

***Bohman on Domination and Epistemic Injustice***  
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Miranda Fricker (2007) claims that an individual suffers an epistemic injustice when she is wronged in her capacity as a knower. Fricker identifies two main forms of epistemic injustice. Testimonial injustice occurs when an individual's credibility is diminished because her audience holds an identity prejudice against people like her. Hermeneutical injustice occurs when an individual cannot properly articulate her experiences or interests insofar as the interpretive resources available in the social environment are oriented towards the experiences and interests of others. In both cases, the individual is harmed as a contributor to the collective production and dissemination of knowledge. Virtuous epistemic agents manifest epistemic justice by detecting and correcting identity prejudices and by being alert to the presence and effects of hermeneutical impoverishment.

James Bohman (2012) proposes a republican conception of epistemic injustice as an alternative to Fricker's virtue theoretical account. The key element in Bohman's approach is the concept of domination, one of the central concepts in republican political theory more generally. He claims that all cases of epistemic injustice involve forms of domination (2012: 182-83), and that institutional mechanisms of non-domination are accordingly necessary to remedy epistemic injustice. In essence, Fricker's account needs a more robust political dimension, one that republican thought stands ready to provide. I agree with Bohman that there are important connections between domination and epistemic injustice. Nevertheless, I am not persuaded by his characterisation of these connections. In what follows, I briefly set out Bohman's account of domination and then critically discuss three interpretations of the relationship between domination and epistemic injustice suggested by his discussion:

- (1) Epistemic injustice is to be explained by domination.
- (2) Epistemic injustice itself constitutes a form of domination.
- (3) Epistemic injustice contributes to domination.

**I. Domination and Authority**

Bohman shares with Philip Pettit (1997) the belief that to be dominated is to be subject to the arbitrary will of others. However, whereas Pettit views domination as the capacity for arbitrary interference in a person's life, Bohman follows Henry Richardson (2002) in seeing it as an inherently normative relation: a dominator can arbitrarily exercise a normative power to change the normative position of the dominated, e.g., by imposing a duty on her or depriving her of a right (Bohman 2012: 180). To be dominated is therefore not simply to be vulnerable to a certain kind of interference, as one might be vulnerable to an infectious disease, but to lack normative status as a full participant in the exercise and contestation of some or other governing authority.

Bohman's account implies that domination is a complex phenomenon in at least two ways. First, since there are many normative domains, a person could in principle be

dominated in one respect but not another (2012: 182). How an individual's status in one domain affects or illuminates her status in other spheres of social activity is an open question. Second, relations of domination may be informal and diffuse (2012: 185): an individual might experience domination in virtue of her diminished status relative to some set of social norms without it being the case that she is dominated by any one particular agent, such as a corrupt judge or sweatshop boss. The normative power to change an individual's standing as a member of a community could instead be exercised by the whispering crowd *en masse*.

## II. The Explanatory Thesis

Bohman claims that identity prejudice cannot explain the systematic nature of epistemic injustice (2012: 181). In Fricker's example of the trial of Tom Robinson in *To Kill a Mockingbird*, the white jurors' racist attitudes prevent them from taking his testimony as credible. But these psychological attitudes do not adequately explain the injustice that occurs in the trial. The wrong inflicted on Tom is the consequence of a broader regime of racial oppression, and not simply of the racist biases of twelve flawed individuals. Although identity prejudice may often be the proximate cause of testimonial injustice, Bohman sees it as just one of many possible mechanisms. A similar point holds for examples of hermeneutical marginalisation, such as that caused by the absence of a concept of sexual harassment. In both kinds of epistemic injustice, the underlying engine of exclusion is the complex background system of (e.g., racial or gender) inequality and domination (2012: 177).

Two points can be made in response. First, as I understand Fricker's account, identity prejudice is offered primarily as a substantive criterion of testimonial injustice rather than as explanation for its existence. Fricker claims that not every credibility deficit is unjust; some may simply involve morally innocuous error. She claims that the "ethical poison of testimonial injustice must derive from some ethical poison in the judgement of the hearer," and that identity prejudice is precisely this poison (Fricker 2007: 22). This means that Fricker is not advancing an "attitudinal solution to the problem of systematicity" (Bohman 2012: 181), but an attitudinal solution to the problem of differentiating genuine instances of testimonial injustice from cases of morally unobjectionable credibility deficit. Whether this solution is adequate is an open question. Ishani Maitra (2010) offers compelling arguments that it is both too broad and too narrow. But it is not inadequate because something else must explain whatever systematic connections may exist between identity prejudice and other forms of social injustice.

