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Epistemic Injustice and the Bias Behind Belief: Feminist Reflections on Testimonial Harm,
Conceptual Engineering, Misogyny and Reproductive Rights.

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Abstract

The thesis conducts an in-depth examination of various aspects of epistemic injustice, focusing on how social structures, gender norms, and institutional power dynamics influence the production, distribution, and reception of knowledge. The discussion begins with a look at epistemic injustice, referencing the foundational work of Miranda Fricker to illustrate its impact on our lived realities. It specifically addresses certain domains of human knowledge and highlights the damaging manifestations of epistemic injustice. After establishing this basis, the thesis explores numerous facets of existence affected by epistemic injustice, including testimony, gender roles, gender conceptualisation, and the moral aspects of abortion, alongside the misogynistic ideals associated with specific social classes. A critical analysis of epistemic injustice reveals the current situation and uncovers structural domination by those in power, highlighting how individuals' social positions perpetuate this dominance. The primary objective is to advocate for a liberation-oriented epistemology that aims to incorporate marginalised voices, challenge conventional definitions of knowledge, underscore diverse experiences, and transform epistemic practices to achieve equity. It weaves together theoretical insights from various fields to argue for reorienting epistemology to combat oppression and cultivate more inclusive and equitable knowledge systems.

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Author's Declaration

I hereby declare that the work presented in this thesis, titled "Epistemic Injustice and the Bias Behind Belief: Feminist Reflections on Testimonial Harm, Conceptual Engineering, Misogyny, and Reproductive Rights," is the result of my original research. All references and sources have been appropriately cited, and this thesis has not been submitted for any degree or diploma at any other university, institution, or academic award. Additionally, all sources of information used have been duly acknowledged.

This thesis complies with the regulations of the College of Arts at the University of Glasgow. It comprises around 70,000 words, including the main text, references, and appendices, and does not exceed the maximum of 100,000 words.

Introduction

“Feminism is the struggle to end sexist oppression. Its aim is not to benefit solely any specific group of women, any particular race or class of women. It does not privilege women over men. It has the power to transform in a meaningful way all our lives. Most importantly, feminism is neither a lifestyle nor a ready-made identity or role one can step into.”

— bell hooks, *Feminist Theory: From Margin to Center* (1984)

1. *Preamble, or Maliha in her own words*

Maliha, a 26-year-old woman who came to the United States from Pakistan, had nothing but scattered thoughts and a dream of becoming what her mother had never achieved. Not because her mother was not intelligent or smart enough to understand the workings of the world, but because she didn't get to be someone other than what she was told she had to be. Her mother, Nabeeha, at the time, got married at the age of 19 and had three children: two sons and Maliha. Nabeeha cared for her family, which included her husband and three children. Maliha was an ordinary woman with no special abilities, but she excelled in communicating well in English and possessed a flair for writing. As a kid, she wrote short stories and poems for which she got appreciation from her teachers, but it wasn't considered an extraordinary thing to possess at home. Growing up, she wondered what she could become apart from being in the background, silent, invisible or worse--someone's wife. She didn't have any exceptional examples of women in her surroundings who had gone beyond their city to make a name for themselves or done something on their own. They were taught to be “good women” who couldn't explore their passions, be creative, be liked for presenting logical arguments, or even have a voice. They were expected to learn household chores and apply these skills to their husbands' homes once they came of age. The lives these women around her led made her sick to her stomach. She felt like she was in a cage, and there was no way out but to succumb and move from one cage to another, getting stuck there for life.

Maliha stood every day on the balcony of her ordinary home. It was a sand-coloured house with big windows, but it was roughly constructed and mostly looked like it was made from clay, but bigger. She walked in restlessness every night when her entire family was fast asleep. She used to think that she was meant for something bigger and was not destined for the life she was living at the time. That thought never left her mind, and she kept going about leading her life as she was supposed to until she was in her early twenties. Getting a journalism degree gave her a platform to express the differences she faced at her home, which she could observe from her

standpoint, and no one else who didn't lead that life would have understood the difference between a man and a woman, which she was reminded of in her everyday life especially in comparison to her brothers. According to Feminist Standpoint Theory, the marginalised—especially women—possess a unique epistemic privilege. Maliha's experiences, rooted in her social location as a woman in a patriarchal society, gave her a critical insight into the structures of power that most men around her were too comfortably embedded in to notice.

Her two brothers, one elder and the other younger, had all the freedom she could only dream of. They could walk along the streets at any time of the day or night unbothered; they could be working at a farm or playing with their friends; no one cared because they were the men of the family. Maliha was not granted the privilege of being the first woman in her family to work—she had to prove every day why she deserved to work, rather than stay at home and help her mother run errands. Her work was her freedom from what her mother did and, in fact, what all women did around her. The general notion was that this care and being selfless came to these women naturally. The organic responsibility of the household, raising their kids and even their husbands, who acted like they were the ultimate authority in the house, was the job of these women, and they did it all day, every day, without any complaints or utterances. Despite doing everything, the final word belonged to the men in the house, and no one dared to challenge the ultimate authority.

Maliha observed everything and yet couldn't make anyone understand what she was going through. Her standpoint was something only she could understand, having lived this life, and no one else. Working as a writer helped her cope with all the external stressors of personal life, but her professional life wasn't untouched by the power structures she also found at home. She was made to feel less, not given any creative freedom, but she still chose to work anyway to get away from home and have an independent life, until she started to face a significant amount of harassment at work. She didn't have anyone to confide in, and there were no hermeneutical tools to explain her plight. She could feel the wrongs committed against her, especially the subtle and insidious harassment at work, but lacked the hermeneutical resources, as Miranda Fricker would describe, to fully articulate or make sense of what she was enduring. She suffered a hermeneutical injustice — a form of epistemic injustice where an individual cannot make their experiences intelligible due to a collective lack of interpretive tools. She kept working despite it because that was her only way to become independent and become her own person without any obligations.

Eventually, after years of being held hostage in her unsuitable environment, Maliha had saved enough money to pay for her ticket abroad when she was given the opportunity to work as an editor in a news agency in Boston. Her company looked after all her expenses, and she couldn't wait to jump on this opportunity. She detached herself from her family and was told to never return. The only thing that made her sad was leaving her mother behind, but she said to herself that she would come back and get her once she had saved enough money to support her. With a bigger ambition, she moved ahead with faith and went to the United States. Leaving her home was a relief, but a bigger relief was getting out of that toxic environment of her office, where she faced harassment from her male colleagues and, now and then, from her then-boss.

For a moment, it felt like liberation, and now she was free from any dynamics that could hold her back. She could walk alone at night without having to ask anyone but better not to have that fear of being raped or killed in the middle of the night. She could meet new people, make new friends, and not think twice about wearing a dress that had been frowned upon by her family earlier. Back home she was taught the definition of a woman—her mother told her “A woman's responsibility is to take care of her family, learn to cook, clean, and someone who never raise their voice and always keeps her head down and is ready to serve others. She added, “a woman is someone who bears children and is incomplete without a man.” This sort of definition didn't sit right with Maliha. She often questioned, Who is a woman? What is a woman? Who could be

called a woman? Why does the definition seem so derogatory? She often wondered if her mother's definitions were correct, and if so, why they appeared engineered? That was the first time when she realised she was trying to work out a concept that had been negatively connotated for centuries. This was shaped by those who could control it, and not by those who lived as women. This represented conceptual injustice, and the only way to address it was to redefine the outdated and incorrect concept of a woman. However, she didn't understand how this would happen, as it would require a more sophisticated group of academicians to argue for and reengineer the concept of women.

These questions kept lingering in her mind, and she thought perhaps she would find a way to unravel them; maybe the big city would provide answers to these questions. Once she started going to her office, it seemed like a space full of ambition and freedom. Everyone was working and having fun at the same time, which was a concept unfamiliar to Maliha. She used to come to her office daily, introducing herself to her colleagues. In no time, she realised that there was another war she had to fight, where she wasn't explicitly insulted or made to feel inferior. Still, she had to over-explain herself, her background, her personality, and even her habits. She was in a room full of people who were polite but not friendly, who welcomed her when she arrived in the office but never acknowledged her presence. No one took her opinion into account at work, reached out to help her, and when she gathered the courage to ask for help, they made her feel like she was either irrelevant or sometimes too much. She was called out for being overly emotional about her mother, or even confused, because she was taking time to settle into the office. This was a perfect case of epistemic injustice and credibility deficit, where a speaker's testimony is systematically undervalued due to identity prejudice. Her exclusion was quieter, more civil in the office, and harder to confront. She noticed how other white people easily collaborated while she was sidelined by others; no matter how hard she tried to become a part of this community, she never succeeded. Her office was one that screamed inclusion, but only in theory.

She faced exclusion but was determined to work hard regardless of all the odds against her. She had to eat alone, work alone and chose silence over conversations that felt empty or insensitive. She would often return to her flat after work, her only place where she could be alone with her thoughts and find some solace. Every day she returned home--tired but had enough energy to talk to her flatmate Ryan. Ryan was her new confidant in an unknown place. Ryan was 27 and was born and raised in Oregon but now lived in Boston. He was working with a big architecture company and was working towards creating sustainable architectures designed to create buildings that were energy-efficient and resource-conscious. Although they came from different worlds and had other professions, they still shared a comfortable understanding. But things changed in one instant when one night Ryan returned home intoxicated and raped her.

When Maliha reported the assault, the legal team realised that there was a gap between how much credibility they were both being given. Ryan was a white man and professionally was doing very well for himself and was afforded credibility excess as his words carried more weight and were seen as more reliable than Maliha's who had to face discrimination based on her social identity – she was taken to be as an untrustworthy woman who make up stories for her own benefit. In this case, Ryan's excess of credibility proved to be an epistemic harm for Maliha, as her motives were constantly questioned, and during interrogations, she was confused by the authorities. Questions like – are you sure it was him?' Was it a dream? Could it be a cultural misunderstanding that led to such questions being posed to her, causing confusion, pressure, and stress that she couldn't handle? She eventually recanted her statement and left her flat, moving to another place. Ryan, on the other hand, was free from the allegations and was leading his life as usual with no consequences whatsoever. These kinds of injustices, which are given due to an excess of credibility in the United States, have been taken up by Jennifer Lackey, who tried to prove that credibility excesses are not only a disadvantage, as told by Miranda Fricker, but they are an injustice, especially in legal contexts.

Maliha endeavoured daily to overcome the trauma she endured and to confront the injustices she faced as a victim, despite her lack of responsibility for the incident. These thoughts permeated her mind, and upon realising that she had not menstruated that month, she conducted a pregnancy test, which subsequently revealed that she was pregnant because of the assault. The legal restrictions on abortion in the United States exacerbated her sense of powerlessness. Maliha was compelled to carry the unwanted pregnancy, as she did not possess the option to terminate it due to the prevailing abortion laws. Her bodily autonomy in this situation was entirely compromised. Maliha's case exemplifies that epistemic injustice represents a form of asymmetrical structural power.

Since Maliha was alone and had no strong support, she started her online blog and shared her stories. Each story was about different phases of her life, from being born and raised in Pakistan to moving to the United States to make a name for herself. It resonated with so many women, regardless of their race, class, or creed. It was a way to counter the epistemic injustice by producing new knowledge from her standpoint. Through her blogs, she was able to process what had happened and what had gone wrong. It was almost therapeutic for her, and given that a lot of women supported her, it validated her feelings, and the trauma gained a medium through which it was released. She almost reclaimed her voice and tried to make sense of the system that failed her in nearly every way possible. She and these other supporters tried to meet occasionally for discussions through their newly formed reading group. They discussed works of feminist theorists from Haslanger to Dotson. These works not only provided them with terminologies to reduce the hermeneutical gaps in their knowledge but also helped them understand the flawed concepts that were imposed upon them by those in positions of power.

Maliha was far from the noise of her past now. She was a writer, a presenter and a serious advocate of feminist theories. Even though she was more enlightened than ever before, she still had to face the reality alone, which seemed cruel to her earlier, but even amidst the wrath of society, it made much more sense now. She looked at her issues and those around her through a different lens. She still had long working hours and had to raise her son alone. She kept going, as she now had a new responsibility to raise another human being, which was both mentally and financially challenging. She still faced some exclusions at work, but she didn't bother too much—there were days when she couldn't help but notice, and others when she just let these things go, as she had bigger responsibilities now. The injustices she faced did not disappear, but she learnt to live with them. She was living a life that should have been an escape from the cage of servitude, but she found herself trapped in an even deeper cage of disbelief, exclusion, and forced endurance of motherhood.

From the narrative, I wish to assert that my thesis represents a synthesis of the myriad challenges faced by women like Maliha, ranging from issues of credibility to marginalisation, denial of bodily autonomy, and ultimately being unable to perceive the world through her own lens. The focus of my thesis is on the manifestation of epistemic injustice within the lived experiences of women, such as Maliha. This exploration draws upon the concepts articulated by Miranda Fricker regarding epistemic injustice, as well as the feminist analysis of women's struggles against misogyny as delineated by Kate Manne, and the importance of bodily autonomy. To articulate it succinctly: due to entrenched power structures and gendered roles, which are deeply embedded in the frameworks of creed, race, class and cultural identity, knowledge production is influenced in such a manner that it becomes a foregone conclusion as to who will be acknowledged and who will be disregarded.

Despite women achieving so much today, they still face injustices due to systemic inequalities rooted in their societal positioning. Even in Western countries, often self-portrayed as more inclusive, women must still struggle and prove themselves irrespective of their merit. The thesis presents a collection of works that aim to represent the multifaceted nature of epistemic thought

as it intertwines with feminist theory. The hope is to guide people through this journey via a collection of papers based on credibility, knowledge, and power structures, which are unevenly distributed and affect women and marginalized groups. By scrutinizing these issues through a philosophical lens, this thesis aspires to provide a nuanced exploration of how these injustices manifest not only subtly but also explicitly in dangerous ways. Ultimately, it serves as a map to help people reflect critically on the structures that shape our knowledge and identity, and on how we can foster a more inclusive epistemic environment for everyone.

.2. Summary of the Chapters

This thesis explores the notion of epistemic injustice as introduced by Miranda Fricker. It examines how specific individuals, especially women and people from marginalised backgrounds, are often not recognised for their knowledge capacity. Factors such as race, class, creed, caste, and gender contribute to varying levels of credibility, with some individuals being deemed more credible than others. This discrepancy is rooted in our power structures, which favour specific individuals over others, resulting in the marginalisation of those deemed less credible. Consequently, these marginalised individuals frequently face injustices that affect them as knowers, their credibility, or even their ability to be seen as rational agents. Over eight interconnected chapters, this thesis investigates different themes of epistemic injustices, including credibility excess and deficits, misogyny, reproductive rights, conceptual engineering, and cross-cultural examination of testimonial knowledge.

The early chapters discuss Fricker's notion of testimonial injustices, beginning with an exploration of epistemic injustice and how individuals are affected by it. This is followed by a detailed exposition of credibility deficits—why they occur only for certain individuals, the parameters involved, and how they are harmed by them. I also elaborate on the gaps in knowledge caused by a lack of hermeneutical tools for those who go through varied life experiences without being able to articulate the trauma they faced. After scrutinizing these concepts, I proceed to discuss credibility excesses, which Fricker views as a disadvantage but not as an injustice like credibility deficits. To demonstrate that excesses can also represent injustices, I examine Jennifer Lackey's work on criminal testimonial injustice, where she builds upon Fricker's ideas and provides various instances to show that excesses, particularly in specific legal contexts, especially within the U.S. criminal legal system, are not merely disadvantages but can indeed be classified as injustices. I aim to find a balance, illustrating that while credibility deficits can lead to injustices, excesses can also contribute to the emergence of unfair power dynamics. It's important to consider how credibility should be equitably distributed among individuals, as it significantly influences our ability to make informed decisions in life.

The next chapter offers a fresh perspective, focusing on a cross-cultural examination of testimony in Indian Philosophy. It analyses how testimonial knowledge is viewed in the Indian Philosophical tradition. The essential part is that Testimony is considered an important source of knowledge, but most Indian philosophical schools are on the crossroads when it comes to accepting testimony as an independent source; the reason being that testimony is seen as being dependent on other sources of knowledge, as they believe it cannot work independently. It analyses how specific Indian systems, like Nyāya, Mīmāṃsā, and Cārvāka, regard testimony (śabda) as an independent source of knowledge, and our main focus would be on the Nyāya school. In contrast, many Indian and Western epistemologists view testimony primarily as a secondary source, akin to perception and inference, postulation, comparison and non-apprehension. This chapter highlights the rich diversity within Indian Epistemology while also exploring the idea of testimony as a primary source of knowledge. I am going to attempt to justify if testimonial knowledge can exist on its own or absolutely without being under any influence of other sources of knowledge.

Building on these insights, my work examines reproductive rights through the lens of abortion. I aim to understand abortion in the context of epistemic injustice. I advocate for pro-abortion rights, viewing it as a personal choice while emphasising its impact on a woman's epistemic agency. I argue for abortion rights. Status of the foetus, experiences during pregnancy, defeasible duties of mothers towards their child, the process that one undergoes while deciding whether to abort or keep the child and social norms. In our society, women's voices are often suppressed, and when they seek support, it tends to be inadequate. They face barriers to accessing safe abortions and are dictated how their bodies should function. This chapter emphasises that when women lose the freedom of choice, they also lose recognition as rational agents. Reproductive rights should be understood within the framework of epistemic injustice, ensuring women's rightful place in society.

The upcoming chapter explores conceptual engineering, I try to explore the inconsistencies in concepts by doing so we can replace these concepts or reengineer them for better ones and those deemed necessary. This happens particularly in relation to the term " woman ". It examines how the language surrounding this term, especially when negative connotations surround it, can influence the perceptions of individuals who identify as women. It also investigates how language can marginalise women, reinforcing patriarchal norms. By focusing on the insights of philosophers who critique these patriarchal standards, this thesis aims to develop a revisionist interpretation of the term " woman "- one that is inclusive, affective, and sensitive to all individuals who identify as women. I also focus on sex-typed behaviours adopted by children from a young age and how the influence of their peers, school, parenting, immediate environment in their early years affects how they view gender. I will try to present possible solutions to form new ways of learning about gender roles and even redefine them.

The final chapters explore the ethics of gender, focusing on misogyny as introduced by Kate Manne. Here I try to understand how misogyny is harmful to us and the need to recognise misogynistic behaviour. This thesis builds on her crucial work to delve into concepts such as 'himpathy,' which describes the undue sympathy often shown to powerful men at the cost of women; 'herasure,' the dismissal of women's suffering, contributions, and viewpoints; and 'narcissist entitlement,' the notion that women exist to meet the needs, desires, and expectations of men. These ideas distort reality and portray a dysfunctional society that primarily benefits those in power. Misogyny functions as an epistemic system that punishes women simply for being women, denying them equal opportunities and preventing them from progressing in life without facing some form of control.

In this section, I explore standpoint theory and its significance within feminist epistemology. I begin by examining the ways in which social structures shape our lives and the knowledge we gather. Additionally, I discuss the idea of epistemic advantage, which asserts that a person's experiences in a particular context provide them with a better comprehension of that context compared to someone unfamiliar with it. For instance, a brown woman may encounter certain realities that a white woman cannot fully grasp, having not faced those situations firsthand. This reflects how an individual's social position influences their understanding of the world. Standpoint theory argues that marginalised individuals hold an epistemic advantage because they can view their circumstances from their perspective, as well as from that of the dominant group. However, I will demonstrate that this concept is not entirely persuasive by referencing Uma Narayan's critique in her article, "The project of feminist epistemology: Perspectives from a non-western feminist. " Furthermore, I will examine how standpoint theory intersects with various life aspects, such as testimonial injustice, the abortion debate, and experiences of misogyny, to illustrate both its limitations and strengths. Finally, I will stress the importance of culture, religion, and identity in shaping individual viewpoints.

This thesis brings together a variety of perspectives to offer a comprehensive and interdisciplinary exploration of epistemic injustice. Each chapter highlights a specific theme,

weaving them into a broader narrative that demonstrates how knowledge and recognising individuals as knowers are deeply intertwined with social power. It also emphasises how race, class, gender, or caste influences the everyday lives of individuals, affecting their understanding of the world. This work deepens the analysis of the mechanisms perpetuating epistemic harm. It seeks to create frameworks that help deliver justice to those who have long been ignored in our knowledge systems.

Chapter One

Testimonial harms caused by excess credibility

Abstract

Enough work has already been done on the study of testimony. Sometimes the words we utter are dismissed by others and are not understood correctly due to the specific nuances in language. Often, we find ourselves in situations where we are not taken seriously, or our thoughts are not welcomed as we would expect. The reasons are varied, such as being perceived as incompetent to contribute to a conversation. Today, most of us know the importance of communicating our thoughts correctly and precisely. With the younger generation and the “woke culture,” it seems that most people get puzzled by the caution with which they shall proceed while conversing with someone more aware of these nuances. Misusing a word here and there can alter the meaning of what we intend to say. This can determine where the conversation will end and how the person you are having a conversation with will develop a perception about you. The issue, then, is how we would decide the amount of credibility that needs to be given to anyone who wouldn’t lead to neglect from our side. This kind of credibility deficit, of not trusting the speaker enough, can lead to personal and professional harm in one’s life, and hence, it is a pertinent question to investigate.

Keywords Epistemic injustice, Testimonial injustice, Hermeneutical Injustice, Credibility deficit and Credibility Excess.

Introduction

In this paper, I will explore the much-talked-about concept of credibility deficit presented by Miranda Fricker in her book ‘Epistemic Injustice: Power and the Ethics of Knowing.’ In section #1, we will investigate what epistemic injustice is and the two main kinds of injustices. Section #2 will discuss identity prejudice, systematic testimonial injustice, and the harm they caused to the knower who suffers from these injustices. In section #3, I will shift to another kind of injustice, which is hermeneutical injustice, as it is the second form of epistemic injustice; also, how suffering from hermeneutical injustice can lead to confusion and persistent trauma in an individual. Next, there will be a discussion of Fricker’s credibility deficit in Section #5, and I will give specific examples to elaborate on the topic. I will also explore the harms of credibility

excess that Fricker does not discuss at length and how it is equally harmful as credibility deficit to a person. I will try to provide some solutions of my own. Finally, I will conclude.

1.1 What is epistemic injustice?

Before exploring this question, let us think about what injustice is. If we look it up in an ordinary way in a dictionary, then the literal meaning of the term is wrongdoing. The next question, then, is how someone can be wronged epistemically? Miranda Fricker, in her book 'Epistemic Injustice: Power and Ethics of Knowing', says that "when a person is harmed in their capacity as a knower, then they suffer from epistemic injustice." (Fricker, p.1, 2007). For example, if you share a story about your trekking expedition with a friend, detailing your destinations, companions, and the adventures you experienced, he may still doubt your trekking knowledge. His assumption that you are an amateur trekker arises from gender biases, as he believes that women lack trekking expertise. Holding onto these outdated views of women as inexperienced trekkers, he ultimately chooses not to invite you or seek your assistance for his next trekking trip due to these biased perceptions.

According to Fricker, there are two kinds of epistemic injustices: testimonial and hermeneutical injustice. What are these, and why must we care about them in this paper? Firstly, "Testimonial Injustice occurs when prejudice causes a hearer to give a deflated level of credibility to a speaker's word" (Fricker, p.1, 2007). In simple terms, imagine you're a brown person in the UK spending time with a white friend. Suddenly, a white individual approaches and inquires about a popular lunch spot. Despite living in the UK for several years, your friend provides the wrong directions, not wanting to appear foolish. You step in to correct him and give the stranger the proper route to the café. Nevertheless, the stranger dismisses your guidance and follows your friend's incorrect advice. Later, he realises you were right. This clearly illustrates a case of testimonial injustice, where your credibility was undermined due to your race. The stranger, operating under preconceived notions, assumed that, as a brown person, you must have limited or no knowledge about the city.

The second type of epistemic injustice is hermeneutical injustice, defined as 'an injustice that occurs at a prior stage when a gap in collective interpretive resources puts someone at an unfair disadvantage when it comes to making sense of their social experiences.' (Fricker, p.1, 2007). This sounds a bit more complicated, but it is essential because if we are unable to make sense of what is happening to us, then we can't communicate what has been done to us; this also means that we wouldn't be able to fight for any injustices. Let's take the example of Clara, who was travelling on a bus with a bunch of friends on a college trip, and during the trip, she sat with her classmate Marco, whom she had known to be a good person. As soon as she was half asleep, he tried to touch her inappropriately, and eventually, he kissed her and groped her. She bent forward to look around and wanted to scream, but she couldn't because she didn't want to create a scene. At that moment, she felt a strange sense of helplessness and was breathless. She had her first panic attack. She couldn't move away from Marco and stayed in her place, still and feeling helpless. Eventually, she found the courage to move and go and sit somewhere else. The following day, Clara was confused and disturbed, unsure whom to confide in and what had happened to her, largely because she blamed herself for the incident. She kept the incident to herself, convincing herself it was not a big deal. Eventually, she started living her life as usual until one day; she started to have panic attacks in her office because of her repressed unresolved feelings about the incident.

Clara couldn't go to work as she used to, as she had these attacks more often, leading her to lose confidence and eventually quit her job. She had no idea what a panic attack was, and she thought she would die as she felt breathless and lost her appetite. She suffered from insomnia,

and she used to have palpitations in her heart. No one in her surroundings ever mentioned anything about mental health. She was never taught in her school or university about the concepts of mental health, such as depression, anxiety, PTSD etc. This led her to think that she might die and that she was suffering from a physical ailment. One day, she finally confided in her friend Jamie about everything. Jamie, who was also a psychology student abroad, told her that she was suffering from anxiety caused by the incident and that she should seek professional help. In this case, Clara suffered from hermeneutical injustice as the concept of mental health especially anxiety in this case was not there in her culture, making her feel vulnerable and confused all the time. She didn't know how to seek help and what was going on with her in the first place and couldn't ask for help. The worst thing about such instances is that the victims blame themselves and have a sense of guilt, making them have a sense of shame and that reporting the incident would put a bad light on their character.

The previous examples illustrate how testimonial and hermeneutical injustices negatively impact individuals both mentally and physiologically. They lead to feelings of hopelessness and exclusion among knowers within society. In the case of testimonial injustice, a brown person should be viewed as seriously and as competent as a white person. There should be no need for them to fight for credibility unless valid reasons exist- reasons unrelated to race, class, gender, or social reputation, and only with genuine evidence of distrust. The second instance involves hermeneutical injustice, where Clara experienced confusion and similar feelings of hopelessness and isolation due to a lack of mental health concepts within her culture. This lack ultimately resulted in the loss of her job and confidence, leaving her with what can only be described as trauma. Both forms of injustice continue to exist, making it crucial for us to recognise them to prevent harmful consequences as knowers.

1.2 Injustice based on one's identity

The question is how testimonial injustice occurs. Fricker has placed her focus on the credibility deficit, as discussed in the previous section. When the speaker is not given the credibility she deserves, she is, thus, wronged in her capacity as a knower. (Fricker, p.1, 2007). Before we scrutinize what, we mean by credibility deficit and its harms in detail, I would want to shift our focus towards 'Identity Prejudice.' It is essential for us to discuss identity prejudice because one's identity defines how much credibility one is supposed to get. Most of the time, the hearer often perceives the speaker as less credible than they deserve based on the latter's identity. But, before this, let us also think about systematic testimonial injustice, which means that when one has prejudices based on one's profession, education, sexuality, political or religious beliefs etc. (Fricker, p.27, 2007). Fricker thinks that only identity prejudice is the main type of injustice that relates to one's social identity and can track individuals in a way that systematic testimonial injustice does. (Fricker, p.27, 2007)

Identity prejudice, then is when 'one person's behaviour is controlled by other people or a person in a way that influences their actions, rendering them unable to convey knowledge and thus, it affects the collective social identities at play.' (Fricker, p.28, 2007). This means that because others identify someone to be a part of a certain culture, sexuality, or class, they tend to be belittled by others who do not belong to that class in terms of social hierarchy, this in turn, also affects those who belong to the same group of minorities with similar culture, class, or sexual preferences. An example in Fricker states is from a book named 'To Kill a Mockingbird' where Tom Robinson, a black man, was charged with the rape of Mayella Ewell, a white woman. Robinson, a Black man, faced scepticism regarding his honesty due to the judges' existing prejudices against Black individuals, including the assumption that all Black people are criminals. Confused and nervous during his plea, Robinson ultimately could not achieve any justice for his case. In an attempt to escape from prison one day, he was shot in the back. This exemplifies systemic testimonial injustice. (Fricker, p. 27, 2007)

Both identity prejudice and systematic injustice work together to form a prejudice in the hearer, leading to a credibility deficit attributed to the speaker based on his/her identity; this is what Fricker calls an 'identity-prejudicial credibility deficit.' (Fricker, p.28, 2007)

To explain this point better, we can take another example of a woman who is a lawyer, and she has been making legal contracts for 10 years, but a male client named Adam comes to the office and prefers a male lawyer to handle his case over Amelia. Adam is of the belief that women are unreliable when it comes to drafting contracts for business-related matters, as they have no business sense because they are women. How can Amelia help him when she doesn't know anything about business? Amelia had previously worked with several people and helped them run their businesses before she became a lawyer. Thus, an identity-prejudicial credibility deficit was suffered by Amelia based on her gender, as Adam believed that women are unfit to perform the tasks related to business. Hence, they are incompetent as lawyers, as making contracts is done better by a man as opposed to a woman. According to Fricker, this may not be a systematic case of testimonial injustice as this could only be one incident where Amelia was disadvantaged; such cases, according to Fricker, are only incidental cases of testimonial injustices. An injustice in order to be a serious harm, should be persistent and systematic; only then could it be considered as a central form of injustice. (Fricker, p.29, 2007). Our example of Amelia being disadvantaged due to bias faced because of her gender seems to be an incidental case of injustice. However, imagine this to be persistent as this happens to her often, affecting her ability to function properly. Here, I believe then I would have to disagree with Fricker and consider it a case of systematic injustice as it not only harms her based on her gender but also tends to question everything about her like her beliefs, education, credibility as a lawyer, so on and so forth. The point is that cases of incidental injustices can also be cases of systematic injustice if it harms a person on an everyday basis even if that is only one area of discrimination like gender or race.

1.3 Hermeneutical Injustice

"Hermeneutical injustice is the second kind of epistemic injustice; it is about having some significant area of one's social experience obscured from collective understanding owing to structural identity prejudice in the collective hermeneutical resource." (Fricker, p.155, 2007). This kind of injustice occurs when a person undergoes an experience, they don't understand themselves, it's also hard for them to articulate it in words, as they have never had that kind of experience before. This also happens due to a lack of understanding or written evidence of that experience in their culture. There is no previous or new knowledge available in their culture to verify if what they have experienced is certainly true and they have been wronged, or they are only overthinking the incident which is not truly wrong per se. In her book, Fricker gives an example of Wendy Sanford, who was struggling with postpartum depression after the birth of her son. She was unaware of what she was going through until her friend took her to one of the MIT sessions where people were talking about various things, including postpartum depression in women. Only then did she realise that whatever her husband blamed her for, and the things she blamed herself for were not her fault; it exists. (Fricker, p.148, 2007).

Hermeneutical injustice refers to a specific type of epistemic injustice that must be acknowledged, as it harms the person suffering from it just like testimonial injustice. If we scrutinise hermeneutical injustice closely, it could also be a case of gaslighting. Even though there is no evidence or understanding of the incident, a person could be blamed for feeling or acting a certain way. We can see something like that happened to Wendy while she was going through her postpartum depression. She questioned her own reality, and so did her husband due to the lack of evidence, but if she had her partner's support then at least she would not have felt bad for feeling a certain way about her depression. This is debatable but I strongly feel that in terms of hermeneutical injustice, instead of someone else gas-lightening you, mostly you do

it to yourself and question your own reality as there are no resources available to validate if what you are experiencing is true.

Let's take another example to understand it better. Assume that there is a black woman named Maya whom heterosexual parents have raised. Consider that she has only been with men all her life and has never second-guessed her sexuality. One day she comes across a woman, she finds attractive and can't understand if what she is experiencing is normal, as attraction towards the same sex is not considered good in her culture. She has never heard of or seen anyone else going through a similar experience. Hence, she feels alienated and confused from her peers and isolates herself from everyone around her. This instance of Maya questioning her sexual identity and not getting any answers is because no hermeneutical resources were available in her culture to validate her experience.

We need to know more about hermeneutical injustice as one face discrimination persistently on the basis of their unpleasant experiences. If one has been wronged, then there is no need to have a term for that to label that experience as true. Although giving a label to an experience makes it easier to recognise the wrong done and experienced by a person. However, it is not a prerequisite to label an action for it to be known as a wrong act. Not knowing something or not having a label or a term for an injustice doesn't mean that it does not exist. It only means that the injustice has happened to people. Still, they are too shy or confused, like Maya, to discuss it, or their culture is not epistemically developed enough to recognise that an action is wrong; people also need to be aware of that action when it happens.

It is important to note that hermeneutical and testimonial injustice in some instances can exist together or are interrelated due to which an individual is prone to suffer from a double epistemic injustice. (Fricker, p.160, 2007). Carmita Wood a woman who worked in an office faced sexual harassment by her colleague, she was unable to make sense of what was happening to her. It was quite evident that he used to touch her inappropriately and she started maintaining distance from him, She left the job because she didn't know what was happening to her and was unable to articulate it in words. She did take this step because her request of being transferred to another department was denied. She then requested an employment insurance claim but due to the hermeneutical lacuna that existed around the incident and her embarrassment for the same. She couldn't give them any reasons and hence she was denied the employment insurance claim as well. In this case, there is a hermeneutical injustice due to a lack of knowledge about what should be considered harassment. Moreover, if we introduce some form of identity prejudice—such as gender, ethnicity, or class—then she is also facing testimonial injustice in this case. (Fricker, p.160, 2007).

1.4 Credibility deficit

The idea behind credibility deficit is mainly how someone is wronged because one might assume that they aren't competent enough to have knowledge of certain things. It is due to the prejudice of a person based on someone's race, caste, gender, class or social reputation. This puts the speaker in a position where they suffer from testimonial injustice, which is indeed harmful to them incidentally and systematically. We can ask how is it harmful. Take a simple instance where you are in your office, and you are struggling to open a jar of gherkins. In that instant, you turn to your male colleague and ask him to help you open the bottle, and he does that for you. On the other hand, your female colleague points out that she also had the exact ability to help you open the jar, but you never asked for her help. Because you already assumed that women are physically weaker, it might take her more time to open the jar than it does your male colleague. This particular bias is so deeply embedded in your mind that you didn't even consider asking your female colleague for help. Take another instance, there is a philosophy conference where you and your friend are both working on the theory of conditionals in logic. Most people are

curious to know more about the topic, but more from your friend because he is a man; it is presumptuous of people to think that men are better at logic than women. You both have the same qualification, the same ability, and similar job experience, but you are not given enough credibility to be thought of as someone as capable as your male friend to have that understanding logic.

