

Difference, Beauvoir, and Irigaray: A Reply to Pohlhaus
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I must say at the outset of this response that I found Gaile Pohlhaus Jr.'s analysis (2013) of the meanings and harms of epistemic justice compelling, original, and insightful. Pohlhaus has creatively brought into conversation multiple philosophical resources, and in doing so has implemented my notion of derivatization in ways that I had not foreseen, but with which I am deeply impressed. Indeed, for full disclosure's sake I must note that I am not an epistemologist, and the following response must be read in that light. I am swimming in unfamiliar waters! In the following discussion, I will articulate a few concerns I have with Pohlhaus' analysis, and then conclude by introducing a new potential application for her insights.

Beauvoir and the Subject/Other Distinction

In her analysis, Pohlhaus aligns my analysis with that of Simone de Beauvoir in order to argue against a subject/object framing of testimonial injustice. Such a framing, she says, misses some crucial elements of that injustice, and ought to be rejected in favor of a subject/other framing. The subject/other distinction, Pohlhaus notes, allows us to see how the target of epistemic injustice is conceptualized not as a thing, but rather as a limited (in Pohlhaus's term, "truncated" [2013, 7]) subject whose recognized subjectivity is limited to those elements that align with the harmer's own subjectivity (including their preferences, subjective investments, racial and gender identity, etc.). And overall, I think Pohlhaus is precisely correct in moving away from a framework of objectification.

Yet I am not quite convinced that the subject/other distinction does the work that Pohlhaus wants and needs it to do. Or, to be more precise, such a distinction, while honoring the Beauvoirian roots of my analysis, seems to move too quickly away from my more explicit and developed reliance on Luce Irigaray's work. As Pohlhaus notes, I ground my development of the idea of derivatization in Irigaray's concept of sexual difference, and discuss Beauvoir only briefly as an example of a theorist who seems to associate materiality with immanence and, to a certain extent, degradation. Now I do believe that Pohlhaus is correct to question my limited use of Beauvoir in this way; feminist theorists have argued passionately and productively about whether Beauvoir does or does not fall prey to somatophobia (see Stavro 1999) and I may well have been hasty in associating Beauvoir with a philosophical tendency to associate object-hood with lack of subject-hood. But I am not as certain as Pohlhaus is that Beauvoir's theory can do the work for which I turn to Irigaray's thinking.

Indeed, it is the very term "subject/other" that gives me this pause. For Beauvoir, as I understand her, the framing of the feminine as the other is a conceptual act of injustice, one that has relegated woman to a social position of inferiority. The remedy for such injustice would be to recognize the full subjectivity of woman, to redeem her from mere other-ness, to establish subjective equality between (and today, let's say among) the sexes. Otherness, from a Beauvoirian perspective, stands in for less-than-ness.

Irigaray and the Other

But for Irigaray, other-ness has not in fact been the problem. Instead, it's the solution to systematic inequality between/among the sexes. Rather than moving toward a recognition of in-relevant-ways-similar subjects, Irigaray forwards a notion of subjectivity that is always already marked by otherness. From this perspective, there is no neutral subject against which the other is defined. Instead, all subjects must be understood as other-to-another, as distinct, differentiated, and nonreducible. Replacing the subject/object frame with the subject/other frame seems to imply that the ethical and just frame would take the form of subject/subject. But for Irigaray, I would argue, the just frame would take the form of other/other (and even that formulation looks dangerously symmetrical!).

Now it's possible to address this concern by noting that the other in the subject/other frame is not, from an Irigarayan perspective, an *actual* other, but a *seeming* other. That is, the nondominant, derivatized knower may be constructed as allegedly different from the dominant knower in a way that allows her/his perspective and knowledge to be dismissed, in many cases not even perceived, and, as Pohlhaus emphasizes, rendered incapable of significantly affecting the epistemological field and focus. But this difference is not one: in fact, the nondominant, derivatized knower is constructed not as actually distinct from the dominant knower, but as encompassed within the dominant knower's subjectivity. This is why the nondominant knower has nothing to offer the dominant knower, who can, precisely because of her/his privilege, conceptualize her/his self as capable of understanding all of that which is knowable.

The racially privileged self believes that the knowledge of the racially disadvantaged knower is accessible and transparent, a belief that hinders the recognition of the fact that knowledge is raced. That is, the apparent difference between the nondominant knower and the dominant knower (constructed as always and only the difference *of* the nondominant knower, as the dominant knower understands her/himself as undifferentiated) is illusory. In terms of white privilege, Shannon Sullivan has termed this tendency "ontological expansiveness": "As ontologically expansive, white people tend to act and think as if all spaces – whether geographical, psychical, linguistic, economic, spiritual, bodily, or otherwise – are or should be available for them to move in and out of as they wish" (2006, 10). I, and I believe Pohlhaus as well, would add "epistemological" to Sullivan's list.

Irigaray recommends replacing this illusory difference not with sameness, but with a robust difference that renders both the nondominant subject and the dominant subject as other. And indeed, I believe that in many ways this is where Pohlhaus' analysis is leading, especially considering her emphasis on the difference between the knowledge of the dominant knower and that of the nondominant knower: "This further reveals that testimonial injustice does not just prevent information from being circulated, but rather it prevents a particular kind of information from being circulated: that which moves epistemic attention beyond the immediate experiences, desires, and interests of dominant knowers and toward those of nondominant knowers" (2013, 11). It seems to me that Irigaray, rather than Beauvoir, provides a clearer foundation for the positive valuation of that difference in knowledge as a basis for ethical epistemological interactions.

