equal participation.

This notion of inclusion also comes up within education: universities that seek to be inclusive are ultimately interested in the students who end up successfully enrolled in or graduated from the institution. Inclusion is achieved when individuals from marginalized backgrounds are able to function as students and participate in the educational system successfully. A school is inclusive if it reaches students of different ages, abilities, or backgrounds. Schools might form organizations (black student alliance, LGBTQ* support groups) to help both recruit and support specific populations of under-represented students. Even though such students are not excluded by definition, they still face disadvantages and functional blocks that restrict their ability to enroll in or succeed in a college setting (when compared to their privileged peers).

In the classroom, some students need different levels of support for a variety of reasons. In addition to resources around race, gender, and disability, most schools also offer writing support and counseling services to help students who may be at a functional disadvantage. These resources help to make classrooms an inclusive space. Using the previous definitional notion of inclusion (focused on inclusion as access), schools are inclusive as long as they simply ensure that features such as mental health or disability status are not treated as

criteria during the application process. However, this second notion of inclusion emphasizes functional difficulties and accommodation, setting a higher bar for inclusion. To truly create an inclusive college community, some students need different resources. Providing this accommodation allows them to succeed alongside their peers who may not require additional help.

Inclusion in this sense requires noticing the different needs of that population of students and giving them the tools necessary to participate on equal footing in the classroom. Inclusion is defined as an active effort assist individuals who might otherwise face systemic barriers towards participation. Inclusion is about understanding functional blocks, and addressing them. Inclusion is not about avoiding exclusion (as in the previous section) but instead is defined in reference to facilitating diversity.

The requirements of inclusion in this second sense are higher: people might be allowed to participate, but that does not make a group "inclusive". Instead, inclusion requires more effort to remove other sorts of hidden barriers that might prevent some people from sharing in group activities. When inclusion is focused on diversity, it requires making an effort to understand and name the differences between different groups of people. Unlike the earlier notion, it is not enough to ignore group differences and allow everyone to come in. This notion looks at *actual* group make-up. Even if individuals have access, they are not included if they are not able to participate and be successful. Functional inclusion requires noticing and naming differences, in order to identify how individuals can better have their needs met.

Functional inclusion is not yet the most demanding notion of inclusion. It risks focusing on whether participation is functionally possible, but not whether individuals from marginalized groups are actually participating and thriving. This approach risks conflating the performance of different individuals from the same marginalized groups (as long as a functional

block is removed or lowered, there's no further attention to individual needs). It does not address any past history or trauma on the part of the individual, looking instead only at group level functional blocks. On this notion of inclusion, something is inclusive once a functional block is removed, which does not account for historical and carryover effects of prior injustices. This approach also risks losing sight of equity; removing or lowering a barrier is not the same as ensuring equal opportunities for participation. Truly promoting inclusion requires taking time to understand different individual needs and to help ensure that each different subject has the resources needed to be successful.

### 4.2.3    Aspirational Inclusion: Epistemic Flourishing

There is a third notion of inclusion that is more demanding than both of the previous two notions. Rather than focusing on accessibility or accommodation, it emphasizes inclusion as providing an environment that promotes the growth and well being of each individual - what I call epistemic flourishing.[59] This approach emphasizes maximizing the abilities of each individual to act as an epistemic agent.

Activists and teachers have often spoken about "safe spaces" or "brave spaces as idealized epistemic environments that promote learning and personal growth.[60] These spaces embody a third, aspirational, notion of inclusion as an ideally supportive epistemic environment. (Note: supportive does not mean free from challenge.) An inclusive space is one where diverse individuals can freely share their experiences, even ones of marginalization. In such spaces, individuals have the freedom to discuss their opinions on important topics, without

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[59]Burtt discusses the goal that each individual can "flourish as they are currently constituted" which nicely captures the idea. While she is discussing the inclusion of individuals with disabilities within society, my notion of inclusion is focused on the epistemic domain more broadly.

[60]Brave spaces is an alternative name proposed after criticism of the term "safe spaces"(Arao & Clemens, 2013).

risking verbal attack or shaming. It is a space where the group can acknowledge the failures of their government or community. Importantly, it is also a space where individuals can be held accountable for their mistakes and ingrained biases. Such spaces are designed around a single goal of facilitating and promoting individual growth. This is the most demanding notion of inclusion; it also incorporates the elements of the previous two types of inclusion. In order to be an aspirational inclusive space, considerations of access and functional accommodation are prerequisites.

While individuals disagree on the exact term that's appropriate for such spaces, most share overlapping ideas about an ideal epistemic environment. In "safe spaces" there are new opportunities for learning and personal development that are not present in other places. One way to spell this out more precisely is that in safe spaces individuals are free from certain sorts of threats or expectations. One account spells it out this way: "Classroom context C is safe for agent S if S is reasonably unlikely to suffer any significant harm as a result of her presence in C without being required to protect herself beyond what can reasonably be expected of her"(Monypenny, 2018). This environment facilitates curiosity and inquiry because individuals need not spend unreasonable resources on defending themselves (as some level of safety is expected).

Personal growth is possible within an ideal environment (or a safe space) in part because fewer resources need to be spent on assessing and protecting against risk to oneself. Safe spaces have several key features that promote epistemic growth: they provide this protection, they include a message of acceptance towards participants, and they grant permission to address hidden aspects of society (such as experiences of oppression). Ideally, safe spaces give a way for individuals to process and address experiences of marginalization. In an ideal environment like this, every individual is welcomed to participate and to share their own

idiosyncratic experiences regardless of how those experiences may diverge from expectations. Additionally, all participants within an epistemic space can expect to be free from serious emotional or psychological harms such as shaming. These features combine to create a space where individuals are free to speak openly, even about difficult topics such as implicit prejudices. This means that groups can discuss power dynamics and structural oppression in new ways.

All these features combine to create a sort of "call-in" culture that can be used to help educate individuals on their own privilege. Individuals can expect to face public responses if they are acting in prejudiced ways - ideally, such feedback can be received and internalized (rather than being seen as a threat). In safe spaces, every individual is able to speak about their own experiences.

An aspirational notion of inclusion is more demanding because it requires continually improving the epistemic environment. This notion of inclusion offers a way to cultivate individual flourishing, while recognizing that providing access and accommodation is not always enough to be inclusive. Even an organization with a variety of accommodations (so one that is definitionally and functionally inclusive) might fail to be inclusive in this third sense. Individuals could still fail to grow, unable to learn or takes the steps necessary to challenge themselves.

An aspirational notion of inclusion, or an emphasis on inclusion as flourishing, is more demanding than the previous notions in part because it requires addressing hidden biases and unconscious social norms. It also focuses on the sort of environment needed not only for successful epistemic performance but for individual development and growth. It is not enough that everyone is able to participate; everyone should also be able to improve themselves. Even individuals who are already epistemically well-off could develop and become better. This improvement must include a space that can facilitate healing from past wrongs.

Groups are inclusive in this sense when they genuinely promote the epistemic growth of each of their members. This notion of inclusion can address epistemic injustice and epistemic marginalization in ways the other two notions of inclusion cannot.

## 4.3   Inclusion as a Group Virtue

Epistemic inclusion is important because it facilitates the participation of diverse individuals in epistemic activities. Inclusive groups not only reduce the possibility of epistemic exclusion but promote active participation. More specifically, inclusion is best understood as a virtue of groups rather than individuals. The moral and epistemic benefits that it brings are reliably generated through a social environment, rather than the behavior of an individual. Virtue language typically focuses on individuals, and many epistemic interventions focus on the impact of individual contributions. In contrast, inclusion should be considered a moral achievement of groups rather than single persons. This aspect of inclusion becomes more clear when thinking of the third form of inclusion (aspirational), rather than the previous two forms; aiming towards epistemic flourishing requires certain sorts of social environments.

Individual good behavior is not sufficient to generate inclusion in the richest sense. For this reason alone, inclusion cannot be understood as an individual virtue. Even speaking to an ideal agent, someone who is maximally accepting, safe, and permissive, will not be enough to ensure the intended conditions for personal growth.

A group virtue is predicated upon a social collection of individuals, rather than on a single person. In the individual case, virtue usually requires a stable disposition whereby one reliably acts correctly and for the right reasons. A group virtue must also include these

two basic components. First, groups are inclusive when they reliably implement inclusive environments. Second, this instantiation of inclusion must be as a result of norms and core features of the group, rather than a mere accident.