In both instances, a woman is being harmed as she is not given enough credibility as a knower. This happened due to certain prejudices and biases people develop for others over time who aren't like them. If someone is different from us then we think that it is alright to be judgemental in a negative way and to assume that those people don't possess similar capabilities as us or more. This harms them incidentally meaning in that very instant, where they feel put down by others and there is a big hit to their self-esteem. Secondly, it also harms them systematically based on their caste, class, gender, race, and social status reputation. Both incidental and systematic harms are wrongs done in different degrees. Incidental harm is as much of a harm as systematic harm and not how Fricker portrays them to be. By 'systematic', I mean injustices that stem from persistent social structures, such as sexism, casteism, racism, or classism, rather than one-off or isolated errors. In contrast, 'incidental' injustices happen in individual instances, often due to personal prejudice or mistake, without necessarily reflecting broader structural patterns. For Fricker, it is this systematicity that makes testimonial injustice especially damaging-- it links credibility deficits to identity, and so is repeated across multiple areas of life. Fricker points out that "incidental" Cases of excessive credibility should not be viewed as instances of testimonial injustice. (Fricker, p.21, 2007). Although, she says this about credibility excess which we will cover later in this paper. Her point is that incidental cases are not as harmful as systematic cases which is false.

Something based on multiple instances can be said to be harmful to an individual. Constant criticism to a child on how they look can make them lose their confidence be it a girl or a boy. It doesn't matter where they come from but what matters is why are they being body-shamed even if it's once in a while and not on an everyday basis. There is another point that Fricker makes about credibility deficit due to innocent error and she gives an example of a conference where a person is an ethicist and she takes the other person she meets at the conference as a medic as his name was listed in the medical scientist list. On having a conversation she doesn't give him enough credibility thinking he wouldn't know much about ethics. She gets to know that he is an ethicist when he expresses his view on the fictionalist approach. Here, her false belief about his identity as a professor of medicine and not of ethics put him under credibility deficit. Here, Fricker believes that her misjudgement does not do him any kind of testimonial injustice (Fricker, p.22, 2007).

In the instance above, I do not agree with Fricker on the claim that there was no testimonial injustice caused to the professor by this woman. Even if it is a genuine mistake, it is a matter of arrogance, we are conditioned and we assume others won't know as much as we do. It might not be a systematic form of testimonial injustice but it sure is a form of incidental testimonial injustice. Also, one cannot assume the amount of knowledge one possesses, or the expertise of a person based on what qualifications one has acquired. There are people who have never been to a university but still possess knowledge of let's say Physics and most of them are self-taught. This doesn't make them any less knowledgeable than someone with a degree and it shouldn't stop us from giving them due credibility.

1.5 Credibility Excess

In her article 'Typecasts, tokens and spokespersons: A case of credibility excess as testimonial injustice' Emmalou Davis points out the harms caused by credibility excess and not only credibility deficit. In her book, Fricker discusses the relevance of credibility excess, but her

account dismisses the idea that inflated credibility assessments can cause the ethical and epistemic harms characteristic of testimonial injustice (Davis, p.485, 2016). She argues that credibility excess is generally advantageous and not particularly disadvantageous to the knower; credibility excess is not a central case of testimonial injustice, as the person is not harmed as a knower. Thus, for her, testimonial injustice is about a credibility deficit rather than an excess. (Davis, p.485 & p.486, 2016).

The question I am going to ask her is like Davis's: why is Fricker unable to see credibility excess as a harm to the knower? To understand how credibility excess is harmful we need to understand how people ascribe it to a person or a community that it turns out to be harmful for them. Let's think about credibility excess as positive stereotyping as noted by Davis. The positive stereotype is a prescriptive meaning of how one should act rather than a descriptive meaning of how a group acts. (Fiske & Stevens 1993; Heilman 2001). For instance, people assume, most brown people are doctors, engineers, or lawyers. This statement at face value seems to be a positive statement in favour of brown people because they are associated with high-value jobs. However, one can now assume whenever they interact with a brown person that they must be in either of the professions which is giving them excessive credibility. This statement might not be entirely false as most brown people are seen in such jobs; the assumption however positive, might be harmful as not all brown people possess such expertise and not everyone chooses to be a doctor, lawyer, or engineer. Even if they do, it's not like they are all the best ones, one could find. This also means that there would be more pressure to succumb to the stereotyped jobs associated with one's group and hence that individual won't be able to pursue what interests them individually.

Another example of credibility excess which is based on one's identity can be of Chinese people who are considered as disciplinaries. It means that a Chinese person is expected to be punctual all the time and acting otherwise would put additional pressure on them and they may also be taken as an irresponsible person. This is known as credibility excess based on identity prejudice. (Davis, p.487, 2016). It is unclear if Fricker considers Identity- prejudice credibility excess as intrinsic harm as she does not think that the speakers are regarded just as basic sources of information. (Davis, p.489, 2016). Pohlhaus suggests that the targets of prejudicial credibility are not treated as objects; rather, they are considered subjects, albeit unreliable ones. (Pohlhaus, p. 105, 2014). He argues that the real harm of testimonial injustice lies not in treating the subject as an object but in viewing them as the 'epistemic other,' meaning that one's spoken words are regarded as derivative. This means that if a woman is talking to a man and they are in a conversation about global warming. He agrees with her on all the things she is saying until she starts explaining the technicality of it all. Here, he might be aware that she is very much capable of knowing such things but in a way, he feels threatened and would not accept what she says because that goes beyond his understanding of what a woman should know and what they are allowed to speak, so to say. Hence, in this scenario, her capabilities are left unacknowledged by the hearer or the perpetrator. Thus, this aspect of derivatization is harmful to both credibility deficit and excess as it is constrained by the hearers or the dominantly situated inquirers. (Davis, p.489, 2016).

We have seen how a knower suffers from epistemic harm when she is considered the epistemic other by the dominant members of the group. It is not only about the knower is only permitted to contribute the knowledge expected from them. They are expected to and permitted to go beyond what they know or which precedes what the dominant expects out of them. They are credited for the different experiences and information they provide, as they are expected to do so, maybe because they belong to a marginalised group and their experiences are, anyway, taken to be different from everyone else. This is known as compulsory representation, as explained by Pohlhaus; knowing that one's experiences will only be given some epistemic weight in a conversation when the dominant person would think that information is inaccessible because

he himself will never get to experience that and hence would fail to gain any knowledge about it. (Davis, p.490, 2016).

The thing with credibility excess and deficit, according to Davis, is that they don't exist alone; they exist in correspondence with each other. For example, I am a brown person doing research with all the white people. Let's assume that I am only singled out when someone would want to know anything about Indian philosophy and otherwise my research is ignored. Sometimes this is a benefit for me that I get that credibility excess when it comes to knowing about Indian Philosophy, but otherwise, I also suffer from credibility deficit when it comes to other areas of philosophy that I am interested in. This could also mean that if I say that I am being excluded from the department, no one would take me seriously only on the evidence that I have contributed by spreading knowledge about Indian Philosophy. The latter part of my exclusion to contribute to other areas of philosophy would be ignored. Fricker only considers credibility deficit as an injustice but looking at the points made by Davis and others, it seems that credibility deficit and excess might not be equally harmful. However, we need to consider that both harm individuals to different degrees.

So far, we have explored how a credibility deficit can cause epistemic harm to individuals or groups. However, it is equally important to recognize that an excess of credibility can also be problematic. Credibility should not be based on stereotypes or credentials alone, but on the consistent reliability and substance of one's contributions. If someone's input has proven accurate and insightful across various contexts, their credibility should be acknowledged without undue skepticism, as it reflects earned epistemic authority rather than arbitrary assumptions.

At the same time, it is crucial to interrogate the social structures that often grant certain individuals excessive credibility based solely on their race, gender, institutional affiliation, or social class. Such credibility excess can marginalize less privileged voices, perpetuating epistemic injustice. True epistemic responsibility requires us to remain attentive to whose voices we elevate and why, ensuring that credibility is earned through engagement, understanding, and epistemic humility rather than inherited social power.

Conclusion

In this paper, I have covered various aspects of epistemic injustice, such as hermeneutical and testimonial injustices. Individuals face injustices based on their race, gender, caste, class, and so on. They suffer credibility deficits due to ingrained biases, as claimed by Miranda Fricker. I took on the task of demonstrating how not only negative stereotypes can lead to injustices, but that positive stereotypes also play a significant role in the occurrence of these injustices. It is important to discuss credibility excess and its harms, which Fricker did not particularly see as harmful. Shedding light on this aspect of injustice is crucial to illustrate the severe consequences of credibility excess and to emphasise why it is important to understand the injustices faced due to positive stereotypes as well.

Chapter 2

Epistemic Disadvantage: A non-western feminist perspective

Abstract

A brown person like me can know when a wrong is done to me, and I can recognise that wrong better than someone who is not a woman of colour or who has not been targeted in a way that I would be in a situation. In a society where a brown person is placed amongst others who are white or not brown, the wrongs faced by a brown person would be different than that of a white person. The ability of a brown person to recognise the harm done in any situation would not be as short-sighted as opposed to someone who is white. This is not because a white person has not faced prejudices in their lives but because the social location a brown person occupies gives us an “epistemic advantage” over a white person. I, by being in an oppressed group, would have a better understanding of how the society works. Standpoint theory moves beyond a single person's view; it moves towards more systematic harm done to people of different races, given the situation in a particular region or a country.

Keywords standpoint. Sandra Harding. Epistemic advantage. Black feminist thought. Patricia Hill Collins. Uma Narayan. Non-western feminism

Introduction

In this paper, section #1, I would like to begin by understanding standpoint theory. Section #2 I will discuss the theory's shortcomings of an “epistemic advantage” that works as an advantage for oppressed people, as they have two contexts to work with, but it is not always the case. Uma Narayan scrutinises this in her article “The Project of Feminist Epistemology: Perspectives from a non-Western Feminist. Further, in section#3, I will draw parallels between the black feminist and non-Western standpoint, especially in terms of how their standpoint is influenced by their religions, culture, and their own view of themselves. Section #4 I will further elaborate on how standpoint theory affects other areas of a person's life, such as in cases of testimonial injustice, abortion, conceptual engineering and in instances of misogyny, which has been the central theme of my thesis. Finally, I will conclude.

2.1 Standpoint Theory

Feminist standpoint theory caters to people who are marginalised and come from a particular social location. According to most standpoint theorists, this social location from which one comes is an “epistemic advantage” for the oppressed or marginalised people and helps them develop a standpoint. In her article ‘Feminist Standpoint Theory’ Iris Van Der Tuin talks about

the time when women, especially of colour, entered academia and while discussing their struggles, they found that they were not alone in facing oppression, and these were shared amongst others who came from a similar background, and it became a shared political struggle and found its place in theory. (Van Der Tuin, p.1, 2016). Feminist standpoint theory draws its roots from the Hegelian account of the master-slave relationship, where the slave can reach his/her level of consciousness through their struggles against the master and be involved in the world and bring change through physical labour. This led to an understanding that the oppression faced by the slave is better understood from their perspective than that of the master. This is because the slave is honed or is in a situation to see the perspective of the oppressors as well as their own (the oppressed). Later, Marx, Engles and Lukacs developed the idea of class consciousness, where the struggles of the oppressed gave a better understanding of how one can change the world compared to the perspective of the dominant groups.

This concept was expanded upon by feminist philosophers such as Sandra Harding, Patricia Hill Collins, Nancy Hartsock, Dorothy Smith, and others. According to their view, women can gain epistemic privilege based on their oppression and develop a better understanding of the positions held by oppressors. Feminist standpoint theorists recognise both the value of objectivity and the profound effects of one's social location in shaping access to knowledge. A person's social location affects what we know and can know and understand about the world around us. This standpoint only emerges once oppressed people become aware that they are being oppressed and begin to reflect critically on their experiences. Through this reflexivity, they are empowered to construct alternative epistemic frameworks that challenge dominant narratives and offer more inclusive understandings of truth, identity, and power.

According to Iris Van Der Tuin, standpoint theory has been developed in different ways over many years by various philosophers, one being Nancy Hartsock, who tried to create the standpoint on Iris Marion Young's philosophy where class and gender are taken to work together rather than working individually. Hartsock develops this further by using Marxism to understand male domination and to show that the division of labour in and around class and gender limits the production of knowledge. (Van Der Tuin, p.2, 2016). She tried to develop a collective standpoint theory that not only represents individual women but all of them collectively by introducing the sexual division of labour and by using the word sexual-- Hartsock wanted to point out the social biases around reproduction and labour. However, according to Van Der Tuin, she could still not give an entire picture of standpoint theory as she could only cover one of its aspects. She failed to represent other women who belonged to different groups. (Van Der Tuin, p.2, 2016)

Sandra Harding, one of the pioneers of standpoint theory, talks about scientific research and the objectivity of knowledge in her work. She classifies standpoint in three ways: feminist standpoint theory, feminist empiricism, and feminist post-modernism. Although her work has been subject to much criticism, it is still a prevalent topic of discussion. Standpoint theory has been an essential aspect of the hierarchy in academia, where before the development of standpoint, women and black people were objects of knowledge and not research subjects. It has democratised the subject-object relation by working with open-ended questionnaires and providing research for the communities to access the research outcomes easily. (Van Der Tuin, p.3, 2016)

2.2 Black Feminist standpoint

In this section, I would like to focus on the Black feminist thought, introduced by Patricia Hill Collins, where a black woman's standpoint is not individualistic but is collectively shared by other black women. This is not to say that if one black woman is facing oppression in a certain way, the others would also feel the same about her situation. It is more to say that most of their

experiences would be similar, and they could resonate with each other as a group in that aspect. Two black women could lead a comparable life, but still, one may have lived a life of excruciating forms of oppression in her work, family, society, and other areas. In contrast, the other might have faced these things but not at the former's level.

The term 'outsider within' seems to be in sync with the experiences of black women as they have known the ways of both white males and white females while being closest to them. For instance, when a black woman lived and worked at a bourgeois white person's home, they knew their social circle, habits, work life and details of their family life. Their circumstances and the racism around them had put them in a position to know more about them. They knew they wouldn't be considered equals in those homes, but it was essential for them to work to provide for their families. This experience gave them an "outsider within" perspective, which Collins discusses in her work. (Harding, p.103, 2004). Many standpoint theorists would claim that this is the "epistemic advantage" the oppressed have compared to the oppressors. I would contest this further when we talk about the brown people's standpoint, or, so to say, the non-western standpoint, in the preceding sections.

I want to discuss the key features of the black feminist standpoint essential for this paper. These features not only represent black feminist thought but also resonate with other oppressed groups, such as people from the South-Asian communities. I will briefly talk about them one by one in this paper. Firstly, the self-valuation of black women, the interlocking nature of oppression and finally, the importance of their culture. These three aspects make the Black feminist standpoint what it is. It further reflects the importance of their self, culture, and nature of oppression, which have been prevalent in black women's lives for many years. There are different experiences shared amongst black women depending on their financial condition, age, sex, location, etc. Because of these reasons, most of them might have had different experiences and expressions regarding this standpoint. (Harding, p.105, 2004).

Let's elaborate on the self-definition and self-valuation of black women. Self-definition is to try and question the political knowledge validation process which has created stereotypes for black women. Secondly, self-evaluation means the self-definitions borrowed and affected by external images of themselves. They try to replace it with a more authentic version of themselves by removing these stereotypes around black women. (Harding, p.106, 2004). The self-definition, on the one hand, questions the power relations in various areas of life, self-valuation questions where these definitions have risen from and how black women are seen as different and intimidating species as compared to their white counterparts. (Harding, p.107, 2004). For instance, if a black woman goes to a store (a high-end luxury store) and intends to buy something. The salesperson doesn't attend to her as she assumes that the black woman won't be able to afford it. Since they are seen as coming from a relatively poorer background, in such a case, if she asks for assistance, even then, it is not a fully committed response on the salesperson's end. It is just a casual response where they don't seem interested in imparting any knowledge of their product. Further, if the black person calls out this behaviour of the salesperson, then she is labelled as aggressive or unreasonable and in most cases is told to leave. This is to show the effort put into ridiculing black women to control their behaviour as it threatens the status quo. (Harding, p.107, 2004). When these black women question such behaviours and start to value themselves, then they question and try to dismantle the control exercised by such dominant groups and the externally pushed stereotypes associated with these women.

The self-definition and self-valuation are necessary for survival, especially for black women is because of two reasons. If the dominant groups keep making the oppressed groups, feel like the 'other.' It means that they are different from them, and they don't fit their social norms or the conventional way of being. The dominated groups by knowing who they are can resist these forms of domination. Second, the oppressors hit the self-esteem or self-worth of black women.

This is one of the easiest ways to exercise psychological control by telling them who they are supposed to be and how they are supposed to act according to the white person's standards.

The next aspect of black feminist thought which is important to scrutinise is the interrelated themes of oppression like race, class, and gender. Instead of viewing them as separate forms of oppression, black feminist thought views them intertwined with each other and why they need to be addressed together rather than taking one of these as the primary forms of oppression and adding the other forms of oppression in it. One of the key features in these are the dualistic nature of oppression which Collins elaborates as things that are in opposition to each other, such as black and white, male and female, and so on and so forth. These things are not positive counterparts and can't exist or gain meaning without the other. These things do not represent equality in relation to one another and are constantly unstable with each other. These relationships mostly represent the inferior or superior status when put together. For instance, emotions are not considered to be as superior as rationality, and women are often criticised for leaning over the former; hence, they are labelled as foolish. (Harding, p.110, 2004).

This is to say, what black women and others have faced was because they were seen as opposites to their white counterparts, which was better and more superior, so to speak. The discrimination they have faced because of their inferior status has been because they have been looked at as the inferior counterpart of the white people. Labelling them as aggressive, emotional, that they lack sound judgement, denying them literacy and finally looking at them as the 'other' makes it clear that they have been surviving under these oppressive systems for generations.

This leads us to the black women's culture and how they use it to understand the oppression around race, class and gender. Collins suggests that black women's culture is in relationship to each other like how they have always advertised sisterhood. The culture is formed collectively and has certain aspects of art, music, family, religion etc. But, it is mostly focussed around the shared feeling of understanding each other and also how all of them have survived oppression and the commonalties. It is noted that black women have always been supportive of each other especially when it came to child care responsibilities or even in times where they were married off to a land far off from their home town. They always looked after each other. These black women had limited opportunities when it came to helping out their own children. They were placed in the society in a way where they assumed that their children should behave and have certain opportunities which were different from what other mothers thought of these opportunities. Their placement in the society have largely affected their own children's lives. It is because of these limited opportunities that most of their community works have been done through them as a mother figure which eventually led them to not only affect the lives of their own children but of the children of the community at large. (Harding, p.113, 2004).

The focus on black women's culture is helpful as they are much more than the creative expression of art and dance. It is mostly about expressing themselves openly when they are isolated or in a group even when they are oppressed in the outside world. The black women's way of dealing with oppression and the actions they take against it has are complex as compared to how it is portrayed in theory. The way they act in society is because they are afraid to show their true selves due to several repercussions they might have to face by the oppressors. They not only guide their own children to live a better life but, in the process, they also learn how to take better actions on behalf of their own children.

The focus on Black women's culture is also important as they question the nature of activism. Black women question the definition around which their lives revolve, and once they start questioning and rejecting such definitions, that takes as a form of activism. They turn into activists as soon as these women reject to conform to the social norms and when they start questioning their limited participation in the society and the rejection to have any basic human rights. Also, once they utilise all the resources available to them in their home, family, work

front and they reject or dismiss any objectification then their actions and their behaviour is another form of activism. Once these women can achieve their subjectivity they would not have to be activists anymore. (Harding, p.115, 2004). Another reason that black culture is important is because of the relationship between oppression, consciousness, and activism. Basically, how these women react and the choices they make, depends on the oppressive structures they have been thrown into.

2.3 Non-western standpoint

I want to compare all three aspects of the black feminist standpoint, such as self-valuation, the interlocking nature of oppression, and the importance of one's own culture from a non-Western point of view. This is to show how people from different social locations were and continue to face oppression in similar ways to others who do not belong to the exact social location. Despite the differences in social areas, there are innumerable similarities between black and non-Western feminist standpoints. When we talk about self-valuation and how women are viewed in a certain way because their definition is borrowed from external sources, they are forced to fit into the way society wants them to be. This is also seen in third-world countries, and people are rigid enough not to let these external definitions slip away. For instance, A woman's job is to take care of the house, and even if a woman is independent in a non-Western society, her job is seen as a hobby until she is of age to get married. People think women can't be the main contributors to financially caring for the family. This definition of an "independent woman" has led many non-Western women to feel inadequate, even if they are high achievers in their field of work. As mentioned earlier, this affects the self-esteem of these women, making them feel less appreciated and thinking that they do not deserve what a man in their place would deserve. The sense of worthlessness helps society control them in a way that forces them inevitably to follow the norms for them.

The second aspect of black feminist thought is seeing gender, class, and race oppression as one aspect intertwined rather than separate forms of oppression. These three forms of oppression are seen as heavily weighing on a person who comes from a non-western part of the world. For instance, Samira, who is a woman, belongs to a middle-class family, and here, I would like to add caste instead of race since I am explicitly taking India, where women face different kinds of oppression. The caste system is still prevalent today. In some states, it is more subtle than in others, depending on where you come from and with what values you have been raised. Samira belongs to a lower caste, low-income family, and she is looking for an apartment for herself. The landlord doesn't want to keep her as he belongs to a more traditional upper-caste Brahmin family and doesn't like single working women. He believes women should be homemakers and that the only job they should be doing is producing and raising children. In the case of Samira, she feels insulted after learning about his point of view, and after further inquiry, she understands she is not the only one who has been subject to his wrath. This was how he used to use his power to oppress women, especially those from a lower caste and a relatively poorer background.

The final aspect is the cultural aspect of the non-western feminists. It is like that of black women, as both groups have always embraced their culture and found a way to find their freedom through music, art, dance, family, and religion. Like black women, non-Western women use culture to express their creativity and desire in the more covert and subtle ways of weaving, painting, decorating, making food, dancing, singing, and performing rituals. Initially, these non-Western women began subtly doing these things as they feared punishment and exclusion from their families and others in society. This was also due to the financial dependence they had on their own families or husbands after marriage. They couldn't use their voice even if they wanted to because of these reasons. They taught their children the same things and told their girls about

their position and limitations in society once they were married off and how they should conduct themselves. Each family had different rules, which these women were expected to follow.

Despite these controlling methods and the limitations these women had, they still tried to embrace their lives through their culture and art forms. These were the only ways in which they could gather some form of recognition, praise and respect from their family, children, and the rest of the society. Non-western women who belonged to a poorer background worked like black women in the homes of the affluent. They cleaned dishes, took care of their children, and knew the ways of the upper class. They weren't allowed to sit with them or eat with these people. Rather, they had a place on the floor and survived on leftovers. These women together helped each other during times of need. Due to their struggles, they tried to educate their sons and daughters who would have a better life and the freedom that they never had in the first place. Therefore, the black standpoint is not too far off from the non-western standpoint. Although there would be some differences, the struggles have been the same.

2.4 Epistemic Advantage & Disadvantage

Uma Narayan mentions epistemic advantage in one of her articles in Harding's book. The epistemic advantage is associated with the standpoint theory. In standpoint theory, the epistemic advantage is taken as a benefit when one is being oppressed. It means that a person is placed in a social location which indeed works towards one's advantage such that one gets to understand their situation and that of the oppressors. This is not the opposite; the oppressors, according to the standpoint theory, won't be able to understand the sufferings of the oppressed due to their superior status, nor do they have any pressures to understand or try and adapt to the methods of the oppressed which is not the case with the latter. (Harding, p.221, 2004).

It is essential to note that being part of a marginalised group does not automatically give someone epistemic privilege. Standpoint theory makes a more complex claim: people from marginalised social backgrounds often have access to perspectives that expose structural injustices that dominant groups overlook. However, this potential epistemic advantage is not universal or guaranteed. It depends on individual experiences, contexts, and sometimes intentional reflection. In this sense, standpoint theorists point to an opportunity for epistemic advantage, rather than a blanket right to it.

Uma Narayan, a non-Western philosopher herself, has given a fresh perspective on the "epistemic advantage" of standpoint theory. She talks about how non-Western people, especially philosophers, find it challenging to think about feminism like many other Western philosophers. There has been a debate about positivist accounts and non-positivist accounts in feminist philosophy. The positivist accounts are based on reason and logic, and they reject things like intuition or things based on religion, which constitute the non-positivist account. Feminist philosophy talks about the shortcomings of the positivist account, whereas no one talks about the non-positivist account. In my view, both have their shortcomings.

For instance, based on religion I would like to say about myself as being another non-western philosopher. I am an Indian born in the hindu religion and there are a lot of religious beliefs that are followed by people in India based on their religion. One of the medieval practices is that of women not being allowed to enter the temples during their menstruation cycle. This is because their blood is considered impure, and so do they themselves. This practice today, is followed mostly by more traditional and conservative Indian families as compared to those who are more liberal. The women who menstruate are hence not allowed in the temples or in their own kitchen by their own family members and aren't even allowed to perform any rituals or cook anything for anyone in the family or outside in their own kitchen. This belief is highly disliked by the women but they mostly don't raise their voice against it due to the conservatism in their own families and due to the fear of hurting the religious sentiments of people and the

consequences they might have to face after. In this example I can say that non-western feminists would be aware of this error as compared to the western feminists as the former have faced this on a personal level. This is to say, that positivism and non-positivism both have their own shortcomings.

The question she asks is if we should ask questions of knowledge to the people who share the exact social location and have faced oppression and dismiss those who do not share the social area and have never been oppressed. She believes it would be a mistake to do such a thing as we would focus on perspective-based knowledge, which would lead to relativism. (Harding, p.220, 2004). For instance, I, being a person of colour, have had bad experiences in the academic setting, and I do not communicate it to my friend, who is white and has never had such experiences. So, what I think is that she won't be able to understand my plight. Here, I will be making a relativistic error. According to Narayan, we shouldn't be thinking that we can communicate all our knowledge, nor should we think that we are incapable of communicating to certain people who are oblivious to our experiences. I would also like to reiterate the fact that in most instances, the point above is valid, but in some, there are certain cases of wilful ignorance. Someone can understand what one is going through, but they pretend not to as it will cause them harm taking sides, or maybe they want to be with the majority and not feel excluded from their own group. You don't have to be bitten by a dog to understand how painful it must be for another person.

Epistemic advantage is true not only for the oppressed but also for the oppressors. Both have perspectives, but the latter needs more pressure to understand the former's situation. Like "sympathetic men", for instance, according to Narayan, they sometimes fail to understand cases of sexist behaviour or discourse (Harding, p.220, 2004). I want to say that this is giving these men more benefit of the doubt than they deserve. When such men make statements like "you are such a woman" there is a sense of resentfulness in their tone. They might not have the correct hermeneutical resources to say that this is a sexist statement. However, they know that even if that was a genuine mistake, the intention with which they say such things matters and the context that follows.

I can see Narayan's point when she says that the dominant groups do not have that amount of pressure as compared to the oppressed groups to gain insights into the practices of the latter. The oppressed groups need to have the knowledge of both groups in order to function better in society. For example, I come from a third-world country, and I had to learn another language which is English, whereas, a white person doesn't have that pressure. Even if they visit any other country abroad, they can work with English and get away with it. (Harding, p.221, 2004)

There are certain disadvantages to knowing both sides of the reality: the oppressed and the oppressors. It often works as a disadvantage to the oppressed. Like, A woman of colour who is married might have to embrace the western outfits when she steps outside of her home to work but as soon as she comes back home she has to follow the traditional roles and wear what is expected of her or something traditional and her behaviour should that be of someone who is dependent on the in-laws and her husband for survival which is not really the case.

There is another instance of epistemic disadvantage where a person might reject her own cultural practices because they try to be part of the dominant group as much as possible. A non-Western woman is not interested in football or English music, and she has a working space where everyone is white, and the main topic of discussion is either of the two apart from work. She then develops this self-imposed pressure to listen to certain kinds of music or sports which she generally doesn't enjoy. This happens because they want to be a part of the dominant group. This also comes from seeing how one's own culture or tastes are belittled, and to avoid embarrassment, one tends to give into the dominant culture. All of these examples show that an oppressed person would have to make a choice from either of the two and both the choices

come with a cost. As Narayan puts it, there is a sense of being an outsider no matter what choices you make being a non-western person.

She doesn't deny the fact that there is a certain epistemic advantage to certain groups of individuals in certain contexts, but the claim is that we shouldn't turn a blind eye to its disadvantages. There is an epistemic advantage, but that doesn't mean it makes oppression bearable. (Harding, p.223, 2004).

2.5 Standpoints in multiple contexts

Women gained different standpoints depending on their situations. In the previous chapters of my thesis, I have discussed testimonial injustice, abortion, negative connotations of the term woman, and misogyny. I have curated these papers carefully to show how these things have been problematic for women and what we can do to understand these problems better and find solutions. It is not easy; however, these issues should concern us as they affect most women irrespective of their backgrounds or social location. I will elaborate on them individually to show how these varied standpoints worked for all these people.

If we talk about one of the injustices that women had to face, and still face, is testimonial injustice, which comes from the identity prejudice one has to face in one's life. Identity prejudice happens to an individual when others control their behaviour in a way that affects their actions and behaviour. This prevents them from conveying knowledge in a way they would like to—predominantly, it affects the collective social identities. (Fricker, p.28, 2007). In the case of a testimonial injustice, a person is given less credibility than they deserve because of the prejudice others hold against them. This has another side as well: when a person receives more credibility than they deserve based on the prejudices of society. In both these cases, the issue is when the credibility doesn't work in moderation—when credibility is just right.

Let's take an example: I will not be given credibility when asked for directions in the UK as I am an immigrant, and people would assume she wouldn't know any better, she must be new in the city, or just not experienced enough. On the other hand, I will be given more credibility based on my social location when it comes to Indian food. People come up to me for various restaurant recommendations regarding Indian cuisine. They don't consider that I might not have explored Indian cuisine in the UK but was far more interested in exploring other cuisines. Both the cases apply to me based on my social location, and in their way, they have proved to be disadvantageous for me. The second case might appear advantageous, but it's another case of being stereotyped.

Sally Haslanger tried to help women identify their social kinds in her work so that they could fight for their rights and help each other in the shared political struggles. Identifying women as social kinds helps them fight injustices persisting in society. To help women with the oppression, Haslanger came up with a definition of a woman which states that— S is a woman iff (by definition) S is systematically subordinated along some dimension (economic, political, legal, social, etc.) and S is 'marked' as a target for this treatment by observed or imagined bodily features presumed to be evidence of a female's biological role in reproduction. This definition was critiqued by Mikkola, Katharine Jenkins and many others as it displayed an inclusivity problem for the trans community or, according to Mikkola, women need not be defined at all for them to discover their social kinds. Irrespective of the defect in Haslanger's definition of a woman, like most other standpoint theorists, Haslanger tried to define women so that they can recognise their struggles and form different standpoints, to eliminate various oppressions from society.

Kate Manne, in her book 'Entitled' explores Misogyny and sexism and the need to acknowledge these practices to put women in their place. These adverse effects of misogynistic behaviour in society on women subtly and explicitly persist in society and cause long-term mental and psychological impacts on women. This generally comes from people who resent women or think of themselves as superior and women as the inferior ones who have fixed roles such as homemaking, child-care and all the emotional duties, which do not require much effort according to other members of society. Amidst all this, Kate Manne has found a way to tell women how they can find their standpoint and stand against these practices, which come across as subtle, and they are so deeply rooted in people that it becomes hard to recognise and, hence, challenging to fight off.

One of the examples of abuse which finds its initial roots in misogyny is 'gaslighting.' It is when someone close to a woman makes her realise that her reality is false and what they say is true. If I tell my partner that I remember locking the house's front door clearly, but despite my efforts, he unlocks it every day, it makes me crazy in my head. This causes me to rely more on his reality and less on my experience—causing self-doubt in my abilities or judgement. This, of course, is just a one-off incident, but if things like these happen regularly to a person daily, then it becomes a form of emotional abuse. Another kind of abuse is the silent treatment, which is not talked about often. The point is—that it becomes essential for women like us to realise how we are being controlled, be it mentally, emotionally, or physically, to be able to have our standpoint and fight against these oppressions persisting in society against us. Like Manne points out, the analysis of misogyny is that it's not a product of an individual agent's environment or attitude but of the fear that the given social order in which they have been raised to believe that women ought only to occupy subordinate positions will be dismantled. (Manne, p.59, 2017).

Closer to the cases above, abortion is one of the most talked about cases which have held value to the feminist movements for so long and continues to do so. In my thesis, I have tried to shift the focus from the foetus' right to life to the child-bearer, the woman. In cases where people believe that it is murder and women essentially are seen as the ultimate child-career, I think that foetus doesn't exist in a vacuum, or their existence is not just absolute. A person is required to invest in the growth of that foetus, which is a financial, physical, and mental investment. There are still so many countries today including the US where women are banned from getting abortions, but most of them don't have any arguments against contraceptive pills. It was essential to make women realise that it should be their choice, given they would be the primary caretakers of the would-be child, to get an abortion or to keep the child. It is a life-long commitment and does not end once the child is born. Most of these women learnt from their experiences and those of others and realised that they ought to develop a position from a pro-choice standpoint to be able to stand against the anti-abortion laws in their respective countries.

Conclusion

In this paper, I have tried to explain standpoint theory followed by the standpoint adopted by the black feminists. There was an attempt to draw similarities between the black feminist standpoint and that of the non-western standpoint. I tried to show that despite the differences in social location, most practices are shared by women from different cultures, which has helped them develop a standpoint within their surroundings. Through the works of philosophers such as Uma Narayan, a non-Western feminist, I tried to display that epistemic advantages are not always advantageous for the oppressed but can be disadvantageous in most cases. Finally, through my thesis, I scrutinised how women over the years have adopted different standpoints, which have helped them fight against the various oppressions persisting in society. These ranged from abortion, testimonial injustice, negative connotations around the term women and misogynistic behavioural patterns, as discussed at length in my thesis.

