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3

Epistemic Contribution as a Central Human Capability

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Method: Failure First

When thinking about the intersections of epistemology, ethics, and political life, it is often revealing to start with the negative, with how ideals tend to fail; and it is a good idea to be explicit about this failure-first methodological approach. Whether one hopes ultimately for an ideal theory, or whether one is committed to exploring the non-ideal on a permanent basis, it can be instructive to begin with a picture of how things will tend, under the relevant social-historical circumstances, to go wrong. If one is interested in justice, then it is helpful to look first at forms of injustice; if one is interested in equality, to look first at forms of inequality. This will be so inasmuch as justice and equality are best conceived as sustained under tension—like a suspension bridge, which stays up (if it does) in virtue of its ability to perpetually counteract certain prevailing physical forces and processes, such as gravity, corrosion, expansion and contraction... In short, if you want to know what the positive social situation looks like, then it is a good idea to analyse what counter-pressures the structure needs persistently to exert in order to stave off collapse into the negative. This negative conceptualisation of the philosophical task finds some precedence in virtue theory, for virtues in general are, as Philippa Foot once suggested (Foot 2002, sect. II), 'corrective'—they are dispositions of resistance against natural temptations towards egotism, selfishness, and other kinds of vice. In short, like individual virtues, the names of systemic virtues such as 'equality' and 'justice' are success terms, so that if a society is achieving justice or equality in

some region of the social body, then that is because *pro tem* it is successfully correcting for endemic pressures for collapse into injustice and inequality. 'Endemic' pressures will count as such insofar as they derive from basic features of human nature operating in a social setting of competition for resources. This means that although there can of course be serviceable definitions of equality or justice that make no reference to their typical modes of failure, I would suggest that a full conception of the nature of these precarious success states requires us to understand what sorts of pressures are being staved off. Moreover, for some kinds of justice their very existence may not come to light, even as a coherent idea, until you look first at typical cases of failure. I have argued elsewhere that this is so of epistemic injustice: without attention to epistemic *in*justice, the very existence of something called 'epistemic justice' would remain obscured.[1]

Finally I would underline that this case in favour of adopting a failure-first methodology is not the same as a plea for non-ideal theory as contrasted with ideal theory. That is a different distinction. The whole idea of attending to forms of failure before going on to look at models of success applies equally whether one is philosophising with a view to arriving at a full conception of a purported ideal society, or whether one is sceptical about the value of that sort of project and so intends to stay strictly within the bounds of non-ideal scenarios. My bolder claim is rather that it is regardless good method to start with realistically construed tendencies to failure and dysfunction—perhaps *especially* if you want to go on to elaborate an ideal stable state—for not only ameliorative conceptions but also ideal conceptions must be structured around resistance to dysfunction. The ideal social organism will have a well-functioning immune system, and you cannot design one of those without a proper understanding of its susceptibility to disease.

Two-directional Well-being and 'Epistemic Contribution'

Martha Nussbaum has famously put forward an admirably wide-ranging, inevitably contentious, list of 'central human functional capabilities'—the capability set presented as necessary for human flourishing and on that ground definitive of an international standard for justice. On the list there are two items that pertain directly and explicitly to the human capacity for reason. One is '*Practical reason*', which constitutes an item of its own and is explained in terms of an ability 'to form a conception of the good and to engage in critical reflection about the planning of one's own life' (Nussbaum 1999, p. 41). The other is '*Senses, imagination, thought*' where the 'thought' element is elaborated as an individual ability 'to imagine, to think, and to reason—and to do these things in a "truly human" way, a way informed and cultivated by an adequate education, including, but by no means limited to, literacy and basic mathematical and scientific training…' (Nussbaum 1999, p. 41). Intriguingly, however, there is no special place given to our rational functioning in what is surely the most basic and truly human mode of *theoretical reason*: our functioning as contributors to shared information and understanding. One of our most basic needs is to use our reason in order to discern the everyday facts and social meanings that condition, constrain, and make sense of our shared lives. Indeed many other functionings depend upon it; most notably, practical reasoning is dependent upon it, for when we deliberate about what to do we must invoke knowledge and understanding. Why the omission? Perhaps it is worth pausing to diagnose the absence a little. A comment from Jo Wolff and Avner De-Shalit will take us in the right direction:

> …Nussbaum's list of functionings is surprisingly over-influenced by what can be called 'the language of justice': who gets what in the process of distribution; and in the 'language of liberalism': what one is entitled to. This emphasizes the person as a receiver, seeking to expand his or her possessions and as an individual promoting his or her material well-being (Wolff and De-Shalit 2007, p. 45).