This group virtue cannot be understood as a sum of individual virtues. Matthew Baddorf spells out this principle of non-reductiveness this way: "(NR): Sometimes collective virtues and vices do not supervene on any set of intrinsic properties of individuals; they are thus not reducible to them"(Baddorf, 2018). Donald Beggs emphasizes this requirement by distinguishing between distributive group virtues (which arise from individual qualities) and collective group virtues (which do not)(Beggs, 2003).

Inclusion is a collective or non-reductive virtue, where the virtue of the group cannot be reduced to the features of each individual.[61] A single rude individual can prevent a group from being inclusive, or a group of biased individuals can function inclusively under certain circumstances. The ascription of inclusion should be made at the group level. Inclusion is best understood as a type of continuum concept: groups can be more or less inclusive relative to each other. Even inclusive groups can be compared according to their degree or nature of inclusion, just as we might comparatively discuss other virtues such as bravery. Despite this, it will often be more intuitive to speak of groups as being inclusive or not, the same way much virtue talk can become dichotomous.

For a group to be inclusive, it must reliably act in inclusive ways. Additionally, this cannot be an accident but must flow from the features and values of the groups.[62] One way to spell this out is to look at the shared practices of the group, and how these social practices implement the virtue of inclusion. More specifically, Beggs says that two main components

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[61]This is also different than a structural or institutional virtue(Anderson, 2012).

[62]These same features are required for responsibilist notions of epistemic vice(Battaly, 2014).

constitute group virtue: "... there are two sufficient conditions for group agency: certain forms of solidarity, or certain practices or procedures of group decision making"(Beggs, 2003, p.463).

Using this account of group virtue, inclusion requires individuals who relate to one another in ways bound by certain practices that emphasize inclusion. In part, this means inclusion is connected to the features and values shared and spread among the multiple individuals that constitute the group. Determining whether a group is inclusive will depend on linking the features of inclusion to values within the group (determined from structural features, or explicit agreements of group purpose). Social norms within the group context will also have a strong role in determining whether or not a group is inclusive.

Understanding inclusion as a group virtue requires taking a different sort of perspective than thinking about being an inclusive individual. Looking at groups, one can ask: Are marginalized or vulnerable individuals reliably included in inquiry? Are individuals treated with recognition, respect, and given the resources they need to act freely as inquirers? Is this disposition to include and encourage epistemic subjects based in the structure, norms, and values of the group? The next section highlights some specific features of groups that contribute to inclusion.

## 4.3.1   Inclusive Features of Groups

Two critical features of inclusion are 1) acceptance and 2) safety. Both of these are features that depend upon social norms and are defined based upon the behavior or a group, and how likely it is that an individual will be treated well within epistemic contexts. What makes these conditions hold is facts about how the agents will interact with the group.

A person is accepted (in the sense I am interested in) when she is able to speak about and be taken seriously regarding any element of her own personal experience. This means that her experience or expertise will not be dismissed, undermined, or mocked if she offers her testimony. For such a claim to be true, it must be the case that a group will allow her to speak, and will not trigger any self-silencing.[63]

An individual is safe if she can expect to avoid certain core harms. These harms are specifically emotional or psychological harms that would undermine her notions of herself as an agent. Specifically, a "safe space" provides a guard against feeling humiliated - when one feels less than or incapable because of how they are portrayed to others.

Positive group norms prevent agents from being humiliated when in healthy epistemic communities, in two ways. First, the presence of acceptance in the community affirms that the agent is an appropriate participant. Second, there is a social norm (hopefully explicit) against any social behavior designed to trigger feelings of humiliation.

Inclusive groups can also sometimes reduce the harms that may arise from one non-inclusive person, or non-inclusive individuals who are not members of the group. Feelings of humiliation get their force because the victim is aware of how she appears to the rest of the social group. Alternatively, she may realize that the action was designed to make her feel humiliated, a recognition that she is socially excluded from the group. Both of these harms are undercut if the majority of a social group does not endorse or support one person's attempt to humiliate; in these cases, the perpetrator is viewed as an outsider when violating the norms of the group. Without the support of the rest of the group, the attempted instigator may appear foolish or even embarrassed themselves for violating group norms. In this way,

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[63]See Dotson for more on self-silencing and self-smothering(Dotson, 2011).

everyone may still have a reasonable expectation of safety, even if it is not the case that every individual's every action is perfect.

## 4.3.2 Inclusion and Epistemic Injustice

Inclusion, understood as a group virtue, can not only prevent epistemic injustice, but can also provide remediation and restoration. Individuals have a right to be treated in certain ways by their epistemic communities (the social-epistemic groups of which they are a part). This happens reliably when individuals are functioning within virtuously inclusive groups. When the third notion of inclusion is instantiated in a group, it provides conditions that promote epistemic flourishing. All three notions of inclusion can promote epistemic participation, but only the third notion of inclusion is sufficient for fully addressing epistemic injustice.

When thinking about inclusion as access (or definitional inclusion), it is clear that providing some epistemic tools is necessary for any type of inclusion to take place. In epistemic contexts, access might be as simple as having the capacity to speak. However, providing access to an epistemic community is not enough - individuals can still be treated epistemically badly. Inclusion as a sort of functional accommodation requires thinking about who is epistemically marginalized and making adjustments to individual and community behavior. This means being aware of the disadvantages that people face, and making corrections.

The first two notions are insufficient to make sense of the ways individuals can be subtly epistemically marginalized. Prejudiced social norms can function in subtle ways; these bad epistemic habits may not directly reflect any intentional restriction of access or failure in accommodation. For example: when speaking, women are interrupted more often than men, with recent studies suggesting men are 33% more likely to interrupt a woman than

a man(Torres, 2017)(Hancock & Rubin, 2015). Additionally, in mixed groups, men are more likely to be called on and spend more time talking. These sorts of practices become normative and expected. Research has shown that early exposure to biased expectations from teachers can shape the expectations of students throughout their time in school(Chemaly, 2015)(Sadker & Zittleman, 2009).

Social norms also dictate what methods of communication are deemed as appropriate or not. Consider the expectation that women should not get too angry when speaking. Men and women are perceived differently when they are angry, where women are seen as more emotional, men are likely to be conferred a higher status(Brescoll & Uhlmann, 2008). Disadvantages like this are not instances of definitional exclusion, do not seem amenable to functional accommodation, and addressing them requires developing an environment that will facilitate the epistemic agency of every individual.

The ideal for an inclusive epistemic community is the third notion: aspirational inclusion promotes individual flourishing and growth. Inclusion is a morally significant virtue, one that promotes both epistemic and moral goods. Inclusion can also prevent and provide restitution for epistemic injustices. this shows that a great deal is required in order to treat individuals epistemically well.

## 4.4  Cultivating the Virtue of Inclusion

One crucial upshot to treating inclusion as a group virtue is that it avoids some other problems with individual solutions to epistemic injustice. It is difficult (or impossible) to notice and correct for our own biases as individuals - suggesting it may not even be possible

to curate individual anti-prejudicial virtues(Sherman, 2016). However, because inclusion is defined as a group virtue, this need not be a problem. Attaining the virtue of inclusion now looks more practically and psychologically feasible.

Understanding inclusion as a group virtue means that we need different strategies to cultivate inclusion: individuals cannot merely reflect and cultivate individual habits. Individuals cannot attain this virtue on their own; instead, different strategies should be used. For example, the structural features of groups can have an impact on how inclusive they are. If a group decides to use democratic methods to self-govern, that may make it more inclusive in the long run when compared to a group with a single leader. It will take different skills to cultivate inclusive groups rather than cultivating inclusive dispositions individually.

An advantage to approaching inclusion as a group virtue is that it becomes possible to look at key features that would be left out of individual accounts of inclusion. This approach provides a richer and more accurate picture of the nature of inclusion. This is interesting for a few reasons. For example, the influence of social norms becomes clear at the group level, when it may be obscured at the individual level. Prejudiced behavior can be better understood by looking at social norms within an epistemic community. Social norms are prototypical behavioral expectations that are shared for a given social group(Hogg & Reid, 2006). They help to both shape an individuals perceptions and prescribe appropriate behavior. Thus, they have a strong guiding influence on the actions of group members. Norms can help to define group membership, and also contribute to each individuals self-identity.