Chapter 3

The Deconstruction of Misogyny

Abstract

In this chapter, our major focus will lean towards misogyny. What is misogyny, how is it harmful to us and the need for us to recognise misogynistic behaviour? Kate Manne in her work 'Down Girl' and her second book named 'Entitled' talks about the patriarchal system that helps to keep women in their place. It is of utmost importance that we understand the terms that most people are unaware of such as himpathy or herasure in a detailed manner that is covered by Manne in her work. Unless we are aware of certain concepts, we won't be able to recognise how misogyny is perpetrated amongst us. My attempt would be to fill up that hermeneutical lacuna, not in the society per se but in the minds of people who are unaware of the existence of such terms. These people have such experiences every day, but they question their own reality as they are unaware that such concepts exist. They are often gaslighted, which makes them question what is true or real. It is interesting to note that Manne in 'Down Girl' focuses more on the victims and their sufferings due to the patriarchal order whereas in her book 'Entitled' she focuses on the actions of the perpetrators and how they still get to be the 'innocent criminals' leading them to get a hint of himpathy every time they do something wrong. She also makes a realistic point about misogyny being mistaken as a psychological disposition in a man's mind, but rather, it is a law that is enforced on women to act in a way they are expected to act in a man's world.

Keywords misogyny. patriarchy. himpathy. Herasure. gender binaries. Kate Manne. Misandrogyny. Narcissism

Introduction

In this paper, I am going to attempt to shed light on the concept of misogyny from Manne's perspective and how Manne reflects on the entitlement of people which then leads to the oppression of women in all the different areas of life. In section #1 I would define what is misogyny, the naïve conception of misogyny and how sexism is different from misogyny. Moving forward in section #2 I will explain the concepts of himpathy and herasure that are used against women to reinforce misogynistic behaviours. Given how incredibly Manne tries to cover most aspects of the patriarchal order, her account still feels incomplete thinking how far we've come in the fight for equality. In section #3 I would also attempt to incorporate Engelhardt's concept of 'misandrogyny' which is how adamant people are in believing that there are only two genders that are men and women. People who do not fit in either of these have no

space in society and are questioned repetitively about their sexuality and blamed for being ridiculous. This is a system that enforces misogyny to only limit these people to gender binaries. Section #4 and Section #5 will take on the various forms of psychological manipulations that are used to control women mentally and hence oppress them completely making them feel helpless and confused. These concepts are gaslighting, victim blaming and narcissism. I will give various instances to prove how psychological oppression is a deadly misogynistic tool used against women to let them know where they stand, in a patriarchal society. This is not to deny Manne's conception that misogyny is not limited to a psychological hatred for women but to emphasise the manipulative ways in which men try to control women psychologically by making them mentally and emotionally helpless. Even if it doesn't come from a place of hatred, they do it only to exercise control over them so that they succumb to the pressure of following the patriarchal norms that are set by society itself. Finally, I will conclude.

3.1 What is Misogyny? Sexism and naïve conception of misogyny

Kate Manne in her book 'Down Girl' talks about Misogyny and according to her "it is the law enforcement branch of the patriarchal order" (Manne, p.78, 2017). This, in simple terms, means that a woman is policed on a regular basis to be a certain way. She is expected to behave in a way that would fit a man's idea of how a woman should be. If she does something which is below the expected norm or higher than the standard expectation, then she is loathed by the people she is surrounded by, irrespective of her class, culture, or background.

For instance, A woman who is expected to do all the domestic work chooses not to do so and instead would want to work as an engineer in a company. She would face lots of negative comments on her character and how she is not being a "good woman." She would constantly be reminded of her duties as a woman and why she should focus on fulfilling those and those only. This gets us to the point of sexism which Manne believes is the justificatory branch of the patriarchal order which helps to rationalise and justify the misogynistic actions (Manne, p.79, 2017). This happens when a woman chooses to do something for her own good and sometimes for the greater good as well, but society pushes her not to do so and tries and reinforce the ideas and norms she should abide by, by giving rational arguments for the same.

Manne has clarified the naïve conception of misogyny, which is the dictionary definition of misogyny that we generally follow. She claims that this definition is insufficient for us to understand what misogyny is in the true sense of the term. It is because naïve conception states that it is hatred for the opposite sex, but it is in fact, beyond hatred for women in general only because they are women. (Manne, p.32, 2017). She then proposed the above definition of misogyny and clarified that it's not only psychological or a deep hatred for women but also a systematic aspect of social power. Let us see an example given by Manne to prove how her definition of misogyny is better than the naïve conception.

Manne took the case of a woman named Sandra Fluke and how she only for her appeal to the necessity of a contraceptive pill was demeaned by Rush Limbaugh an American conservative commentator. She was made subject to verbal abuse, and it was a clear assassination of her character; she was portrayed as being demanding and entitled. She was asked for her sex videos by Limbaugh in a humorous yet vulgar manner. This according to Manne's view happens because of the deep patriarchal relations that women conduct vis-à-vis men and is taken personally. So, women's indifference becomes aversion; ignorance becomes ignoring; testimony becomes tattling and asking becomes extortion. (Manne, p.55 & p.56, 2017)

Manne suggests that misogyny should not be taken from the point of view of the accusers but from the point of view of the victims. By adopting this approach, we can avoid psychologism and individualism which makes misogyny more epistemologically tractable. Finally, the analysis

for misogyny is that it's not a product of an individual agent's environment or attitude but from the fear that the given social order in which they have been raised to believe that women ought only to occupy subordinate positions will be dismantled. (Manne, p.59, 2017). I am not going to put more emphasis on the naïve conception and the concept of misogyny because in this paper I aim to show how misogyny takes different forms to suppress women which is in general not easy to figure out. Misogyny doesn't come with a set of rules that a person will be repressed in a certain way. There are various ways in which a subject would face backlash, that would be extremely hard for them to navigate if they lack the proper knowledge of how oppression is being used against them and how they should tackle them. It will take a good amount of knowledge to understand if one is facing injustice due to underlying misogyny or if they are just facts portrayed by men. Sometimes misogynistic concepts can be portrayed in the manner of facts as stated by men, but it is essential to know if they are being used against women or not.

3.2 Himpathy & Herasure

For a better understanding of this paper, I had to go through the definition of misogyny, the naïve conception of misogyny and the difference between sexism and misogyny briefly, just to set the tone for what we are going to talk about further. Manne moves from her conception of misogyny to her views on entitlement in her next book which is a series of anecdotes about how women have been suffering for decades in different areas of life due to the entitlement that men hold. She points out several instances where women were raped or faced sexual assault by men. This included men from various statuses of life, be it rich, ordinary, famous, and even young boys who weren't even men but knew how to do all the "manly" things that would cause harm to a woman both mentally and physically. It is a clear indication that men would do all the heinous crimes and would get away with it even though the crimes committed by them would be generally considered to be severe in a court of law.

Manne investigated these instances carefully yet delicately where she thinks the reason for this where men can easily be labelled as innocent, comes from the fact that we associate some emotion of sympathy with these men, and she calls it 'himpathy.' These men got inappropriate sympathy for committing these crimes and to prove their innocence a harmful reason is put forward. Hence, giving them the benefit of the doubt. An example of this would be a man catcalling a woman making a derogatory comment or making sounds such as whistling or a kissing sound etc. This kind of behaviour would generally be taken as street harassment, but a man would not be called out on these kinds of actions as they are taken as harmless and are done to just have fun or to have a good laugh with their friends.

There are also instances where a woman is erased from a narrative entirely which Manne calls 'herasure.' This can be experienced by women on an everyday basis but let's take an example of a university where a man named Scott and a woman named Kris are found in a library stealing books. When called for questioning Scott tells his side of the story and puts the entire blame on Kris that she was the one who lured him into doing that just to save money. Even though in reality Kris had nothing to do with the stealing she was just standing there waiting for Scott for lunch as they both spent lunchtime together every day. In this case, Scott gets immunity as he told the truth about Kris stealing and nobody cared about Kris's story or what she had to say as she was already blamed for stealing from the University property.

The point of defining the two words above is that they can change the course of any case or crime committed by a person, if these are not taken into consideration then a woman could be unfairly punished by the law or society in general. Manne believes that misogyny would not only single out or punish women who are "bad" or are not obedient to the patriarchal norms laid down by society. It is important to understand that misogyny is capable of punishing women even when these women come forward with good socially appropriate behaviours. This is

because women are expected to be of a certain type, and they might be blamed for the misdeeds of the whole group they represent. The second reason for it is the punching down behaviour of men who have this aggression towards women because women are more vulnerable than them and are seen as the weaker section due to the patriarchal society, they live in. Hence, women become the victims of their negative behaviour. (Manne, p.52, 2017). A woman who is outgoing would be punished for being easy, someone who is shy would be seen as uptight or an introverted woman would be taken as being arrogant or cold. How a woman is dressed the way she sits and her body language everything is criticised by the perpetrators of patriarchy. Max is a woman in her thirties who has spent her life being nice, kind, and dutiful towards her family and friends. She also has a successful career in academia, she is everything that would be expected out of a woman according to patriarchal norms. However, she is a smoker and because of that habit, she must face a tremendous amount of backlash from her friends, family, and her own colleagues. This is not to say that smoking is a good habit but to reiterate that she is a “bad woman” just because she is a smoker.

3.3 Gender Conformity

I would like to draw your attention towards an aspect of enforcement that is suffered by people who aren't gender conformists meaning that they do think that there are more than two genders which are not only male and female. It is essential to note that these people suffer a lack of place, respect, and inclusion in society like what Manne says about women. In his paper, Engelhardt talks about 'Misandrogyny' a term introduced by Lori Watson. It is an account that is similar to Maane's notion of misogyny. Unlike Manne's account, this paper focuses more on the victims of Misandrogyny than the perpetrators of it. The reason why I chose to talk about misandrogyny in this paper is because I would like to initiate, compare, and discuss the situations of these people who are targeted and subordinated in the patriarchal system because of gender binaries. Also, how is it similar to that of women who have suffered because of misogyny? Misandrogyny like misogyny is a system to enforce gender binaries in a patriarchal system and it polices that people who are neither man only nor women only should be categorised in one of the two genders i.e., male or female (Engelhardt, p.2, 2022). Misogyny pushes women down to a point where they are subordinated or repressed. Misandrogyny pushes Gender-nonconforming people to a place where they do not exist in society, or it forces them to become a part of gender binaries. (Engelhardt, p.2, 2022).

The similarities between Manne's account of Misogyny and Engelhardt's account of Misandrogyny are similar in the sense that these two accounts try to figure out the patriarchal mechanism and how it works. Secondly, how are people placed in this system like women are targeted like gender non-conforming people? Third, how these people are subjected to exclusion and subordination by the supporters of patriarchy. Finally, we need to discover how can we help each other fight this system where people are suppressed based on their choices of not being confined to a particular identity or a role per se in society.

According to Engelhardt, there are certain patriarchal norms that enforce Misandrogyny, and they are Norms of assignment, Norms of assimilation and mechanisms of annihilation. I am going to briefly touch upon these for a better understanding of reinforcements of patriarchal norms in Misandrogyny. As discussed in the previous section, misogyny undermines women in different areas of their lives such as the workplace, domestic labour, consent, sexual harassment, abortion and so on. It is also necessary to note how misandrogyny is enforced on people and its effects on them.

Norms of assignment, state that a gender non-conforming person is either expected to choose a gender depending on what was assigned to them at birth, or they are expected to choose from

any of the two well-recognised genders. For example: You are a trans person and you feel like a woman, but your outward appearance is of a man's. This has been a major struggle for you your entire life and even though there are trans-women and trans-men you don't identify yourself as either. This is also because most genderqueer or non-binary people identify themselves as trans and it is not compulsory to fit into either of the genders. Norms of assignment disagree with this approach and would want a woman to look like a woman and act like a woman and similarly for a man to do the same. This view expects anyone to get rid of anything that makes them gender non-conforming. (Engelhardt, p.4, 2022).

Norms of assimilation state that either you are a man or a woman and no one is either. (Engelhardt, p.5, 2022). The underlying concept is like that of norms of assignment, but the only difference is that instead of expecting you to act as a man or a woman, you are not only expected to act on those roles but are coerced to bow down to the limited facilities available in society for gender binaries only. For instance, A woman in rural areas would be expected to cover their head with a veil and only sit with women. On the other hand, men are expected to go out and earn for their family and their only duty towards their family is to provide financially. Men in such areas are encouraged to get an education whereas women are generally motivated to learn all the household chores and not indulge in the "manly activities." Men and women both have fixed dressing styles and there is nothing such as a man can be dressed like a woman or vice versa. Anything that would hamper the binary roles is shameful in such societies and those people would be subject to exclusion.

Finally, mechanisms of annihilation are the combination of the two norms as discussed above and the example Engelhardt gives is of the Lavatories that are only available to gender binary people. The fact that private spaces like lavatories are also gendered gives us a sense of how excluded non-binaries are and they suggest that there is no space for them in society if they do not conform to any of the two genders. Dress codes, behaviours and taking up the fixed gender roles suggest that most people do not agree with the idea of anything beyond the two genders.

Misandrogyny as it is suggested is the limited understanding of gender-nonbinary people and how people who even though do have a better understanding of what being non-binary is, refrain from accepting their diversity. I will discuss the treatment of people who are queer and trans to show the confusion of their identity by ordinary people. Most people associate trans people with a specific gender mostly which is given to them at birth. This could be due to their lack of knowledge or acceptance of them. Most communities associate people who are trans with being poor, begging for money on traffic signals, uneducated and taking them as being something of religious significance. It is believed that they use their identity to make people more superstitious in certain cultures. For instance, in some cities in India, whenever something auspicious occurs like a baby is born it is believed that it is a good omen to call trans people so that the new-born can seek their blessings as they are considered as God-like figures. Some of these people get money for going to people's places on such occasions or they ask for a certain amount of money by making the ordinary people feel that they can be cursed if they don't give them what they asked for. The common misconception is that these people are evil, and we ought to stay away from them. Truth be told, the government is responsible for their condition as they have no opportunities. They are also considered a menace to society which leads to their invisibility in all areas, rendering them poor and jobless.

The lack of knowledge towards trans people has led to "transphobia" in many communities. The limited understanding of them has led people to believe that they deserve only hatred and wrath from others. The question is then why be a part of misandrogyny, when there is a separate term for their negative treatment? The reason is that transphobia as a term isn't a term about negative treatment it is more about the negative psychological attitudes of people towards the trans communities. This term is not enough to compensate for how these people are gendered. This can only be justified by the term misandrogyny. Engelhardt in his paper agrees with the

association of trans people with hatred by others and having negative psychological attitudes, as these attitudes have a separate mechanism. However, he believes that we cannot overlook the fact that these mechanisms overlap with that of misandrogyny. It forces people to be gender binary and it targets trans people for being gender non-conforming people. Most people who are not gender-conforming are trans and vice versa. He doesn't repurpose the term transphobia as it has a different use and misandrogyny given by Watson is used for different purposes which is how such people's identities are not seen beyond gender boundaries. (Engelhardt, p.7, 2022)

I would like to suggest that this section is only to show the importance of the term misandrogyny and how it is required to differentiate between a negative psychological attitude versus treatment towards gender non-conforming people. As suggested by Engelhardt, there must be different mechanisms that also work differently for people who are gender binary and trans, but the aim is not that here. (Engelhardt, p.7, 2022). My own motivation is to show the exclusion of trans people from certain cultures based on their non-conformation towards a particular gender using the concept of misandrogyny. This could also be seen as a comparison with women not fitting in the "standards" of the patriarchal system. Both and others like them who are women or trans or queer are constantly pushed in a place which is harmful for them. Gender non-conforming people face bullying and trash talk by others who are generally gender-conforming. Their way of talking, sitting, playing or even dressing is questioned or is just assumed to be wrong as they do not fit into the "normal" ways of doing things. (Engelhardt, p.8, 2022). It is worth noting that females assigned at birth still suffer far more than men who are assigned as males at birth. If we take the patriarchal norms, then to extort feminine coded goods from them people try to sexually abuse or rape such women. This is also done to make them more obedient and to push them into patriarchal feminine sexual roles by using inhuman ways. (Rimes et al. p.237, 2019). I took this example to express how similar the ways of subordination are in both the concepts of misogyny and misandrogyny; irrespective of being a binary or a non-binary.

3.4 Gaslighting

We have discussed various aspects of oppression being through misogyny or misandrogyny. I have also tried to incorporate terms such as herasure and himpathy to make my case stronger for women who are unaware of these forms of oppression. Whereas Manne does not care much about psychological oppression and has placed her focus more on the subordination of women on how they are supposed to behave. I would also like to focus on the psychological concepts which are a part of misogyny. The question here is why and how we can say that this is misogynistic. I would like to clarify that gaslighting is not only a disagreement between two people, but it is a serious form of manipulation leading a person to question their own reality. Many women go through gaslighting most of their lives without even knowing that they have been gaslit. This form of oppression is also misogynistic; hence, it is important to recognise its forms and long-term consequences in this section of our paper.

Cynthia A. Stark in her paper called 'Gaslighting, misogyny and psychological oppression' talks about what gaslighting is and the two tactics involved in manipulating people having them succumb to oppression by targeting them psychologically. These are called 'sidestepping' and 'displacing.' What are these about? Sidestepping is dodging the evidence that supports a person's testimony and displacing is targeting someone on their character and cognition claiming that their character is flawed and mentally they are unstable. (Stark, p.221, 2019). The most interesting part about her paper is when she lays down the differences between epistemic gaslighting and manipulative gaslighting. To be fair, epistemic gaslighting is where a knower is wronged and there is no primary wrong as I understand it. It is based on the social position of a person or as stated by Stark it is about the social power. In a box it is like testimonial injustice where there is a credibility deficit and it is not necessary that the manipulator would always have an aim. However, with manipulative gaslighting the manipulator always has an aim

to leave the knower confused and to have a sense of control over her. She is left to question her own thoughts and motives and it is done gauging how much she is dependent on the manipulator for his approval. Finally, the aim in the manipulative gaslighting is always to harm the knower and make her helpless psychologically and hence leaving her at the mercy of the manipulator. (Strak, p.223, 2019).

The problem that seems here with Stark's view is that she thinks that epistemic gaslighting is "unintentional." This view might seem acceptable as maybe someone is not giving you a credibility deficit deliberately but just because they are unaware of the innate prejudices, they already have against you because you come from a different race. However, it is not completely true. Epistemic manipulation is done most of the time especially with women to make them vulnerable in front of people and to make them lose their confidence in their mental abilities. This hampers their work, and they start questioning their credibility in most cases if it's not dealt with properly. For instance, people in a seminar might question a woman being aggressive while defending her work but if she is not confident enough or hasn't been in the job for long then she will succumb to the pressure and will not stand up for herself as compared to someone with more experience and knowledge followed by confidence in herself. The confident woman would call the person out and would put them in their place as she refuses to be blamed for defending her work and being tagged as an aggressive woman. I would say that epistemic gaslighting doesn't necessarily always lack an aim. Sometimes this might be true but epistemic gaslighting is not an innocent form of manipulation as biases play a humongous role in epistemic discrediting someone. I believe we work from biases and they could be stereotypes or just subconsciously embedded in us.

I would like to talk about gaslighting in relationships here to show the impact of gaslighting and how it affects a woman's self-confidence. Peter and Sarah are in a relationship and Sarah has had bad experiences in her past relationships which has led her to become insecure. She has tried to be as secure as possible and leaving any emotional baggage from the past she began this new relationship with Peter thinking he is a good person. One day Sarah saw a text message on Peter's phone of a girl confessing her love to him. When she confronted Peter about this, he totally declined the claim saying that it must be a notification from some application on his phone and she is overthinking this. She is just insecure, and she thinks all men will cheat on her. This is what is known as sidestepping which is a part of gaslighting another person. This includes changing the subject or belittling a person, verbal abuse, or turning the tables. (Stark, p.225, 2019). Sidestepping also includes moving away from evidence and blaming the victim for her false beliefs and her bad character or mental instability. Instead of accepting one's mistake or explaining themselves the manipulator puts all the blame on the victim in order to exercise control on her.

Sidestepping not only leads a person to lose their confidence in themselves it also causes them to question and hate themselves for not believing their partner. This also arises from how much approval a woman seeks from her partner. There is a lot of emotion involved and hence she feels a constant need for validation from her partner. I think women are raised in a way where self-doubt is ingrained in them while growing up. While men are raised to believe that they are mostly right, leading to higher confidence levels in them. When a woman is already a self-doubting creature, gaslighting becomes an easy form of torture and manipulation for them; not many women can point it out and tell other people what is wrong with them as this is done slyly by men and there is little to no evidence that a man is gaslighting or simply disagreeing as put forth by Stark.

The second part of gaslighting is Displacement which mostly without the victim having evidence against the perpetrator the manipulator goes ahead to claim that the victim is unstable. It could be mental instability or something to do with her character such as being too sensitive, overthinker and preying on their insecurities. For Instance, In the case of Sarah she is a perfectly

well-educated and a nice woman. But when she questions Peter about him being involved with other women, he completely turns the table and tells her that she is a paranoid person, and her education is of no use. He is aware that he cannot get a better woman than Sarah but just to keep her under his thumb he tries to put her down and this forces her to believe that she is not good enough for him which is far from the truth. Manipulators prey on your insecurities to feel better about themselves and to keep you from leaving them and this comes from their own insecurities about themselves and the fact that they do not want to feel rejected or abandoned by their partners.

3.5 Misogyny and narcissism

As we have seen there is a relationship between gaslighting and misogyny as it shows that not only do people try to control what a woman does physically or what choices she makes. The most harmful kind of control that one can do to exercise control over someone is emotional control. This can be achieved by gaslighting as we have seen in the sections above and by using other forms of psychologically manipulative behaviour that are less talked about which I would like to elaborate on in this section and it is narcissism. But first just to briefly point out the five kinds of displacement techniques that Stark talks about in her paper including himpathy which we took up in the earlier section and victim blaming which is one of the most used techniques to blame the accused. For instance, if a woman is called to meet her professor not at the university but in a coffee shop. She might not think that it is a big deal since she trusts her professor but in the same instance, if she gets molested by him and she lodges a complaint against him, she will be the one who will be blamed. Questions like why did you go for a cup of coffee? How many casual relationships have you been in? what were you wearing?

Apart from this, there are other techniques that will help the accusers blame the accused. In instances where there is evidence, they try to raise self-doubt in the victim by manipulating her with unrelated questions on the incident or blaming her for her character flaw bad memory or not understanding things properly. Other such cases are where the accusers outrightly say that the accused is lying and that she did sexual favours as she would benefit from it in the long run. For instance, your boss tells you to be involved with him sexually or else he will spread rumours about you and finally get you kicked out of the company. Finally, you deny it, but he forces you but somehow you manage to escape and report him. To defend himself he completely shifts the blame on you stating that you came on to him because you needed a salary raise and a promotion in the company. Finally, there is another kind of displacement technique where the perpetrator accepts that he committed harm, but he also conveys the fact that it was not a big deal. Constantly putting your colleague down and making racist jokes about her knowing that you are out of line, and it is a form of exclusion; he defends himself by saying it was just a joke. (Stark, p.228, 2019).

Gaslighting is a form of misogyny and where misogyny just focuses on the conduct of women and how they ought to be. Gaslighting is a form of psychological oppression that allows men to take over their lives mentally rendering them to believe that they are inadequate and mentally unstable. This is done so that they do not question men's improper conduct towards them. I would like to also point out one of the lesser talked about phenomena of misogyny which is also a form of psychological oppression, and it is the narcissistic behaviour of men towards women. Narcissism is a technique used to control women in a way of initially showing them a lot of love and care then slowly bread crumbing them with that love until they get hooked and finally totally withdrawing it. This makes a woman question herself and her worth in the relationship.

Bartlet in his article talks about the similarities between narcissism and the relation of philosophy and it being a narcissistic discipline. However, our aim here is not to delve into such topics but rather to show that this psychological disorder that most people are unaware of can lead to the death of a woman's emotional and mental well-being. There are certain character traits that a narcissistic individual has and can be difficult to navigate for an ordinary person. Bartlet talks about how a narcissist is a self-absorbed in himself that he sees others as mere extensions of himself rather than separate individuals. Most narcissists are unaware that they are that and what led them to become narcissistic. This according to Barlet is due to their toxic relationship with their parents in their childhood. Either they imitate their narcissistic parent or because there was a lack of love and care it led to this. It is not as easy as it sounds, and the problem is more deeply rooted.

Imagine being in a relationship with a narcissistic person. He will show you all the affection and will be the person he knows you want him to be until you are hooked. Once you are emotionally invested the narcissist will start giving you a little affection and then taking it away from time to time and finally, he will withdraw all the love once you are totally attached. You can then keep questioning everything about the relationship and you will not get any answers whatsoever. He will never give you the right answers and keep you confused as they are pathological liars, even if the evidence is presented, they can turn the tables around quite smartly. They like to live in isolation and think that they are right and everyone around them is wrong. They have zero interest in self-examination of their emotions and behaviour, they don't sit well with people who question their dysfunctional ways. Most of these men are substance abusers or have had a bad family dynamic. (Bartlett, p.18, 2017)

The point here is to imagine yourself being stuck with someone like that and trying to think want went wrong. They will make you feel insecure and belittle your achievements by overshadowing them with their own. They know that you are better than them but just to keep you around they will manipulate everything they do and make it your own fault. Some people believe it is hard to differentiate between a narcissist and a sociopath but if you have experienced being with a narcissistic person then you would know that while a narcissist is all about grandiosity about themselves, a sociopath is all about you and how you are the best person. They do this so that you end up liking them. I would not give a narcissitic person the benefit of the doubt that they are so lost in their own self-absorbtion that they are unaware of the mental and emotional harm they cause to people around them, especially their partners. For instance, it is mostly like a kid who has stolen candy from the jar and when he is caught he blames it on someone else but it doesn't mean that he was unaware of the wrong he has committed.

The reason for talking about narcissism in this paper is to make people aware of how psychological oppression can make someone succumb to what the other person expects of them, and I think this is an act of misogyny. Once you do what society expects of you then you are a person of some value or else you will always be excluded. In a similar way, when you are caught up with a narcissistic person then you might know that you are being manipulated but most women are unable to navigate that due to their feelings for the narcissist. If you do not bow down to their needs and get caught up in their lies, then you become the "bad woman" who is only being selfish and trying to change them. Because of their pretence that you can see through they would not want to be with you and would want to be with their friends who for instance, support their drinking habits. You will then be the controlling partner who just wants to change them and who lives in insecurity.

Narcissism is an emotional abuse to control people around you into believing that they are wrong. It is done in a way where an individual will keep questioning their own actions as they are left confused by the narcissist. It is high time that we not only take Kate Manne's account of misogyny into consideration of how a woman should act but also closely reflect on how these psychological phenomena are becoming common in people coming from all kinds of

backgrounds and these people need to be called out for their ways of manipulating others. It is only by the way of knowing about these phenomena that we will be able to recognise if we are being controlled by others and how to not get stuck in that puzzle.

Conclusion

In this paper, I have covered what misogyny is and the various forms it takes to oppress people. I explored Kate Manne's view of misogyny, stating that it functions as a law enforcement branch designed to dictate how women should act and behave, linking it to deeper forms of psychological oppression. I have also discussed that it is not merely hatred for women that drives misogynistic behaviour, but also men's desire to maintain a sense of superiority and self-worth. Furthermore, I examined how misogyny shares structural similarities with Misandrogyny, where individuals struggle to find recognition and are oppressed due to being rendered invisible within social frameworks. Finally, I discussed narcissism and gaslighting as manipulative tools that serve to oppress women, leaving them confused and trapped in cycles of self-doubt, while also reinforcing patriarchal control through emotional destabilisation and erasure of women's perspectives.

Chapter 4

Assessments around Gestation: Experience & Duties

Abstract

In this paper, my focus is going to be on the right of a woman to abort. I would briefly touch upon the topics around the status of the foetus, arguments for abortion, brief arguments on anti-abortion, experiences during pregnancy, defeasible duties of mothers towards the benefit of their child, decision-making and finally the social norms. The aim is not to say that we reject the foetus's right to life completely but to elaborate that the foetus's right to life is not absolute. The foetus is not born independently, it takes place in the body of another human which is a woman. Instead of, dwelling around the foetus's right to life, I want to shift the focus on the child bearer i.e., the person who is responsible for carrying that foetus for nine months. It is also essential to note the reasons behind deciding to keep the child or to get an abortion is not an easy one. Anyone who is expecting would look at the pros and cons of the process; what the person goes through during and after the process and why abortion should be granted to those who ask for it.

Keywords Foetus. Abortion. Jennifer Saul. Rights. Mental health. Moral responsibility. Women. Rights

Introduction

In this paper, I would want to highlight the realistic picture of abortion which shows the significance of the pro-choice position, the nature of pregnancy, the physical and mental experiences during and after pregnancy and finally how the proponents of anti-abortion ignore these components while talking about the foetus having the right to life and it is wrong to get an abortion done. I would also talk about Woollard's arguments on how people who talk about anti-abortion forget that they can't have a full grasp of pregnancy until they have experienced it (Woollard, p.155, 2020). Literature can only give you an insight but only someone who is experiencing the changes (mental and physical) first-hand would know what it is like to be pregnant, also, we tend to forget that we are not talking about voluntary pregnancy but an involuntary one. This does not only include rape cases where the victims should be able to get an abortion as they did not choose to be in that position in the first place. Having said that, some victims choose to keep the baby despite the circumstances they were born in, since they believe that it is theirs and inside of their body (a part of them) an emotional attachment is formed early on. However, my argument is about people who don't want to keep the baby irrespective of the mental support they have or the financial condition they are in. They might not be emotionally or physically ready to take on such a huge responsibility. Finally, we'll talk

about the defeasible duties argued by Wollard in one of her papers about a mother who has certain duties that they have to oblige to for the benefit of her child. Having failed to fulfil that they either would have to justify why they were unable to do so or get rid of the blame of having anything to do with it in the first place.

4.1 The Basics of Abortion

Some Philosophers would not agree with my attempt to reflect on abortion. This area seems to be widely discussed for years in Philosophy and hence, most people have lost interest in the discussion. I would like to clarify that I agree with this view and yet it is important and it's hard to ignore all the literature that has already been dealt with and around abortion both the pro-choice discussions and those who oppose it. The question then is why is there still so much hostility towards getting an abortion and obscurity around which side one should take. Why only a few countries have agreed that people should be free to have abortions and others have not? There still needs to be a shift in perspective when it comes to this topic, that will help others understand it from the point of view of the person who goes through the process as suggested by Fiona Wollard. I would like to clarify that I am a proponent of having all the right to get an abortion. I will try and defend my position and reflect in the upcoming sections on why I came to agree on that despite looking at arguments that are against it. I will try to put forward a better case for the proponents of abortion which would include the position of a pregnant person than that of a foetus.

The standard argument against abortion states that a foetus should be considered as a human being, killing it is thus wrong, abortion is morally wrong since killing a human being is morally wrong and hence, getting an abortion is morally wrong. This argument seems convincing for those who regard a foetus as a person. However, most people do not think like that as we can't expect everyone to accept this conclusion without seeing the other end of the argument. Most people also believe that a foetus should not be considered as a person. Jennifer Saul in her book 'Feminism Issues and Arguments' clearly states that a person is allowed to get an abortion till twenty-four weeks of pregnancy (Saul, p.111, 2003). My view is that it then entails that it is still yet to be considered as a "human being" and hence it is legal to get it aborted around these 24 weeks in medical terms.

Following the statement above, there are questions in medicine that are raised towards the newborn baby and about the ontological status of the foetus. In medical terms there are stages in which the foetus is known by different names such as from 0-2 weeks of pregnancy it is called a Germinal, 3-8 weeks it is known as an embryonic and within 9 weeks it develops enough to be considered as a fetal. Finally, after birth, it is known as a newborn child. These are the stages of the foetus between conception and delivery. The opponents of abortion cannot casually refute the stages above and label the foetus as a human being. There is a difference between a full-grown human and the stages above that's why they exist. The difference is they are not yet fully developed. I would not want to get swayed by the technicalities related to the personhood of a foetus. My main focus in the following sections is on the person who carries it and will have to be responsible for it for the rest of their lives. Little have argued, since having a foetus inside of another human being is really intimate and more often than not most philosophers have ignored the nature of pregnancy. No amount of intimacy on any level should be forced (Little, p.296, 1999)

4.2 Nature of Pregnancy

Jennifer Saul in her book talks about Judith Jarvis Thomson's reflection on the case of abortion. Thomson argues through an example of a famous violinist who is attached to a person through the request of a society of music lovers. If you keep him attached to you for nine months then that would make you a good person but if you decide to let him go, even then it shouldn't affect how you are viewed by others. (Saul, p.116, 2003). This moves our attention towards a significant point which is the right to life is not absolute. What I mean by this is that it is not something which exists in a vacuum. To be alive, the foetus requires support from another person who should not only be willing to keep it inside of their body for nine months but also be prepared to have the will and courage to support it for the rest of their life.

Thomson's discussion is essential to our paper because it draws our attention towards the pregnant person and not only the foetus. According to her, it doesn't matter if we attach personhood to the foetus or not. It is the pregnant person who is of importance here. As I have mentioned in the section above, getting pregnant is about forming an intimate relationship with the other as it doesn't happen in a vacuum but inside of another person's body. Thomson also reiterates the fact that no person should be coerced to do something which they do not agree with. The right to keep someone else alive or taking support to exist is far more superior according to her than a life which doesn't need that support. (Saul, p.116, 2003). Little also agrees that involuntary pregnancy can be a devastating experience as opposed to a voluntary pregnancy which is indeed taken to be a better experience for many people. (Little, p.302, 1999)

Most anti-abortionists would not agree with this claim and they would state that people have intercourse voluntarily except in rape cases. These people are well aware of the fact that their actions would lead to certain consequences and the consequence here is that they will get pregnant but still they get involved in intercourse. However, they forget that there is a certain class amongst these anti-abortionists who will not agree to an abortion but they seem convinced by the use of contraceptive pills which anyway helps to prevent pregnancy. We are not here to get into the discussion about the effects of contraceptive methods so I am going to get back to the discussion about pregnant people here. Thomson's view of the violinist is criticized by Little and Rosalind Hurtshouse. The point where Thomson talks about being attached to another person during pregnancy translates as something that people are afraid to do, but this is not entirely true. Women don't get abortions to not get pregnant but to avoid being a parent to a child as it comes with a lifetime of responsibility. (Saul, p.119, 2003). Since bringing a child into this world means a huge responsibility, for most people this gets overwhelming for various reasons. They are either too young or are not equipped mentally or financially and due to this reason they think they can't be a good parent. Hence, Thomson's analogy as pointed out by both Little and Hurtshouse seems to be insufficient to provide a good case for abortion decisions. (Saul, p.120, 2003).