Second, there are plausible examples of epistemic injustice that cannot be explained by appeal to any independent system of domination. For instance, atheists may systematically experience unjust credibility deficits because of the identity prejudice of their religious neighbours without this prejudice existing because atheists are already dominated in other domains. Instead, the widespread bigotry may have some quite different basis in the peculiarities of the religion's doctrines about trustworthiness and rationality, or suchlike. In this case, there need not be any underlying system of religious domination at all analogous to the racial domination of Harper Lee's Alabama that can be

invoked to perform any interesting explanatory work.

### III. The Constitutive Thesis

Bohman also claims that epistemic injustice itself constitutes a form of domination (2012: 177, 181). There are two main elements in this analysis, as I understand it. First, those who experience epistemic injustice do not simply suffer a capability inequality relative to their peers. Instead, they are excluded from epistemic status (i.e., the standing to participate in the collective project of pooling knowledge) and even communicative status (i.e., the standing to address and be addressed by others). Second, Bohman claims that this “exclusion operates through the exercise of dominating epistemic authority” (2012: 178). For instance, in Fricker’s example from *The Talented Mr Ripley*, the identity power that enables patriarch Herbert Greenleaf to dismiss Marge Sherwood’s suspicions as mere women’s intuition involves control over the terms and conduct of their joint epistemic project, i.e., unravelling the mystery of Dickie Greenleaf’s disappearance. Marge’s standing in this project is subject to Herbert’s arbitrary will, and his “identity power is thus a species of dominating power” (2012: 183).

It is plausible to characterise some examples of epistemic injustice as instances of a distinctive kind of domination, at least insofar as a normative account of domination is to be accepted. Consider two kinds of social norms at work in collective epistemic contexts. First, there is a distinction between what a number of individuals might all *believe* and what is nevertheless to be collectively *taken as true* within their group. The latter is subject to the governance of social norms to a much greater extent than the former. In at least one interpretation of the Hans Christian Andersen tale, none of the emperor’s subjects has any mistaken beliefs about his state of dress, but what is to be taken as true is that his new clothes are very fine indeed. Similarly, no Roman actually believes that a horse can be a senator, but all are to act on the shared assumption that it could. Second, social norms can confer unequal rights over what is to be taken as true within a particular context. An emperor is entitled to dictate what is to pass as reality at will. To question this purported reality is not simply to flout a convention, but to refuse to render to Caesar his due. In such cases, imperial tyranny extends beyond the legal and political realm, where it might otherwise be contained, to the epistemic domain, i.e., to the society’s very ability to sift fact from fiction. This, then, is epistemic domination in its most obvious form.

The same normative elements appear in less despotic cases. The lord of the manor has the social right, in accordance with the respect due his station, that his account of events be taken at face value, whereas the scullery maid does not. Yet no one need ever have any illusions about why her child comes to bear a striking resemblance to her former employer. She is morally wronged as a subject of knowledge, not because anyone actually doubts her testimony, but because it is arbitrarily deprived of the normative weight in the web of socially accepted propositions that its credibility warrants. The endemic hypocrisy of class society is in this way somewhat akin to Caligula’s epistemic perversion of Rome, despite the profound legal and political differences between the cases. Tom Robinson’s predicament is arguably of a similar form. The jurors’ moral duty

is not simply to *believe* him, as Atticus Finch beseeches, but to allow believing him to *matter* in their collective deliberations, just as a white defendant would have the right that they do.