**Work to Change Group Norms**  When social norms function poorly, they serve to marginalize some individuals and exclude them from the shared discourse. In this way, prototypes of social behavior can foster and promote epistemic wrongs. An important way to

correct this influence is to promote different sorts of epistemic social norms. Anti-prejudicial social norms can function by either directly countering or undermining other problematic norms. A good way to counter harmful norms is with newer healthier norms. Countering prejudicial norms in some cases merely requires counter-norms that can shift expectations.

For example: forming a norm that it is not socially acceptable to interrupt women. This norm will be successful when it shapes both perceptions and prescribed behavior. Groups with this norm will perceive those who interrupt women as behaving badly, in ways counter to the essence of the group. Such individuals might appropriately be chastised, or expected to apologize. In this way, the norm over time will shift behavior of the group so that women are not subject to this prejudiced treatment during discourse.

Another way to combat prejudicial norms is to cultivate inclusive norms that can serve to undermine prejudiced behavior more generally. For example, groups with an inclusive climate can see reduced interpersonal bias(Nishii, 2013). A group might have a norm to accept the cultural or emotional context when an individual speaks, even if it is different from what is usually expected during discussion. This would help to foster a welcoming environment. Looking at psychological safety (a psychological construct of how safe an individual feels) offers one way to understand this mechanism(Singh, Winkel, & Selvarajan, 2013).

**Adjust Group Components**    While individual components do not instantiate the virtue, it is possible to promote inclusion by adjusting group components to make the group more prone toward inclusion. This can include structural features and individual dispositions depending on the group.

Individuals can take actions to change the structural features of groups. Before seeking to attain a level of inclusion that focuses on individual flourishing, it is necessary that groups provide at least access and accommodation to their members. Changing structural features may be necessary in order to meet the criteria for these two less-demanding notions of inclusion.

Good habits in personal epistemic relationships also promote group growth and development. Individuals can develop inclusion-promoting traits, even though the necessary virtue is a group property. There are some ways in which the inclusive tendencies of individuals are still critically important. Individuals should try to be accepting and avoid shaming others - these contribute to group-level characteristics of inclusion. This is a necessary prerequisite for an inclusive group. For example, individuals can develop skills or disposition to articulate epistemic norms and challenge norm-breakers. Another critical personal disposition is to be receptive to feedback from others in the group.

**Social Feedback Mechanisms**   It is important that epistemically just groups have feedback mechanisms (either formal or informal) to address behavior that violates norms. This strategy promotes self-conscious realizations in others and in ourselves. In part, this means pointing out when others make mistakes, and act in ways that are counter to the goals of inclusion. This will be easier if there are explicit expectations, or social norms are expressed explicitly by members of the group. Highlighting mistakes and departures from the norm helps to not only encourage the norm itself but also provides an opportunity for reflection for a given individual.

There are risks to mis-calibrated feedback mechanisms. There can be other subconscious norms that dictate when criticism and correction are appropriate. It is important to cultivate

norms that appropriately dictate when individuals in the group ought to be criticized or socially punished for violating norms. Some work suggests that women and other people of marginalized groups are punished (socially) more severely for violating norms, while white men are only slightly penalized.[64]

## 4.5   Conclusion

In this paper I have provided a clarified notion of inclusion, highlighting its weaker counterparts, and sketching how it can be enacted in epistemically just social groups. I have argued that inclusion is instantiated non-reductively in groups rather than individuals, and that it is the best virtue to address the problem of epistemic injustice.

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[64]For example, Kate Manne talks about gender and social perception(Manne, 2017).

# Chapter 5

# The Pain of Being Overlooked: A Case Study on Fibromyalgia and Intersectional Epistemic Justice

### 5.0.1 Introduction

> "I felt trapped between the condescending dismissal of the medical Establishment and the predatory embrace of alternative medicine. I felt as if there was no one I could trust." - Leah[65]

Receiving a diagnosis of fibromyalgia is usually an arduous multi-year process for patients who seek to understand and address the invisible illness impacting their lives. Throughout this search, many patients are told that the pain they feel is not real, exaggerated, or indicates the presence of a mental illness. Individuals with fibromyalgia experience a variety of epistemic injustices, some of which have been neglected by the existing literature. Rather

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[65]Leah Vincent wrote about her experiences with fibromyalgia after Lady Gaga came out publicly as having the disorder(Vincent, 2017).

than attending only to the problem of disbelief, I highlight other ways that patients with fibromyalgia are epistemically wronged and treated unjustly. I review first-person testimony from patients with fibromyalgia to show how they are uniquely vulnerable to a wider variety of epistemic injustices. The case of fibromyalgia can more clearly illuminate the interactions between different types of epistemic injustice, especially the social factors of gender and illness. I present the notion of *intersectional epistemic justice* as a framework for philosophers and bioethicists to better attend to these subtler forms of marginalization and exclusion.

Tom said: "I can't even guess how many doctors I saw" when discussing his 25-year journey to be diagnosed with fibromyalgia (an extreme case)(*Real Fibromyalgia Patient Stories and Tips*, 2016). This paper expands on the previous literature by more deeply exploring the ways that patients with fibromyalgia experience a complex variety of epistemic and moral mistreatment throughout the process of diagnosis. People with fibromyalgia are frequently ignored and dismissed when explaining their illness to others, whether it is their friends or their doctor.

Receiving a diagnosis can involve outright dismissal, but it also involves a variety of other epistemic injustices. Patients who endure this process are often left with lasting self-doubt, frustration, or anger even after they are diagnosed. These epistemic injustices occur despite what are often the best intentions of the medical community. Miscommunication, the technical and scientific subject matter, and the complex nature of the disease all make it more difficult.

Fibromyalgia is one of the most common pain disorders in the United States(*National Fibromyalgia Association*, 2018), affecting around 4 - 10 million people in the country, and correspondingly two to six percent of the worldwide population(*Prevalence*, 2019)(*Fibromyalgia*, 2019). Despite its frequency, patients with fibromyalgia still struggle to receive the care

and support that they need. The disorder predominantly (although not exclusively) impacts women and is mostly invisible to outside observers(*Prevalence*, 2019)(*Fibromyalgia*, 2019). It is often misdiagnosed, or not diagnosed, and the time to diagnoses is usually years(*Diagnosis*, 2019)(Di Franco[1] et al., 2011).

> "I have heard an extensive list of reasons why I can't be in as much pain as I say" - Laura[66]

> "My doctor recently told me that a lot of doctors, "dont treat fibromyalgia because theres no cure" So Im just supposed to get worse and worse an no one cares?" - Julie*[67]

Dismissal not only exacerbates a patient's pain and makes treating an already enigmatic disease even more difficult, but it also epistemically wrongs patients. This dismissal of fibromyalgia patients is a problem: ethically, medically, and epistemically. It also represents an epistemic injustice, a unique kind of moral and epistemic mistreatment that wrongs victims in their status as epistemic subjects.

An epistemic injustice occurs when a person is treated unfairly, and wronged in their status as an epistemic subject(Kidd et al., 2017). Victims of an epistemic injustice are treated unfairly due to prejudice about their capacities as knowledge-seekers; this wrong is also a moral wrong that treats them badly. Epistemic injustice not only unfairly wrongs victims of prejudice, but also leads to harmful consequences for everyone within the community of knowers because it disrupts healthy knowledge-seeking practices. The philosophy literature

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[66]Laura described her experiences in the Harvard Health Blog(Kiesel, 2017).

[67]Not their actual name, taken from an online fibromyalgia community(*Too accurate...make it stop!!: Diagnosing Chronic Illness (meme)*, 2019).

has primarily focused on how victims may be disbelieved (and so have their knowledge denied) due to prejudice.

It is critical to accurately understand a patient's testimony and experiences in order to begin to address them. Patients with fibromyalgia are epistemically oppressed in a number of ways that restrict and undermine their epistemic agency. Individuals with fibromyalgia deserve to be treated as epistemic agents, which requires first acknowledging the ways in which their epistemic agency is disrespected and undermined.

In section one, I give an overview of the unique medical context for patients with fibromyalgia, including recent research on "invalidation" as a measurable psychological construct. Section two shows how the experiences of patients with fibromyalgia include a wide variety of epistemic injustices. Section three outlines key commitments of intersectional feminism, showing how this framework illuminates important aspects of the ways fibromyalgia patients experience epistemic injustice. Section four concludes with some implications for seeking epistemic injustice from a perspective informed by concerns of intersectionality.