Let's take the example of Rachel, who is a woman in her early thirties and she gets pregnant with a friend who she has been seeing/dating lately but there is no commitment between them. The responsibility of the child will by default fall on her as her partner Ron made it clear earlier in this situation that he doesn't want children. She has the money to support her child if she goes along with the pregnancy. But, she doesn't feel that she can take up such a responsibility in her life right now as she wants to focus on her career. She knows for a fact that she won't be able to make up time for the said child. She believes that when she is ready for such a commitment at that time she would want to stay at home and be completely involved in her child's life rather than being dependent on the child-care facilities which she can still afford. In this case, it doesn't make Rachel a bad person for getting an abortion. The decision she is taking is based on the fact that she wants to be with the child and not depend on external facilities

because she won't have the time to be with the child. She wants to take full responsibility for the upbringing of the child, although she is aware that taking external help is not a bad thing but she prefers to be a stay-at-home mother during the early development years of the child. However, today she feels that she will be incapable of doing the same.

Some people can view the above example as an insufficient reason to abort a child. However, most of the responsibility indeed falls on the pregnant person irrespective of whether they have a partner or not. Most people would also suggest that since there are parents who are unable to conceive, you can give your child up for adoption. This is not as easy as it sounds, as many people are not psychologically equipped to do so and do not find it easy to give their child up for adoption. (Little, p.312, 1999). If we are talking about making informed decisions about pregnancy then this point seems about right. We cannot dismiss the psychological and emotional distress a pregnant person goes through during and after pregnancy. In most cases, there is a bond that is created between the foetus and the pregnant person. Also, the responsibility is not a shared one as stated above. People ignore the fact that the majority of the child-care burden falls on the one who was pregnant rather than the other partner. (Saul, p.122, 2003)

This fact is also emphasised by Allison Jaggar who suggests that “Decisions should be made by those who are most affected by them.” (Jaggar, p.353, 1973). Kate Manne makes a point against anti-abortionists who try and regulate pregnant bodies and she refers to it as an attempt at “misogynistic social control” in her book ‘Entitled.’ She believes that people or cisgender men shouldn't be able to police pregnant people when they can't be in the position of the former. This is to say that if you haven't experienced what it is like to be pregnant then it shouldn't be up to another person to make decisions for abortion. (Manne, p.99; p.100, 2020). She also points out that most abortions take place within heterosexual relationships and still men are exempt from the negative attitudes of anti-abortionists, no one blames them even though they have an equal participation in the decision of abortion as much as their female counterparts. Legalising abortion according to Manne doesn't mean that the number of abortions will go up but it only means that the rates of illegal abortions will go down which have worse health consequences as compared to legalised abortions. (Manne, p.106, 2020)

4.3 Gestating experience

The section above brings us to the point of experiencing pregnancy which is important to know if we need to make informed decisions regarding the same. Fiona Wollard largely discusses this in her article “Mother Knows Best: Pregnancy, Applied Ethics and epistemically transformative experiences.” She draws her discussion from L.A. Paul's article where she talks about how the experiences of a person cannot be known to another if that person hasn't been in the former person's shoes; meaning if one has not gone through the same experience of pregnancy then they can't know what it is like. Paul calls wanting to become a parent before having a child an ‘epistemic situation’ where you are deciding to be a parent. Whereas, for those who are not parents she terms them as “epistemically impoverished.” (Paul, p.156, 2015). She used this term to signify the importance of having a child which is like having a new experience and it is not projectable which means that if for instance, someone is travelling to Italy, you see their pictures on social media. You might comment on their picture, something like “I am living vicariously through your vacation pictures of Italy.” However, it will still be an insufficient statement as it is not possible to experience a place such as Italy or any other until you have been there in real life.

Paul further explains that being a parent is something like this and unless you experience it on your own; you cannot know what it entails. To have a child is like touching something new,

trying to learn new methods of taking care of a new life and learning more about yourself during the process as well as about the newborn simultaneously. Thus, she calls having a child an epistemically transformative experience. This is something that you have not experienced before and it cannot possibly be experienced through anyone else's experiences. Becoming a parent can be transformative on both epistemic and personal levels as there are many quick changes you go through, plus you also change as a person. There are several intense and quick changes in the experiences parents have. Since the child is born, accepting it as a part of your life is one of the major changes and also the stress surrounding the upbringing of the child leads to a personal transformation. It impacts you mentally, physically and emotionally at the same time. Paul believes that first time seeing and touching your child is very much both epistemically and personally transformative for both parents. (Paul, p.157, 2015)

Wollard in her paper argues about the importance of knowing epistemically transformative experiences when arguing from the point of view of applied ethics. She divides Paul's notion of epistemically transformative experiences as follows: First, is the epistemically transformative experience in Paul's 'narrow' sense, where one cannot know what it is like to be pregnant until they have experienced that first hand. Second is the Epistemic transformative experience in the 'wide' sense where once someone has experienced pregnancy they come to be in a different epistemic position than they could be in without having the experience; they now have access to new knowledge which is impossible to have without having the experience. (Wollard, p.157, 2020). According to Wollard, this knowledge is important to have as it will help us look at abortion from an ethical point of view. (Wollard, p.156, 2020). Her aim is not to show that those who have not been pregnant cannot contribute to the debate of abortion but rather to figure out how to work on ethical reasoning if we do not have any access to knowledge related to pregnancy.

Two more aspects are considered important for the ethical reasoning of abortion which are 'information' and 'grasp.' Information helps a reader to know what pregnancy pains are and how it is common in all the people who get pregnant. Second is grasp which doesn't exist in a vacuum and here the reader would know how pregnancy pains interact with other symptoms in a pregnant person. (Wollard, p.158, 2020). This is important to note because these are the two major ways to argue for or against abortion. However, these are not enough to have as tools to understand what pregnancy entails. For example: Martha is pregnant and she suffers from morning sickness in her first trimester. Martha's friend Giorgia thinks that she knows what vomiting could be like as she experienced that when she got the flu last year. However, Giorgia is not the one who is pregnant and we can say that she has the 'information' about morning sickness but she doesn't have the 'grasp' about what it is like to go through pregnancy; as morning sickness is just one part of being pregnant. It also differs from person to person, some people get that and some don't. Someone can have the information about pregnancy but, likely, they wouldn't know what it means to be pregnant. (Wollard, p.158, 2020).

We aim to show how a reader or someone who is not pregnant can know what it is like to be pregnant through literature or verbal transmission of information. Various other philosophers who have described their experiences with pregnancy believe that it is not wholly possible to know what a person who is pregnant goes through during the nine-month process. We can use any tools, literature, words, metaphors or images to describe pregnancy but grasping them for someone who has not been pregnant is often difficult. David Biro suggests that pain is extremely difficult to express in words as it is something internal; it is the same with pregnancy and a lot of things go on in another person's body as they are holding something which will be or is an extension of themselves. (Wollard, p.160, 2020).

4.4 Obstacles in obtaining knowledge around pregnancy

We are trying to look at how we can learn about pregnancy from literature or other's experiences. Wollard gives four elements in a shell to prove that it is not possible to fully grasp the knowledge of pregnancy no matter how detailed the description of the experience is. The first is an obvious one where it is next to impossible to understand all the aspects of a pregnancy because each of these experiences is different from the other. If person A is experiencing sore or bleeding gums which is an uncommon symptom during pregnancy; they try to explain it to person B who is also at a similar stage in her pregnancy but person B knows what it is like to have sore or bleeding gums as she has read about it but never had to experience it first-hand. In this case, person B might take person A's condition as something which shouldn't be taken seriously. However, bleeding gums during pregnancy is caused by hormonal changes in a person's body during pregnancy which is commonly known as Gingivitis. It can worsen and lead to something known as periodontitis which is a condition that can result in the loosening of teeth or falling out of teeth. Because each experience during pregnancy is so unique to each individual it is impossible to just explicitly communicate and expect the listener or the reader to understand it.

We cannot grasp all the things that happen to a person during pregnancy. You can verbally or visually see or learn certain things about being pregnant or you can even live close to a pregnant person. We need to realise that there are also language limits and experiences are so complex it is impossible for us to know all the details of the experience. A non-pregnant person can never know what it is like to have something inside of one's body for nine months and go through the mental and physical transformation one goes through if one has never been in that position. As we have discussed the common symptoms like vomiting to the uncommon ones like bleeding gums can only be informed but they can't be grasped until one has experienced the same for themselves. For example, Anita's elder sister Rima is pregnant and she has seen her go through the physical and mental transformations during her sister's pregnancy. However, she cannot fathom the degree of changes or the pain her sister has gone through even though she has been there to take care of her all this while. Rima has asked for all the help and explicitly explained to her what she feels at every step of her pregnancy but most experiences cannot be conveyed through language. Hence, Anita can never fully understand what it is like to be in Rima's place.

The third point to focus on is generally like the point I have mentioned above which is about missing details of the experience. According to Wollard even if one detail is missing from the experience then it becomes really hard to grasp what the entire experience was like. Rima can tell Anita, she has swollen feet due to her condition and Anita can see that her sister has swollen feet but doesn't understand the pain, redness and discomfort that comes with swollen feet during pregnancy. The swollen feet also interact with other things that are happening to her during her pregnancy but she can only communicate so much. It is not possible to know everything for a non-pregnant person who has not been pregnant before. Finally comes the vividness around pregnancy which is similar to the point above that it is not possible to have a full grasp about the experiences one goes through during their pregnancy. There is not only the rational aspect but also a lot of emotions involved in the process which can't be conveyed just like another ordinary experience so to speak.

The points above clarify how one cannot possibly know or be in an epistemic transformative narrow or wide sense for anyone else apart from the pregnant person. To know anything about being pregnant one has to either know what it is like to be in that state first and second only after knowing what it is like to be pregnant one can be in a greater or new epistemic position like that of a pregnant person. However, following the points above it seems that neither is possible because getting knowledge about pregnancy is only possible if and only if one has gone through the experience. We can also say that if everything needs to be experienced to fully know about something then most of the things we know today would become invalid or untrue. For instance, all the scientific facts, places of the world and depth of the ocean so on and so forth

cannot be known if we think we need to experience everything first-hand. Since all these things are experienced by others and cannot be known to someone who has not been a part of that experience. I think what Wollard and others have tried to achieve here is not that you cannot know something but you cannot know anything in its entirety if it's as complex a experience as that of pregnancy.

4.5 Mothers are liable for any harm caused to the child

We have already proved that experience seems to be one of the prominent reasons why one should be allowed to get an abortion and not be questioned about it. Since no one is in any way in an epistemic position to make such decisions for others who are going through the process. I would further like to move my discussion to a point where a parent is blamed during the process or pregnancy and after giving birth if they take certain decisions for the benefit of their child. (Wollard, p.126, 2018). If she is taking such a decision then she needs to give justifications for making such a decision and if she fails to do so then she is blameworthy. For instance, Some mothers believe that handing over pacifiers to their children is better as it keeps them from crying and keeps their babies calm so that they get time to focus on other things for a short duration. Most others might not agree with this method. They might think that there should be more natural or other methods to help keep their babies from being cranky or something else that would help them fall asleep.

The above example is a reflection that there is a lot of information surrounding how to have a smooth pregnancy and care for the child after it is born. Social media platforms and constant advice from other parents/relatives lead to a certain sense of guilt in the mother due to the methods used by them. Hence, affecting their emotional well-being and sanity. Wollard introduces the term 'defeasible duty' which according to her means that a person needs to be held accountable if they have done wrong and also to receive validation for someone's behaviour; meaning that it could be the case that according to us they have acted in a way which is wrong but according to others, they might not have done anything wrong. This term helps us recognise the moral behaviour of others so that we can have a moral standard in society.

The term defeasible duty is important as it helps us to recognise situations where a mother shouldn't be held liable to do something that does benefit her child but instead, she chooses to not do that or do something else. In this case, either she should be able to give a justification for the choice she made or she could try and prove that she is not blameworthy in that situation. (Wollard, p.130, 2016). For instance, a mother can choose to home-school her child but according to the societal standards that might not seem to be a good choice for the child. Most people believe that children who are home-schooled lack social skills which makes it harder for them to deal with real-life situations. In this instance, it is required of the mother to do what is best for the child and perform the defeasible duty. Here, the defeasible duty needs to be done as it comes with moral reasons to do so. If she doesn't want to oblige with the duty then either she needs to justify her decision to home-school her kid or prove that whatever happens she could not be held liable for the consequences.

Wollard gives to arguments to prove that why we should not always look at the moral standards while raising a child or arguing from the point of view of abortion. First, she states an argument from moral reason to benefit one's child, here she talks about moral reasons don't necessarily lead to a defeasible duty to act or perform a certain action. However, people believe that if one has moral reasons to act in a certain way that could benefit their child then they have a defeasible duty to do so. She believes that there are certain scenarios in our daily lives where we should do certain things that we are morally obligated to do but then if we fail to do them we are not required to give reasons or excuses for not doing them. Suppose you are supposed to help a

friend to raise money for charity and you have good moral reasons to do so but then not doing them won't make you a bad person.

If we think about cases of abortion where it is taken that if a mother has a moral reason to perform certain actions then she automatically has a defeasible duty to do so. Thinking that moral reason always gives rise to a defeasible duty. However, Wollard proves that this premise is false by taking considerations such as aggregative cost and freedom from moral demands. The defeasible duty to act in every case according to the moral demands would lead to high aggregative cases and second, it would be mentally taxing for any individual to keep up to the moral standards where they have to justify their every action.

The second line of argument is from a defeasible duty to benefit one's child. In this case, it assumes that a mother has a defeasible duty to benefit her child. She should act in a way that would benefit her children. To show that this line of argument is false, Wollard says that the argument is weak as it does not consider the probability meaning the value attached to the action. Everything cannot depend on the duty one has to perform towards one's child but also one needs to consider the amount of benefit one will get and the probability of benefitting from a certain action. (Wollard, p.138, 2016). The strength of the defeasible duty and the strength of the countervailing reasons required to defeat the duty will depend on the expected value of the action which is determined by the benefit and the probability of benefitting. Suppose, I am called upon by a friend to chair her talk but I am unable to do so. Here, I am not liable to justify my actions because we need to see here the size of the benefit which is not much as compared to other important situations in life.

She further argues about maximal defeasible duties and non-maximal defeasible duties. It is essential for us to know about them as Wollard from here tries to establish that a mother doesn't have maximal defeasible duty towards her child. To do that we need to know about maximal and non-maximal defeasible duties. Maximal defeasible duties is when one is when an agent has a maximal duty towards others and she is unable to fulfil them then she should be able to provide countervailing arguments for not fulfilling those duties. On the contrary, if the agent has a non-maximal duty towards others then they are not required to provide countervailing arguments for not being able to fulfil those duties towards them. We are not going to dwell on the other possibilities towards maximal and non-maximal duties as the focus of this paper lies in proving that a mother doesn't have a maximal defeasible duty towards her child. The premise we want to work with here is the one where we can see if a person has a maximal defeasible duty to benefit a person then that person should perform that action or any other action that would benefit the other person to a certain extent or more. (Wollard, p.140, p.141. 2016)

4.6 There are no maximal defeasible duties

As seen in the sections above we were working with maximal defeasible duties of a mother towards her child. In her paper, Wollard points out that this expectation is a burden that would lay heavily on a mother's well-being and self-ownership which in itself is bad. If a mother makes every decision based on what is best for her child and for that, she needs to be on her toes whilst making each decision, it will invariably impact the mother's physical and mental well-being. This will happen because society will blame her for not being able to fulfil her duties appropriately. Eventually, she will be in a space where she will take all the guilt and shame, and blame herself for not being able to fulfil the maximal defeasible duty that would benefit her child which also comes with a heavy load of moral burdens.

It is interesting to note that maximal duties also come with certain uncertainties as the maximal defeasible duties are undefined. There are times when a parent is clear about what duties they

have but in other situations where it is unclear to a person what they should be doing then it becomes difficult to fulfil such duties. For instance, a new mother might not be aware that it is important to not give honey to the newborn baby in his first year of birth as it can lead to diseases such as infant botulism which can cause muscle weakness of the baby younger than a year old. In such instances, mothers should not be called to justify their actions. Wollard gives an example of a parent who is required to donate his kidney as his child has a kidney disease and he is the only match available.

In the cases of abortion as well it is expected of a woman to give her body to another who will be attached to her for the next nine months. People forget that a person's body is their own and it belongs to them and they have authority over their body and self-ownership (Wollard, p.145, 2016). If one is required to fulfil others' needs over the needs of their own body then self-ownership here seems to be in danger. Yes, it is agreed that you can help others whilst sometimes putting your own needs behind but how far should one go to not lose their self in fulfilling the needs of others? Wollard goes on to talk about refraining from harm meaning in cases where when is unable to benefit the other then the least we could do is to refrain from causing any kind of harm to that person. But more interestingly there is a distinction that is important to see where if one is not causing harm then they are sometimes blamed for not being able to prevent harm. This is important to note because the mother's duty to prevent harm is different and has a greater imposition as compared to the standard requirement of not causing harm to others.

Conclusion

In this paper, I have covered the arguments for abortion from the point of view of the experiences one has during pregnancy. These experiences place an agent in a separate epistemic position which cannot be known to the non-pregnant people. Hence, it becomes obvious that one cannot decide if others should have an abortion unless one is in the former's position and has had those transformative experiences. Finally, I have scrutinised Wollard's position who talks about the maximal defeasible duty a mother has towards her child but even then she is unable to conclude. When she talks about harm towards the foetus she believes that it is an overwhelming topic to talk about as one needs to carefully examine the relationship between the mother and the foetus to know that the mother is always held responsible when it comes to the notion of harm.

Chapter 5

Sabda-pramana: It's Nature as an independent source of knowledge

Abstract

In this paper, we will be looking at testimonial knowledge from the perspective of the Indian Philosophical tradition. Testimonial knowledge is an important source of knowledge as it is used in our everyday lives, much like other sources of knowledge, like perception and inference. An intriguing aspect of testimony which is not unanimously agreed by other Indian philosophical schools is that it should be considered as an independent source of knowledge. Most of these schools think that testimony should be taken under the umbrella of inference or perception and other sources of knowledge. The reason is that they think that testimony cannot work independently as a source of knowledge, but it requires the help of other sources to work and thus, it can never be a primary source of knowledge but only a secondary one. Here, we are going to look at how the Nyāya school in Indian philosophy, unlike other schools, does not agree with this notion. They support testimonial knowledge as being an independent source like all other sources of knowledge. We will briefly touch upon the beliefs of other systems of Indian philosophy just for a brief background on testimonial knowledge. We are also going to look at the criticisms presented by Mohanty and other schools on testimonial knowledge not being fit to be considered as a separate source of knowledge.

Keywords Testimony. Sabdapramana. knowledge. Nyaya school. Pramana. Indian philosophy. inferential knowledge. doubt. ascertainment

Introduction

In this paper, I am going to attempt to justify if testimonial knowledge can exist on its own or absolutely without being under any influence of other sources of knowledge such as inference, perception, postulation, comparison and non-apprehension which are also considered as five prominent sources of knowledge. There has been a difference of opinion amongst some of the Indian philosophical schools on namely testimonial knowledge. The question is why should testimonial knowledge be considered as an independent source of knowledge? We are not going to get into the debate of which other sources are considered valid sources of knowledge, as the aim of this paper is to solely investigate testimonial knowledge and its validity as an independent source of knowledge. As compared to other schools in Indian philosophy, it gives us reasons to accept it as a separate pramana (source of knowledge.) In section #2 we will look at what we

mean by verbal testimony in the Nyaya system and in other Indian philosophical schools, Sections #3, talk about how communication takes place, what we understand by shabda or words, specific conditions that are required to form sentences and different kinds of instances that would help us understand testimonial knowledge and its acceptance as an independent source of knowledge like perception and inference. In Sections #4 we are going to look at it as a separate source of knowledge. We are also going to touch upon the views of Matt Jope, Lackey and Fricker who argue for and against it being an independent source of knowledge. Section #5 I would put forward the criticisms of sadapramana as a valid source of knowledge by Mohanty et.al. Finally, I will conclude.

5.1 Classification of shabda

Nyāya school in Indian philosophy is the proponent of verbal testimony as a separate source of knowledge. Their view is different from the views of other Indian philosophical schools who think that verbal testimony should not be considered a separate source of knowledge and should come under inference. Nyāya school believed that shabda should come from ‘Apta Purusha’ or a trustworthy person. He is someone who knows the truth, communicates it properly and works for the benefit of other people. (M. Hiriyanna, p.258, 1932).

Buddhists unlike Naiyāyikas thought that verbal testimony should come under inference and did not consider it as a separate pramana. They believed verbal testimony was an unreliable source of knowledge unless one’s own experience verifies it. (M. Hiriyanna, p.257, 1932). Charvakas also believed there is no logical explanation and justification to believe a person's statement. They argue that if this were true, we'd be compelled to accept countless ridiculous and imaginary things proposed by any fool who chose to speak of them. (Chatterjee, p.362, 1939). They thought that if it is from a trustworthy person then it should come under inference like how the Buddhists viewed it. Other Indian schools formed a similar opinion on the same but for the purpose of this paper, we need to focus on the Naiyāyikas philosophy.

To understand verbal testimony as an independent source of knowledge, we need to know how we acquire verbal knowledge in the first place. Shabda means verbal knowledge which we receive about our surroundings from words and sentences. According to the Nyāya school verbal testimony or shabda is only valid if it comes from a trustworthy person ‘Apta Purusha’ who believes in guiding people around him for their good, who says the truth and knows the truth. For instance, Let’s take a saint in a temple who can only guide people about the history of the temple or religion when he knows the real story from the scriptures and if he speaks it and would want people to learn about these things to reach their highest spiritual potential then he is apta purusha. Hence, his shabda could be valid under conditions above. This is to say, that only perception of words and sentences cannot give us any kind of knowledge. When one understands the words and the meaning behind them and when it comes from a trustworthy person; it is only then one can be said to have acquired knowledge from a verbal statement. (Chatterjee, p.362, 1939).

As mentioned earlier, the initial step in obtaining verbal testimony involves perceiving the words of a sentence spoken by a reliable individual. When engaging in verbal communication, we rely on auditory perception, whereas a written statement engages our visual perception. Ultimately, we must grasp the meaning of the words, which represents the final step in acquiring verbal knowledge about the world’s objects by recalling them to our minds.

Shabda stands apart from other pramanas because it relies on the understanding of words or sentences. In contrast, perception stems from direct contact with objects, inference derives from universal relationships, and comparison is based on observing similarities or differences. (Chatterjee, p.346, 1939). For instance, if we know the meaning of the word apple only then,

we can recall it in our minds, we can get the knowledge of an apple which is an object in the real world through the word apple and the meaning of that word which is that it is fairly yellow or red in colour and round in shape and have different varieties. We get to know what is an apple through the meaning associated with the word and that is when we get verbal knowledge of the objects around us.

There are two ways in which verbal knowledge is classified in the Nyāya system, one is relating to perceptible objects and the other one is relating to imperceptible objects. The first is related to the ordinary sensible objects of this world, while the second relates to supersensible objects which we can't know through the means of perception (Chatterjee, p.347, 1939). The difference is that they both depend on the testimony of trustworthy people but the former depends on the knowledge from people like saints, farmers or teachers. The latter includes people like scientists or prophets who can give knowledge about things which are not easily perceivable to humans.

There is even further distribution of Shabda by the later Naiyāyikas which are vaidika and laukika shabda. The Vaidika are said to be created by gods and are words of gods like the vedas and are believed to be valid on all points. Conversely, laukika testimony originates from humans and can be either true or false. As mentioned earlier, it is based on the assertions of reliable individuals. Despite this distinction, all Naiyāyikas agree that testimony must be personal and derived from the words of some trustworthy source, whether human or divine. Regarding truth or validity, they assert there is no difference between the reliable claims of an ordinary person and the scriptures revealed by God (Chatterjee, p.347, 1939). This claim appears inherently controversial, as they maintain that the statements made by ordinary trustworthy individuals can be true or false, while those made by saints or prophets are always true and uncontradicted. 5.2 Nature of shabda & sentence formation.

After drawing a brief account of what verbal testimony is according to the Nyāya system, it is worth asking ourselves what then is the nature of shabda. How do we understand these sentences comprised of words and letters? Let's start by thinking about what a sentence is. A sentence consists of words and sounds arranged linearly. Shabda means words in a sentence and the intriguing part is how they are associated with sounds. Sounds according to the Nyāyas move through ether or air as a medium. Sound arises from the interaction between two bodies or from the separation of components in a single composite body. Hence, sound is not eternal; it has a beginning and end in time. The Mimamsakas contest this view, claiming that sound is eternal because it is not created, but merely unveiled when two bodies come into contact. (Chatterjee, p. 351, 1939).

Sounds can be divided into two categories: dhvani and varna. Dhvani refers to ambiguous sounds, such as those from instruments, perceived as a disorganised mix of auditory sensations with no logical structure. It is believed that dhvani lacks a unique essence and does not consistently relate to similar sounds. In contrast, varna has a definite connection to other sounds and is essential in our language. For example, any spoken or written word falls under dhvani. Additionally, words are crucial in language; they consist of arranged groups of varnas or letters in a precise order. The arrangement of letters in a word is vital for its meaning; for instance, the word CAR is made up of the letters C, A, and R in that specific arrangement. Altering this sequence would change the word entirely. However, some letters can be rearranged to form different words, like EAT becoming TEA, depending on context or usage. Naiyāyikas contend, unlike Samkhya philosophers, that words refer not to individual entities but rather to specific categories, such as types of flowers within a broader classification. They argue that if words indicated individual objects, each word might lose its significance. (Chatterjee, p. 352, 1939).

Going forward, we should look into the formation of the sentences as the formation of a sentence relies on certain conditions which makes it different from other sources of knowledge. Sentences are a combination of words having a certain meaning and the construction of a

sentence should fulfil four conditions of akansa (expectancy), yogyata (non-contradictory), sannidhi (continuity) and tatparya (intention). First, Akansa or expectancy means how words are related to each other. For example, If I tell someone to ask, they might be confused to think what I mean by ask. But, if I tell them to ask the teacher about the test scores. This makes more sense as this makes it a complete sentence. The second condition of combining words in a sentence is yogyata or mutual fitness. There should not be any contradiction in what we say. For instance, soap and oil do not fit well with one another. Then comes Sannidhi or expectancy the third condition of verbal knowledge and it consists in the propinquity or proximity between the different words of a sentence. Riding a bike would not make any sense in any verbal or written form if they were not said in a continuous form. The final condition is Tatparya or intention as a condition for verbal knowledge as when one speaks then we should know exactly what they mean to understand the meaning of a sentence. I might say I need to have a carbonated drink, it could be soda or sparkling water both have the elements of a carbonated drink. The question is which one do I want?

5.3 Testimony as a separate source of knowledge

Many schools of Indian philosophy generally agree that verbal testimony is a distinct source of knowledge. However, critiques of this view often focus on the nature of verbal testimony. For instance, the Jain and Nyaya schools assert that it must originate from a reliable individual, which means that it should be articulated or documented by someone trustworthy or recognised as an authority. Conversely, the Vedanta and Mimamsa schools assert that verbal testimony refers to a sentence or proposition that is not contradicted in any form. Therefore, a sentence must meet all four criteria of expectancy, compatibility, proximity, and fitness to qualify as a valid source of knowledge.

Two additional questions arise in this context: can verbal testimony provide us with genuine knowledge of objects? Additionally, how does verbal testimony impart knowledge of objects distinct from perception, inference, and other reliable knowledge sources? It is crucial to acknowledge that whether some objects can be understood through other valid means does not diminish the uniqueness of verbal knowledge. As long as verbal knowledge cannot be reduced to the conditions of other knowledge types, it should be recognised as an independent method of understanding. (Chatterjee, P.381, 1939)

There is a view on the above statement by Matthew Jope in his paper ‘The symmetry problem for testimonial conservatism’ where he tried to examine the asymmetry between testimony and perception. On one hand, where most philosophers claim that there is a significant asymmetry between testimony and perception, Jope thinks otherwise. However, he is ready to look into it and see if any prior conditions are needed to establish testimony. He believes that we do need these reasons (conservatism). Similarly, if there are any prior justifications we need to have to gain perception but he is sceptical on this one (liberalism). (Jope, p.3, 2021).

There has been an ongoing debate amongst conservative views for instance on perception to have prior reasons to know perception and liberalists who believe that if there are no defeaters present then perception is reliable in itself. If there is a table in the room then we should know that the table is there for that we shouldn’t need any introspection. Apart from the cases of inferences of smoke and fire, where we infer if there is smoke then there will be a fire nearby. The question here is not to establish whether perception needs prior reasons to be independently a valid source of knowledge but for this paper, we need to establish if testimony requires any prior justifications like when we hear something or are told about something new.

Testimonial conservatism is true when testimonial knowledge is acquired when one hears, A, it is also influenced by factors such as the trustworthiness and the reliability of the speaker, to

know that A is true. (this view has also been shared by the Nyāyas.) In classical Indian epistemology, certain terms and concepts are used to identify a trustworthy source of testimony. For the purposes of this thesis, it is important to clarify that the recipient of testimony does not need to be explicitly aware that the source is trustworthy; it is sufficient that the source, in fact, is reliable. This is only true if we believe that testimonial knowledge cannot be reduced to other sources of valid knowledge such as memory, perception, comparison et.al. However, here, I lean more towards the view of anti-reductionists (testimonial liberalism), who claim that we do not need any evidence or further reasons to take the speaker to be reliable or trustworthy and to know if the testimony put forward is true. The problem recognised by Joep here is that this view can be easily taken down if the speaker turns out to be dishonest. (Joep, p.3, 2021).

Another view stated by Fricker is that she believes, perception can be taken as independent as the perceptual experience talks about certain states of affairs which can be represented as true. Like I mentioned above if there is a table in front of us then we will take it that it is there in the room. This shows the direct relation between perception and experience. But, when it comes to testimonial knowledge she believes we need to infer what the speaker means by a certain statement. She believes that the speaker needs to perform an inductive and abductive action about statement A, then provide a conclusion and finally, we need to look at the reliability of the speaker. (as cited in Joep, p.6, 2021).

This creates a problem for us because what we are arguing for here is to take testimonial knowledge as an independent source of knowledge and if we are testimonial liberals then we would have to justify how can we prove that the speaker is reliable. The next instance we will look at-- would make it vivid, why most of the time the said statement is sufficient to prove the testifier is reliable. For instance, if one is standing on the banks of a river and is told by a passer-by that the "river is fordable." In this case, one could know that the river is deep enough from the said statement. However, it is hard to understand if one could know this by perception or any other valid sources of knowledge. Considering the situation, it cannot merely be perception, as the river's depth is not visible. It isn't a matter of memory either, since there is no prior experience that aligns with one's current understanding of the river's depth. One cannot recall if a river is crossable, nor can this information be gleaned from past experiences with other crossable rivers. Even if someone has ideas or mental images from previous encounters, they do not clarify our knowledge about this specific river being crossable, as there is no prior experience associated with it. (Chatterjee, p.382, 1939). This could also suggest that there are isolated instances where verbal testimony could function as an independent source of knowledge, but this point could be criticised by arguing that it may not hold true in every instance of testimonial knowledge.

There has been a similar examination of assertions in a statement made by the speaker by Joep. He believes that in order for us to believe something is true we need to take assertions to be true. This does not mean to take everything at face value rather we need to know the rules and conventions of communication, he refers to the Gricean maxim of quality. This means that the speaker should say what he/she believes to be true and if he lies then it will be a violation of the maxim. (Joep, p.8, 2021). He then focuses on the psychological aspect given by Daniel T. Gilbert who talks about the truth default theory which suggests that to accept or deny a statement doesn't come prior to communicating anything but acceptance of anything is a prerequisite to communication, the analysis of truth and falsity about it comes much later. (Joep, p.8, 2021).

There is a discussion about neutrality and non-neutrality of assertions. Firstly, assertions in his paper are defined as non-neutral speech acts which have two characteristics such as content which represents propositions. The second is assertoric force which fulfils the required norms of assertion and has the strength to make an assertion, with the assumption that the people can themselves form a corresponding belief. For instance, some women are great multi-taskers will

be true if some women are great multi-taskers. Going forward as noted by Gilbert (1990) et al speaks about Spinoza's view where he states that "all ideas are accepted" meaning as represented in the mind as true. This means that before judging the truth or falsity of a statement or an idea most of them are generally accepted. For instance, If I have a flatmate who lies and can't help but lie all the time and my other flatmates are aware of it; even then before rejecting his statement—"It's going to be a sunny day." We would take his statement as a chance of truth and check the weather on our phones before outrightly rejecting his statement. The Spinozean view states the same clarifying that psychologically humans do that because it takes more time to process that something is false before assuming it's true. This means for the discussion above that assertions are not non-neutral but are true. (Jope, p.9, 2021).

There are other discussions about testimony and perceptual asymmetry between the two. I would only like to take what serves the purpose of this paper that would help us know if testimonial knowledge can be taken as a separate source. We should also see the reliability of testimony, only then we can establish its independence. Both Lackey and Fricker agree that testimony is less reliable as compared to perception. They are examining things to develop an asymmetry between perception and testimony which is not our aim, however, it is useful for us to understand the shortcomings of testimonial knowledge. I am going to pick up specific cases discussed in the paper to defend my argument. There is a great instance in the paper about Turman who is always lied to and is new to the city. However, even when he is being lied to—the testimonial knowledge needs to have some truth to it. Otherwise, Turman would find out that he is being lied to all the time. The universal cases of testimony being unreliable are impossible to find according to Jope as compared to the Turman case. There is also a similar view proposed by Coady that if there is a Martian community for instance and we think whatever they report is false according to our translation then what will be the point of reporting? Also, if these communities make equal true and false reports then the assertions will not be valid as it would be similar to flipping a coin. The only solution for this is to see if the speakers utter the truth or else the testimony will not be valid. Similarly, Graham agrees, stating that if we take all assertions to be false then there will be no point for the speakers to assert anything and for the hearers to trust it. (Graham, p.698, 2000 as cited in Jope, 2021). This basically means that the unreliability of testimony as a whole is not possible.

Another point of interest in defending our argument on testimonial unreliability is that as we know it has an agent involved who has the power to deceive us by his insincerity. This is a point where people defend perceptual faculties and memories as against to testimonial knowledge. (Jope, p.15, 2021). If in the case of testimony, an agent can deceive us and that makes it unreliable for us hearers then this can also be said about perception and memory. They might be well-functioning sources of knowledge per se but let's take certain instances where they can prove to be unreliable as well. For instance, in the case of perception, your friend might show you a magic trick which is meant to create an illusion in your mind by tricking you into believing that such-and-such is the case. Whereas, in reality, it's not. Another example of memory would be that you misremember something like an event as you remember it has happened before but in reality, it hasn't. This is also your memory being unreliable at times. Hence, if we can take these sources as independent and not question their reliability then there is no reason why there is an epistemic standard only reserved for testimony as a source of knowledge.

