

***In defense of republican epistemology: Reply to May***  
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Miranda Fricker's masterful book, *Epistemic Injustice*, focuses our attention on a hitherto little studied form of injustice: epistemic injustice, where "any epistemic injustice wrongs someone in their capacity as a subject of knowledge, and thus in a capacity essential to human value" (2012: 5). As May points out, I do not think that Fricker's account is sufficient, especially to the extent to which she depends largely on "corrective ethical-intellectual virtues" to able to improve our lives as subjects and objects of knowledge. Of course, she herself evinces some skepticism about the sufficiency of epistemic virtue on its own, when she immediately adds the caveat that there is "a limit to what virtues on the part of individuals can achieve when the root cause of epistemic injustice is structures of unequal power and the systemic prejudices they generate" (7-8). This concession on the limits of such virtues, however important they may be in particular instances of individual epistemic exclusion, motivates much of my criticisms of Fricker's approach and my turn to republican epistemology.

I am certainly not the only one in the special issue who criticizes the adequacy of Fricker's virtue theoretical remedies. Elizabeth Anderson (2012) is correct in pointing out the limitations of virtue theory, precisely because it is limited to individual epistemic transactions. I agree then that we cannot avoid developing a more systemic approach, on the basis of which structural and institutional, rather than individual remedies can be developed for latent prejudices. In order to show why this is the case, I offer a broader conception of the sources of epistemic injustice than Fricker provides in her typology, in which republican conceptions of domination and nondomination provide in my view the best available alternative. Fricker and I agree that whatever the approach taken it must be practical and begin by "concentrating on the normality of injustice" so as to "achieve a better grasp of what is required in practice to operate in a way that works against it" (7-8). This can be shown to fall short on her own account by closely examining the shortcomings of her analysis of literary works that purport to illustrate forms of epistemic injustice. The inadequacy of her analysis of domination as it is portrayed in literature shows the motivations for a republican dimension, without which it would be difficult to give a coherent account of how we are to overcome persistent injustice.

Consider one of Fricker's compelling literary examples, the trial of Tom Robinson from Harper Lee's *To Kill a Mockingbird*. Fricker analyses the complexity of social meanings that Tom must negotiate every single day, showing how the dogmas of white superiority make even expressions of sympathy toward a white woman to be taken to be a fundamental violation of a "racist ideology structured around dogmas of white superiority," leading to a "gross epistemic failure and an appalling ethical failure of grave practical consequence" (2007: 24). Domination is ultimately manifest in Tom's murder, supposedly for trying to "escape" his captors. For all the perceptiveness of her analysis of Tom's trial, Fricker fails to understand the systematic form of racial hierarchy and domination that makes the tragic end inevitable. Atticus understands the systemic character of racial domination and its codes quite well, he knows well how deeply entrenched and vicious it had become, including lynching as the most common method to

terrorize blacks who violate the code of racial superiority. With a jury consisting solely of whites who endorse and benefit from such racial domination, it is not hard to see that Tom's credibility deficit will lead to his murder. But given that the system of racial superiority in the South was a systematic form of domination, it hardly seems that such a deficit is the source of his problems. The task of any account of epistemic injustice must minimally provide an analysis of such systemic forms of domination. Indeed, Fricker sees "systematic testimonial injustice" as her "central case," precisely because she wants to show how "epistemic injustice fits into the broader pattern of social justice" (27). But testimonial injustice is only one manifestation of such systemic injustice here is open and systematic racial domination, which was broken only by the historical struggle against racial domination. To use the terms of contemporary republicanism, Tom lacks the normative statuses and powers necessary for him to live without being subject to domination, the overcoming of which is a matter of political struggle and not epistemic virtue.

Simon May's response to this kind of analysis explores the nature and limits of my conception of republican epistemology, setting out three different theses that I develop concerning epistemic injustice and domination, which he calls the Explanatory Thesis, the Constitutive Thesis, and the Contributory Thesis. I accept these characterizations of my arguments.