On Epistemic Agents

A different (I think!) point: I am also somewhat concerned about the following claim by Pohlhaus:

Given the need for epistemic coordination and diverging social interests, treating another as one whose subject capacities exist solely in support of and never in tension with my own describes precisely the way in which an epistemic agent (or a set of epistemic agents) with social power might come to regard and treat other epistemic agents with less social power. This treatment is precisely the kind of treatment that perceives the epistemic agent as somewhere between an epistemic subject and object (2013, 9).

My concern here has to do with the lingering use of “object” as a point on a continuum, with its polar opposite being “subject.” There are several reasons why I find this problematic.

In general, I fear that such a positioning of terms almost necessarily drains subjectivity of its materiality, thus obscuring the crucial ways in which embodiment is central to subjectivity. Just as problematically, the seemingly necessary hierarchization of the polar terms (to be a subject is better than to be an object; to be in between the two is not as good as being clearly and incontrovertibly a subject) reinscribes the Western mind/body dualism that feminist theory has in large part sought, and correctly so, to dismantle. This is merely a moment in Pohlhaus’ paper, and in fact is immediately followed by a series of claims with which I wholeheartedly agree:

Consequently, her epistemic labor contributes to the community via which epistemic interests are pursued, but she is not permitted to contribute in ways that would redirect epistemic practices toward those parts of her experienced world that extend beyond or trouble the veracity of the dominantly experienced world. Any contribution that might do so is summarily denied epistemic support and uptake by dominant members of the community (and perhaps even other marginalized members). Being treated as though one’s subjectivity is merely derivative of another’s, capable of performing epistemic labor but not of negotiating the direction of that labor, seems a more likely candidate for describing the primary epistemic harm encountered in cases of testimonial injustice (2013, 9).

I would simply want to emphasize that this limitation upon the subjectivity of the nondominant member of the community does not align with materiality or embodiment, as the term “object” implies. Indeed, it is the *embodied (inter)subjectivity* of the nondominant knower that is unjustly truncated or stifled; were the nondominant knower to be freed from the unjust derivativization that renders her testimony dismissable, her materiality and/or embodiment would be no more or less relevant to her status. What would be more relevant would be her ontological specificity, which, I would argue, is certainly not opposed to her embodiment. In other words, I would want to argue that such

a non-derivatized subject would be a more robust subject, but not any less of an object, if by “object” we mean “material entity.”

And indeed, Pohlhaus’ analysis of the injustice imposed upon the nondominant knower resoundingly rejects Fricker’s analysis of the nondominant knower as objectified in any meaningful way, and so it is perhaps uncharitable to focus on one invocation of the subject-object continuum. Let me turn briefly, then, to one promising avenue of thought that Pohlhaus’ article has opened up for me, a potential implication of the understanding of the harms involved in testimonial injustice.

Testimony and Epistemic Injustice

Given my longstanding interest in philosophical questions regarding rape, I’m concerned with the testimonies provided to law enforcement and judicial bodies by survivors of sexual violence. Feminists have long noted that the crime of rape is seriously underreported, and college and university campuses have recently been charged with Title IX violations for allegedly discouraging survivors from reporting the crimes (either to university officials or law enforcement; see Hess 2013). RAINN, which describes itself as the “nation’s largest anti-sexual violence organization” (<http://www.rainn.org/>), explicitly encourages survivors to report their assaults:

We hope you will decide to report your attack to the police. While there’s no way to change what happened to you, you can seek justice and help stop it from happening to someone else.

Reporting to the police is the key to preventing sexual assault: every time we lock up a rapist, we’re preventing him or her from committing another attack. It’s the most effective tool that exists to prevent future rapes (<http://www.rainn.org/get-information/legal-information>).

There is much to question in this logic (for example, the notion that a survivor is responsible for “stop[ping] it from happening to someone else,” or that reporting a crime of rape is likely to lead to a rapist being locked up), but for the purposes of this discussion, I want to explore the ethical question of whether one should encourage a survivor to provide testimony that is likely, given our current law enforcement and judicial systems, to be the target of epistemic injustice. I am not questioning here whether increasing the rate of reporting of sexual violence may be one way of undermining rape culture; the question here is whether the aggregate advantages that may accrue from such an increase provide sufficient reason to encourage an individual survivor to report an assault. Of course, every survivor has a right to report an assault, and should receive support from friends, family, and advocates in doing so. But ought survivors be actively encouraged to report, over their own reluctance or hesitation?

If we are concerned with the derivatizing effects of epistemic injustice that are likely to occur when a survivor reports an assault, then, as feminists, it seems that we should remain neutral on the question of individual reports, opting instead to help a survivor discern which resources would be most helpful in her own post-assault process, and then

acting to ensure that she has access to those resources. Assuming that one set of resources (in this case, the resources offered by the judicial system) would be useful seems to once again deny the particularity of survivors' subjectivities and experiences. This is a question that requires more thought, and I hope to be able to pursue it in my future work. For now, let me just say that in uncovering the work that the concept of objectification has been doing in discussions regarding testimonial injustice, Pohlhaus has made an important contribution to the philosophical conversation concerning epistemic harms. Perhaps selfishly, I have appreciated the opportunity to explore how my concept of derivatization may illuminate epistemological problems. For these and other reasons, I thank Pohlhaus for an invigorating and captivating article.

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