Jope's paper tries and establish asymmetry in the sense when he takes examples from Lackey's paper of Oliva and Edna both who suffer from perceptual amnesia and Testimonial amnesia. They both share similar experiences after coming from the hospital. They both run into people, watch episodes of Seinfeld (an American sitcom) so on and so forth. In the first case of Olivia, for us to establish that there is a perceptual deception, she is unable to form beliefs and in the second case of Edna it is the same but she is unable to form any beliefs based on anyone's testimony as she suffers from testimonial amnesia. But, here testimony and perceptual experiences are at par since both of them are robbed of their past beliefs and concepts of how

they understood the world. But, in the case of Edna where she suffers from testimonial amnesia she can be compared to kids in the sense that whatever they learn is mostly through testimony and they don't have concepts of verifying it, they lack capabilities of sincerity, competency and making judgements just like her. So, in both cases, there is a sense of being unable to form true beliefs where both of them didn't get knowledge. (Jope, 2021). These two cases are good enough to tell us why testimonial knowledge and perceptual knowledge could equally be harmful but again it doesn't help to get closer to forming an anti-reductionist view about testimony. It does allow room for us to say that yes both of these sources of knowledge could be equally harmful in specific cases of amnesia. However, we are still seeking positive reasons to form a solid ground on which we can say testimonial knowledge should be an independent source of knowledge.

It seems that it's difficult to look at testimonial knowledge as a separate source of knowledge from other sources such as perception. But, I still do believe that because perception cases are still different from testimonial cases. I would rather conclude from the above discussion that perceptual cases might need testimony for some background knowledge as in the case of Edna & Olivia but testimonial cases don't need any perceptual justification to exist. It rather needs to be coming from a trustworthy person. For instance, I need to have some testimony to recognise when I perceptually see an apple, I would wonder what that thing is to recognise it's use. However, I wouldn't need a proof for testimonial knowledge always especially on everyday basis. If my supervisor says that she is going to Edinburgh tomorrow in the afternoon and we need to have a meeting in the morning. I wouldn't go after her to check if she is really going to Edinburgh. Such cases are just examples of a few instances of testimonial knowledge as being independent.

5.4 Criticism of Sabdapramana

John Taber explains How Mohanty gives arguments against sabdapramana. In his writings on Indian Philosophy, he takes up certain criticisms on sabdapramana and we will see how they are relevant to our discussion. The first is that there is no account in Indian philosophy of how we know something just by using words. Secondly, there is no way in which Indian philosophy explains how we understand something from a sentence. Finally, he believed that in order to know something testimony is not something we need, instead what we need are perception and inference to get knowledge of something. (Taber, p.161; p.162, 2002).

Mohanty proceeds to examine sabda as an independent source of knowledge. He believes that in other sources of knowledge such as perception, we do need the presence of an object which is not possible in the case of testimonial knowledge. For instance, I can say that there are unicorns present in my flat and for that, I wouldn't need the unicorns to be present there or any proof for that statement. A person can still make sense of a sentence without having the object present before him. "Language does not always correspond to reality." (Taber, p.164, 2002). Language can always cause doubts in us and it is that point where we tend to blame the speaker and question their authenticity. Although, we forget that it is the language which is insufficient to provide us with any sort of firm truth about the existence of reality and the speaker is just the medium through which we perform this task. Purvapaksin raises doubts to this claim and believes that it depends on the speakers mind and their reliability to trust their testimony. A sentence impacts our state of mind and because of that we are unable to see things as they appear. A sentence according to him is neither true nor false. He also claims that without knowing the truth about the sentence we cannot know the reliability about the speaker. This seems like a contraction to which Salikanatha responds stating that because the meaning of the sentence is false, we cannot come to any certainty about the testimony. Prabhakara concurs the same stating that there is an already existing state of affairs to which a sentence refers towards

and it will also be true in the case of false sentences as there is an apriori existence to the state of affairs. This proves Mohanty's point of sabda not being a separate pramana. (Taber, p.166, 2002).

The above statement by Salikanatha differs when it comes to the authority or validity of the vedas. He believes that if the testimonial knowledge needs to be seen as a separate source of knowledge then it should correspond to the actual state of affairs that has taken place. However, this account seems to be false when we talk about the vedas which are the religious texts and are considered to be authorless. It is not coming from the reliability of a speaker since there is no author, we have no proof that any of the state of affairs have taken place and the sentences do not have any validity when it comes to the vedas. The answer to this seems debatable as when it comes to the vedas he claims that the sentences are intrinsically valid and we do not need any proof of the state of affairs or the reliability of the speaker. (Taber, p. 167; p.168, 2002). Despite the differences in opinion about a sentence and its validity is the fact that other philosophers such as Bhatta agrees that the testimonial reliability depends on the trust of the speaker. Whereas, Prabhakara believes that a sentence is an inference. Both of them have different opinions on the ascertainment of a sentence, one believes that the ascertainment is already there and it is only established once we know that the author is reliable. Prabhakara disagrees and believes that until the cognition of the author is inferred we cannot for sure know the ascertainment of a sentence. Finally, both schools agree that we already know the sentences independent of knowing if they are true or false. (Taber, p.168, 2002).

Taber takes into account two criticisms given by Mohanty and why they are unsuccessful critiques of sabdapramana. First is that verbal testimony cannot provide us with any knowledge and it needs support from other sources of knowledge such as perception and inference. The second is that we cannot grasp the meaning of a sentence without knowing if it's true. To the second critique, he says that we only have a sense of certain state of affairs from the sentence-meaning and we do not need to necessarily know if they exist, we just need to understand the sentence-meaning. The other thing is the trustworthiness of the author through which we can know the existence of the state of affairs. Finally, the ascertainment which one obtains through the state of affairs of a sentence. It would surely be alright to consider then sentence-meaning as an object of thought rather than a state of affairs because it is due to knowledge of sentence-meaning that we have certain thoughts about the state of affairs which do not exist but are just a thought.

Moving forward to Mohanty's first critique is that other schools of Indian Philosophy never claimed that language can itself give one knowledge. The sources of knowledge are cognitions which appear to be true. Perception as a source of knowledge can be justified but it cannot always be true. Part of a cognition or experience of a certain object can still be true if not entirely true. The validity of a cognition does not depend on the fact that if it corresponds to reality. However, the longer a cognition seems not to be questioned it seems more truer to us and others. This shows that Mohanty's critique of sabdapramana is not entirely true.

Conclusion

In this paper, I have endeavored to explore the significance of verbal testimony as an independent and distinct source of knowledge, warranting its recognition apart from other knowledge forms. We extensively examined the intricate processes involved in word formation and delved into the nuanced relationships between verbal sources of knowledge and other cognitive processes, such as perception and inference, which play a critical role in our understanding of the world. Additionally, we discussed the contrasting perspectives of reductionist and anti-reductionist viewpoints concerning testimonial knowledge, highlighting the complexities surrounding this debate. To conclude, we reviewed and analyzed the various criticisms that arise against the anti-reductionist stance on testimony, emphasizing the ongoing discourse surrounding the validity and reliability of verbal testimony in the pursuit of knowledge.

Chapter 6

Gender Terminology: Revisiting the concept of women & removing negative connotations

Abstract

In this paper, I am going to attempt to explain how we can detect inconsistencies in concepts. By doing so, we can then replace these defective concepts so that they can do the theoretical work deemed necessary for our philosophical purposes. This process is called 'conceptual engineering' in philosophy, coined by Richard Creath in the 1990s. This is a valuable tool for this paper, as we will use this method to identify women's social kinds to help them fight the enormous injustices they face in both social and political scenarios. This overwhelming project has been taken up by Sally Haslanger, who tries to identify women's social kinds to help them realise their position as social and political agents and to help them navigate ways in which they can be empowered as social agents. She comes up with a definition of woman which states that if one is socially subordinated based on their sex as a female, then they are a woman, and if one is socially privileged based on their sex, then they are recognised as a male. There are certain limitations to this definition provided by Haslanger, which have been taken up by Mikkola, Katharine Jenkins and others. There are undoubtedly other attempts made by Mona Simion & Chris Kelp in their paper to negate the negative connotations with the term woman, suggesting that this term should be eliminated or replaced by a newer term which will help us do away with the historical prejudices attached to the previous term. I will try to challenge their theories and come up with a new perspective on conceptual change, which might be necessary for an attitudinal change towards women and people who identify as one.

Keywords women. Gender terms. Negative connotations. Haslanger. Gender segregation. Conceptual engineering. Redefining woman.

Introduction

In this paper, in sections #1 & #2, I am going to discuss Sally Haslanger's definition of a woman to identify women's social kinds for them to fight against injustices. We are also going to talk about the limitations of her proposed definition discussed by Mikkola and Jenkins in their papers. Further in section #3, We are going to see the challenge posed by Mona Simion and Chris Kelp which attempts to do away with the definition of woman and replace women with a newer term to remove any negative connotations attached to the previous term. In Section 4# There will be a focus on sex-typed behaviours adopted by children from a fairly young age and how the influence of their peers, their immediate environment, school, and parenting in their early years affects their gender view. We will look at the possible solutions to develop a positive attitude towards gender term women, even though I realise that it is a time-consuming process, I think it is doable. Finally, I will conclude.

6.1 Redefining women

The focus of this paper is to try and navigate our way through a system which oppresses or trivialises women in any form; this oppression could be political, social, through one's language or at home. To achieve this, we should be clear on who we all consider as women. Sally Haslanger in her paper 'Gender and Race: (What) Are They? (What) Do We Want Them to Be?' tried to do this and talked about redefining women to recognise women's social kinds who are socially and politically oppressed. She uses various types of tools to analyse the term woman, but she realises that out of this only ameliorative analysis is the best way in which we can try to redefine women. Let's briefly touch upon her conceptual, descriptive, and ameliorative analysis one by one and see why she chose ameliorative analysis for her engineering project. I am not going to discuss the nuances of her paper as the aim is to find out why her strategy is not best suited for women as social kinds, for which we need the definition she tries to give for who all are supposed to be in the category of women.

Haslanger starts with her conceptual analysis of women which holds that there are certain specific conditions one needs to satisfy to be called a 'woman' and ordinary people do not have access to gender concepts in the way we all do. They look at the physical traits only to identify someone as a woman. However, ordinary speakers get confused with the usage of the term because each person's notions about themselves and language use around that differ according to how they identify themselves. (Haslanger, p.34, 2000). Descriptive analysis focuses more on how our language tracks any of the social kinds and this uses more of the practical application of our concepts, she calls such concepts analysed in this way as operative concepts (the concepts we employ), (we will go into the discussion of operative & manifest concepts at length, later in the paper). According to Haslanger, both the conceptual and descriptive analysis are theoretically unhelpful as there can't be only a limited use for the term woman, meaning that the ordinary use of the term is not specific enough for our usual use of the term and people use it in various ways which makes it hard to grasp. (Mikkola, p.563, 2009).

The ameliorative concept of women is the revision of the concept which tracks women's social kind, and the revision of that concept would lead to better recognition of these groups who have been socially and politically subordinated. Haslanger feels that using the ameliorative analysis is the only way in which we will be able to fight against gender oppression. Hence, she gives the following definition of what women and men, and they are defined as follows:

S is a woman iff (by definition) S is systematically subordinated along some dimension (economic, political, legal, social, etc.) and S is 'marked' as a target for this treatment by observed or imagined bodily features presumed to be evidence of a female's biological role in reproduction.

Similarly, S is a man iff (by definition) S is systematically privileged along some dimension (economic, political, legal, social, etc.), and S is 'marked' as a target for this treatment by observed or imagined bodily features presumed to be evidence of a male's biological role in reproduction. (Haslanger, p. 39, 2000).

According to Mikkola, Haslanger's definition has its shortcomings but before that let's understand the difference between manifest and operative concepts which will be helpful to grasp Mikkola's view. Manifest concepts are those we think we are employing and operative concepts are those we employ. According to Mikkola, Haslanger's definition creates confusion for ordinary speakers and she explains this with an example of parents where ordinary parents who are related to the child fulfil both the manifest and operative concepts while adoptive parents are only related to the child in a way which fulfil the manifest concept but not the operative concept. This means that if we use this view when it comes to the concept of women

then it would be the case, people will be confused as they wouldn't know which of these concepts would apply to the concept of woman. (Mikkola, p.570,2009). The concept of woman should be such that both ordinary speakers and feminists could apply like the ordinary parent concept is recognised by everyone. Haslanger's target concept which is her definition of a woman would only be recognised by feminists and not by ordinary users. (Mikkola, p.571, 2009). Haslanger's definition can only fulfil the aim it is meant to when only philosophers extraordinarily use the term woman to avoid any confusion. (Mikkola, p.571, 2009). This according to Mikkola is extremely demanding and to use a term in a way which would not lead to any further or already existing oppression is hard to achieve. The only possible way to engineer Haslanger's concept of woman is-- if everyone follows Haslanger's definition and for Mikkola, it seems difficult as a task.

According to her, there are other ways to pick out women's social kinds and this would not require us to revise the concept of woman or redefine it. According to Mikkola, she says women should not be redefined at all to recognise their social kinds but she proposes another solution to the problem which she calls extension. I think what she means by this is that ordinary language users do not have a problem in being able to recognise who a woman is but they have a problem in recognising on what grounds one needs to be labelled as one. She further gives an example of a trans person and in this scenario, if we take trans people who recognise themselves as a woman the problem arises. At the time when she wrote this paper, she wouldn't have imagined that there would be specific pronouns for people today or how aware people would be in the future about the trans community. She says that it will take more than to revise the language use but according to my observation, it is exactly the language use that has led people to allow themselves to learn about the identification of trans women, gender fluid people, non-binary people so on and so forth.

People now are more aware and open to learning about genders and hence recognising someone who is a trans woman is much easier than before. She is right that it is hard to recognise the equivocal cases where it is hard to determine which gender applies to whom. Today irrespective of the awareness it is still difficult to label someone as a woman as gender identification cannot be done simply by looking at the way someone's dress or their individual anatomy, but by one's choice of how they would want to be recognised or perceived. It won't be enough to recognise social kinds to fight political injustices or subordination of women which is suggested by Haslanger's definition of woman. It is important to look at how they are subordinated and then fight for it. However, I would agree with Haslanger that recognition could be the first step towards that, re-defining would not be enough or it could be problematic for ordinary users because of the newfound gender terms, especially with the LGBTQIA+ communities.

6.2 Trans-inclusivity

Similar to Mikkola, Katharine Jenkins in her paper tries to assess Haslanger's conceptual revision of the term woman. She has recognised the fact that Haslanger's definition of a woman is based on their hierarchical social role based on one's presumed sexual anatomy. (Jenkins, p.397, 2016). This roughly means that a person would be called a woman based on their bodily features and someone who occupies certain social positions which are subordinate. Finally, they are subordinated systematically as they satisfy both the former conditions and hence face oppression. (ibid.). She recognises that Haslanger's definition doesn't recognise women who are not subordinated as women which Haslanger justifies is not the group she is targeting. Secondly, she doesn't pay attention to transgender people who recognise themselves as trans men, trans women and trans people. There have been huge developments over the years in the LGBTQIA+ community, if one is an informed reader then it wouldn't be hard to miss that due

to the large diversity within the group IA+ was included later. However, this is not the aim of this paper so I am just going to stick to the exposition around trans genders.

Trans genders from the general view include trans males who are born with female anatomy at birth but identify themselves as males. They can dress up as men or have surgical alternations later in their lives. Whereas, trans women are those who are born with male reproductive organs at birth but identify themselves as women who again like to dress up like them or would adopt certain surgical alternations to be like women. Finally, some transgender people can choose to be anything while growing up i.e., both male and female, they can choose not to have any sex change surgeries but can continue to identify as any of the genders they want or no gender at all. This distinction is important for this paper as it is important to recognise that there are trans people who identify as women and are subordinated in every possible aspect, starting from healthcare, housing, and denial of goods and have always been at risk of violence. (Jenkins, p.396, 2016). Haslanger's definition doesn't include trans people and it seems that she is talking from a point of view of the existence of only two genders which are male and female; hence excluding trans people and all others from the definition. (ibid.).

According to Jenkins trans-gender identification is a serious issue at hand and ignoring their identity means serious harm, transphobic oppression and even transphobic violence. (Jenkins, p.396, 2016). For instance, If a person A is born as a male at birth but growing up they realise that they do not resonate with the gender that is applied to them due to their sexual anatomy at birth. This particular person A reveals this to their family and friends stating that they resonate with the other gender which is opposite of what they were assigned at birth which is a woman. If Haslanger states that women are only those who are socially subordinated or are oppressed based on their sexual anatomy then person A should also be included in the said definition. However, according to her definition, transgenders would not be included as women. Haslanger's proposal is only restricted to gender binaries i.e., someone functioning socially as a man or a woman is a member of that group but trans people do not count under these definitions as in what forms are they a socially functioning woman. (Jenkins, p. 399, 2016). This eliminates transgenders from the scenario leading to the inclusivity problem.

A transgender might find themselves in one of the possible four scenarios which Jenkins mentions in her paper to showcase the inclusivity problem with Haslanger's definition of a woman. We need to see these possible examples to know why Haslanger's definition of a 'functioning woman' doesn't apply to transgenders; exceptions are always a possibility. The first is when a transgender does not openly present themselves as a woman and is perceived as a man by others in society. Next is when they are perceived as a woman but their gender representation is not taken seriously or is not respected. In the second scenario, although there is subordination, it is not based on their bodily features hence Haslanger's definition doesn't apply. The third scenario is when they are taken to be a woman and are respected by people around them but there is a mistaken presumption that they are a cis person. Another assumption here could be that they must have undergone sex-change surgeries based on their bodily features and might be mistaken to be a cis woman. Finally, the case where the trans person's gender representation is accepted unconditionally irrespective of their bodily features but this is a rare scenario according to Jenkins. The only possible scenario which makes Haslanger's definition fitting would be scenario three but those trans people need to be subordinated in the way they are perceived by others, to be known as a fully functioning woman. (Jenkins, p.400; p.401, 2016).

Jenkins proposes a revised version of Haslanger's account but for this paper, her revised version in itself seems problematic. It further leads to confusion and a lot of foundational learning for the ordinary language users and it is the same as Haslanger's account of the definition of a woman. It would need to be adopted by all the language users for it to be accepted widely. Jenkins points out that if Haslanger's definition of a woman is oppressed then people would prefer to be excluded from that category and something which states that not all trans women

are considered as women in Haslanger's account (Jenkins, p.402, 2016) to which I would say that in reality, not all trans women are women some are identified as trans males or trans people as I have described in the above paragraphs. She reiterates the fact that to have an ameliorative enquiry both senses of gender should be present which are gender as class and gender as identity. The latter is not considered by Haslanger in her account of gender which has led to trans inclusivity issue. (Jenkins, p.407, 2016).

Gender as a class is the definition given by Haslanger where the ideologies resemble the dominant social group and gender as identity she believes is when 'S has a gender identity of x iff S's internal map is formed to guide someone classed as a member of x gender through the social or material realities that are, in that context characteristic of x's as a class.' (Jenkins, p.410, 2016). This means that S has a female gender identity iff S's internal map is formed to guide someone who is classed as a woman through social or material realities that are in that context characteristic of woman as a class. This definition given by Jenkins seems to be problematic as firstly it doesn't justify what she means by an 'internal map.' Secondly, one will only be identified as a woman if she guides someone else who is considered a woman based on the social and material realities of women as a class. This definition of gender identity seems not to exist absolutely and it fetches its dependence on gender as a class. She states that 'gender identity is linked to gender as a class which operates in the context in which S exists. (ibid.). If gender is a function of both class and identity then there seems to be no need to have a separate definition of gender identity.

Let's consider this, I am a woman and I have an internal map of being a woman. Let's say that I look like one and I have a female anatomy as well which can class me as being a woman according to Haslanger's definition of a woman. I am also subordinated and oppressed politically or socially. I then have a friend who is named Kate and she identifies as a trans woman who according to Jenkin's definition if we take it by gender as a class won't be considered as a woman. If my 'internal map' doesn't guide me to identify Kate as a woman then I will deny her reality to fit my own which is of gender as a class. Since the way people identify themselves is not consistent in today's era, one needs to be careful of providing these fixed notions of how gender needs to be defined. This definition like Haslanger's definition is not only problematic for trans people but for the entire LGBTQIA+ community whose identifications don't depend on how others perceive them or how gender is defined theoretically. She believes that gender as identity should have some contact with gender as norms (Jenkins, p.412, 2016). It would be interesting to note then what her gender concept says about trans people who don't get any surgical alterations, they sometimes dress up as women and sometimes do not. They believe that they have both masculine and feminine energies and they live in a dual reality but still, they choose to be called a woman. Jenkins' definition includes all trans women as having a female gender identity but it does exclude trans people.

6.3 Replacing the terminology

Mona Simion and Chris Kelp in their paper 'Linguistic innovation for gender terms' attempt to use linguistic innovation rather than conceptual engineering to understand the concept of women proposed by Haslanger. (Simion & Kelp, p.2, 2023). They tried to list certain worries about Haslanger's proposal about women as class and women as identity. Firstly, Haslanger cannot do away with the term woman as a class as the term woman gives us epistemic access to the fact that the engineering concept works towards the issues of women specifically rather than a different concept. Secondly, even if we identify women as an identity it would still have the same issues as women as class; recognising them as a woman as an identity won't help us resolve the issues that women face as a whole. (Simion, Kelp, p. 6; p.7, 2023). Another reason is that

even after adopting a new definition of the term woman the harm will continue to perpetuate because we can't easily do away with the old understanding of the term.

Haslanger's definition fails because ordinary users will still be using the old concept of woman and it will still perpetuate injustices that Haslanger claims to fight against. Both Simion and Kelp make this clear by stating that one can have a grasp on a concept without having a definition of it. For instance, they give an example of a drake (a male duck). Let me use an example of a table which will be a table irrespective of the definition it pertains to. A table has a wooden board and four legs, one might not know this definition and still will be able to recognise a table from how it looks that is perceptually. Similar is the case with a woman, one might not know the definition of a woman but perceptually for ordinary users another person can be a woman, of course perceptually even if they admit to the definition. (Simion & Kelp, p.9, 2023). Haslanger's engineering concept will have little value when it comes to the definition of a woman for ordinary users as according to both of them the concept of a woman used in our everyday lives is by default.

One need not require a definition and removing the biases in people's minds is a difficult task to accomplish. They also recognise that Haslanger's definition contributes to a 'negative ideal' as if the denominator in her definition is 'subordination' then this could lead to a further mistreatment of women. Also, I would like to add that Haslanger's definition ignores the women who she thinks are not subordinated but if one is a woman can she say that they have not faced any kind of oppression in their lives according to her definition? She gave an example of Queen Elizabeth, clarifying that this group is not under her political goal. However, if one is a woman then they would automatically be subordinated according to Haslanger's definition.

I agree with both Simion & Kelp about the shortcomings of Haslanger's definition of the term woman. The solution they provide to the problems faced by Haslanger's definition of a woman is 'linguistic innovation.' In this, they believe that we should do away with using the term woman and use 'she' instead to get rid of the negative connotations attached to the word throughout history. (Simion & Kelp, p.14, 2023). I would like to suggest that even if a new term is associated with women there are certain issues with that, the first problem which they also recognise is that, again it faces the same problem similar to Haslanger's definition which is-- it needs to be widely used and accepted by the ordinary language users which again seems like a difficult task. Second, removing the word won't remove the historical associations with it. Theoretically, it might seem that it can work, however, practical implementation seems problematic. For instance, you can call a Panda an animal which is lazy, sleepy, eats Bamboo etc. If we call a Panda with a new name like PO or something else will it change how it is viewed by others? I think not, because the characteristics associated with the Panda won't be altered. It is the same case with the term woman, we can change what we call ourselves but the characteristics of how a woman is viewed or what they faced historically cannot be erased.

Consider this, a woman remains a woman but how she is viewed by others needs to change. Let's say change in perspective of others, a woman can be a philosopher, an engineer or a homemaker. What we are trying to change here about a woman is not what they are called or in what group they are in. We are trying to remove the limitations or negative connotations as suggested by both Simion and Kelp. However, negative connotations can be removed by positive conditioning in young children. The problem is also that the negative connotations can't be easily removed just by switching a term, it needs alteration in perspective and positive conditioning amongst children which I will come to later in the paper.

To further illustrate their point they gave examples of black people who were earlier addressed as 'negros' which is now considered to be a derogatory term which is true and the fact that they accept that it has not changed the discrimination they face is also true. However, the term historically meant 'evil water spirit' unlike the term 'woman' which means an adult human

female. These two examples are completely different and used in separate contexts and I realise that women have faced a lot of negativity and as a group they continue to go through the same harm. But, the term in itself is not derogatory; the characteristics and their ability to perform certain tasks because they are women need changing. For instance, people call me Shweta and some people call me something else at home but the fact that both my names are associated with certain strengths and weaknesses that I have as a human being won't slide just because someone is calling me something else. Women overall need a change of perception and concept to get that opportunity and the freedom of choice to show that they are not limited to certain tasks that they are expected to do. They can do much more like being a chef or a pilot and even being in the army. This is also recognised by Simion & Kelp that linguistic innovation might not be able to achieve as much and what we need is 'attitude change'. (Simion & Kelp, p.16, 2013). This can only be achieved through positive conditioning since childhood which I talk about later in this paper. The possibility of a Conceptual change can bring about an overall change in the attitude and that can be done through psychology a fixed definition or an alternate term might provide moral progress eventually but still, it might not be adopted by many people in more informal surroundings.

6.4 Gender Segregation in Children

In this section, I will dive into the effects of being marked as a male or a female based on one's anatomy at birth. As we have seen in the sections above-- to help fight subordination against women, philosophers have tried to take the help of conceptual engineering which includes either abiding by a new definition which has led to issues like trans inclusion or eliminating the term woman to get rid of the negative connotations which again is a difficult task at hand as it has its shortcomings. I would like to propose that the problem needs to be dealt with at a more fundamental level. Here, I am going to try and scrutinize the change in attitudes and behaviour among small children when they realise which gender "group" they belong to and how they need to conform to a certain group to feel included. In their work, Thomas Eckes & Hanns M. Trautner talk about the theories of gender socialisation which includes how these children first come to learn about gender. How they try to conform to gender-specific behaviours and attitudes. These attitudes developed at a younger age, once recognised can help us resolve multiple issues surrounding the oppression faced by women and get rid of the negative connotations attached to the word woman.

Cordelia Fine, in her book 'Delusions of Gender', talks about the gender segregation through observations and psychological phenomena where small children by the age of two try to be more attracted towards certain colours—boys towards blue and girls towards pink colour. She recognises that even if one tries to introduce a certain colour to a girl in the early stages of life or dress her up like a boy, she would certainly and eventually automatically choose the colour pink. She interrogates what is causing this to happen, and is there a certain gene in girls which lets them be attracted to pink, also being labelled as the pink princess gene. This story was first published by an Australian journalist who interviewed a mother struggling to keep her daughter away from the colour pink. Later, the journalist consulted psychologist Dr. Michael Carr-Gregg to explore the reasons behind this phenomenon, which is not merely biological but also deeply rooted in psychology. (Fine, p. 207 & p.208, 2010). He found that girls and boys prefer certain colours because their brains are wired differently—he observed that the brain regions associated with language and emotion function differently in boys and girls. For example, if a girl is given a toy car, she may feel confused and cuddle it, while boys would likely react similarly if handed a Barbie, possibly destroying or tossing it like a car. (Fine, p.208, 2010)

The distinctions in choices don't end here. It was observed that girls and boys preferred different clothing towards the end of the nineteenth century. It was believed that the reasons for this, as

well as the expectations placed on both boys and girls—and particularly on girls to be more active—were rooted not only in biology but also in psychology. Many child psychologists believed that “gender distinctions could be taught and should be.” Psychologists also realised that children are quite sensitive to the environments in which they are raised (Fine, p.209, 2010).

The focus here is on the recognition of gender amongst infants and how they acquire gender knowledge about sex-related differences. (Eckes & Trautner, p. 65, 2000). I aim to recognise how their perception of gender is influenced by their school education, peers and family. But, before moving forward with that, it would be interesting to look at Kohlberg and Zigler’s theory about behaviours amongst these children, who learned about sex-typed behaviours through Piaget’s stages of early cognitive development. This would help us better understand how and at what stages children identify the differentiation between them and others. According to Piaget’s model children do not recognise any kind of permanency until their thinking has reached the level of concrete operation at 6 & 7 years of age. Despite this, it has been noted that there are gaps in understanding sex-typed behaviour at it is found at the age of 2. These children recognise their sex by the ages of 3 & 6 and by this age they also start stereotyping behaviours. (Eckes & Trautner, p. 67, 2000). This is also influenced by the role of environment, peers and their education at school. To have a better understanding of this let’s look at all of these aspects of a child’s development and see how it affects their perception about gender.

The role of environment in a child’s development serves as a way in which a child perceives himself and others around him. For instance, before the baby is born mothers tend to associate colours, toys, and clothes with the sex of the baby. If it’s a girl then it would most likely be everything pink or pastel and if it’s a boy then colours tend to be the darker shades of blue. There have been studies regarding parental attitudes towards children where single parents have less rigid and traditional gender-role attitudes as compared to two-parent families. Single-parents have seen more positive behaviour from their children as compared to two-parent families but also some single parents have faced issues with a same-sex son or daughter in their early stages of development. (Leve & Fagot, 1997 as cited in Eckes & Trautner, p. 75, 2000). There are also families where a father or a mother is absent and the effects of it especially on boys were not easy to interpret. (Stevenson & Black 1988 as cited in Eckes & Trautner, p. 75, 2000). Sex-typed behaviours were seen less in pre-school boys as compared to high school boys especially when it came to aggressive behaviours. It has also been noted that parents differentiate between boys and girls during their adolescent years more than when they were younger. (Gjerde, 1986 as cited in Eckes & Trautner, p. 76, 2000). Equal treatment is only given to them once they conform to the cultural standards of sex typing.

In Schools, boys and girls are treated differently based on their sex. For instance, a study done by Fagot and Petterson, 1969 shows that girls received more positive feedback from teachers as compared to boys for activities such as art or table play which are again sex-typed behaviours. The teachers themselves never preferred to play with boys with their toys or while they were crawling around the floor. This study shows how teachers tried to feminize boys in classrooms and also that girls do not get more attention from teachers as boys get appreciated by them due to their preacademic behaviours and girls are ignored for the same. Certain other studies were done by psychologists such as Serbin. O’ Leary, Kent, and Tonic (1973) show that teacher interactions were more prominent and consistent with girls as compared to boys.

They did this experiment in a room where students were laid around the room at an equal distance from the teacher. Boys tried to stay away from teachers but when they were in proximity then they received more attention from them and finally teachers spent more time on boys managing their problem-solving behaviours than girls. There were also experiments done on structured and unstructured activities as observed by Carpenter and Huston-Stein (1980), where girls preferred more unstructured activities which involved having no rules, while boy’s preferences were joined around structured activities that had strict rules. Boys engaged in

unstructured activities because of which they had larger interactions with friends. Structured activities contributed to learning of rules and accommodation of the child to their surroundings and unstructured activities led to adapting of new ways to their surroundings. Finally, it is seen in children if they prefer highly structured activities in school then they perform better in school years and this has mostly been noted in the case of girls than boys.

One's peers often have a more prominent effect on their behaviours especially in their early age around three. Different cultures impose different types of sex-type behaviours and most girls and boys are encouraged to play with same-sex friends and this gender segregation is imposed by one's culture. (Whiting & Edwards, 1988 as cited in Eckes & Trautner, p. 79, 2000). A study done by Fagot and Petterson, 1969 shows how gender segregation is maintained when they observed the behaviours of both boys and girls, girls who preferred boys' activities would walk around different groups easily and they were restricted only to girl groups. However, boys who preferred girl activities were often teased or criticised by their other friends and they were restricted or had to face physical abuse by other boys. It is important to note that boys' behaviour did not alter according to their teacher's opinion or other girls' opinion of them. However, girls' behaviours changed only by the view of their teachers and other girls. Gender segregation is essential for discussion as in our society we need people who can work effectively with people around them irrespective of their gender. This kind of segregation leads to incompetence to excel in their respective fields.

Leman and Virginia Lam in their work talk about the effects of race on small children and how it affects their friendships with other minority African students and the majority of European students. There are certain biases that these children develop and it becomes more explicit with how they act or talk amongst themselves. This is important to note as when children are younger they tend to learn most about inter-personal relationships from their peer group. (Leman & Lam, p. 1329, 2008). We are not going to look at the intricacies of race as for the sake of this paper we are interested in the role of gender that affects children's interpersonal relationships from a fairly young age. The questions that they attempted to answer in their work are if race influences their friendships or who they let in their circle, how it affects their conversations and finally to find out the connection between their choice of friends and the conversations they have amongst. These questions can be looked at from the perspective of gender as well, however, they do not claim that race and gender intersect. However, they do say that race and gender are no different when it comes to marking the social differences among children. Gender differences become prominent as both males and females develop different conversation styles. (Maltz & Borker, 1982 as cited in Leman & Lam, 1330, 2008).

6.5 Correcting Gender Stereotypes

Christia Spears Brown in her book 'Parenting beyond pink and blue' discusses about removing gender stereotypes using her science-based research to show how gender can limit children making them dependent on it and also making it harder for them to develop into distinctive individuals. She explores how parents can help their children to maximise their potential beginning from preschool—she believes that when children are in preschool they are not concerned about the bigger stereotypes for instance, that men are the bread winners and women are good at managing housework but they are concerned about stereotypes such as women have longer hair and men have short hair. She insists on correcting these kinds of stereotypes by stating if your child thinks that men do not have eyelashes and women have eyelashes then you should remove the either/or thinking which are implied in these statements. (Brown, p.133, 2014)

She elaborates on this example by dividing it into two parts. First, she emphasises that any gender- particularly when discussing gender binaries- can have eyelashes, or potentially neither gender may have them. Additionally, she believes that providing examples of people in their environment can help dismantle such stereotypes. For instance, if a girl asks about this topic, one could mention her father, noting that he has longer eyelashes while her mother does not (Brown, p.133, 2014). This serves as a counterexample in these situations. These stereotypes are not limited to parents of opposite sexes; they also apply to single parents and same-sex parents. Likewise, as these preschoolers transition to elementary school, the existing stereotypes become more complex. For example, boys are often viewed as aggressive and prone to arguments, while girls are not. To counter this stereotype, it is important to illustrate that some boys exhibit aggression while others do not, and similarly, some girls can also be aggressive while others are not. For instance, Glen, a boy, never engages in fights, whereas Sarah, a girl, has kicked another boy in class, demonstrating that she too can be involved in physical altercations.