Despite such plausible examples, it is unclear whether all cases of systematic epistemic injustice constitute domination. In particular, it is unclear whether they all involve the arbitrary exercise of a normative power over individuals who lack normative standing as full participants in the collective pursuit of knowledge. If members of different social groups have an unequal capability to cause their audiences to believe their testimony, this need not be because of any widespread social norm as such. On Fricker's view, identity prejudice may instead function as a non-normative psychological disposition: members of one group are simply *perceived* as more credible than others, without any implicit assumption that they are at all *entitled* to greater deference in virtue of their identity. For instance, sexism can originally inhere in the epistemic norms of a society (if it is considered quite foolish to take a woman as a reliable witness) but may at some point be evident only in the society's epistemic habits (if, as a matter of empirical fact, men's testimony tends to be accepted more often than women's). Epistemic injustice plausibly endures in this society, but not because men generally continue to have any obvious normative authority that women lack. Whether their identity power is best understood as a species of dominating power depends on further considerations about how the sexist disproportion in perceived credibility affects the rights of women to participate in the collective pursuit of knowledge. Much as unjust capability inequalities in general do not always involve the arbitrary exercise of a normative power, unjust epistemic capability inequalities need not invariably constitute epistemic domination.

#### **IV. The Contributory Thesis**

A third interpretation of the relationship between domination and epistemic injustice is suggested by Bohman's discussion. Epistemic injustice can contribute to domination insofar as it makes it more difficult for individuals to contest the exercise of a governing authority, where one exists. Whether or not epistemic injustice should be explained by or in itself constitutes domination, it can have a profound secondary effects, as Fricker discusses, or spillover into other domains (2012: 186). In the sexual harassment case, the inability of a female worker to communicate the nature of her employer's behaviour only deepens her vulnerability to his sexual whims. Part of what makes the boss's authority over her arbitrary is the inadequacy of existing workplace rules to govern his relationship with his staff. Given the existing hermeneutical state of the society, he can harass her with impunity.

As a claim about the potential impact of epistemic injustice, the contributory thesis is both true and important. However, I believe it supports a somewhat different way of understanding the relationship between the epistemic virtues Fricker identifies and the republican ideal of non-domination. Whereas Bohman claims that a "republican political theory should make the epistemic *consequences* of domination much more fundamental" (2012: 187; my emphasis), the contributory thesis highlights the need for republican political theory to identify the epistemic *sources* of domination. In essence,

republicanism needs a robust social epistemic dimension, one that an account like Fricker's might well provide. The key point here is that the existence of epistemic injustice supports a measured scepticism about the adequacy of institutional responses to the injustice of domination.

Bohman claims that "institutional mechanisms that protect people from fundamental inequalities and exclusions ... do not bring about non-domination causally, but are rather *constitutive* of non-domination" (2012: 186; his emphasis). For instance, the right to vote in a democratic election and the right to appear as a party in a lawsuit are constitutive of political non-domination, and not simply useful tools for individuals to protect their freedom. Both rights are part of what it means for political authorities to be accountable to those they govern. But they are clearly not by themselves sufficient. Elections and lawsuits are collective deliberative exercises. How they are conducted depends not only on the institutional rights of the various parties, but also on the parties' relative epistemic standing and capabilities. Political power is arbitrary unless it can be effectively contested (Bohman 2004), but it cannot be effectively contested unless the participants are appropriately responsive to the contributions of marginalised groups, i.e., until the participants generally possess epistemic virtues to some reasonable degree.

Reforming institutional arrangements might have a beneficial effect on a society's epistemic culture. Implementing new policies might pre-empt some damaging effects of racial or gender prejudice. Nevertheless, institutions can never be constitutive of the epistemic virtues that a free republic requires if its citizens are to be genuinely governed by the rule of law, and not by the arbitrary whims of those in authority. No set of political, legal, or social rules can by itself be sufficient to eliminate the psychological hold of identity prejudice or to rectify the impact of hermeneutical impoverishment. Bohman does not deny this point. "The remedy" for domination of the kind experienced by Tom Robinson and Marge Sherwood is "*not just* to correct for one's own epistemic injustices, but to create institutions that would address their structural consequences" (Bohman 2012: 182; my emphasis). Nevertheless, the contributory thesis suggests that his contrast between a republican conception of epistemic injustice and Fricker's virtue theoretical account risks exaggeration. The republican political tradition is notable for its emphasis on the importance of civic virtues: the police officer must have the character to resist the bribe, the politician should look to the common good and not just the immediate interests of her party, and so on. There is no reason why this existing virtue theoretical component of republicanism should not also incorporate a robust set of progressive social epistemic virtues as essential to the ideal of political non-domination.

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