## 5.1   A Fibromyalgia Diagnosis

Fibromyalgia is a disease characterized by widespread pain.[68] Individuals affected by fibromyalgia often experience a unique combination of other symptoms, including stiffness, sleep problems, digestive problems, and headaches. While different individuals may experience different symptoms, widespread body pain is the most consistent and notable

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[68]In contrast to Chronic Fatigue Syndrome, which can include many similar symptoms but is characterized primarily by fatigue.

symptom(*National Fibromyalgia Association*, 2018). Fibromyalgia is a diagnosis of exclusion, where individuals are diagnosed only when all other possible explanations for their symptoms have been ruled out.

Fibromyalgia has no known cause or cure. Treatment for fibromyalgia includes lifestyle interventions and pain management strategies, along with medication. Treatment also includes social factors such as reducing stress. Despite how common this disease is, it receives comparably less attention than other illnesses. This may be partially explained as a result of trends within the medical community that seem to disproportionately focus medical research on men, and to dismiss the pain of women(Fassler, 2015)(Health, 2018)(Dusenbery, 2018). At its worst, fibromyalgia is debilitating and often restricts a patient's ability to perform everyday tasks. Symptoms can change day to day, making it difficult to predict and diagnose based upon a single snapshot of someone's symptoms. As one person put it: "I was recently denied disability (again). They acknowledge I have pain, but I should be able to perform simple tasks. I guess I should record myself crying while I shower some days."[69]

Treatment is also complicated by the co-morbidities that often accompany a fibromyalgia diagnosis. Many patients experience other overlapping conditions such as irritable bowel syndrome, lupus, and arthritis. Mental illnesses such as depression and anxiety are also commonly co-morbid with fibromyalgia. This relationship among these co-morbid illnesses is not fully understood: it could be either that some illnesses make a fibromyalgia diagnosis more likely, and it is likely that fibromyalgia increases the chances of other illnesses(*Fibromyalgia*, 2019).

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[69]An anonymous user online, describing her struggles with seeking accommodation(*Too accurate...make it stop!!: Diagnosing Chronic Illness (meme)*, 2019).

There is a general lack of knowledge among both patients and physicians regarding the causes, mechanisms, and best treatments for fibromyalgia. Physicians often feel underprepared to diagnose and treat fibromyalgia(Perrot, Choy, Petersel, Ginovker, & Kramer, 2012). This disease is invisible, with no easily measurable components, and misunderstood by many in the medical community, leading to patients who have their pain dismissed when seeking treatment. This precarious state of affairs places patients who are already vulnerable into a position where they may experience a variety of epistemic injustices. So many people are not being seen, not being heard, and not getting the help they need in the face of a devastating disease. Without patient feedback and cooperation, doctors cannot determine when diagnosis is accurate or when treatment is successful.

### 5.1.1 Facing The Unknown: Diagnosis and Invalidation

Fibromyalgia is a relatively new diagnostic label, and only recently has there been a consensus that the category is "real" or functions as a meaningful medical label. There is a history of mistrust and miscommunication especially with fibromyalgia; for many years there was controversy over whether fibromyalgia "existed" or was a "real disease" (or merely disjunctive symptoms, or people making things up). It was not always seen as a valuable diagnostic category, or as identifying a recognizable syndrome. When it was first introduced some in the medical community viewed it as similar to "hysteria" - a medically uninformative label that was used to classify women patients with complains that seemed to be mental health concerns. It used to be perceived as either a fanciful category or simply a euphemism for mental illness. It is now widely accepted as a meaningful medical category, although little is known about the distinguishing mechanisms of the disorder(Bernstein, 2016). It remains

a heterogeneous category, a diagnosis only given when all other possible assessments have been ruled out.

The previous controversy means that there is still some social stigma and false notions that fibromyalgia is a diagnosis given to satisfy those who are not really sick, but merely complaining of pain. Patients with fibromyalgia have a hard time being taken seriously by the medical establishment as a result of this history and as a result of the invisible nature of many of their symptoms.[70]

While fibromyalgia is now widely acknowledged within the medical community, some patients are still harmed by past or present perceptions that their disease is imaginary. Wanda says: "After searching for answers and finding only more questions, anger was the only emotion I could muster for the medical community and its poor standards of care"(*Fibromyalgia: Real Patient Testimonials*, 2008). Some doctors may still (falsely) see fibromyalgia as not "real". Other doctors worry that fibromyalgia refers to an odd collection of symptoms, and many wonder if it overlaps with chronic fatigue syndrome, or if there are significantly different subtypes of fibromyalgia.

It has been difficult to define the nature of the disease, especially since there is still so little knowledge about the cause or about the best treatment. Research continues, and in the future may very well separate the category of fibromyalgia into more biologically similar sub-types of disease(Luciano et al., 2016). Some doctors also believe that fibromyalgia and chronic fatigue syndrome may be closely related, and ought to be treated similarly(Natelson, 2019).

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[70]There has been an increase in discussion about this problem within medicine: a failure to address pain when it is invisible to doctors, especially women's pain(Fassler, 2015).

Currently, this lack of knowledge seems to exacerbate the risk of miscommunication and mistreatment in doctor-patient relationships.

Worries about fibromyalgia being imaginary are connected to gendered stereotypes and stereotypes about those with mental illness. Many patients with fibromyalgia are women, and their mistreatment is part of a broader pattern of women's pain being dismissed(Chen et al., 2008). A recent study found that adults watching identical videos will judge a finger prick as less painful when told that the child crying is a girl rather than a boy. These cultural stereotypes about pain contribute to the problem of treating fibromyalgia patients effectively. These different factors combine to create a stereotype of the "complaining woman" as a typical fibromyalgia patient(Briones-Vozmediano, Öhman, Goicolea, & Vives-Cases, 2018). This can cause doctors to develop problematic heuristics making it all too easy to dismiss patients.

## Measuring Invalidation

Recently the medical community has begun to study the medical consequences of stress and dismissal on patients with fibromyalgia. Researchers developed an "invalidation illness index" designed to roughly measure how much a patient has been exposed to experiences of invalidation of their sickness(Ghavidel-Parsa et al., 2014)(Kool, van Middendorp, Boeije, & Geenen, 2009). *Invalidation* is the name of a new psychological construct designed to help make sense of this issue. The index measures experiences of invalidation through a survey, separating two subtypes of invalidation: active "discounting" or a more passive lack of "understanding". Researchers surveyed patients about their experiences with others as fibromyalgia patients, and categorized the experiences to understand how often patients were receiving support or dismissal.

Invalidation can be a source of stress, and stress and social positioning are significant risk factors for many medical disorders(*How stress affects your health*, 2013)(*Anxiety and physical illness*, 2018). Especially for pain disorders, additional stress can significantly exacerbate symptoms. Experiencing epistemic mistreatment can contribute to stress. In this way, epistemic wrongs interact with the biological components of illness. Experiencing additional stress and alienation caused by an arduous diagnostic journey is in direct contrast to the medical goals of treatment and healing. When patients lose trust for physicians, they stop seeking future opinions, following medical directives, and often turn to other interventions.

With fibromyalgia specifically, researchers found that experiencing "invalidation" predicted symptom severity(Ghavidel-Parsa et al., 2014). Symptom severity is correlated with discounting from work environments. Discounting from medical professionals and the work environment was also correlated with worse measures of mental health and social functioning. This shows how experiences of invalidation directly impact the health and quality of life for patients with fibromyalgia.

This psychology research matches closely with concerns from bioethicists and philosophers about epistemic injustice. What the researchers measured as "discounting" matches with the notion of testimonial injustice: the experience where a subject is viewed with lowered credibility. The studies affirm that in some ways epistemic injustice is a significant clinical factor in the progression of fibromyalgia. This means that not only can epistemic injustice derail the process of diagnosis, but it can also impact the severity of the disease.