Elementary school children often develop a dislike for the opposite gender, leading them to stick to their own groups. Boys typically prefer to socialise with other boys, while girls usually invite only girls to their birthday parties. In such cases, Christia suggests that the best approach is to intervene verbally, encouraging them to see the value in boys and girls spending time together, as it adds fun and variety to their parties and playtime. She emphasises the importance of providing counterexamples in these scenarios. (Brown, p.135, 2014). As children transition to middle and high school, stereotypes become more nuanced. During adolescence, they manifest as peer pressure, where the focus shifts to fitting in with peer groups, which often leads to succumbing to that pressure. For example, girls may start to share opinions about boys, claiming that “All boys are insensitive,” while boys may adopt similar views about girls, saying, “Girls get so clingy and overly emotional.” These perceptions largely stem from their dating experiences with the opposite gender. However, we can counter this notion by asserting that not all boys are insensitive and not all girls are clingy or overly emotional. (Brown, p.137, 2014)

Erica Weisgram, a developmental psychologist, aimed to investigate girls' interest in science. She collaborated with Rebecca Bigler to conduct an experiment that involved teaching girls scientific topics. One group of girls only learned about interesting science facts, while the other group learned the same facts but also discussed negative stereotypes surrounding girls in science and the discrimination that has historically deterred them from pursuing it (Brown, p.138, 2014). Surprisingly, the girls who were exposed to these negative stereotypes did not withdraw from science; instead, they exhibited a heightened interest and greater confidence in their scientific abilities. This highlights that these girls already recognise the barriers women face in science; however, they have not been informed about the underlying reasons. Negative stereotypes and discrimination contribute to the low representation of women in science, but they do not offer a complete explanation. Therefore, it is crucial to initiate this conversation and address these issues directly.

Boys face greater constraints than girls due to unspoken stereotypes. For instance, a boy who is very compliant with a teacher may be teased at school. They are also discouraged from seeking help. As a result, boys often underperform compared to girls because these stereotypes pressure them to be tough and independent. Consequently, a boy might not pay attention in class when facing struggles or refrain from asking for help. Additionally, studies indicate that boys who challenge these old stereotypes tend to perform better academically. Therefore, it is essential not to penalise these boys based on teachers' feedback regarding their performance. Instead, we should assist them in recognising that hidden stereotypes may lead to their feelings of pressure, encouraging them not to succumb to such influences. (Brown, p.139, 2014)

Stereotypes surround us in subtle ways, which psychologists refer to as implicit attitudes. These unintentional stereotypes arise from our cultural immersion and are reinforced by media, television, movies, and our environment. For example, when we watch a film where a male

character is consistently depicted as a hero while the female character waits to be saved, it suggests she is incapable of rescuing herself. Our minds retain these implicit attitudes, even when we attempt to dismiss them. We might believe we perceive everyone equally, yet these stereotypes subtly influence us, leading us to view men as saviours and women as primarily reproductive. (Brown, p.161, 2014). These attitudes are also reflected in body language and non-verbal cues. For instance, if your daughter is playing with a doll, your body language may be relaxed, and you might make more eye contact. However, if she chooses to wear jeans instead of a dress, your body language and eye contact may become distant. For children, body language serves as a means to seek approval from their parents, using these cues to develop their own stereotypes. Kids often repeat behaviours they perceive as parent-approved or encouraged.

Parents' underlying stereotypes and beliefs significantly impact their children's behaviour. Research indicates that girls are often perceived as better at reading and music, while boys are viewed as more adept in math and sports. These perceptions guide parental behaviour, leading them to engage more with activities they believe their child excels in. For example, if a parent thinks their child is musically talented, they will likely invest more effort in nurturing that talent rather than focusing on areas where they think the child struggles, such as math. Consequently, these parents are more inclined to involve themselves in activities they associate with their child's strengths, which further encourages the child. In a scenario where a girl shows musical aptitude, her parent might provide musical instruments and express sentiments like "girls are not made for math." Such beliefs can be internalized by the girl, making her think math isn't suited for her. Over time, these implicit expectations shape her academic interests and self-esteem. (Brown, p.162, 2014). The solution involves intentional parenting and the use of implicit association tests to uncover biases that individuals may not actively recognise. Additionally, it's important to expose children to a variety of activities and toys, use growth-oriented language like "You will improve at Math with time and practice," and model non-stereotypical roles by allowing children to observe both parents engaging in diverse roles.

Gender stereotypes significantly affect children's emotional development, influencing them to adhere to what they perceive as culturally acceptable based on their upbringing. For example, mothers typically manage household responsibilities and provide affection, while fathers are often viewed as disciplinarians who return home to discuss their children's academic performance. As boys grow up, they may believe it is acceptable to delegate emotional responsibilities to their wives, reflecting the patterns they have observed during childhood. This mindset can lead these men, once they become fathers, to be less involved in their children's lives, leaving their offspring feeling insecure and emotionally distant. Raising children who feel emotionally safe is crucial for fostering fathers who find joy in parenting. Similarly, girls often face pressure to conform to ideals of thinness and beauty, particularly in relation to white women, who often struggle with the belief that being pretty and intelligent are mutually exclusive. Research indicates that women who subscribe to such beliefs tend to have poorer body image, a trend that appears more common among white women than African-American women, who generally enjoy a healthier relationship with their bodies and exhibit higher self-esteem. Studies suggest this disparity can be attributed to stronger connections with their mothers among African-American women compared to their white counterparts. (Brown, p.168 & 169, 2014)

Parents can shield their children from stereotypes, as research shows these methods are effective in various situations. Children should be nurtured to view themselves beyond gender, allowing them to define themselves in any way they imagine, free from gender constraints. For example, they can identify as intelligent, funny, a dancer, a painter, a math enthusiast, or a poetry lover. One effective strategy is to minimise susceptibility to stereotype threats by emphasising social identities that aren't linked to stereotypes. This involves encouraging children to see their activities as a reflection of themselves, their school, or their family. Moreover, when children face tests, they may mistakenly believe that poor performance reflects their abilities. It's essential

to help them understand that while the test is fair, it merely shows how they performed at a specific time and does not define who they are or their true intellectual potential. Additionally, stereotype threats may lead boys to think they are not as academically capable as the girls around them. Thus, the focus should be on alleviating these threats by clarifying that tests do not determine their capabilities. (Brown, p.182 & p.183, 2014)

Encouraging what is essential for children, particularly when they face stereotypes, plays a crucial role in enhancing their performance and helping them rise above those stereotypes. For example, I find it important to assist the elderly. Engaging in this kind of activity has shown benefits, as children who participate in such efforts have demonstrated improved performance in the classroom. Kids who receive constructive feedback tend to excel; guiding them towards the right paths for improvement motivates them to strive harder academically and in life overall. Superficial praise does not resonate with anyone, including children; therefore, it's crucial to inform them on how they can genuinely improve and to recognise their achievements when they've earned it. (Brown, p.184 & p.185, 2014). Providing children with competent role models who have succeeded in their fields, regardless of stereotypes, is an excellent strategy for guiding them towards non-traditional activities for their genders, such as girls pursuing careers in science and boys exploring makeup artistry. Additionally, offering explanations for anxiety can mitigate stereotypes; while transitioning between classes may heighten their performance worries, reassuring them that some nervousness is normal and temporary can enhance their performance. Ultimately, teaching children the value of hard work is essential. Too often, kids hear that they are either naturally smart or talented--or that they're not. This perspective is misleading. By showing them that with dedication, they can accomplish anything, we help them understand the truth: their goals are attainable, regardless of their circumstances or inherent abilities.

Conclusion

In this paper, I have talked about Haslanger's engineering project of redefining women and the shortcoming of her project as pointed out by Jenkins and Mikkola. Also, Simion & Kelp's paper where they try to replace the term woman with something free from negative historical connotations. I have briefly touched upon the solutions provided by all of them and how even these seem insufficient for the removal of negative connotations and our engineering project. Finally, I took the help of psychology as a science to understand gender at the foundational level. This helped me to further gauge how small children or infants are influenced by the gender attitudes of others around them. They often found it compelling to conform to the fixed gender roles of society or their environment. I think that to move beyond gender disparity and to look at women from a more positive outlook it seems that education, culture and one's environment play an essential role. We should educate children in a way where they feel free to make their own choices when it comes to gender. Reinforcing one's knowledge seems to be destructive for children and it will only lead to fixed gender roles and a negative perception of women as social kinds.

Chapter 7

Part 1

Controlling knowledge: Oppressive power structures and suppression of social positioning

Abstract

In this paper, we will examine the impact of epistemic injustice, which Miranda Fricker has briefly discussed in her book *Epistemic Injustice: Power and Ethics of Knowing*. Epistemic injustice is when individuals are wronged in their capacity as knowers. She further elaborates on testimonial injustice and how credibility deficit only is an injustice and not credibility excess. I will briefly discuss it here as the main aim of the paper is to show how power structures affect our epistemic agency. We will go on to analyse what Jennifer Lackey discussed in her book 'Criminal Testimonial Injustice' where she shows how an excess of credibility is not just a disadvantage but also an injustice, especially in legal settings where false confessions are given excess credibility. They are treated as the primary evidence in the court of law. She focuses on individual models of knowledge. Further, Foucault's focus on structural power in his book 'Discipline and Punish' shows how power structures have tried to discipline individuals for centuries through punishment by torturing the body and then eventually by constant surveillance. His work is essential in discovering whether the primary issue is only credibility or something else. We will look at Foucault's work to see where it all began. It seems that it is not enough to scrutinise credibility, but also the rise of oppressive structures that led to the justification or normalisation of white supremacy through power and discipline. Finally, Catarina Dutilh Novaes, in her paper, proposes that it is essential for us to see how social positioning impacts credibility. For this, she insists on including Foucault's work around epistemology as it is intertwined or shaped by power. The following paper is a comparative study of all these philosophers and their views on power, credibility and social positioning.

Keywords Credibility Excess. Power. Jennifer Lackey. Punishment. Discipline. Social positioning. False confessions

Introduction

In this paper, I will attempt to focus on Lackey's work on false confessions and plea bargaining to show how disciplining structures have harmful effects on marginalised people and the ruling or the judgement of the court. In Section #1, we will look at Jennifer Lackey's work on the criminal system in the United States, which indicates false confessions are given excess credibility and how the methods used to extract these confessions make them unreliable in convicting the innocent in most cases. In #section 2, I am going to talk about Foucault's work on punishment, interpreted by Schwan & Schapiro and different methods used to discipline

individuals, also by categorising them, i.e., by grouping people such as sane versus not mentally stable people or productive and unproductive. The government did that to create a productive economy, which could prove to be helpful for them. Section #3 will briefly discuss Catarina Dutilh Novaes's paper, where she scrutinises Foucault's paper on power structures, which led to the normalisation of the oppression of groups like black people. She understands how important it is to not just focus on credibility but to question and focus on Foucault's genealogy of power structures, which affects the epistemic understanding of our society. Finally, I will conclude.

7.1 Coercive Interrogation Techniques & False Confessions

In their work, both Lackey and Foucault have examined separately and at different timelines that systematic power not only leads to punishment, which is just a physical or mental punishment, but it also discredits them as knowers, leading to testimonial injustice. To scrutinise this further, we need to look at the concept of testimonial injustice proposed by Miranda Fricker in her book *Epistemic Injustice: Power and Ethics of Knowing*, where she talks about credibility deficits, which often lead to injustice to a person who is at the receiving end of it. She talks about two kinds of injustices, testimonial injustice and hermeneutical injustice. We would focus on the former as it is central to our discourse. Testimonial injustice is when someone is given less credibility than they deserve because of prejudice due to their race, gender and class. (Fricker, p.1, 2007).

I will undertake this task to discuss false confessions from Lackey's book, "Criminal Testimonial Injustice," to illustrate how individuals are discredited through coercive interrogation techniques such as threats, psychological abuse, and prolonged questioning. This issue particularly affects those from marginalised backgrounds due to their social status. Foucault also employs distinct terminology from Lackey to explain the structural injustices that discredit individuals by addressing how modern-day punishment evolved from bodily torture to mental torture, how certain types of prisons were created, and how this led marginalised people to self-discipline, resulting in false confessions. Furthermore, people were labelled as delinquents, which was sufficient to prove them guilty without a court hearing.

Lackey focuses on false confessions, which can lead to an epistemic wrong. She gives examples from various cases, which I will discuss shortly. These examples include the judgements passed through the Supreme Court from false confessions given by the individuals. The first instance of false confessions was when Raymond Stuart was murdered; he was a white planter in Mississippi. Three black male farmers named Arthur Ellington, Ed Brown and Henry Shields were suspected of Stuart's murder. They were sentenced to death based only on their confessions. Ellington, for instance, when denied that he didn't commit the crime, was tied to a tree with a rope by several white men and the deputy. He had to undergo whipping in jail, and he was told this would continue until he confessed to the crime he didn't even commit. He eventually did get tired and agreed with the deputy. Hence, he was behind bars as soon as he confessed.

The other two suspects, Brown and Shields were also arrested and were taken to the same jail. They were told to strip and they were beaten with a leather belt by the deputy and were whipped until they confessed. They eventually gave in and confessed when the whippings progressed. They had no choice but to succumb to the demands of their torturers. (Brown v. Mississippi, 297 U.S. 278, 282 (1936) as cited in Lackey, p.33 2023). The trial judge was aware of the torture these three had to go through as the (deputy) admitted to the whippings and didn't blink an eye when he said that it was because they were black and he would have tortured them even more if it was left onto him. The judge took their confessions as evidence and gave them a death sentence. Although, this wrong was later recognised and Chicago because the first city in the

states to pass a reparations ordinance which recognised that there needs to be a complete halt to the violence perpetrated by the police towards people of other race. (Lackey, p.34, 2023)

Lackey further recognizes that it is not only physical torture through which false confessions are extracted but there are psychological ways in which they are obtained as well. She expanded them into five types which are voluntary, stress- complaint, coerced complaint, coerced-persuaded and noncoerced-persuaded. She focuses on compliant and persuaded false confessions. According to Lackey, a compliant false confession is when a confession is made due to the pressures of the police force, stress or some other pressure to gain some instrumental benefit. It is used to escape an interrogation process where the victims, to escape from a harsh punishment, believe the police that if they admit to the crime, the police will be lenient towards them. The confessors do that knowing that they are innocent; these confessions are more often than not recanted soon after.

Another kind of false confession is persuaded false confession. It occurs when the police interrogation process causes doubts in one's memory and that person admits to the crime he didn't even commit. This happens in three steps: First when the interrogator cause the suspect to doubt to doubt himself with the help of false evidence. Second, when the interrogator provides evidence to back this doubt of the suspect by justifying that it could be under the influence of drugs, alcohol, or other personality induced disorders the suspect has which made him forget the crime he committed. Lastly, is the postmodernism narrative where the suspect has already admitted to the crime because of a false narrative or story given to him. This could be a totally hypothetical story. This works mostly as the confessor is seemed to be confessing from inference than knowledge here. (Lackey, p.35, 2023)

There are two further factors which impact the occurrence of false confessions: First is dispositional factors, which are further divided into juvenile status and mental impairment. Juvenile status is when the suspect is not considered as an adult under the law. The age limit depends on the country or the legal system one belongs to. It is mostly under 18 years of age. Mental impairment includes mental illnesses which offers a person's cognitive, emotional or psychological functioning. It makes it difficult or impossible for someone to function normally and perform everyday tasks. Second are situational factors for instance, the length of an interrogation should not be more than four hours but more often than not they are exceeded and the suspect is often sleep deprived, is not given anything to eat etc. All this easily impairs the brain functioning causing a lot of distress in a person. (Lackey, p.36, 2023). This leads them to admit the crime or falsely confess.

According to Lackey the most important factors which can lead to false confessing are minimization and maximization. Minimization is when the interrogator offers a false sense of sympathy and security to a person so that he will put his trust in the interrogator and confess. This is mostly like if the suspect admits to the crime then there will be leniency in his punishment. For instance, his crime will let him serve for twenty years in prison but with minimization technique if he admits to the crime then he will only serve for five years of imprisonment—this is portrayed as the only way to reduce the punishment. Maximization is when the interrogator scares, intimidate or coerce the suspect. It is when the interrogator let's them know of the severe consequences they will face if they do not cooperate with the interrogators. Threatening the suspect of a death sentence or telling them they will have to face torture in the prison if they do not admit to the crime is one of the ways in which maximization works.

There are other techniques such as false evidence ploy where you are told that a gun was found in your drawer and your fingerprints match the one found on the gun with which the crime was committed. The other one is reid technique which is interviewing the suspect before interrogation. It is based on one's body language or behaviour. It uses one's own rationalizations

for committing a crime. This is based on the implicit assumption of guilt that one has committed a crime. Most suspects are shown evidence and are made to feel guilty by interrogators which then lead them to admitting the crime because they get confused during the process. They don't seem to have any confidence in their own rationality. In this process, some people waive off their Miranda rights thinking if they have not done anything wrong then why should they remain silent. (Lackey, p.35, 2023).

In cases of testimony, when Fricker in her book 'Epistemic Injustice: Power and Ethics of Knowing' stated that credibility is finite and its distribution model doesn't make sense. She wants to focus on how someone from a different race is not given enough credibility. For her, credibility excess is not a testimonial injustice—it can be a harm only 'cumulatively' (over time) but not an injustice. For, Lackey, credibility seems to be a proper candidate for a distributive model of injustice. According to her, credibility is not finite as Fricker believes. Lackey wants to show how credibility is distributed structurally where white men for instance, would get more credibility than a brown/black woman.

Lackey moves on to the case of Juan Rivera in order to explain the consequences of extracted testimony. Juan Rivera 1993, was given a life sentence for the rape of Holly Staker only on the basis of false confession which he later recanted. He had learning disabilities and from his past-record he tried committing suicide on multiple occasions as well. His interrogation lasted 26 hours in which it was possible for him to have raped Holly. Since, the readings in his ankle monitor suggested otherwise. It showed that he was at home and was not near Holly's body at the time of the crime. (Lackey, p.41, 2023). His interrogation was aggressive and lasted for 4 days straight and he was only offered coffee and cigarettes at the time. On the final day, when he was asked if he had committed the crime then he nodded affirmatively and started sobbing and banging his head against the wall. He fell down on the floor and was taken to the psychiatric ward, where he was not able to understand what was going on and he also talked in tongues. Despite what all transpired sergeant Fagan made him sign the confession papers. Eventhough, the DNA didn't match his—the state had a theory where the girl had prior consensual sex with an unknown person, and after that Rivera raped her and failed to ejaculate and finally killed her. Because of this justification, Rivera was found guilty and sentenced to life in prison. This case is however, was ruled out later when centre of wrongful convictions became involved and proved that there were wrongful alligations on Rivera. This led the state to dismiss all charges but Rivera had already served twenty years in prison at that point.

In the case above, Lackey feels that the epistemic agency of the suspect was exploited in order to extract the confession from him. Testimony is generally extracted with an interpersonal interaction that bypasses, exploits or subverts the testifier's epistemic agency. Manipulation, deception and coercion are the three ways in which it can be done. Rational persuasion is when someone makes you question you own rationality. Manipulation according to Lackey typically bypasses or circumvents epistemic agency. It is often understood as arational influence (not based on logic/reasoning, based on emotions, intuitions etc). Where manipulation can be understood as intentional and it is done to influence another person's decision making. To deceive is to bring about a false belief in another person. (Lackey, p.46,2023). Moreover, withholding information is when someone is unable to give any information rather than hiding it.

Finally, coercion is when another person gives you more or other choices or even eliminating the present choices one has. (Joel Rudinow, p.341, 1978; Allen Wood, p.21-23, 2014 as cited in Lackey, p.47, 2023). In coercion, the person is pushed to do what the coercer wants and this is not by undermining the person's decision-making faculties but by making them realise that the only way they can get out of a situation is if they do what the coercer wants them to do. (Susser et al. as cited in Lackey, p.47, 2023).

All the above distinctions are important for us to understand as they will help us to differentiate between the techniques used during an interrogation process. This also comes to show that during the interrogation process, the suspects are made to believe that if they do not cooperate with the authorities then they will face far worse punishment than they would if they do what the interrogators want. (Lackey, p.48, 2023). This helps them further to outwit the epistemic agency of the suspects by creating a false narrative. Furthermore, Lackey focusses on the essential aspect of credibility which is how credibility excess results in the testimonial injustice which generally happens when a confessing self is given more credibility than a recanting self. This means for instance, if I have not committed a crime such as shoplifting something from the store but my white friend who was with me did it. But, due to various prejudices he got off the hook and I was put under interrogation for the crime which I did not commit. Due, to various manipulations and coercion from the police I eventually succumb to the pressure and admit of stealing certain things that confession would be taken as my admission of the guilt. However, the very next moment I decline or come to my senses about the confession I made. I take back the blame and say “It was due to the pressures of the police and the fear of being in the prison for much longer If I don’t do what the authorities wanted me to say that I took the blame. In this case, my first statement would be given more credibility than my second statement. Due to which I will have to bear the consequences of the crime I in fact didn’t commit.

This is also clarified by Lackey when she states that the confession evidence is weighed too heavily, which in the legal system is regarded as the decisive evidence of guilt. She even goes back to stating Juan Rivera’s case where despite of the discrepancies in the evidence and his ankle monitor stating otherwise, he was found guilty for the rape and murder of Holly Staker. Treating confessions as the ultimate evidence stems from the fact that most authorities do not want to dig up further and would soon want to close the investigation. This is further supported by an example she takes from the cases of sexual assault, where no one takes action if one person complain about sexual assault, whereas; it quickly changes when 300 more women lodge the same complaint and only then it becomes worthy of any kind of action from the police. This was more persistent in the cases of big names such as Larry Nassar or Bill Cosby. This also shows that where the confessing self despite of the coercion and manipulation reports guilts one and on the other hand, the recanting-self reports it a million times and has more probability of innocence. There is still huge credibility deficit given to the recanting self as opposed to the confessing-self which receives massive credibility-excess. (Lackey, p.52, 2023)

There is another important point to mention about confessions which is that they are highly resistant to counterevidence. This has many reasons; such as the interviewer bias—where the police would only gather evidence which is factual and would avoid any other evidence which could also possibly be the case. This is like having a tunnel vision. There is also confirmation bias, which is the interpretation of evidence in ways that are partial to existing beliefs. Further, there are defeaters when it comes to having these kind of knowledge such as doxastic or normative. A doubt that one might have seen as false while confessing or indicates their belief which doesn’t hold much weight. The latter is concerns and doubts one should have, given the evidence available. (Lackey, p.53 and P.54, 2023). For instance, In the case of missing cheese from the fridge the doxastic defeater would be that one of my flatmates took it. But, I also know that my flatmate was away in London and she couldn’t have taken it. So, I can no longer hold that belief. On the other hand, the normative defeater would be that I got the cheese ten days ago and I ate it and forgot about it. I forgot that after consuming that packet of cheese I didn’t get a new pack of cheese to consume.

Lackey states how Fricker’s view which is that credibility can be finite and thus how its proper distribution is crucial for assessing whether a speaker is the victim of testimonial injustice can be contrary to the example of cases where false confessions are given way more credibility excess than they should be getting. She states that confessions distort evidence as in the case of Juan

Rivera where the state came up with strange evidence in order to punish him rather than thinking or giving him a chance. They clearly denied DNA evidence, his mental state and the readings on his ankle monitor. She also mentions the case of “Dixmoor Five” where all the five men were charged for the rape and murder of Anita Alvarez. After spending 95 years in Jail the Illinois state police regarded them as innocent in 2011. These examples show that the only reason why these cases happen to aim at the innocent was because the excess credibility given to false confessions as opposed to evidence or their recanting confessions.

According to Lackey, there is enough credibility in the world. One person can be wrong on one occasion and right on the other. Both can be credible. To give more credibility to the confessing self is to deny credibility to the recanting self. Here, credibility becomes scarce. Finally, what this shows is that false confessions pit one against oneself and reveal how an excess of credibility can lead to a kind of testimonial injustice. (Lackey, p.57, 2023)

Lackey talks about coercion and how it is used as a method to influence defendants to plead guilty in the court of law. This is done through different methods of manipulation, deception etc. Despite knowing the immoral methods used to extract the defendant’s testimony the courts still give it excess of credibility. This leads to perpetuating agential testimonial injustice which indeed attacks their capacity as a knower.

She elaborates on plea deals which means when the defendant admits to the crime they committed, and the case moves to the conclusion or the punishment rather than going for trials. Defendants are pushed to accept plea deals through plea bargaining process so that the prosecutors can avoid lengthy trials have direct sentencing of the suspect. They do this through coercion. As previously seen in the paper people use different coercive and manipulative techniques to put people in the position where they have no choice but to agree with the administrators or lawyers.

She furthers the argument by talking about voluntary plea deals and what should be considered as coercion. I won’t be getting into that argument of coercion in detail as it removes us from the main argument which is how plea deals leads to injustice through excess credibility.

In plea deals the victims are given certain options from which they choose the most practical one where it won’t cause harm to them or to their families. Most of the times they are promised that their sentences will be reduced if they cooperate with the administrators. The prosecutors rely on the testimony of such people where they know if they are successful in coercing these people then they can get the sentence easily without having to go through trials as in the legal system, as more weight or excess of credibility is given to the testimony of these people and their confessions. The court gives them excess credibility based on their testimony ignoring the credibility of the defendant. They are believed not because they are reliable but because they work for the legal system to run smoothly or be useful to them.

Agential testimonial injustice happens when testimony is extracted in a way which bypasses, exploits or subverts the speaker’s epistemic agency and is then given an unwarranted credibility excess. (Lackey, p.138, 2023). Through plea bargaining and charge stacking, which is when the prosecutor tries to charge a person not only for a single crime, but multiple crimes to coerce them into giving up trials and agree with them to opt for a plea instead of a trial. This is to say when the prosecutor tries to attack someone and their rational faculties and threaten them that they will get forty years in prison and eventually as the witness feels insecure lowers it down to twenty years; he is trying to make them feel that they have no other option but to comply with the prosecutors demands by using charge stacking as a conniving method. When he threatens their rationale then in the process their epistemic agency is also compromised. (Lackey, p.138, 2023)

Plea deals also cause the defendants to waive any further questioning. They only get to confirm something once, unlike confessions where people can recant statements. (Lackey, p.139, 2023). Most plea deals require defendants to give up rights and this includes not being able to challenge their conviction further. Prosecutors use appellate review (which is when higher courts see if there were any mistakes in the decisions of the lower court) to prevent any future plea deals by pressuring the defendants to do what they want. Once they give up the appellate review they can't change the courts decision even if later they feel it was a mistake. They can't have any DNA tests reviewed or file any habeas corpus petitions. (Stephens, p.340, 2013 as cited in Lackey, p.140, 2023). Plea deals lead to credibility excess as they shun out any kind of further evidence or evidence present in front of them. (Lackey, p.140, 2023). This process is a form of systematic injustice where the legal system extracts testimony through guilty pleas and further leads to the individuals's epistemic agency to suffer.

Lackey talks about how biases and prejudices affect the judgment of the court of law while sentencing an individual for a crime. These biases include prejudices and stereotypes because of one's race, gender, and eventually attacking a person's social identity. She calls it the multi-directional model. It's opposite to the one-directional model which only focusses on credibility deficits. She talks about credibility deficits in which a person faces a deficit in their testimony due to the prejudices and biases attached to them but she also talks about how excess credibility can lead to injustices in the criminal legal system. She shows how the person against whom these biases perpetrate suffers injustice even though he is innocent. For instance, if a black person is running away from the police due to fear and not because he is committing a crime, he will be charged as guilty instantly because of the prejudice against black people that all black people are criminals. (Lackey, p.145 & p.146, 2023). Tuerkheimer seconds this argument by talking about the 'content' in testimony and how it attacks the social identity of the speaker as they suffer from testimonial deficit. She gives an example of rape victims because they are not believed that they were raped, and their testimony is not taken seriously in the courts. Hence, they are denied of any sort of protection and are dismissed due to certain prejudices tied to them or their gender or race. (Tuerkheimer, p.3, 2017 as cited in Lackey, p.147, 2023).

Intersectionality is another aspect of the multi-directional model in which credibility influences assessments (Carlin, p.476, 2016, as cited in Lackey, p.147, 2023). She argues that intersectional experiences work as a disadvantage for women of colour in terms of not being believed and not having their credibility acknowledged. This also impacts how they are perceived within the criminal legal system. It is not only important in individual contexts but also, it's relation to criminal legal system and how race, class and gender influence the way credibility assessments are shaped in the legal system.

Going ahead she further divides it into interpersonal and intrapersonal intersectionality. Interpersonal is when different groups experience different types of discrimination and intrapersonal is when how different areas such as race, gender and sexuality affect an individual's perception of themselves and the world around them. She gives an example of sexual assault or rape cases where a white woman who a black man is assaulting would be given more credibility or excess credibility irrespective if she was attacked or not. It would be believed that a white woman can never voluntarily have intercourse with a black man. This is not true if the woman is black, as black women are often labelled as promiscuous and are blamed for wearing certain kinds of clothing or giving invitations to men because of how they act, dress or talk. In this case, the black woman would suffer a credibility deficit. This former is just an example of how someone's social identity can lead to a massive credibility excess leading to an injustice in cases of sexual violence. (Lackey, p.148, p.149, p.150, 2023)

To prove that social identity of a person can of course lead to credibility deficits, but they can also lead to excess in credibility; she gives specific examples, which lead to these deficits and excess keeping in mind the social identity of an individual. She provides an example of a black

man named Barry Lee Fairchild who was sentenced for the kidnapping, robbing, raping and murder of a white woman called Marjorie Mason. He was taken into custody by the Pulaski County Jail as he provided a videotaped confession of being involved in the crime. Later, he recanted his statement stating that he was innocent, and he only admitted to the crime due to the torture he faced by then sherriff Tommy Robinson. He was hit in the stomach, chest and arm and was threatened to be killed. In this case all the other 30 black witnesses and their testimony in favour of Fairchild and against the sheriff that he used unfair methods to extract confessions were dismissed and only one single confession lead to his execution. Other 14 white male officers acted in a way which suggested that they had never been engaged with the witness or they never saw any kind of brutality during the interrogation process. Later, judge Garnett Thomas Eisele concluded that Fairchild's confession was not coerced and he dismissed the confessions of 30 black witness. He took a single confession as a proof to convict Fairchild. This is a paradigmatic example of the multi-directional model where testimony with a particular content can interact with multiple social identities with bias and lead to credibility deficit, and on the other hand, any dominant misassessments can lead to credibility excess. (Lackey, p.153,154,155, 2023).

7.2 Systematic Power and Epistemic Disqualification

While Lackey analyses the concept of testimonial injustices through false confessions and discrediting people on the basis of their race, gender, ethnicity etc. Foucault talks of these injustices by creating a genealogical account to show how modern systems of discipline try to discredit marginalized people and also consider them to be less credible. He in his book 'Discipline and Punish' tries to show that there is an absolute dominance of structural power when it comes to our knowledge or who to give credibility.

Foucault divided the book into four parts: torture, punishment, discipline, and prison. He begins his book by talking about torture in the mid-eighteenth century where Damians was publicly tortured from red hot irons to his flesh being torn away. He was eventually burnt alive. Francois Damians attempted to kill French king Louis. This kind of public execution was compared by Foucault to a more subtle form of punishment in the early nineteenth century. Although, he talks about these punishments which perpetuated in France, but they were equally spread out through out the west. (Schwan & Schapiro, p.17, 2011)

The form of punishment moved from public torture to suggesting more subtle forms of punishment to the criminals such as forced labour, cleaning streets or repairing roads. It was a removal of bodily punishment to more civilised ways of punishment. (Schwan & Schapiro, p.18, 2011). It was more about confining criminals, limiting their choices and restricting freedom in any way possible. They were manipulated mentally than physically being tortured. The death-sentence which previously were open to public now became a private affair where there were a limited number of people witnessing it. Although, it was a drastic change but it does not mean it was less worse. The person was not just punished but was controlled in certain ways by those in power.

The families needed to get permission from the state guards at the prison to be able to meet them or visit them. Even though, everything seemed hidden but the trials were open to all mostly. As the nature of punishment saw a drastic change from being more cruel and transparent to being more subtle, manipulating and private. (Schwan & Schapiro, p.18, 2011). It became more and more strange to comprehend due to the hiddenness of the entire private form of punishment. This also meant that the subtlety of punishments let the authorities shift the responsibility from themselves to the criminals and manipulate it easily.

Also, earlier the punishment was in the open in front of the public which let them decide if the punishment was fair or not and they could act accordingly. The new forms of punishment makes it clear that it is not to cause any harm to anyone but to teach them a better way to live by subtly making them confined. Foucault says “The public execution is to be understood not only as a judicial but also a political ritual” (Foucault, p.9, 1977). It is more of a way to ‘correct’ their wrong actions rather than burning them alive and giving them a horrible death in the name of punishment. The involvement of various specialists like doctors, psychologists and educators in deciding what kind of punishment would be suitable for the criminal according to the severity of the crime—shifted the responsibility from only the judge to multiple people.

Foucault realises that the West did not immediately transform from public executions as a form of punishment to more subtle ways of punishing. Places like England during (1780-1820) did not budge and continued the executions as they were and the numbers even rose during that period. He also acknowledges the fact that violence as a form of punishment is not totally absent even if we take the humanitarian stance and talk about punishments in the modern day prison. (Schwan & Schapiro, p.24, 2011)

The main point which Foucault has emphasised is that the illusion which we have bought in this world in regard to the sense of a free self is false as he states in reality it is the social and historical conditioning which has led us to buy in this false sense of free personal identity. Foucault uses his work to examine how we were influenced by the society; the rules and regulations imposed on us which makes us think we are “free” is just an illusion they want us to be surrounded by in our lives. (Schwan & Schapiro, p.25, 2011). The shift from a physical body to mental states is a clever way to control human beings in making them believe that it is for their own good and this is how they should proceed leading this life.

The difference between earlier and later punishment is that the authorities did not concern themselves about why a certain crime committed or what or who else coerced them to commit the crime. They were only concerned how to punish the guilty. Whereas, in the modern day criminal system the intentions, motivations and other external factors are taken into consideration. In the earlier process, the appropriate punishment was decided but in the modern day the intention and other influences are taken into consideration when it comes to punishing the criminal. The modern day system creates objective standards of judging the form of punishment which needs to be taken place. On top of that the mental health of a criminal is also taken into consideration. It also influences the decision taken by the courts. (Schwan & Schapiro, p.27&28, 2011). It further depends on the insanity of the criminal is curable or not and depending on what it is—the courts will decide their judgement based on that. Some criminals can be given paroling based on their good behaviour and for more heinous crimes paroling won’t be considered as an option.