Their point about the emphasis on entitlements is surely right, though interpreting Nussbaum's approach as placing an emphasis on 'the person as a receiver' seems uncharitable, even while it would surely hit home in relation to many distributivist views. Nussbaum's list is after all framed not in terms of what one might *receive* but rather in terms of the aspects of subjectivity and agency to which one should be free to give practical expression (sensuous experience, imagination, autonomy, play, sexuality, affiliation, relationships to animals…and so forth). This reflects the fact that her liberalism remains fundamentally Aristotelian in its conception of the human being, so that the figure at its centre is more a potential flourisher than a potential receiver of fair dues. Nonetheless, what I want to pick up on is the invaluable general point that Wolff and De-Shalit are making about the standard liberal figure of a receiver. They remind us that, from the point of view of human well-being, while it is good to receive it is also good to *give*. If the familiar figure at the centre of liberal conceptions of well-being is a receiver of goods, then Wolff and De-Shalit present us with the implied but forgotten counterpart—someone who enjoys the esteem that comes with the capability to give in the broad context of social reciprocity. Accordingly they call for 'a more comprehensive and diverse view of the person, who is sensitive to others and who is a giver' (Wolff and De-Shalit 2007, p. 45).

One of the telling everyday examples that comes out of the empirical side of their study is the importance of being able to offer someone a cup of tea when they come to one's

home (or equivalent—the concrete recommendations of public reason are of course culturally specific). The ability to offer, and perhaps especially to reciprocate, whatever local conventions of hospitality recommend is indeed one of the most basic forms of social intercourse through which the foundations of mutual esteem and trust are laid. I am prompted to venture from the armchair the following rough and ready anthropological generalisation: the inability to offer conventional hospitality always tempts shame, just as the rejection of hospitality always risks insult. At any rate, it is this distinctly two-directional conception of human well-being, as requiring not only that one may receive but also that one may give, that I wish to exploit here. Indeed one could say that my rather English aim in this chapter is to make a case for the quite general epistemic counterpart of the capability to offer someone a cup of tea.

My proposal shall be that there are at least two kinds of broadly epistemic giving that together delineate an epistemic capability that is plausibly fundamental to human flourishing, and our failure-first awareness of epistemic injustice brings them to light by implication. First, the giving of what we might broadly call *informational materials* (including not only information itself but also anything bearing on the question at stake, such as evidence, critical doubt, hypothesis, argumentation, and so on); and second, the giving of *interpretive materials* required to make sense of a more or less shared social world (including not only interpretations themselves but also anything bearing on their justification and reasonability, such as the concepts used, or alternative interpretations, and other relevant critical materials). At ground level such epistemic giving will ordinarily be between individuals or small groups (family, friends, colleagues…people with whom one's epistemic purposes are entangled in some way), as we exchange information and interpretations, often with a view to making some decision about what to do, whether in the home, on the street, or at a place of work. What all these ground-level givings and receivings of epistemic materials amount to, I

suggest, is the exercise of something plausibly regarded as a loosely unified social epistemic capability on the part of the individual to *contribute to the pool of shared epistemic materials*—materials for knowledge, understanding, and very often for practical deliberation. Let me name the capability accordingly: Epistemic Contribution.

Amartya Sen famously expresses the view that it is a mistake for theorists to attempt to construct a single fixed list of human capabilities for all contexts, or as he puts it 'one predetermined canonical list of capabilities, chosen by theorists without any general social discussion or public reasoning. To have such a fixed list, emanating entirely from pure theory, is to deny the possibility of fruitful public participation on what should be included and why' (Sen 2004, p. 77). His view is that the question will arise only relative to specific purposes and aims (such as poverty evaluation, human rights…) so that there will always need to be a discussion about which capabilities are relevant in any given context. I shall remain ultimately neutral on this large issue; but as will become clear, I am very sympathetic to the intrinsically risky aspiration to a list of capabilities that might at least roughly capture a workable universal characterisation of human well-being, and which might also function as a plausible standard for international justice. This aspiration is not, after all, inconsistent with the recognition that there remains an irreducible role for more specific contexts of substantive public reasoning, not only about which capabilities are relevant in a given context, but also (as we shall see) about what, exactly, counts in a context as a wrongful thwarting of any given capability. At any rate, my aim here will be to advance the idea that if there is such a universal list to be had, then Epistemic Contribution merits a place on it. No matter the cultural context, the question of who gets to contribute epistemically to shared knowledge and/or shared social understandings that may be sought, canvassed, pooled, or otherwise genuinely engaged with in any given practical context is a locus of what we might usefully conceive of as *epistemic relational equality and inequality*. Furthermore, the frustration of

Epistemic Contribution will tend to be indicative of wider structures of inequality, inasmuch as unequal epistemic participation is one of the key modes in which unequal relationships and statuses of other kinds tend to express themselves, so it is a capability worth close attention for other reasons besides a concern with epistemic participation as such.