### 5.1.2 Existing Theories of Epistemic Injustice

Fibromyalgia is an important case study for bioethicists. It represents a difficult epistemic situation with unknown medical factors, chronic pain, and extensive experiences of invalidation. It presents a complicated example of epistemic mistreatment. Current literature on epistemic injustice focuses on knowledge, but cannot fully make sense of this problem because when inquiring about fibromyalgia it is likely that no one yet has knowledge. There are flaws in the current theories of epistemic injustice that overlook this vulnerable population, and I will improve on these previous analyses. Current theorizing is built around knowledge, where epistemic injustice is sometimes defined as a denial of one's capacity as a knower(Fricker, 2007)(Kidd et al., 2017). However, fibromyalgia represents an area where neither the patient or doctor may have much knowledge, or be able to communicate their beliefs clearly. As such, existing accounts of epistemic injustice miss out on important ways that fibromyalgia patients are victims of epistemic injustice.

Epistemic injustices can target many different social identities. This represents an essential case to understand and make sense of, so it is a good way to build a framework making sense of intersectional epistemic justice. An intersectional approach to epistemic justice focuses on contextualized ways that various social identities interact when an epistemic subject is (or is not) respected as such.

### 5.1.3 Improving on Previous Analysis

Dismissal of a patient's knowledge and experience is a kind of epistemic injustice. Previous work has shown how illness can be considered a social identity according to which patients experience epistemic injustice(Kidd & Carel, 2017). Ill patients may experience a wide

variety of epistemic injustices, not just dismissed testimony. They are more broadly wronged as inquirers.

Miranda Fricker has detailed how individuals can be wronged as knowers when their testimony is discounted due to prejudice(Fricker, 2007).[71] Other authors have added different types of epistemic injustice(Hookway, 2010). Individuals are vulnerable to these injustices in light of marginalized social identities.

Another key form of injustice is when individuals are unable to make sense of their own meaningful experiences (because they lack resources due to prejudice): a hermeneutical injustice(Fricker, 2007). Often, what is proposed for situations of hermeneutical injustice is to provide better avenues for individuals to come together and create their own epistemic tools and meanings. This act of generation can then be used to fill a hermeneutical gap. With regards to testimonial injustice, the key advice is usually to re-train individuals to ignore their prejudices or to do a better job trusting marginalized individuals (give a boosted credibility)(Fricker, 2007)(Marsh, 2011).

Existing analyses provide insufficient and sometimes clumsy solutions to a problem that involves a variety of intersecting injustices. Individuals do not experience single types of epistemic injustice at a time, but encounter overlapping and intersecting mechanisms of epistemic oppression. Interventions that do not recognize this context risk failure, or exacerbating one vulnerability while trying to fix another. Instead, effective solutions will consider the way that different types of epistemic vulnerabilities interact with one another, often in ways that compound the risk to a specific patient. Otherwise, interventions designed to be protective might end up making the patient no better-off.

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[71]Fricker argues that this is a prototypical and paradigmatic case of epistemic injustice(Fricker, 2007).

## 5.2 Epistemic Vulnerability

Patients with fibromyalgia are vulnerable to possible epistemic injustice for a number of reasons. In addition to being ill, and so more easily dismissed as irrational, they live with a difficult and still mysterious disease. In addition, most patients interact with the medical system as members of other already marginalized groups. These risk factors contribute to the all-too-common experience of being dismissed, which measurably worsens patient outcomes. Epistemic mistreatment is in many ways a core component of this disease - epistemic mistreatment is linked to both medically worse outcomes (more misdiagnoses) and to worsening symptoms. In this section, I parse through the intersecting vulnerabilities that can lead to epistemic mistreatment for patients. Addressing the problem of epistemic oppression requires an accurate understanding of its impact.

Patients experience various infringements on their epistemic agency. Epistemic injustice is constituted by layered and interacting mechanisms. To address this problem, it is critical to understand how different types of epistemic injustice relate. Patients can be wronged in a variety of ways as "inquirers", suffering from a broad range of epistemic injustices.

### 5.2.1 Illness and Discrimination

When unfairly disbelieved, patients may rightly feel disrespected, dismissed, and mistreated. This epistemic and moral wrong is usually seen as applying to individuals due to identity-based prejudices(Fricker, 2007). Havi Carel and Ian Kidd have argued that "illness" is a social identity that makes one vulnerable to testimonial injustice(Carel & Kidd, 2014). People who are ill may be perceived through a stereotypical lens and seen as incapable

in ways that undermine their credibility with others(Reiheld, 2017). The social identity of being ill thus represents a central vulnerability for individuals with fibromyalgia. Individuals who are ill are subject to various types of wrongs and harms when they are globally seen as unreliable in light of their social status.

These epistemic harms can also restrict the victim's agency, and so may be seen as an instantiation of epistemic oppression.[72] In these cases, the ill patient is wronged *as* an epistemic subject and is a victim of epistemic injustice(Kidd et al., 2017). Patients who are dismissed not only suffer physically (when their illness remains untreated), but they are also morally and epistemically wronged.

The type of epistemic injustice experienced by those who are ill is better understood using a framework of oppression because it more clearly highlights the significance of various elements overlapping. Different forms of epistemic injustice intersect with one another, are profoundly shaped by the social identity of the victim, and cannot be understood in an abstract, idealized model. Addressing this multi-faceted type of epistemic oppression requires considering the specific context of a patient in order to see the various forces that impact his or her experience.

### 5.2.2   Varied Epistemic Vulnerabilities

There are a wide variety of possible epistemic injustices to which patients with fibromyalgia are potentially vulnerable. To address the problem of epistemic injustice (or epistemic oppression), it is necessary to understand the nuances of how different forms of epistemic injustice function, and the ways they co-occur. When individuals are subject to the forces of

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[72]Gaile Pohlhaus Jr. argues that a restricted subjectivity is the primary wrong in testimonial injustice(Pohlhaus Jr, 2014).

epistemic oppression, they will experience interacting vulnerabilities to a variety of injustices. Taking an intersectional approach begins with contextualizing the forces of oppression as they are actually experiences by marginalized individuals; this necessarily includes untangling the ways that subtypes of epistemic injustice are experienced in overlapping non-separable ways. While this section is not comprehensive, it does review several significant forms of epistemic injustice. This will be an improvement on previous analyses that either only emphasize a single approach, or discuss a single epistemic injustice in isolation from other forms of epistemic oppression.

**Testimonial Injustice**

Testimonial injustice occurs when a speaker receives a discounted credibility assessment from their listener during testimony due to a social identity prejudice(Fricker, 2007). This is one of the most easily recognizable types of epistemic injustice. For example, if fibromyalgia patients are denied appropriate medication when in pain because they are disbelieved (in light of their social identity as "ill", their gender, or other prejudice), they are suffering from a kind of testimonial injustice. When individuals are treated this way, a variety of elements are present: the victim is wronged, the wider epistemic community suffers from the loss of knowledge, and the victim or listener may suffer secondary harms as a result. This wrong takes place during assertion.

A medical example of this is when individuals are denied or under-prescribed pain medication in the ER. Patients say "I need pain medicine", and we can see based on doctor responses how much the statements are seen as credible. Research has shown that black men (and women) receive less pain medication than white men(Hoffman, Trawalter, Axt, & Oliver, 2016)(Fassler, 2015)(Hoffmann & Tarzian, 2001). Doctors are unconsciously acting as though

the testimony that "I am in pain" is less credible when it comes from a black man. In this case, the testimonial injustice suffered by some black men results in them receiving less pain treatment than they need. This wrong dismisses a speaker's knowledge. In fibromyalgia, it dismisses knowledge of one's own body and physical experiences.[73]

## Distributive Epistemic Injustice

Individuals suffer from distributive injustices when epistemic goods are unevenly distributed due to discrimination against members of a socially marginalized group(Coady, 2010). Individuals can be epistemically mistreated by having a systematic lack of access to critical epistemic resources(Coady, 2010). If certain individuals are denied their fair share of knowledge or are overly likely to be exposed to lies, these also constitute injustices of an epistemic form. [74]

Another example of this in the medical field is the way that education on health care topics is unevenly distributed. Non-white patients have lower rates of health literacy; this lack of knowledge makes them less able to successfully interact with the medical community(*America's Health Literacy: Why We Need Accessible Health Information*, 2003). Education is also a predictor of general health outcomes. So in this way, pre-existing inequality is directly linked to different medical outcomes. For example, financial resources dictate whether one can acquire certain epistemic tools and goods (through education or social networking).

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[73]There are similar worries about dismissing women's knowledge during pregnancy(Freeman, 2014).