Schwan and Shapiro realize that what Foucault means when he talks about punishment which seems less brutal today. It seems less brutal because it’s not done on our body but it is organized in a way by institutions who punish people through social control by torturing them internally than externally. “Punishment, then, will tend to become the most hidden part of the penal process” (Foucault, p.9, 1977). Foucault also proposes that our idea of the self is not in control but controlled and policed by the society. On one hand we think there is a public self which is full of restrictions but our personal self is free which is untrue according to Foucault. (Schwan & Schapiro, p.29, 2011)

Schwan and Shapiro examine that Foucault thinks we have not become smarter when it came to modern ways of punishment. He thinks that the difference between earlier and later forms of punishment is just that the way they are organised. (Schwan & Schapiro, p.50, 2011). Torture was used to instil fear and show the power of the monarch. The scaffold was used as a place where the punishment used to take place and to instil fear in people who watched the criminal

being brutally punished. He writes “ The public execution is to be understood not only as a judicial but also as a political ritual” (Foucault, p.9 1977)

The accused was not allowed to have a lawyer, and the way he was made to confess was through trick or confuse him to give a confession. The accused was just judged by the full power which the magistrate had at the time. These trials were hidden from the public because the authorities didn't want any kind of violence or riots to take place by the people; who might not have supported the judgement given by them. But, these were also based on certain regulations even if they were taken place away from the public eye. In order to get the confessions out and rules were to be followed at the time—these authorities made up lies or tricked and tortured the suspects to give a confession they needed from them. Torture was made to seem voluntary and confession was important to achieve this.

Confession did not require any other evidence but was seen as the prime evidence where the suspect participated and helped the authorities with getting the version of the truth they wanted. Also, this coming voluntarily from the accused made torture seem like their own choice. The problem aroused when the authorities thought what will happen if someone doesn't confess even after torture? So, they tried to alter the words, language around accusations—so that it did not lead to a death sentence, but just a short sentence or penalty. This assured that they do not have to declare the accused as innocent just because they didn't get a confession which was considered as prime evidence. (Schwan & Schapiro, p.53 & 54, 2011)

Going further, let us see why public display of torture as punishment was deemed necessary just before the period of revolution—Firstly, it acted as a proof to the power of the authorities, secondly, it repeated the scene of the trial where the suspect confessed. It was done to also show the kind of torture one would receive if a particular crime is committed. The public torture in the scaffold was a symbol of the power of the monarch and to instil fear in the public. It was to show if anyone dared to go against the Monarch, severe consequences will be faced by them and to show no one can challenge the kings authority. (Schwan & Schapiro, p.56, 2011)

Foucault moves from the public executions at the time of revolution to a more subtle way of punishment meaning it was not a torture to the body but now punishment moved towards the mind and was done in a prison. This part is the phase around French revolution which is between the pre-modern era which people have missed in Foucault's work. (Schwan & Schapiro, p.65, p.66 & p.67, 2011)

This less brutal form of punishment was proposed by enlightenment philosophers, middle-class lawyers, parliamentarians from the lower ranks of the aristocracy and popular petitions. These groups realised that brutality of public executions and proposed that it needs to be changed to something more humane. The point was to move away from bodily torture to something which would not just be used to punish a criminal but to be able to help him become a better person through more lenient methods of punishment or which Foucault calls as 'Discipline' in his book. (Schwan & Schapiro, p.66, p.67 & p.68, 2011).

Foucault moving forward talks about how control and power function in a manner where people think it is important to behave and act in a particular way. These power structures make people docile meaning they make them submissive in a certain way, where they are obedient yet productive which would serve the society. The power structures which do this are prisons, schools, hospitals, factories and the military. (Schwan & Schapiro, p.101, 2011). These dominant structures tried to control small number of individuals rather than large groups as it was seen more easier that way. The topic of discussion is the body which was trained in a way that would be helpful and would contribute to the economy. They did that by training the body through physical exercise. Docility included constant supervision and the individuals were forced to act and move in a way that was confined and they did it through constant surveillance. These three

methods were combined to form what Foucault labelled as 'discipline'. It was used to make the body submissive meaning to follow what it was told to do and also useful so that they can get work done.

Foucault compares discipline to the older form of master-slave relationships. Unlike the master-slave dynamic, discipline does not have a single authority. It is intertwined within the system, so no one person can be blamed. He suggests that other forms of discipline, such as monastic asceticism, cannot be compared to modern-day discipline, as monastic asceticism requires one to renounce all worldly pleasures and abstain from everything. In contrast, modern discipline demands that one utilise one's body primarily for economic growth. (Schwan & Schapiro, p.100, 2011)

For Foucault discipline forces people to make themselves useful in order to make the life of capitalists easier. They are looked up as the profit-making machines. Foucault has described four different aspects of discipline like control, classification and regulation of space, time, human development and the dynamics.

First, the control of space, the individuals were kept in enclosed spaces like schools, factories etc. They were constructed in a way where individuals' movements were restricted. The prison was not open to public viewing and this was done to prevent any kind of rebellion and to fix labour force at a particular place. The small spaces also were made so no large groups could be formed. These spaces were partitioned in order to keep an eye on individuals and also it allowed for better supervision. This was also done to restrict any exchange of ideas especially political ones—which could backfire to the system. These spaces were used to make people more efficient workers i.e, basically the capitalist economy in the late eighteenth and nineteenth century. The spaces were also ranked—it was done so that one could determine an individual's value according to their rank. Foucault gave an example of classroom where smarter kinds are always the front benchers and those who were not serious about academics or were not smart performers sat at the back. (Schwan & Schapiro, p.108, 2011)

Control of activity, like one geometric division of space, Foucault talks about the division of time. He emphasises on time table. Time was divided in a way where activities were imposed in a sequential manner. This was done to avoid any kind of distractions and to put time to better use. This was also done to ensure better division of labour and it was further divided into minutes and seconds. This was referred to as the temporal elaboration of the act where everything was done at a given time and individuals were trained to do an activity within the given time—so that they don't put in more time than they need to for a particular task. Correlation of the body, in this individuals were taught to act and behave in a certain way. Like when people train for marathons. This makes them better and more efficient at the act.

Body-object articulation, the body is seen where how it interacts with the objects. How one uses a machine like a mower in the lawn for cutting grass. It is suggested by Foucault how it regulates behaviour. How a soldier learns to use rifles in military, how a student learns to operate a computer in schools. The body-object articulation is a mode of power which helps the power structure to shape human behaviour according to their liking.

Exhaustive use: Time wasting was considered an offence. When labourers didn't make use of the time given to them say at a factory then it was also seen as dishonesty as they were being paid by the hour by the employer. This also caused reduction in wealth to the employer if the goods were not being made at the given time by the employee his business would suffer and he would face losses.

Organization of the genesis: An individual is placed in a way where he is made lucrative by keeping them on schedule. This was done in parts-where an individual was kept on time than

he was allotted certain tasks to be finished on time, then his progress was looked over by a supervisor who could then judge his progress and give him a suitable rank accordingly which matched the quality of his work. (Schwan & Schapiro, p.109 &110, 2011)

Composition of forces: Discipline was no longer just about managing time but about managing time in a way where the maximum labour could be extracted from individuals. Individuals were made like a social machine, time was also construed as a machine and this system required specific commands to help with the training of individuals. (Schwan & Schapiro, p.114, 2011)

Discipline created an economy of control which was based on calculations and certain procedures which were made to be followed by individuals. This is done through hierarchical observation, normalizing judgement and the combination of the two.

Hierarchical observation: Is when individuals were constantly watched to ensure discipline like military camps, prison, schools, hospitals asylums etc. Architectures of these places were altered where the outsiders cannot view what is going on inside these institutions. The example given by Foucault are classrooms with doors when teachers can look inside to monitor and manage students. Foucault suggests that a circular architecture was thought to be made to keep an eye on individuals who can be seen from the outside but they won't be able to see anything from the inside. (Schwan & Schapiro, p.116, 2011)

Normalising judgement: Once individuals were put up in a space they were constantly watched and evaluated; this was the way it was made sure that these individuals follow certain kinds of behaviour. This was done as their actions were constantly judged-so that a certain standard of actions and behaviours is maintained. This was how disciplinary punishment was known as a way to correct behaviour and thinking rather than the bodily torture which prisoners used to go through before the eighteenth century. People were judged not only on what they did but what they did in comparison to others. This led individuals to be paranoid as they were constantly being compared to others. This further led people to supervise themselves as opposed to being supervised by someone else. Because there was a constant comparison to one's own actions with others. There was this unsaid pressure to conform to what was expected out of people. (Schwan & Schapiro, p.120, 2011)

To inculcate discipline in individuals Foucault talks about the panopticon or the inspection-house a privatised prison planned by Jeremy Bentham. This prison was a circular building with a central watchtower. These prisons had cells with windows which allowed light to penetrate inside the cell and the purpose of these windows were to be able to see the prisoner from the outside. In this way—they were watched by guards all day long without them having any idea when they were being watched.

The prisoners couldn't see the watchtower from the inside because of the way in which the prison was constructed. This kind of architecture—it was more efficient to keep individuals in check. Since these prisoners had no clue when and if they were being watched at all—they started to check on themselves or police their own behaviour rather than having done that by force of the authorities. (Schwan & Schapiro, p.130, 2011). Each individual had a separate cell and they couldn't form groups and hence, it became less threatening for the authorities as they were not worried about any kind of big retaliation coming their way. This panopticon was used to transform or inculcate good behaviours amongst individuals according to Bentham this method not only works on prisons but other institutions like schools, hospitals and on psychiatric patients as well.

Prison summed up to be the most natural form of punishment because the society was around the nineteenth century rules by the middle class who thought if freedom is what defines everyone then limiting that freedom by putting people in prisons seemed like a fair punishment.

(Schwan & Schapiro, p.141, 2011). Since, society was made discipline through various methods as discussed above. Prison system was seen as a corrective institution and detention was seen as a fair form of punishment as the shift from physical to disciplinary control was seen as dominant at the time and people preferred that. Prisons were seen as places where individuals were transformed by introducing to them “what correct behaviour looks like.”

Isolation of the prison was introduced because it was easier to control single prisoner than as a group. Also, the authorities thought it is better because it will give them time to self-reflect. Another, aspect included making the prisoner work as a part of individual transformation. Although, workers outside the prison thought this was making them face losses because the prison workers goods were cheaper than what they made—also the prisoners weren’t working for food and housing as these were already secured and this made workers outside upset as they had to accept any kind of work at lower wages. Foucault argued that prisoners were not made to work to be skillful at something but to make them submissive and docile.

Prison is a place where individuals are encouraged to be and learn better behaviours so that they can get lesser sentence. Foucault feels the authorities here act like a sovereign as the prisoners release or the length of his sentence is dependent on the judge. He further talks about the difference between the modern prisons from the prior ones. He emphasizes how the penitentiary is a method of control, and delinquency is a by-product of this method. A delinquent is someone who engages in criminal behaviour, whereas a penitentiary is how to control such behaviour through detention and forced labour.

Delinquency is social category according to Foucault that emerged with the modern prisons. This also saw the emergence of disciplining the individuals rather than causing physical harm on such individuals. Delinquents were individuals penitentiary was used to discipline such individuals through correction, observation and normalization which was achieved by surveillance, normalization, criminologists, sociologists who studied the behaviours of these delinquents who were their subjects of study. (Schwan & Schapiro, p.148, 2011)

Foucault explains that the shift in punishment from physical to psychological torture demonstrates how a person’s identity is formed, shaped, and controlled by power structures. This transformation affects their ability to be fearless and to articulate the truth, resulting in false confessions. Secondly, he discusses the panopticon, a prison designed so that individuals learnt to self-surveil, leading marginalised people to internalise control and confess falsely due to this dominance. Finally, he addresses delinquents who are presumed guilty before any confession occurs. All of this illustrates how Foucault’s foundational theory helps us recognise that we are controlled by power structures, which can lead to credibility deficits and testimonial injustice.

7.3 Erosion of epistemic agency

I want to take this discussion further by talking about Catarina’s theory –Dutilh Novaes in her paper mentions about epistemic injustice and how it is taken up by others such as Fricker, Lackey, Foucault and others. Where Fricker talks about testimonial injustice in terms of credibility deficit others talk about injustice caused by credibility excesses. This is extensively done by Lackey in her book *Criminal testimonial injustice*. Foucault reflects on the injustices which happen through the dynamics of power and knowledge. Dutilh Novaes moves in her paper to talk about credibility deficit proposed by Miranda Fricker in her book *Epistemic Injustice: Power and Ethics of knowing*. She talks about an example from Fricker’s book where a black man Tom Robinson, was convicted because he was blamed for the rape of a white woman Mayella Ewell. To this, many people blamed him and as the book progresses it seemed that he was innocent but the white woman Mayella was given a credibility excess according to

Jose Medina because of which he was sentenced and he was a victim of racial prejudice. (Catarina, p.3, 2024). Fricker however, thinks that Tom Robinson who was the black man in this scenario was faced with a credibility deficit which led him to face the consequences.

According to another philosopher, Tommy Curry, the concern is not just the credibility deficit or excess, but the oppressive power structures that help maintain this kind of justice system to be present in the society. If the case was reversed and the white woman would have raped the black man even then according to him there would have not been much of a difference because of how the society is structured to meet the needs of white people and they will always be given this advantage of not being in the wrong when confronted with similar situations especially where in the opposition is a black person or a person of colour.

Dutilh Novaes mentions about Lackey's book where there is a lot of importance given to confessions treating them as the primary source of evidence and according to her this is not a great way to find the truth or even convict citizens on the basis of confessions as firstly the minimisation and maximization techniques extract them and due to certain pressures people falsely confess and secondly because they are unreliable because of the same reason of false confessing and they are given an excess of credibility. This is what Curry was emphasising when he said these are the ways in which oppressive power structures are maintained.

She further discusses how, in Foucault's conception of power and relations, epistemic injustice can be seen as something that serves these oppressive power structures. If there were no epistemic injustices, how could these structures operate in favour of those in power? She examines the concept of automatic self-surveillance in Foucault's book 'Discipline and Punish,' especially the panopticon, where the prison is designed so that the guards can see the prisoners but not vice versa. This, in fact, leads to self-discipline and a constant awareness of being watched and judged according to one's actions and behaviour.

She also discusses the plague-stricken village and how individuals were categorised there as sick or healthy, sane or insane, productive or unproductive. This categorisation was intended to enhance productivity in the economy and to exert control and power over individuals. By grouping certain individuals together, it became much easier to discipline and manage them in a structured manner, as Foucault explains. The question is, then, people are confined to behave as perfect people, a pertinent question posed by Dutilh Novaes. According to her, power is not always all encompassing and it also includes resistance. Power is also relational in the sense that it functions amongst people and within our own selves. Because of this—power has resistance, and it leads individuals to fight for their agency which includes epistemic agency as well.

Dutilh Novaes talks about how governments used to rule people—first by the sovereign power where they used to punish people to show that how powerful they are and then around the late eighteenth and nineteenth century they started regulating people's behaviour by training them to self-surveillance themselves and parts of it was done by the government as well. This is done to produce people who can work for the government and become fully functioning individuals, like machines. She gave an example of smallpox, which, when discovered, allowed governments to conduct surveys and gather records of all people, including children. This further enabled them to control these individuals easily, as they had all the records and statistics at their disposal. She refers to this as the production and application of knowledge used to exercise power.

She discusses how the Foucauldian perspective aims to emphasise testimonial injustice and epistemic injustice in legal settings. The Foucauldian approach emphasises the social, structural, historical, and epistemic conditions that lead to testimonial injustice. Foucault demonstrated in his book how power structures categorise people to maintain control. She further explores Ladelle McWhorter's Foucauldian genealogy of racial and sexual oppression, which illustrates that race was constructed as a biological category that justified colonialism. This was particularly

evident in the late 18th and 19th centuries during the Eugenics movement, where black immigrants faced forced sterilisation and genocide. This marginalisation was aimed at controlling populations to enforce racial and sexual order, thereby justifying oppression.

It is important to note how this relates to the case of Tom Robinson, whose situation was intertwined with the racial and sexual order and exemplified interpersonal prejudice. Technically, he should have been given more credibility due to his disability, but that was not the case. Testimonial injustice renders certain individuals more credible based on their race, sex, and other factors. The oppressive system justifies its actions by categorising specific individuals. Foucault's analysis targets power structures rather than just individuals, contributing to the sustenance of these injustices, particularly in legal contexts. This also occurs in the present criminal legal system, where extracted confessions reflect the state's control and power. The confessions are not only about credibility but also about the influence of power structures on individuals. Foucault suggests that all epistemic practices are shaped by power, and his work, according to the author, aims to provide better explanations of these injustices and should be more deeply integrated into the study of epistemic injustices.

Conclusion

In this paper, I have discussed how power structures, since the beginning of time, have influenced individuals to do what seems right according to society. They achieved this by disciplining individuals through various methods and institutions like schools, prisons, and hospitals. It could be achieved through exercise, training, time management, etc., enabling them to engage in self-surveillance. This led to the internalisation of these methods, as suggested by Foucault. Disciplinary power functions not just externally but through the shaping of norms and expectations that individuals come to adopt as their own. I also addressed how the criminal legal system exemplifies that marginalised people face epistemic injustice due to the functioning of the legal system. Their testimonies are often undervalued or dismissed altogether, reinforcing cycles of disbelief and disenfranchisement. I concluded with arguments presented by Catarina, who insists that we must examine Foucault's work to understand how these disciplinary structures affect a person's epistemic agency, causing them harm by systematically constraining their ability to know, speak, and be heard within prevailing social frameworks.

Chapter 8

Part 2

Reframing Credibility Excess

Abstract

As discussed in part one of this chapter, I will attempt to focus solely on the concept of credibility excess. We are aware that the concept of testimonial injustice, introduced by Miranda Fricker in her book 'Epistemic Injustice: Power and Ethics of Knowing', primarily addresses credibility deficit as an injustice. Even though she acknowledges that credibility excess can be a disadvantage in various contexts, she does not necessarily view it as an injustice. To counter that argument, Jennifer Lackey, in her book 'Criminal Testimonial Injustice', suggests that while credibility deficit is indeed an injustice, we must also focus on scenarios where credibility excess causes harm to the knower. To elaborate on this, she discusses the criminal legal system in the United States, where, due to the wrath and horrendous interrogations by the police, individuals end up falsely confessing, resulting in an undue credibility excess. Consequently, many innocent people are wrongly sentenced to prison. I would also like to include Foucault's idea of the panopticon and how it leads to an excess of credibility in observers like the police, leading to epistemic domination, not just surveillance. Furthermore, we will explore how Catarina Dutilh Novaes suggests that the issue is not merely about an excess or deficit of credibility but also about the structures that mistreat individuals based on their social positioning, determined by race, class, and gender. Considering the thematic overlaps between the first and second parts of the chapters, some examples and concepts will be revisited for the sake of clarity and nuanced analysis.

Keywords Credibility Excess. Injustice. Jennifer Lackey. Punishment. Credibility deficit. False confessions. Miranda Fricker. Systematic imbalance

Introduction

In this paper, I will attempt to focus on Lackey's work on credibility excess and how it is not just a disadvantage but can be a serious injustice especially in legal contexts. In Section #1 I will talk about Miranda Fricker's concept of Epistemic injustice and how Lackey tried to counter

her argument around credibility excess. Section #2 there will be a detailed analysis of how credibility excess can cause harm especially by police officers, interrogators and expert witnesses. Further in Section #3 we will see how credibility excess for one can lead to a credibility deficit for another person using the example of plea deals from Lackey's work. Section #4 we discuss about how Dutilh Novaes and other philosophers like Tommy Curry talk about credibility in terms of social positions and how one group is believed more or thought to be more credible than the others. In Section #5, I will suggest how Foucault's system of the panopticon is also a symbol of epistemological domination where the wardens are given excess credibility and the prisoners learnt to feel that this system is organic by learning to self-discipline themselves not by force but by learned methods in the prison. Finally, I will conclude.

8.1 Lackey's counterpoint to Fricker

Miranda Fricker introduced the concept testimonial injustice as a form of epistemic injustice in her book, 'Epistemic Injustice: The Power and Ethics of Knowing' (2007), and she talked about credibility deficit as a form of testimonial injustice. Epistemic injustice is when someone's credibility is unfairly deflated due to bias around race, gender, class etc. She focuses on credibility deficit, and it is when an individual is given less credibility than they deserve because of their social positioning, and it is according to Fricker a harm as it affects a person's epistemic agency. For example: If I have a domestic help and she tells me that she is unwell and she would like to take a day off so that she can recover. If here I would tell her that she is just making excuses and is lazy because of her social position as a domestic worker. Here, she will be a target of credibility deficit.

On the other hand, there is another aspect of credibility, which is when one is given an excess. It occurs when a person is given unwarranted credibility or more credibility than they deserve. For example, taking the example above, if my domestic worker tells me that she is being underpaid and that the house manager mistreats her, I will believe my house manager because of her social status, class, etc. Fricker argues that credibility excess is not an epistemic injustice to the person receiving it, as it does not undermine their capacity as a knower. It can be a cumulative disadvantage, meaning over time, but it is surely not an injustice like a credibility deficit. With the help of Lackey's book on 'Criminal Testimonial Injustice', I aim to advance this argument further by stating that in legal institutions, credibility excess is not just a disadvantage but also an injustice. It not only elevates others who are getting it, but it also silences others and leads to unjust outcomes.

Lackey initiates a conversation around credibility in her book 'Criminal Testimonial Injustice'. It feels like a meaningful discussion to be had before she delves into how the criminal system works in the United States. She begins by discussing the evidentialist norm of credibility and how it is not adequate to fight against testimonial injustices. Let us understand the evidentialist norm of credibility. "Person S is justified in believing proposition p at time t if and only if S's evidence for p at t supports believing p." According to Lackey, the evidentialist norms suggest that a speaker's testimony should be verified with the available evidence only. Lackey thinks that this might seem convincing at first, but in the real world, the evidence can be interpreted differently in different contexts, such as racism, sexism, etc. For instance, I am a brown person. Suppose I report mistreatment or exclusion in the office by one of my colleagues. In that case, it is a possibility that my testimony could be undermined as opposed to the testimony given by my white colleague. This means that generally both the testimonies should be assessed by their clarity or connection with other evidence and my identity as a brown person shouldn't change the evidential value of the testimony; but in this case I am given less credibility because of the racial biases. This distorts the evidential base for the belief because the hearer thinks that they are being rational and making that decision using logic and a clarity in their mind. But in reality,

their epistemic practices are flawed as they are relying on epistemically irrelevant factors like race.

She further divides the evidentialist norm into two parts: categorical and conditional. The categorical aspect of the evidentialist norm suggests that “For every speaker and hearer, the hearer should match the credibility judgement of the speaker to the evidence that she is offering the truth.” This means that the hearers must have their credibility match with the available evidence and be able to make such judgements in the first place. This also means a speaker’s social identity or background cannot be used as evidence. A speaker should be believed based on evidence, and their social identity shouldn’t play a role in this process, meaning that it should not affect how much credibility they are given. For instance, in the example above, my identity as a brown woman should not impact the decision taken by the head of the department—he should consider the factor or the evidence, which is the mistreatment that I had to face, irrespective of my social standing. Hence, it rejects the contextual factors—like race or accent, that are seen as problematic, according to Lackey.

The conditional norm on the other hand suggests, “For every speaker and hearer, if a hearer makes a credibility assessment of a speaker, then the hearer should match the credibility judgement of the speaker to the evidence that she is suffering the truth. This version is different from the categorical one because it expects the testimony to be verified by the available evidence only when hearers form relevant beliefs. (Lackey, p.12, 2023). This form of evidentialist norm recognises the importance of contextual factors like one’s social identity conditionally. For instance, categorical norm is when my friend who is a man and is white dismisses the fact that I am a brown woman and because of my race I have to face discrimination. When I go out to buy something, especially when I am abroad, I am treated differently by the staff members at the store. The conditional norm suggests that my male white friend considers my race and, consequently, the treatment I receive from staff when I go shopping in a store abroad.

I want to reiterate the fact that Lackey proposes the conditional norm to avoid the problems with the categorical norm. The categorical norm doesn’t take into consideration the implicit biases, whereas the conditional norm does, considering the contextual factors. For instance, the white male friend dismisses my experiences of the mistreatment abroad while shopping. The categorical norm would take into consideration the evidence dismissing the biases, but the conditional norm in this case would allow the white friend to take my race into consideration. Lackey, to this, also criticises the conditional norm because a lot of the time people don’t make credibility judgements or assessments. Instead, they ignore some testimonies, especially for the marginalised group.

Further, Lackey talks about the hearer-excess credibility as it relates to the testimonial injustice. There can be a testimonial injustice not only when someone receives a credibility deficit but also when someone receives a credibility excess. Lackey calls these as speaker deficit and hearer-excess testimonial injustice. (Lackey, p.14, 2023). Hearer excess can perpetuate systematic injustices by giving more credibility to one person or group over others. For example, If a black person is known to be good at his job as a salesperson but is not selected for promotion for the managerial role in the company because of racist attitudes of his bosses. On the other hand, a white person is promoted because of where he comes from and he only possesses average skills as compared to the black person. The white person’s recommendations are taken into consideration when important decisions are to be taken for the company. Then the black person is not only harmed as a knower but he is suffering from a systematic testimonial injustice.

Lackey argues that—a credibility deficit with testimonial acceptance is in many ways less harmful than an appropriate credibility assessment without testimonial acceptance. An example of this would be a Muslim woman who is believed to be mistreated in the office based on the evidence she provided. But her credibility as a person is rejected because of the prejudices against Muslim

people. She is not believed to be loyal or honest. Her credibility as a professional thus goes down the drain when her identity is questioned. This is a form of testimonial injustice where how the speaker is being perceived is dependent on the hearer regardless of the evidence she has provided. Lackey believes that epistemic harm is not only about the evidence we receive but we need to understand that a speaker's social identity is dependent on how much credibility she receives. (Lackey, p.14, p.14, 2023)

One significant instance of hearer-excess credibility is captured in the Dunning-Kruger effect. It implies that there is a cognitive bias in which incompetent individuals incorrectly rate their abilities much higher than they are. This over-confidence in oneself can lead to harmful consequences. Lackey's theoretical claim is that testimonial injustice not only occurs when there is a credibility deficit, but it also occurs when there is an excess of credibility. For example, person A, after completing his master's in engineering, believes he will easily secure a job in any company, as advised by one of his senior students, person B. Person A placed undue credibility in person B's advice. Consequently, person A neglected to apply for an internship. He gives himself excessive credibility compared to his classmates, who have various internship experiences that he lacks. Due to this ignorance and overconfidence, he remained unemployed while others secured jobs at reputable companies with good salaries. (Lackey, p.16, 2023) This is an example of how false beliefs can cause epistemic harm through social biases.

Miranda Fricker, in her book *Epistemic Injustice: Power and Ethics of Knowing*, has denied that credibility excesses can lead to testimonial injustice in her rejection of the distributive model of credibility. She does not believe that credibility is a good that is finite and can be distributed like land or money etc. (Fricker, p.20, 1017 as cited in Lackey, p.17, 2023). For instance, it is like giving a compliment to someone, giving a compliment to someone could not mean that you cannot give others good compliments. It is not a finite good. For Fricker, credibility should be seen this way rather than of materialistic value or any other goods mentioned above like land or money. There is another interesting point which we might want to scrutinize here as it seems essential for the paper. The example above shows that if we give more credibility to person A then it does not mean that we cannot give person B the same amount of credibility. When excess credibility is understood to be infinite and not as harmful. To see that credibility excess is harmful we need to talk about content-based credibility excess. For instance, if a journalist presents news on say a well reputed channel such as CNN with confidence, then, people may believe it to be true even if it is factually incorrect. The reputation of the company, the presenter and the way it was presented led it to have that excess credibility. Well delivered false content might feel truer than it is in reality. While Fricker believes that "credibility excess may be (unusually) disadvantageous in various ways, it does not undermine, insult, or otherwise withhold a proper respect for the speaker qua subject of knowledge; so in itself does her no epistemic injustice and a fortiori no testimonial injustice." (Fricker, p.20, 2017 as cited in Lackey, p.17, 2023)

Whereas Lackey believes that credibility excesses can be insulting to a speaker or knower, regardless of any long-term disadvantages that might be seen overtime. (Lackey, p.17, 2023). I am going to explain it with an example.

Suppose I have a friend named Charlie, who is more comfortable with women, and he has plenty of women friends. He's had multiple relationships both long and short in his life. Because of this knowledge about his life, people think he is a Casanova, and they have labelled him as one. But, in truth, he has had bad luck in relationships, especially ones where he was invested emotionally. In this example, there is credibility excess of him being a charming person who can get any woman he wants but this kind of excess backfired him. This kind of excess ruined his image as no more women wanted to be his friend knowing his relationship history. On one hand this charming image has led people to believe that he understands women, he can be emotionally intelligent and a sensitive person which is a likeable trait to have in a person. On

the other hand, this credibility excess has given rise to suspicion of his intentions towards women in general. Charming here might not seem like a *prima facie* form of testimony, but it is. In this case, Charlie made people feel especially women-- included and listened to them with undivided attention. This made him come across as a good listener. People shared their knowledge about Charlie based on their observation and direct interaction with him. Charming, then, is a case of testimony as it is backed by personal experience. Further, because of his history with women, he was considered to be manipulative, as he was involved with almost every woman he knew and never had any long-term relationships because of his own self-interests. His experiences are seen as more social than romantic. Hence, this kind of credibility excess has caused serious harm and he lost many people due to this excess which led him to be really lonely in the long-run. This is also similar to the case of Asian students being stereotyped to be good at math which is not true for all Asian students. These cases reflect that credibility excess can lead to unfair judgment. Hence, this kind of credibility excess has caused serious harm and he lost many people due to this excess which led him to be really lonely in the long-run.

Lackey believes that being given credibility excess in stigmatized domain can influence one's epistemic identity. Such an excess clearly undermines or withholds proper respect for the speaker qua subject of knowledge. (Lackey, p.18, 2023)

8.2 Credibility-Excess Causing Harm

We will look at credibility excess as serious harm in legal settings. I would discuss false confessions, the role of police officers, expert witnesses, and systematic harm to show that credibility excess is indeed an injustice. Let me begin with false confessions-- Lackey moves her focus to the main argument of her book, which is how false confessions can lead to an epistemic wrong. She gives examples from various cases, which I will discuss shortly. These examples include the judgements passed through the Supreme Court from false confessions given by the individuals. The first instance of false confessions was when Raymond Stuart was murdered he was a white planter in Mississippi. Three black men farmers named Arthur Ellington, Ed Brown and Henry Shields were suspected of Stuart's murder. They were sentenced to death based only on their confessions. Ellington, for instance, when denied that he had committed the crime, was tied to a tree with a rope by a number of white men and the deputy. He had to undergo whipping in jail and he was told this would continue until he confessed to the crime he didn't even commit. He eventually did get tired and agreed with the deputy. Hence, he was behind the bars as soon as he confessed.

The other two suspects, Brown and Shields were also arrested and were taken to the same jail. They were told to strip and they were beaten with a leather belt by the deputy and were whipped until they confessed. They eventually gave in and confessed when the whippings progressed. They had no choice but to succumb to the demands of their torturers. (*Brown v. Mississippi*, 297 U.S. 278, 282 (1936) as cited in Lackey, p.33 2023). The trial judge was aware of the torture these three had to go through as dial (the deputy) admitted to the whippings and didn't blink on eye when he said that it was because they were black and he would have tortured them even more if it was left onto him. The judge took their confessions as evidence and gave them a death sentence. Although, this wrong was later recognised and Chicago because the first city in the states to pass a reparations ordinance which recognised that there needs to be a complete halt to the violence perpetrated by the police towards people of other race. (Lackey, p.34, 2023)

Further, I would like to show the role of police interrogations and how it led to false confessions. Lackey recognises that it is not only physical torture through which false confessions are extracted, but there are psychological ways in which they are obtained as well. She expanded them into five types: voluntary, stress-compliant, coerced complaint, coerced-persuaded and noncoerced-persuaded. She focuses on compliant and persuaded false confessions. According

to Lackey, a compliant false confession is when a confession is made due to the pressures of the police force, stress or some other pressure to gain some instrumental benefit. It is used to escape an interrogation process where the victims, to escape from a harsh punishment, believe the police that if they admit to the crime, the police will be lenient towards them. The confessors do that knowing that they are innocent; these confessions are often recanted soon after.

Another kind of false confession is a persuaded false confession. It occurs when the police interrogation process causes doubts in one's memory, and that person admits to a crime they didn't even commit. This happens in three steps: First, when the interrogator causes the suspect to doubt himself with the help of false evidence. Second, when the interrogator provides evidence to back this doubt of the suspect by justifying that it could be under the influence of drugs, alcohol, or other personality-induced disorders, the suspect has been made to forget the crime he committed. Lastly, there is the postmodernism narrative where the suspect has already admitted to the crime because of a false narrative or story given to him. This could be a hypothetical story. This works mainly as the confessor seems to confess from inference rather than knowledge here. (Lackey, p.35, 2023). For instance, the confessor doesn't believe the story presented to him because he has committed the crime but because it seems probable based on all the information they got from the interrogators. The person is assumed to be guilty based on what is presented to them. This basically states that sometimes confessions like these are problematic, as during interrogations, the authorities base their evidence on mere belief as opposed to the knowledge of the suspect.

According to Lackey, minimisation and maximisation are the most critical factors that can lead to false confessions. Minimisation occurs when the interrogator creates a false sense of sympathy and security to gain the trust of a person, encouraging them to confess. This often implies that if the suspect admits to the crime, there will be leniency in their punishment. For instance, the crime typically carries a sentence of twenty years in prison, but using the minimisation technique, if the suspect confesses, they may only serve five years—this is presented as the sole way to reduce their punishment. Maximization happens when the interrogator scares, intimidates, or coerces the suspect. The interrogator makes it clear that severe consequences await if the suspect does not cooperate. Threatening a suspect with a death sentence or warning them that they will face torture in prison if they refuse to admit guilt exemplifies how maximization works.

There are other techniques, such as false evidence ploy, where you are told that a gun was found in your drawer, and your fingerprints match the ones found on the weapon with which the crime was committed. The other is the Reid technique, which is interviewing the suspect before interrogation. It is based on one's body language or behaviour. It uses one's rationalisations for committing a crime. For instance, if a police officer takes a guy named Josh into custody due to a robbery, but he didn't commit it. The police will commence the interrogation by being friendly or polite in the beginning and moving to a more straightforward or harsh tone. Like, we know you are not a bad person, and good people do make mistakes sometimes. After hours of interrogation and constant questioning, Josh might start to get confused as the officers present false evidence or cues taken from certain eyewitnesses, or maybe they curated them on their own. Josh feels trapped and confesses to the crime because of the evidence being presented to him, and he starts to get extremely flustered and falsely confesses to the crime he did not commit.

This is based on the implicit assumption of guilt that one has committed a crime. Most suspects are shown evidence and are made to feel guilty by interrogators, leading them to admit the crime because they get confused during the process. They don't seem to have any confidence in their rationality. In this process, some people waive off their Miranda rights, thinking that if they have not done anything wrong, then why should they remain silent? (Lackey, p.35, 2023).