The first criticism concerns the Explanatory Thesis in general and my criticisms of the explanatory deficits of identity prejudice as Fricker understands it. I argue that by itself identity prejudice, whatever its standing, cannot explain the systematic character of this form of injustice, a claim that I think is implied in my analysis of Tom Robinson's death in *To Kill a Mockingbird*. May suggests that identity prejudice is simply "a substantive criterion of testimonial injustice rather than an explanation of its existence." These criteria are simply too narrow to capture the variety of forms of prejudice and domination. Fricker struggles with the issue of who is making such claims for whom. On my view, her conception is too narrow to perform the functions it is supposed to underwrite. At times Fricker claims that it is the *hearer* that judges whether or not injustice is at stake. These problems of attribution make it difficult to make any principled distinction between testimonial injustice and morally unobjectionable credibility deficits. Given the need for such discussions, I do not think that identity prejudice by itself decides whether or not something is or is not a case of epistemic injustice. Here we might think of Fricker's confident, but I think implausible claim, that Greenleaf's deeply prejudiced perception of Marge is ultimately non-culpable (unlike, say, the attributions of the jury in Tom Robinson's trial), even as he repeatedly attempts to silence Marge and discount her accurate testimony.

Second, May also suggests that atheists could be victims of epistemic injustice without anything like racial or religious hierarchy that functions as a "system of domination." But given the real and ongoing basis of religious domination around the world (and its role in ongoing conflicts), it seems unlikely that any such epistemic injustice would not be isolated to a single dimension of public life, as May claims in his counterexample. Here the thought experiment mysteriously asserts a lack of conflict over basic and persistent

injustice. This may be stipulatively true for some possible world, but not in any ones that are nearby to ours. My arguments are methodologically similar to Fricker's, in that they require actual cases. In this respect, certain kinds of hypothetical claims in thought experiments seem to be ruled out of court, when they violate standards of what is actually possible.

Let me turn now to issues May raises related to the "Constitutive Thesis," that epistemic injustice itself constitutes a form of domination. Here May concedes that there is quite a range of possibilities of this sort, such as in the case of discriminatory social norms or simple tyranny. The issue here is whether all cases of systematic epistemic injustice entail the normative exercise of power over others, and this seems to be true in all the cases that Fricker discusses in her book (such as issues related to sexual harassment, something that seems to me to entail a form of domination). Unless the analysis of epistemic injustice becomes explicitly republican, its account of power ultimately becomes the basis of a theory that excuses, as Fricker does, many manifest uses of arbitrary power as nonculpable. Our society, for example, permits the arbitrary exercise of power by police and employers of undocumented immigrants as well as violations of international law returning refugees to their homeland without concern for the consequences. I am unconvinced by the argument that identity prejudices can function in such a way that one group is perceived as more credible without involving the arbitrary exercise of normative powers. Once again we are asked to think of prejudices as harmless accidents. But the empirical fact of greater credibility for men's testimony over women's can and does have real consequences, as Marge and sexually harassed women can attest. Here the counterexample offered to the domination thesis depends on a thought experiment that is not a close possible world.

Finally, I turn to the Contributory Thesis. This section brings my arguments closer to Fricker's, to the extent that her examples often employ a weak version of the Contributory Thesis. Here May rightly suggests that the Contributory Thesis needs to be more concerned with the epistemic sources of domination and of the virtues necessary to overcome them. While I do think that his characterization of the problem does not fully capture the republican alternative (primarily because Richardson and I have an alternative conception of arbitrary rule) I agree that more work needs to be done on the possibilities of transformation. It is true that republican epistemology need not be entirely opposed to a role for civic virtues, even if they are not sufficient for minimizing the effects of arbitrary political power. Reforming institutions of arbitrary power requires developing a stronger epistemic culture. May is certainly right that republicanism continues to argue for an emphasis of political culture and civic virtues. May rightly suggests that the Contributory Thesis should revive republican arguments in favor of the virtues, particularly progressive social and epistemic virtues, the role of which is to promote the republican ideal of nondomination, as the remedy for political domination. This understanding of nondomination has been a project of mine for some time, especially in my work on deliberative democracy; recovering a role for epistemic virtues is certainly important for deliberative democracy as a means to promoting progressive social change. But this rapprochement with virtue theory faces certain challenges. If virtue theory is limited to individual cases of epistemic transactions, then it would seem

methodologically inadequate for a republican epistemology. Instead the progressive task is not to develop individual remedies, but rather to overcome injustice through structural and institutional means as well as the necessary statuses and powers for individuals to prevent the grave ills and injustices of ongoing domination, including epistemic domination.

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## **References**

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