[74]Fricker has argued that we ought to distinguish between epistemic injustices that are primarily discriminatory (such as testimonial injustice) and those that are distributive. However, both types do seem to constitute wrongs to an agent "qua epistemic subject"(Kidd et al., 2017).

## Epistemic Marginalization (Hermeneutical Injustice)

Epistemic marginalization occurs when individuals are unfairly excluded from group processes, such as having a limited ability to participate, guide activities, or influence decision-making.[75] Fibromyalgia patients are excluded from the process of diagnostic inquiry. In this case, individuals are unfairly treated as "other" and have limited power to influence group epistemic processes.

> "Id have thought after a 5-ish year break, things would be different. Nope, same
> ole "you crazy" responses. And youre right- at this point.. I dont care what you
> want to call it- I just want relief." - Maria[76]

This kind of mistreatment is an injustice when it restricts an agent's subjectivity because of their membership in a marginalized group.[77] In the case of fibromyalgia, patients may be mistreated because of their social status as "ill", their gender, their race, or their disability status.[78] In the quote above, Maria describes being treated as "crazy" rather than considered as a patient in need of treatment to get relief; the assessment of her pain marginalizes her when she is not portrayed as an appropriate recipient of medical attention.

Being subject to marginalization can also bring about the secondary effect of hermeneutical injustice, where an agent is unable to make sense of some important aspect of her own experience(Fricker, 2007). Victims of hermeneutical injustice are faced with this gap or

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[75]I argue for this interpretation in my article, "What's unjust about Epistemic Injustice?"

[76]Not their real name. This quote taken from an online fibromyalgia discussion community(*Too accurate...make it stop!!: Diagnosing Chronic Illness (meme)*, 2019).

[77]Gaile Pohlhaus Jr. has written more on the way that restricted subjectivity is an epistemic wrong(Pohlhaus Jr, 2014).

[78]Not all patients with fibromyalgia will consider themselves disabled, and the severity of the disease varies greatly from individual to individual. Also, fibromyalgia often co-occurs with other conditions that may cause disability.

inability to make sense of their experience because they lack some sort of epistemic tool (language or concepts or framework). Individuals who suffer a hermeneutical injustice often do so because they have experienced epistemic marginalization.

> "Every Physician I had seen always ended up telling me that there was nothing physically wrong (go ahead, read between those lines!). Thankfully, I found some relief with a Chinese herbalist who used herbs and essential oils which helped me to at least function daily; however, I never felt truly "well" and found myself afraid to try anything but the safest formulas even under trained direction. I had become afraid of making things worse and had no clear idea what was truly wrong" - Dianne[79]

Dianne describes lacking medical resources and frameworks to make sense of her symptoms after feeling excluded from considerations by doctors. The result in her case is a desire for inaction, because she lacks a schema through which to assess possible treatments.

Another example of marginalization in the medical field is the way that there is a scarcity of doctors of color(*Why Are There So Few Black Women Doctors?*, 2017). When most of those with power in the medical establishment are white, then communities of color have little ability to involve themselves directly with decision-making in the medical field.

This marginalization can lead patients to feel as though they are not welcome in the medical community. Sometimes patients find other communities to replace the established medical one, turning to online support. At times, however, this can also make them vulnerable to predatory social influences, and they may become a target for schemes and disingenuous

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[79]Taken from an online fibromyalgia discussion community(*Fibromyalgia: Real Patient Testimonials*, 2008).

medical hoaxes. Avoiding these sorts of unhelpful solutions can be a further taxation on vulnerable patients; as one person put it:

> "I'm honestly tired of all that mumbo jumbo magic healing crap, I've unfollowed several pages on Facebook for posting homeopathic, unfounded bullshit as cures for fibro pain. I live in reality, sorry." - Angela*[80]

## Epistemic Mis-recognition

Victims of epistemic injustice can at times be dismissed entirely as having the standing to speak up. (This is sometimes, but not always, a component of testimonial injustice). For example, individuals have their epistemic standing disrespected when they are not treated as a participant or a relevant contributing member in a social group. One patient says a common reaction is: "More like theres nothing wrong with you just stop pretending and go back to work crybaby"[81] In these cases of mis-recognition, patients are not seen as possessing the proper standing to be taken seriously as inquirers. People ought to have their epistemic standing recognized.

A medical example of this could be how some patients are treated in a patronizing way, such as having their questions ignored. Over time, this misrecognition shapes not only how others view the victims, but also how they view themselves.[82] This directly relates to the next category.

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[80]Not their actual name, an anonymous user in an online fibromyalgia discussion forum(*The healing crystals we actually need: (picture of crystals with googly eyes)*, 2019).

[81]Taken from an online discussion community(*Too accurate...make it stop!!: Diagnosing Chronic Illness (meme)*, 2019).

[82]See Kristie Dotson's work on self-silencing(Dotson, 2011).

**Testimonial Smothering and Gaslighting**

Individuals are victims of gaslighting when they are intentionally manipulated in ways that cause them to doubt their own rational and epistemic capacities(Abramson, 2014). Testimonial smothering is a related phenomenon, where individuals intentionally restrict their assertions because they predict that they will not be taken seriously(Dotson, 2011). In both cases, individuals lose the ability to fully participate in epistemic exchanges through the intentional or unintentional manipulation of others. When these worries are conscious, patients may doubt their own beliefs or motivations.

> "...My friend has been reckoning in a sustained way about her own fears about coming across as melodramatic."(Fassler, 2015)

In either case, a hostile epistemic environment leads (over time) to an agent who is less likely to testify, or unable to testify regarding her own knowledge. This not only makes inquiry more difficult but can also cause lasting damage to the victim's sense of expertise and self.

> "I tried that. I got really depressed and started believing the Dr rhetoric about it all being in my head and not real. I started thinking I was crazy and started with a psychiatrist and doing therapy. Spoiler alert Still just as sick as I was before, only now I dont care if the pain is in my body or my brain. It hurts just the same. " - Angela*[83]

This epistemic wrong can leave long-lasting scars. For some patients, receiving a diagnosis is transformative because it affirms that they *are* sick, and that they are reliably reporting

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[83]Not their actual name, taken from an online fibromyalgia community(*Too accurate...make it stop!!: Diagnosing Chronic Illness (meme)*, 2019).

their symptoms. In other cases, individuals may continue to self-smother around medical professionals or anyone who may misunderstand their illness.

## 5.3 Intersectional Epistemic Justice

Preventing epistemic mistreatment, and seeking epistemic justice, is a question of how to reduce the negative impact of prejudice within our interpersonal interactions and our epistemic communities. To do this, it is critical to acknowledge that individuals at risk of experiencing epistemic injustices may already be at a material or psychological disadvantage relative to members of privileged groups in society.

We can have a coherent framework for thinking about this problem and wrapping our heads around this complexity by understanding it through the lens of intersectional feminism.

Calling for a focus on intersectional epistemic justice means looking more closely at the way that different social identities impact how individuals are subject to epistemic injustice. Different categories of epistemic mistreatment can overlap and influence one another, providing different contexts for different experiences of epistemic oppression.

### 5.3.1 Intersectional Feminism

Addressing oppression means seeing how it works. Fibromyalgia patients are experiencing forces of epistemic oppression: overlapping instances of epistemic injustice that function to undermine their effectiveness as epistemic subjects. Drawing on a model of epistemic oppression, feminist insights on oppression can help to illuminate this problem in a new way.

Intersectional feminism maintains the commitment that the goals of feminism can only be met by recognizing other forces of oppression. Oppressions such as racism and classism intersect with the oppression experienced by women. Historically, this insight emerged out of criticism that the feminist movement was overly focused on white middle-class women, rather than seeking liberation for all women. Addressing feminist oppression requires understanding the ways that other marginalized identities shape one's experiences, and how different types of oppression intersect. Liberation requires recognizing that combating any single type of oppression is tied up with combating all forms of oppression(Crenshaw, 1990)(Mohanty, 1984)(Ortega, 2006).

Taking such an intersectional approach involves commitments to crucial observations about the nature of oppression. I emphasize three key insights connected with an intersectional approach.