In testimony cases, Fricker's book 'Epistemic Injustice: Power and Ethics of Knowing' states that credibility is not a finite, and its distribution model doesn't make sense. She wants to focus on how someone from a different race is not given enough credibility. For her, credibility excess is not a testimonial injustice—it can only be a harm 'cumulatively' (over time), but not an injustice. For Lackey, credibility seems to be a proper candidate for a distributive model of injustice. According to her, credibility is not finite as Fricker believes. Lackey wants to show how credibility is distributed structurally, where white men, for instance, would get more credibility than a brown/black woman.

Lackey moves on to the case of Juan Rivera to explain the consequences of extracted testimony. Juan Rivera 1993 was given a life sentence for the rape of Holly Staker only based on false confession which he later recanted. He had learning disabilities, and from his record, he tried committing suicide on multiple occasions as well. His interrogation lasted 26 hours, during which time he could not have raped Holly, as the data from his ankle monitor suggested that he was elsewhere. It showed that he was at home and was not near Holly's body at the time of the crime. (Lackey, p.41, 2023). His interrogation was aggressive and lasted for 4 days straight, and he was only offered coffee and cigarettes at the time. On the final day, when he was asked if he had committed the crime, he nodded affirmatively and started sobbing and banging his head against the wall. He fell on the floor and was taken to the psychiatric ward, where he was unable to understand what was going on, and he also talked in tongues. Despite all that transpired, Sergeant Fagan made him sign the confession papers. Even though, the DNA didn't match his—the state had a theory where the girl had prior consensual sex with an unknown person, and after that Rivera raped her and failed to ejaculate and finally killed her. Because of this justification, Rivera was found guilty and sentenced to life in prison. This case was, however, ruled out later when the centre of wrongful convictions became involved and proved that there were wrongful allegations against Rivera. This led the state to dismiss all charges, but Rivera had already served twenty years in prison.

In the case above, Lackey feels that the epistemic agency of the suspect was exploited to extract the confession from him. Testimony is generally extracted with an interpersonal interaction that bypasses, exploits or subverts the testifier's epistemic agency. Manipulation, deception and coercion are the three ways it can be done. Rational persuasion is when someone makes you question your own rationality. Manipulation, according to Lackey, typically bypasses or circumvents epistemic agency. It is often understood as an irrational influence (not based on logic/reasoning, based on emotions, intuitions, etc). Where manipulation can be understood as intentional, and it is done to influence another person's decision making. To deceive is to bring about a false belief in another person. (Lackey, p.46,2023). Moreover, withholding information is when someone is unable to give any information rather than hiding it.

Finally, coercion is when another person gives you more or other choices, or even eliminates the present choices one has. (Joel Rudinow, p.341, 1978; Allen Wood, p.21-23, 2014 as cited in Lackey, p.47, 2023). In coercion, the person is pushed to do what the coercer wants, and this is not by undermining the person's decision-making faculties but by making them realise that the only way they can get out of a situation is if they do what the coercer wants them to do. (Susser et al. as cited in Lackey, p.47, 2023).

All the above distinctions are essential for us to understand, as they will help us to differentiate between the techniques used during an interrogation process. This also comes to show that during the interrogation process, the suspects are made to believe that if they do not cooperate with the authorities, then they will face far worse punishment than they would if they do what the interrogators want. (Lackey, p.48, 2023). This helps them further outwit the epistemic agency of the suspects by creating a false narrative.

Furthermore, Lackey focuses on the essential aspect of credibility, which is how credibility excess results in the testimonial injustice, which generally happens when a confessing self is given more credibility than a recanting self. This means, for instance, if I have not committed a crime such as shoplifting something from the store, but my white friend who was with me did it. But, due to various prejudices, he got off the hook, and I was put under interrogation for the crime which I did not commit. Due to multiple manipulations and coercion from the police, I eventually succumbed to the pressure and admitted to stealing certain things, which would be taken as my admission of guilt. However, the very next moment, I decline or come to my senses about the confession I had made. I take back the blame and say, “It was due to the pressures of the police and the fear of being in prison for much longer, if I don’t do what the authorities want me to do. In this case, my first statement would be given more credibility than my second statement. Due to this, I will have to bear the consequences of the crime I didn’t commit.

This is also clarified by Lackey when she states that the confession evidence is weighed too heavily, which in the legal system is regarded as the decisive evidence of guilt. She even goes back to stating Juan Rivera’s case where despite of the discrepancies in the evidence and his ankle monitor stating otherwise, he was found guilty of the rape and murder of Holly Staker. Treating confessions as the ultimate evidence stems from the fact that most authorities do not want to dig deeper and would soon like to close the investigation. This is an epistemic mistake not only a moral or legal one. It shows that a lot of time people’s testimonies are given more trust or an excess of credibility than they should be given not because of their reliability but because the authorities want to shut the case sooner. On the other hand, there are suspects whose confessions are not given any weight and have to suffer a credibility deficit and they recant their statements due to this reason. This is further supported by an example she draws from the cases of sexual assault, where no action is taken if one person complains about sexual assault; however, it quickly changes when 300 more women lodge the same complaint, and only then does it become worthy of any action from the police. This was more persistent in the cases of high-profile individuals such as Larry Nassar or Bill Cosby. This also shows that while the confessing self, despite coercion and manipulation, reports guilt, the recanting self-reports innocence a million times and has a higher probability of being innocent. There is still a significant credibility deficit given to the recanting self, instead of the confessing self, which receives massive credibility excess. (Lackey, p.52, 2023)

There is another important point to mention about confessions in the US legal system which is that they are highly resistant to counterevidence. This has many reasons; such as the interviewer bias—where the police would only gather evidence which is factual and would avoid any other evidence which could also possibly be the case. This is like having a tunnel vision. There is also confirmation bias, which is the interpretation of evidence in ways that are partial to existing beliefs. Further, there are defeaters when it comes to having these kind of knowledge such as doxastic or normative. A doubt that one might have seen as false while confessing or indicates their belief which doesn’t hold much weight. The latter is concerns and doubts one should have, given the evidence available. (Lackey, p.53 and P.54, 2023). For instance, In the case of missing cheese from the fridge the doxastic defeater would be that one of my flatmates took it. But, I also know that my flatmate was away in London and she couldn’t have taken it. So, I can no longer hold that belief. On the other hand, the normative defeater would be that I got the cheese ten days ago and I ate it and forgot about it. I forgot that after consuming that packet of cheese I didn’t get a new pack of cheese to consume.

Lackey states how Fricker’s view which is that credibility can be finite and thus how its proper distribution is crucial for assessing whether a speaker is the victim of testimonial injustice can be contrary to the example of cases where false confessions are given way more credibility excess than they should be getting. She states that confessions distort evidence as in the case of Juan Rivera where the state came up with strange evidence in order to punish him rather than thinking or giving him a chance. They clearly denied DNA evidence, his mental state and the

readings on his ankle monitor. She also mentions the case of “Dixmoor Five” where all the five men were charged for the rape and murder of Anita Alvarez. After spending 95 years in Jail the Illinois state police regarded them as innocent in 2011. These examples show that the only reason why these cases happen to aim at the innocent is because the excessive credibility given to false confessions as opposed to evidence or their recanting confessions.

According to Lackey, there is enough credibility in the world. One person can be wrong on one occasion and right on the other. Both can be credible. To give more credibility to the confessing self is to deny credibility to the recanting self. Here, credibility becomes scarce. Finally, what this shows is that false confessions pit one against oneself and reveal how an excess of credibility can lead to a kind of testimonial injustice. (Lackey, p.57, 2023)

Lackey further explores two kinds of testimonial injustices, which are peer-excess and expert-excess testimonial injustices. Peer excess is if my colleague is getting more credibility than I am then it would lead to unequal opportunity in the work-place for me. I will be constantly undervalued because someone else is getting illegitimate credibility excess and hence, more opportunities are there for them than for me or not at all for me. Even if my boss thinks that I am credible based on the nature of my performance and even then decides to give another colleague more credibility. I will be wronged here. (Lackey, p.19, 2023)

Expert-excess credibility is when experts are given unwarranted credibility excess just because they are experts. Lackey explains this through “Shaken Baby Syndrome” or SBS. This is a form of physical abuse which occurs when a baby is violently shaken. This shaking can cause the brain to move inside the skull and cause severe brain injuries. In this SBS incident the perpetrator or the caregiver was blamed as the court took in the testimony of the doctors “experts” and it alone was enough to prove that the caregiver was guilty. However, the caregiver tried to prove her innocence and there were no witnesses who saw her shake the baby. She was still convicted guilty. Later, with the help of subsequent research it was found that the expert claims were flawed and false. Because the court relied too much on single experts testimony and the legal system didn’t question them enough, it led to the conviction of an innocent person which was due to a credibility excess given to an expert so to say. Lackey proposes that the only solution to the problem of credibility excess is to apply correct assessments to the person who is being assessed in relation to the other members of her community or around her. (Lackey, p.22, 2023). This means credibility assessments need to be understood “relationally”—with a person and the members of a group.

8.3 Credibility excess leading to credibility deficit

Credibility excess leads to a deficit for someone else. This means that if we give excessive credibility to a police officer or the testimony of an expert, as seen in cases like shaken baby syndrome, the suspect's denial is disregarded. The legal system aims to simplify the process, which often leads many to choose plea deals; this, however, unjustly punishes the innocent. Consequently, this creates not only a systematic injustice but also a structural injustice, as the framework of our legal system is flawed.

Lackey talks about plea deals which means when the defendant admits to the crime they committed, and the case moves to the conclusion or the punishment rather than going for trials. She talks about how the defendants are pushed to accept plea deals through plea bargaining process so that the prosecutors can avoid lengthy trials have direct sentencing of the suspect. They do this through coercion. As previously seen in the other sections of the paper, people use different coercive and manipulative techniques to put people in the position where they have no choice but to agree with the administrators or lawyers.

She furthers the argument by talking about voluntary plea deals and what should be considered as coercion. I won't be getting into that argument of coercion in detail as it removes us from the main argument which is how plea deals leads to injustice through excess credibility.

In plea deals the victims are given certain options from which they choose the most practical one where it won't cause harm to them or to their families. Most of the times they are promised that their sentences will be reduced if they cooperate with the administrators. The prosecutors rely on the testimony of such people where they know if they are successful in coercing these people then they can get the sentence easily without having to go through trials as in the legal system, as more weight or excess of credibility is given to the testimony of these people and their confessions. The court gives them excess credibility based on their testimony ignoring the credibility of the defendant. They are believed not because they are reliable but because they work for the legal system to run smoothly or be useful to them.

For instance, a cycle shop is robbed, and money is stolen from the register. A boy named Josh, who is 20 years old and well-known around town, claims to have seen the crime occur. Josh states that Allison, who is 22 years old, was seen in the area of the crime and has a record of minor offences. In this case, there is no physical evidence, but Josh's testimony is credible due to his good record and background. Allison maintains her innocence, but the prosecution has offered a plea deal that would spare her time in prison, putting her under probation instead. If Allison chooses to fight the case and loses, she will face around seven years in prison. She is currently contemplating the legal fees she will incur and is also afraid of the consequences. In this scenario, Josh is being believed, and he has a personal motive, as he disliked Allison for suddenly stopping communication and making new friends, excluding him from his group. Josh lied in this case to get back at Allison, knowing people would believe him over her due to his clear record and social reputation. Allison then was pleaded guilty and her present criminal record has also affected her work and reputation in society.

In the case above, credibility was given to one person over another. The system didn't want to investigate the truth, so they offered the plea deal to Allison. Because she was not rich and had a minor criminal record, she felt that she was under a lot of pressure and finally succumbed to admitting guilt because she couldn't take the risk of opting for a trial; she didn't have the resources or the support to do that. These kinds of injustices occur because the system is negligent and seeks to shut down most cases based on someone's background or social reputation.

Agential testimonial injustice happens when testimony is extracted in a way which bypasses, exploits or subverts the speaker's epistemic agency and is then given an unwarranted credibility excess. (Lackey, p.138, 2023). Through plea bargaining and charge stacking, which is when the prosecutor tries to charge a person not only for a single crime, but multiple crimes to coerce them into giving up trials and agree with them to opt for a plea instead of a trial. This is to say when the prosecutor tries to attack someone and their rational faculties and threaten them that they will get forty years in prison and eventually as the witness feels insecure lowers it down to twenty years; he is trying to make them feel that they have no other option but to comply with the prosecutors demands by using charge stacking as a conniving method. When he threatens their rationale then in the process their epistemic agency is also compromised. (Lackey, p.138, 2023)

Plea deals also cause the defendants to waive any further questioning. They only get to confirm something once, unlike confessions where people can recant statements. (Lackey, p.139, 2023). Most plea deals require defendants to give up rights and this includes not being able to challenge their conviction further. Prosecutors use appellate review (which is when higher courts see if there were any mistakes in the decisions of the lower court) to prevent any future plea deals by pressuring the defendants to do what they want. Once they give up the appellate review they

can't change the courts decision even if later they feel it was a mistake. They can't have any DNA tests reviewed or file any habeas corpus petitions. (Stephens, p.340, 2013 as cited in Lackey, p.140, 2023). Plea deals lead to credibility excess as they shun out any kind of further evidence or evidence present in front of them. (Lackey, p.140, 2023).

8.4 Social positioning and credibility excess

Catarina Dutilh Novaes in her paper mentions about epistemic injustice and how it is taken up by others such as Fricker, Lackey and Foucault in their respective works in philosophy. Where Fricker talks about testimonial injustice in terms of credibility deficit others talk about injustice caused by credibility excesses. This is extensively done by Lackey in her book *Criminal testimonial injustice*. Foucault reflects on the injustices which happen through the dynamics of power and knowledge. Novaes moves in her paper to talk about credibility deficit proposed by Miranda Fricker in her book *Epistemic Injustice: Power and Ethics of knowing*. She talks about an example from Fricker's book where a black man Tom Robinson, was convicted because he was blamed for the rape of a white woman Mayella Ewell. To this many people blamed him and as the book progresses it seemed that he was innocent, but the white woman Mayella was given a credibility excess according to Jose Medina because of which he was sentenced, and he was a victim of racial prejudice. (Dutilh Novaes, p.3, 2024). Fricker however, thinks that Tom Robinson who was the black man in this scenario was faced with a credibility deficit which led him to face the consequences.

Philosopher Tommy Curry contends that the problem goes beyond simply having credibility issues; it touches on the oppressive power structures that uphold this type of justice system within society. He suggests that if the roles were reversed, with a white woman assaulting a black man, the outcome would likely not differ significantly. This persistence stems from a societal framework that favours the interests of white individuals, making it more common for them to evade accountability in similar situations, especially when the other party involved is a black person or a person of colour.

Novaes discusses Lackey's book, which emphasises the significance of confessions as the primary form of evidence. Lackey, argues that relying heavily on confessions is not an effective way to uncover the truth or secure convictions, as they are often obtained through minimisation and maximization techniques, leading individuals to falsely confess under pressure. Additionally, confessions are inherently unreliable, warranting excessive trust. Curry highlighted this issue, pointing out that such practices uphold oppressive power structures.

Novaes, discusses how the Foucauldian perspective aims to emphasise testimonial injustice and epistemic injustice in legal settings. The Foucauldian approach emphasises the social, structural, historical, and epistemic conditions that lead to testimonial injustice. Foucault demonstrated in his book how power structures categorise people to maintain control. She further explores Ladelle McWhorter's Foucauldian genealogy of racial and sexual oppression, which illustrates that race was constructed as a biological category that justified colonialism. This was particularly evident in the late 18th and 19th centuries during the Eugenics movement, where black immigrants faced forced sterilisation and genocide. This marginalisation was aimed at controlling populations to enforce racial and sexual order, thereby justifying oppression.

It is crucial to understand how this connects to Tom Robinson's case, which reflects both racial and sexual dynamics alongside personal prejudice. Despite his disability, he should have been granted more credibility, but that was not the reality. Testimonial injustice results in certain individuals being perceived as more credible based on their race, gender, and other factors. The oppressive system rationalises its actions by categorising individuals. Foucault's analysis focuses on power structures instead of just individuals, helping explain the persistence of these injustices, especially within legal frameworks. This phenomenon can be observed today within

the criminal legal system, where coerced confessions reveal the state's dominance and influence. The confessions encompass not only credibility but also the impact of power structures on individuals. Foucault argues that all forms of knowledge are influenced by power, and according to Novaes his work should be more thoroughly integrated into examining epistemic injustices.

Lackey discusses how biases and prejudices influence court judgments when sentencing individuals for crimes. These biases often stem from someone's race, gender, and social identity. She introduces the concept of the multi-directional model, contrasting it with the one-directional model, which focuses solely on credibility deficits. Lackey explains that individuals may have a credibility deficit in their testimonies due to inherent prejudices, but she also highlights that excessive credibility can result in injustices within the criminal justice system. For example, an innocent black individual fleeing from police out of fear, not guilt, may be wrongfully perceived as guilty due to the stereotype that all black individuals are criminals. (Lackey, p.145 & p.146, 2023). Tuerkheimer supports this assertion by examining the content of testimonies and how they can undermine the social identity of the speakers, resulting in testimonial deficits. She cites the case of rape victims, who often face disbelief regarding their experiences, leading to their testimonies being undervalued in court. Consequently, they are denied protection and dismissed due to biases related to their gender or race. (Tuerkheimer, p.3, 2017 as cited in Lackey, p.147, 2023).

Intersectionality represents a dimension of the multi-directional model where credibility shapes evaluations (Carlin, p.476, 2016, as cited in Lackey, p.147, 2023). She contends that intersectional experiences disadvantage women of colour by hindering their believability and recognition of their credibility. This dynamic also affects their perception in the criminal legal system. Beyond individual scenarios, it is crucial to consider its relation to the criminal legal system and how race, class, and gender inform the construction of credibility assessments within it.

Going ahead she further divides it into interpersonal and intrapersonal intersectionality. Interpersonal is when different groups experience different types of discrimination and intrapersonal is when how different areas such as race, gender and sexuality affect an individual's perception of themselves and the world around them. She gives an example of sexual assault or rape cases where a white woman who a black man is assaulting would be given more credibility or excess credibility irrespective if she was attacked or not. It would be believed that a white woman can never voluntarily have intercourse with a black man. This is not true if the woman is black, as black women are often labelled as promiscuous and are blamed for wearing certain kinds of clothing or giving invitations to men because of how they act, dress or talk. In this case, the black woman would suffer a credibility deficit. This former is just an example of how someone's social identity can lead to a massive credibility excess leading to an injustice in cases of sexual violence. (Lackey, p.148, p.149, p.150, 2023)

To prove that social identity of a person can of course lead to credibility deficits, but they can also lead to excess in credibility; she gives specific examples, which lead to these deficits and excess keeping in mind the social identity of an individual. She provides an example of a black man named Barry Lee Fairchild who was sentenced for the kidnapping, robbing, raping and murder of a white woman called Marjorie Mason. He was taken into custody by the Pulaski County Jail as he provided a videotaped confession of being involved in the crime. Later, he recanted his statement stating that he was innocent, and he only admitted to the crime due to the torture he faced by then sherriff Tommy Robinson. He was hit in the stomach, chest and arm and was threatened to be killed. In this case all the other 30 black witnesses and their testimony in favour of Fairchild and against the sheriff that he used unfair methods to extract confessions were dismissed and only one single confession lead to his execution. Other 14 white male officers acted in a way which suggested that they had never been engaged with the witness or they never saw any kind of brutality during the interrogation process. Later, judge Garnett

Thomas Eisele concluded that Fairchild's confession was not coerced and he dismissed the confessions of 30 black witness. He took a single confession as a proof to convict Fairchild. This is a paradigmatic example of the multi-directional model where testimony with a particular content can interact with multiple social identities with bias and lead to credibility deficit, and on the other hand, any dominant misassessments can lead to credibility excess. (Lackey, p.153,154,155, 2023).

There is another example of agential testimonial injustice followed by excess credibility being given to a person for all the wrong reasons. A girl who was 18 years of age called Marie was blindfolded, tied and raped by a man who broke into her apartment. Eventually her friends and family noticed that sometimes she cried in a dramatic tone which seemed unreal, other times she seemed detached and silent. They wondered if this was another attention seeking stunt she was pulling because she has been dramatic in need for attention in the past. Her foster mother named Peggy Cunningham called the investigators as they suspected that Marie is a liar she can go to any length to make up a story to get attention. The investigators called Marie and told her that "In your statement you said, you called your ex-boyfriend while still being tied up" whereas you told us that you called him after cutting the laces with which the rapist tied you. Eventually, Marie admitted that she had fabricated the story and she didn't realise it will become so serious. She was then told to pay 500 dollars for false reporting and to get mental health counselling. Two and a half years later the police found the rapist named Marc O' Leary and they got the photos of other victims he raped with pictures of Marie tied and gagged on a bed. The rapist was then sentenced to 37.5 years in prison. (Lackey, p.156, p.157, 2023)

In the example above, we can see that Marie was a victim of agential testimonial injustice, where credibility excess was given to her recanted statement rather than her original statement. Because she had lied before—all the current evidence like the door of her house, the vaginal examination and some dirt on the wooden railing were dismissed. She recanted her statement due to aggressive investigation techniques used by the interrogators, followed by bullying her, so she gave the statement which would serve the investigators' purpose and get precisely what they wanted to hear from her. The no eye contact and fidgeting were interpreted as her being a liar rather than her feeling cornered and afraid. (Lackey, p.159, 2023). It is like when a person of colour flees a situation upon seeing police officers, due to the excessive stigma attached to Black individuals being perceived as criminals. Instead of considering that this flight may stem from fear, it is often interpreted as guilt, as if the person ran away simply because the police were present.

The excess and deficits of credibility can also be seen in cases surrounding domestic violence where the husband or boyfriend hits the woman, and the woman recants her original statement. This is seen due to financial dependency or for the sake of her kids, family, etc. The perpetrator, who is the partner, is often seen to manipulate the woman by professing his love towards her or giving her an ultimatum by telling her the kids will remain with him if she goes on with the trial. They also try and threaten the woman by letting her know that "he will commit suicide" if she doesn't recant the statement. The court generally dismisses the woman's confession due to gender bias or without any further consideration about the reason for her recanting her statement. For instance, if the abuser holds a lot of power, then the victim will be suffering from an unwarranted deficit, and the abuser would suffer a credibility excess. Some abusers also show themselves as victims by claiming that the real victim is mentally unsound, or it was done for their defence. Credibility excess works against the victims due to the unfair biases by the officers and the interrogators have towards the abuser.

8.5 Foucault's Panopticon as a structure of credibility excess

Foucault in his book 'Discipline and Punish' talks about the panopticon a prison. To inculcate discipline in individuals Foucault talks about the panopticon or the inspection-house a privatized prison planned by Jeremy Bentham. This prison was a circular building with a central watchtower. These prisons had cells with windows which allowed light to penetrate inside the cell and the purpose of these windows were to be able to see the prisoner from the outside. In this way—they were watched by guards all day long without them having any idea when they were being watched. The prisoners couldn't see the watchtower from the inside because of the way in which the prison was constructed. This kind of architecture—it was more efficient to keep individuals in check.

Since these prisoners had no clue when and if they were being watched at all—they started to check on themselves or police their own behaviour rather than having done that by force of the authorities. (Schwan & Schapiro, p.130, 2011). The possibility of being watched led these people to regulate their own behaviour and it was not just about surveillance but the internalisation of it which created power and control. Surveillance is about epistemic domination as it was about controlling who gets to say the last word, who is trustworthy or credible. This prison didn't only discipline bodies but minds as well. It was about which groups controlled the production and distribution of knowledge. For instance, a woman's testimony from a marginalised group would be seen as unreliable in the panopticon. Everyone had a separate cell, and they couldn't form groups and hence, it became less threatening for the authorities as they were not worried about any kind of big retaliation coming their way. This panopticon was used to transform or inculcate good behaviours amongst individuals according to Bentham this method not only works on prisons but other institutions like schools, hospitals and on psychiatric patients as well.

Prison summed up to be the most natural form of punishment because the society was around the nineteenth century rules by the middle class who thought if freedom is what defines everyone then limiting that freedom by putting people in prisons seemed like a fair punishment. (Schwan & Schapiro, p.141, 2011). Since, society was made discipline through various methods as discussed above. Prison system was seen as a corrective institution and detention was seen as a fair form of punishment as the shift from physical to disciplinary control was seen as dominant at the time and people preferred that. Prisons were seen as places where individuals were transformed by introducing to them "what correct behaviour looks like."

Isolation of the prison was introduced because it was easier to control single prisoner than as a group. Also, the authorities thought it is better because it will give them time to self-reflect. Another, aspect included making the prisoner work as a part of individual transformation. Although, workers outside the prison thought this was making them face losses because the prison workers goods were cheaper than what they made—also the prisoners weren't working for food and housing as these were already secured and this made workers outside upset as they had to accept any kind of work at lower wages. Foucault argued that prisoners were not made to work to be skilful at something but to make them submissive and docile.

Prison is a place where individuals are encouraged to behave better and learn better behaviours so that they can get a shorter sentence. Foucault feels the authorities here act like sovereigns, as the prisoners' release or the length of their sentences is dependent on the judge. The panopticon created an excess of credibility for the observers, like the warden or the police, as they were given an excess of credibility because of their position. People eventually accept this domination and they learn to not speak up for themselves based on how they learned to internalise the surveillance. It was like a marginalised woman word which is not taken seriously because she is assumed to be less credible as opposed to her male counterpart who is a white man. The panopticon prison did not work by force but by manipulating people into thinking that this is how the system is and it a natural form of how things should work.

Conclusion

In this paper, I aim to show how credibility excess is not merely a disadvantage or harmless in our system. Using Fricker's concept of testimonial injustice, I elaborate on credibility deficit while also examining credibility excess as a form of injustice. We shouldn't allow the harms caused by credibility excess to go unnoticed because it represents an active harm driven by power and control. To scrutinise this, I build upon Lackey's work on the legal system and how credibility excess inflicts serious harm, especially on individuals from marginalised groups. This excess often legitimises dominant voices while discrediting others, reinforcing systemic inequality and silencing alternative perspectives. Furthermore, I discuss how philosophers such as Foucault have developed the notion of power and knowledge, which is essential for our literature as it suggests that our concerns go beyond merely how much credibility one receives; we are also structurally dominated by certain groups, resulting in epistemic domination. Finally, I concur with Dutilh Novaes that it is vital for us to incorporate Foucault's work in our mission to achieve anything in epistemology, as it provides a foundation for understanding various structural injustices. It enables us to trace how epistemic norms are shaped, enforced, and weaponised across institutions, culture, and discourse.

Concluding Remarks

This thesis dives into the rich and fascinating exploration of epistemic injustice, drawing together insights from feminist theory, psychology, social epistemology, and post-structural philosophy. It thoughtfully illustrates the ways in which epistemic injustice works and how our understanding of the world is shaped by epistemic practices and who gets the chance to share their voices. The goal is to foster a deeper comprehension of the connections between knowledge, beliefs, power dynamics, social positioning, and the marginalisation of certain groups. By critically examining how some voices are often sidelined or discredited, this work highlights the important moral and political implications of exclusion. Additionally, it thoughtfully probes the subtle ways institutional practices, cultural narratives, and identity markers come together to silence or undermine the epistemic agency of marginalised communities. Through an engaging interdisciplinary approach, this thesis not only unravels the structural conditions that allow for injustice but also champions more inclusive epistemological frameworks that honour a variety of experiences, challenge prevailing epistemic hierarchies, and advocate for fairness in the access to epistemic resources.

Miranda Fricker's work has laid the foundation for much of the discourse. Fricker's distinction between hermeneutical injustice and testimonial injustice illustrates how individuals are marginalised based on their race, gender, caste, and class. They continue to suffer credibility deficits due to ingrained biases. However, this thesis also demonstrates that although Fricker has made a significant contribution to epistemic injustice, her work still lacks the complexity needed to fully understand how credibility excess is an injustice and not merely a disadvantage. Credibility excess is not just another Harm inflicted upon the knower, which has little impact; it is an active mechanism that empowers hierarchies to function as they do, leading to the suppression of certain individuals. This is depicted by Jennifer Lackey and Foucault, who show how excess credibility continues to empower systematic injustices, enabling power structures to sustain themselves while oppressing the marginalised. We shouldn't allow the harms caused by credibility excess to go unnoticed because it represents an active harm driven by power and control. To scrutinise this, I build upon Lackey's work on the legal system and how credibility excess inflicts serious harm, especially on individuals from marginalised groups.

An essential aspect of this inquiry involves gender-based oppression, particularly through misogyny. Epistemic injustice is crucial for understanding misogyny, as it represents not just hatred towards women but also contributes to silencing them, coercing them, and imposing certain internalised standards that become their norm. Moreover, psychological mechanisms such as gaslighting and narcissism further confuse individuals, leading to perpetual self-doubt and stripping them of their epistemic agency. Emotional manipulation and epistemic domination serve to control the marginalised. These dynamics often manifest subtly, embedded in everyday interactions, media representations, and institutional structures, reinforcing a gendered hierarchy of credibility. While the analysis of misogyny compared to misandry is not extensively explored in philosophy, it highlights how individuals who are non-dominant or resist hegemonic masculinity struggle to find their place in society and face oppression as overlooked members. The intersection of gender, power, and knowledge calls for a critical examination of how authority is distributed and whose narratives are legitimised. A deeper engagement with these structures reveals the epistemic harm endured by those on the periphery and the urgent need for inclusive dialogue.

Next, I examined how pregnancy experiences situate individuals within a unique epistemic context. These experiences grant an agent a particular epistemic position that those who have not experienced such transformation cannot fully understand. This situation limits the ability of those outside this context to make valid moral judgments about the abortion standpoint. Thus, it is evident that one cannot judge whether others should have an abortion without being in the same circumstances and experiencing those transformative events. Pregnancy involves not only physical changes but also deep psychological, emotional, and existential shifts that reshape one's sense of identity, autonomy, and moral perspective. Furthermore, I have examined Wollard's perspective, which explores the utmost defeasible duty a mother holds towards her child but stops short of reaching a conclusive statement. In discussing potential harm to the foetus, she views it as a highly intricate matter, stressing the importance of thoroughly evaluating the relationship between mother and foetus, while recognising that the mother is perpetually seen as responsible for any harm involved. This framing raises critical questions about moral responsibility, societal expectations, and the gendered burden of care in reproductive ethics, revealing the complex interplay between bodily autonomy and social accountability.

Then, it turns to cultural and conceptual constructions of gender, evaluating Haslanger's engineering project of trying to redefine women and the shortcomings of her project, as pointed out by Jenkins and Mikkola. I also point towards Simion and Kelp's attempts to replace the term woman with a more effective alternative. While each offered valuable insights, I argued that these proposals remain insufficient in addressing the full, persistent negative connotations and structural disparities surrounding gender. The linguistic redefinition of gendered terms, though philosophically compelling, often fails to account for the lived realities and emotional attachments people form around these identities. To deepen this analysis, I tried to scrutinise the psychological research that reveals how gender norms are internalised from early childhood, often compelling conformity to fixed roles. These norms are perpetuated not only by parents and educators but also through media, peer influence, and institutional structures. This suggests that transformative change must begin with cultural, educational, and environmental reform, creating conditions that allow children to make autonomous choices about gender identity without constraint. Only by disrupting the early reproduction of gendered expectations can we begin to challenge the epistemic and social hierarchies that reinforce inequality.

In exploring testimonial knowledge, I argued for treating verbal testimony, primarily through the lens of Indian philosophy, as a distinct and significant epistemic source. Drawing from the Nyāya school's recognition of *śabda* (testimony) as an independent *pramāṇa* (means of knowledge), I emphasised how testimony functions not merely as derivative of other epistemic sources but as a primary vehicle of knowledge acquisition, especially in social and intersubjective contexts. I discussed how testimonial knowledge intersects with other sources, such as perception and inference, and weighed the debates between reductionist and anti-reductionist views, highlighting key criticisms of the latter. While reductionists argue that testimonial knowledge must ultimately be justified through the hearer's background knowledge or evidence, anti-reductionists maintain that testimony can confer justification independently. I critiqued the anti-reductionist stance for occasionally overlooking issues of speaker credibility and power asymmetries. This discussion laid the groundwork for understanding how testimonial injustice operates in practice, particularly when social prejudices undermine a speaker's credibility, leading to the dismissal or devaluation of their testimony. It also reveals the importance of context and trust in testimonial exchanges, urging a more nuanced approach that integrates philosophical and cultural insights.

Standpoint theory formed another core component of this work, particularly focusing on Black and non-Western feminist perspectives. Drawing from thinkers like Uma Narayan, I showed that while marginalised groups may gain epistemic insights from their social positions, these 'advantages' often carry burdens and reinforce oppressive conditions. Such standpoints are not naturally granted but are actively constructed through struggle, reflection, and collective

experience. Across cultures, shared practices have enabled women to cultivate standpoints that resist systemic injustice, whether related to reproductive rights, credibility deficits, or gendered societal expectations. These perspectives challenge dominant epistemologies by foregrounding lived experience as a legitimate and necessary basis for knowledge production. Moreover, they illuminate how power structures shape who is heard, whose knowledge is valued, and who is positioned as the knower. Standpoint theory, then, not only amplifies marginalised voices but also demands a restructuring of epistemic hierarchies to promote justice, inclusivity, and mutual recognition in knowledge practices. It prompts a critical interrogation of neutrality and objectivity in knowledge production, revealing how so-called impartial frameworks often mask dominant interests. Ultimately, standpoint theory pushes us to recognise knowledge as socially situated and to adopt methodologies that prioritise relational accountability and epistemic plurality.

To effectively address epistemic injustice, we need not only philosophical examination but also changes in culture, education, and institutions. By recognising the voices and experiences of marginalised individuals and analysing the power dynamics that influence our perception of knowledge and identity, we can envision a fairer epistemic landscape. Tackling epistemic injustice requires challenging ingrained norms that determine who is considered a credible knower, which stories are acknowledged, and which experiences are legitimised. This endeavour involves updating curricula, changing public discussions, and removing institutional biases that lead to epistemic exclusion. It also necessitates interdisciplinary cooperation, utilising perspectives from philosophy, sociology, psychology, and cultural studies to develop a more comprehensive understanding of knowledge relationships. Crucially, this transformation demands not just theoretical recognition but also concrete actions—empowering communities to voice their experiences, promoting critical teaching methods, and creating inclusive spaces where diverse epistemic contributors can flourish. This thesis contributes to that goal, urging a reconsideration of how knowledge is defined, distributed, and valued in society—not just as an abstract concept but as an essential instrument for justice and liberation.

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