First, intersectional approaches acknowledge that oppressions are interrelated and intersecting: it is not possible to address one form without considering the others. Bell hooks says: " We must understand that patriarchal domination shares an ideological foundation with racism and other forms of group oppression, and that there is no hope that it can be eradicated while these systems remain intact"(Hooks, 1989, p.22). Seeking freedom from oppression requires acknowledging and addressing the ways that various forms of oppression overlap in the lives of those who are marginalized.

Second, any given type of oppression functions differently when acting upon individuals with different social identities. For example, women experience gendered oppression differently depending on their race. The shifting ways in which oppression functions are not merely additive: the experiences of black women cannot be understood by simply combining the experiences of white women and black men. In an early feminist speech, Sojourner Truth

argues: "Nobody ever helps me into carriages, or over mud-puddles, or gives me any best place! And ain't I a woman?"[84] Societal restrictions on femininity will function differently as a consequence of race. Thus, different individuals will be vulnerable to different forms of oppression depending on their social identities. Addressing oppression requires acknowledging that different individuals will experience the same forces of oppression manifested in different ways.

These insights lead feminist philosophers to a third commitment: to resist overly idealized theorizing about agents. Instead, individuals must be understood within the context of their unique situation and their community(Grasswick, 2004). Theoretical work is grounded in the overall goal of improving marginalized lives, what Sally Haslanger calls an ameliorative approach(Haslanger, 2005). Intersectional feminism is grounded in action and activism. Accurate intersectional theorizing must be grounded in real experiences, rather than abstractions about hypothetical women. Failure to consider the ways that women have a plurality of experiences, and importantly different social contexts, "robs them of their historical and political agency"(Mohanty, Russo, & Torres, 1991, p.72).

## 5.3.2   Intersectional Commitments in the Epistemic Domain

These three key features I have highlighted from intersectional feminism can be applied within the epistemic domain, looking at how individuals are vulnerable to oppression as epistemic subjects. In order to seek justice, we need a notion that can recognize how injustice is constituted by interacting and intersecting vulnerabilities, in a way that is highly context-dependent. Recognizing these feature of epistemic injustice will promote effective

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[84]There are historical disputes about the exact nature of the speech, due to conflicting records; this quote is from the Gage version(*Compare the Speeches*, n.d.).

interventions: oppressions are interlinked, oppression functions relative to social identity, and theorizing must be non-idealized.

First, feminist work recognizes that oppressions are interlinked. The different subtypes of epistemic injustice influence one another, and addressing one requires considering all of them. These epistemic risk factors interact with one another and compound in significant ways. One of the most significant insights of intersectional feminism is that oppressions cannot be considered in isolation, or in summative ways; Black women are oppressed in ways that differ from the ways that white women and black men are oppressed(McAfee, 2018)(Crenshaw, 1990). In the case of fibromyalgia, individuals suffer from oppression due to illness status, in addition to gender and race. Understanding and preventing epistemic mistreatment for these patients requires looking at the factors together, rather than separately.

Second, oppressions function differently in relation to different individual's social identity. One's context in society influences the mechanisms by which one is oppressed. Women in western countries and women in eastern countries may both experience gendered oppression, but their cultural contexts will shape their experiences. For fibromyalgia patients, the epistemic oppression they experience will be shaped by the countries and cultures they inhabit; assumptions about health care and illness will shape the ways in which they are vulnerable to mistreatment.

Third, feminist philosophy emphasizes the importance of theorizing that is grounded in actual lived experiences, rather than abstraction. Too much of historical epistemology has been characterized by atomistic notions of agency that bear little resemblance to actual epistemic subjects(Grasswick, 2016). It is important to recognize the ways in which individuals rely upon one another within epistemic contexts(Grasswick, 2004). In the case of fibromyalgia,

it is vital that philosophical theorizing remains grounded in the actual experiences of individuals. In this paper, I have drawn upon the first-hand testimony of individuals with fibromyalgia to illustrate various experiences with epistemic injustice.

Failing to consider these features, and relying upon non-intersectional frameworks, risks misunderstanding patient's experiences of epistemic oppression. Non-intersectional frameworks will overlook key features of the wrong and will fail to represent fully or to address the complex epistemic problem at hand. As a result, victims will continue to be misunderstood, and interventions are less likely to succeed.

## Interlinked Oppressions and Interactions

Problems may arise when interventions target only one mechanism of epistemic oppression, neglecting others. For example: why not just provide a "credibility boost", or emphasize the importance that doctors believe *more* fully when it comes to the testimony of some vulnerable patients? If doctors can boost their credibility perceptions of women and people of color, this will serve to protect against future instances of testimonial injustice. However, this intervention does not address other forms of epistemic injustice, and so may fail to provide relief to individuals struggling with stressful experiences of dismissal. Additionally, consciously or intentionally inflating the credibility given to women or minority patients pulls against a different sort of goal: that of inclusion. Treating women as subjects who need their credibility to be artificially boosted, still sets them up as "other", a separate group. It also risks reinforcing sexist stereotypes that infantilize women and view them as hysterical.

Marginalized individuals are not treated as participants or cooperators in a social context. If doctors automatically inflate their credence in the words of all minority patients, they are

not treating them as an inquirer with whom one can cooperate. In a medical setting, cooperating with a goal of diagnosis *also* includes questioning one's reasons, gathering evidence, and considering and criticizing different potential explanations. If doctors are encouraged to automatically believe patients in an attempt to boost credibility, this will further encourage doctors to view patients as non-participants: this approach risks becoming strongly paternalistic. In the case of fibromyalgia, it could lead to highly patronizing interactions, where doctors view patients as sincere, and take them at their word on their experiences, but also view them as radically disconnected from the medical reality and the process of choosing a treatment. This happens when doctors view women with fibromyalgia as complainers, and diagnose them with mental illnesses rather than addressing their chronic pain.

It may be helpful to provide space for vulnerable individuals to talk with one another in order to generate new epistemic resources, filling in conceptual gaps in order to address issues of hermeneutical injustice. While this is an effective way to address hermeneutical injustice, it will not be effective without attending to other issues of epistemic mistreatment. For example, if people are also subject to testimonial injustice, then new conceptual resources will be unlikely to gain update, even if they are created.[85] Individuals will still be at a significant disadvantage if mainstream portions of the population do not have the ability or willingness to use the critical epistemic tools. If patients are marginalized, then any new conceptual resources will not be efficacious in changing popular understanding or decision-making priorities within a group.

In trying to fix instances of testimonial injustice, it is important to look at whether agents are often perceived as intelligible by those around them. Individuals who suffer from a large number of hermeneutical gaps may over time appear to be ill-informed about their own

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[85]This is another problem, one of willful hermeneutical ignorance(Pohlhaus Jr, 2012).

experiences. This might contribute to prejudicial stereotypes driving instances of testimonial injustice and can also lead to increased epistemic marginalization. Such marginalization can deny patients the tools and spaces needed in order to make sense of their experiences.

Effective interventions need to understand the mechanisms of intersecting epistemic vulnerabilities to avoid worsening one type of wrong while addressing another. Considering the limitations and consequences of some interventions is an important first step.

## Epistemic Oppression and Social Identity

The notion of epistemic injustice is necessarily tied to aspects of social identity. Epistemic injustices, like the ones described above, are characterized by prejudice, and victims are vulnerable in light of their social identities. As such, people experience epistemic injustice differently due to their different constellation of social identities. Experiences of epistemic injustice are multifaceted and interact with other wrongs. Individuals with marginalized identities will be vulnerable to other forms of non-epistemic oppression that may impact how they experience epistemic injustice.

Group status can be a pre-existing risk factor for patients with fibromyalgia. Understanding how fibromyalgia patients are at risk for epistemic injustice first has to recognize that patients do not exist outside of a community and context(Grasswick, 2004). Individuals come to the doctor with pre-existing risk factors for experiencing epistemic mistreatment. Additionally, individuals who belong to oppressed groups (and so are already at a higher risk for testimonial injustice outside the medical sphere) are more likely to be diagnosed with or struggle with, chronic pain(Anson, 2018). So: patients with fibromyalgia are often

already facing an increased risk of epistemic mistreatment outside of the medical setting. This compounds on top of the already existing risk of being dismissed by doctors [86]

Additionally, individuals with chronic diseases or ones that are difficult to understand are at risk of being marginalized by the medical community. It is difficult to understand the variation and unpredictability of symptoms in chronic diseases, especially when so little is known about them.

The impact of fibromyalgia falls disproportionately on members of society who are already marginalized or oppressed. The first is the social categorization of the mentally ill. Patients with fibromyalgia are three times more likely to have major depression than adults without fibromyalgia. This is also a gendered issue: women are twice as likely to get fibromyalgia as men(*Fibromyalgia*, 2019). While the links between these different identities are not yet understood, it is important to see how most patients with fibromyalgia experience the illness through the lens of multiple marginalized social identities. Non-white patients may struggle to get the care that they need: "African Americans with chronic pain report lower quality pain management, more disabling pain severity, and lower quality of life because of pain, than whites"(*Pain in America*, n.d.).

These disadvantages are relevant for understanding and treating fibromyalgia, as well as addressing the problem of epistemic injustice. Many proposed interventions require patients to do significant epistemic and emotional work, despite their vulnerabilities; forcing patients to do all the work risks emotional fatigue and epistemic exploitation. Some interventions may also fail to consider other ways in which patients are marginalized, for example, interventions that are financially costly or presume health insurance status. Finally, interventions need to consider the psychological damage that may have already occurred: patients will struggle to

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[86]We see similar patterns in chronic fatigue syndrome, a closely related disease.

advocate for themselves if they have already been exposed to epistemic mistreatment that causes them to self-smother and doubt their own experiences.

**Differing Mechanisms of Testimonial Injustice**  Testimonial injustice also functions differently in different subpopulations of individuals. People might be discredited and viewed as not credible for a number of reasons. Individuals might seem unreliable, or insincere. However, the mechanism by which their credibility is doubt will depend in part on existing prejudiced stereotypes within a society. For example, a black man in pain might be more likely to be judged as drug seeking, or insincere(Mossey, 2011). In this case, he may be denied any pain medication. In contrast, a woman might be judged as hysterical: so not insincere, but unreliable. Women are then more likely to be prescribed a sedative, rather than pain medication(Calderone, 1990). Both patients face discounted credibility, but it is expressed in different ways and through different mechanisms.

This difference is significant because some interventions on testimonial injustice will function differently in the two cases. Imagine that doctors are taught to respect patients as a source of cooperation within the diagnostic process (an intervention to reduce epistemic marginalization). This would encourage them to see the patients as sincerely trying to seek the same outcome as the doctors. This could help them to not assume insincerity in black men, and so to prescribe more pain medication. However, it might have no effect on the doctor's interactions with women, if they already see them as sincere. Instead, they might shift to a patronizing mode (we are working together; it is just that you are not very capable). Taking this approach would result in women still being subject to epistemic mistreatment. This is why it is essential to have a contextualized understanding of how social identity impacts epistemic oppression.

## Non-Ideal Theorizing

A critical element in non-ideal theorizing is recognizing that people may come into the medical system with existing harms done to them. They may already feel excluded and dismissed. Simply seeking not to wrong them further, may not be sufficient to promote genuine interactions, or epistemic justice.

**Positive Feedback Loops** Different types of epistemic mistreatment reinforce one another. An experience of one type of epistemic injustice may trigger a positive feedback loop: where each injustice makes another injustice increasingly likely. Individuals who suffer from repeated instances of testimonial injustice may start to suffer from troubling secondary effects. They may start to doubt themselves, and the reality of what they know. This can undermine their confidence. They may choose to restrict their own testimony, self-smothering(Dotson, 2011).

These experiences have an impact on the problem of hermeneutical injustice: individuals who lack confidence in their own perceptions or choose not to speak, will have a much more difficult time generating new epistemic resources to fill a hermeneutical gap. This makes ongoing experiences of epistemic injustice increasingly difficult for an agent to address. So when looking at fixing the problem of a hermeneutical gap, it is important to understand whether patients are vulnerable to testimonial injustice.

In cases like this, it is not enough to seek to prevent epistemic mistreatment. Medical intervention is about healing, and ideally, that means taking actions that are restorative in light of past mistreatment. It may not be enough to place the burden on women to argue with doctors about their pain and self-advocate, when many may be tempted to self-silence

after extensive experience with epistemic dismissal. Less has been written on this topic, but individuals who have suffered from epistemic mistreatment in a medical context need access to restorative justice, and ways to rebuild a healthy notion of self and relationship with their doctor or medical community.

This is as important as preventing future epistemic injustice.

### 5.3.3   Seeking Solutions

It is important when talking about solutions to epistemic injustice to move beyond the merely theoretical into applied cases. Frequently, discussions of epistemic injustice in the philosophy literature take place by looking at extremely detailed fictional cases. However, there are also important truths to be gleaned from studying the mechanisms of epistemic injustice in real-world contexts. In order to combat epistemic injustice in the actual world, it is important to consider specific applied cases, not just philosophical ones.

For this topic, I am avoiding overly idealized theorizing by starting from the real experiences of patients with fibromyalgia. Interventions need to be temporally grounded and to recognize the historical context in which they are situated (including other experiences of oppression).

> "There's a stigma about fibromyalgia. People are afraid it's all in their heads.
> But it's not." Valerie[87]

Individuals who need to be protected from epistemic mistreatment may already have internalized harms as a result of past mistreatment. Intersectional epistemic justice requires acknowledging this harm, and working towards a goal of restoration not merely prevention

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[87]Taken from an online community(*Real Fibromyalgia Patient Stories and Tips*, 2016).

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of future wrongs. Intersectional interventions will be more successful than interventions that exclusively focus on a single mechanism of epistemic injustice.

For patients with fibromyalgia, addressing epistemic injustice must take a multi-pronged approach. To combat epistemic marginalization, patients need inclusion in the medical system. This might look like providing spaces (physical or conceptual) where patients can participate in defining and problem-solving their own experiences of illness. This will also make progress towards solving problems of hermeneutical injustice. Patients need access to conceptual tools that can help them construct a meaningful framework to make sense of their experiences.

These interventions will mean little unless they are also accompanied by better education for doctors, and trust building, so that patients can have confidence that their words and testimony will be treated as sources of knowledge. Interventions might also need to involve systemic assurances: that if epistemic injustice occurs, patients have ways to seek restitution and healing.

Taking an intersectional approach allows us to find better solutions to reach and support patients. Taking an intersectional approach means recognizing the various and intersecting wrongs that impact patients, and approaching these wrongs in an informed way.

First, we can do a better job of recognizing the epistemic situation of patients. In many cases, patients are already marginalized. They may already be self-silencing and recoiling from experiences of injustice. Seeing their actual epistemic context means realizing when patients may be facing a great deal of stress in their lives if they are not taken seriously, or why patterns of shyness or aggression may be adaptive responses to a hostile epistemic

environment. It may take flexibility, empathy, humor, and patience to engage with patients who may have good reasons to be epistemically defensive.

Good interventions will recognize when there are hermeneutical problems in the background. It will not work to try and change credibility perceptions if there are larger problems with communication between doctors and patients. Everyone may need to become more comfortable with varied methods of communication. Patients may need a wider variety of tools in order to make sense of their experiences and to communicate them clearly to medical staff. Epistemic progress will require everyone in a community to be willing to cultivate a wider variety of epistemic skills and tools.

## 5.4    Conclusion

There are some interesting implications for epistemologists out of this case study. Philosophers writing on epistemic injustice have separated a variety of subtypes of epistemic injustice, although writers disagree about their relationship. For actual victims, these types of epistemic injustice are experienced in overlapping and interacting ways.

The highly contextualized nature of epistemic injustice means that effectively addressing any one form of injustice requires considerations of the others. Previous insights from feminism have shown that we cannot understand gendered oppression in a vacuum, or in purely abstract terms. The same insights apply to epistemic oppression. Other forms of oppression dictate how people experience epistemic oppression. Broad approaches may not work; we need a contextualized understanding of how epistemic oppression functions based on social identity and historical context.

Solving the problem of epistemic injustice requires looking deeper than mere credibility adjustments: people experience epistemic injustice in a variety of ways. I have shown this by more closely examining the epistemic situations of patients with fibromyalgia. Protecting patients from epistemic injustice requires thinking about the context of each patient and considering how different forms of epistemic injustice interact. Taking this intersectional approach facilitates seeking justice on many fronts at once. Intersectional epistemic justice requires communities of inquirers who can take feedback from one another to break cycles of compounding harm. It means giving room for patients to recover, and to grow, as inquirers.

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