The very idea of Epistemic Contribution and the way in which it connotes the importance of relationships of epistemic giving and receiving that function unimpeded by asymmetries of mere status (i.e. status not won by epistemically relevant factors such as expertise) is consistent with, and perhaps lends support to, the general view that equality is best understood as fundamentally relational rather than distributive. On such a view the continued importance of distributive equality, not to mention its allure as apparently fundamental, can be elegantly explained by reference to the fact that social arrangements of relational equality will be strongly conducive to distributive equality, perhaps for the reason that, as Samuel Scheffler has argued, relational equality entails the equal weighing of people's interests (Scheffler 2015).[2]

The lens of relational inequality can be seen, furthermore, to be thoroughly apt to matters of epistemic injustice, for it is clear that, as Fabian Schuppert has observed, epistemic injustices are intrinsically problematic from the point of view of social equality:

> Through stereotypes and the abuse of social power women often become victims of epistemic injustice, be it as unappreciated knowers, mistrusted testifiers, or as outcasts of the public economy of authority and credibility… Needless to say, such practices are problematic from the viewpoint of social equality and even though the cause of such behavior might lie in socially established gendered relationships this behavior is wrong and objectionable from the viewpoint of social equality (Schuppert 2015, pp. 124-5).

This will be borne out when we consider that forms of epistemic injustice are among the main threats to Epistemic Contribution, as we shall see. But first let us look at what exactly the capability of Epistemic Contribution requires.

Epistemic Contribution—Capability For What?

What capacities, specifically, are invoked in the idea of Epistemic Contribution? In order to bring the capability of Epistemic Contribution into clearer view, I shall start with a picture of its wrongful frustration (failure first), and then proceed to the unified conception of the capability by way of positive implication. In order to do this let me make use of Nussbaum's three-way distinction between a 'basic' capability, an 'internal' capability, and a 'combined' capability. A basic capability in her sense is an innate capacity or potential. She gives an example: 'Most infants have from birth the basic capability for practical reason and imagination, though they cannot exercise such functions without a lot more development and education.' An internal capability is a developed or suitably trained capacity—for instance the capacity to work, or to vote, or to have sexual pleasure—but where suitable external conditions would need to be in place to enable the functioning. Where such external enabling conditions are in place, we have a 'combined' capability: 'internal capabilities combined with suitable external conditions for the exercise of the function'. She gives us an example as follows: 'A woman who is not mutilated but is secluded and forbidden to leave the house has internal but not combined capabilities for sexual expression (and work and political participation)' (p. 44). I shall talk of combined capabilities being internal capabilities plus 'social uptake'.

With this three-way distinction in place, let us turn our attention to human beings' most fundamental epistemic capacities. Almost all will have the 'basic' capabilities involved in fundamental and universal social epistemic functions such as information sharing and understanding social experience. When human beings live together, these basic epistemic practices are operative as a matter of practical necessity. And these same capacities are almost always sufficiently developed through infancy to become 'internal' capabilities. Humans are social animals with finite rational capacities, and as such they are inevitably socialised into becoming sharers of both information and forms of social understanding. (The most minimally imagined epistemic State of Nature contains people sharing knowledge.[3]) Through iterated dialogue we form beliefs about how the world is, and we navigate our way around our social world by exercising the capacity for social understanding and interpretation.

But of course Epistemic Contribution can be frustrated by all manner of things. First, there is a range of ways it can be blocked or frustrated deliberately. Most obviously this may happen by way of brute physical force (someone gags you, or imprisons you so that you cannot have your say); or it may happen by way of more conditional kinds of coercion (they threaten to hurt you, your family, or your livelihood if you speak out); or by legal-institutional ruling (you lack the right to give evidence in a court of law, or present your view in some forum); or again someone's Epistemic Contribution could be rendered null and void by intentional manipulation of local relations of credibility (someone knows that you know, and she cynically discredits you in others' eyes in order to pre-empt the impact of your contribution). All such deliberate frustrations of Epistemic Contribution are, however, only part of the story. For there are also non-deliberate ways in which a failure of Epistemic Contribution can be caused, such as through one or other form of epistemic injustice.

Second, then, there is testimonial injustice: the kind of epistemic injustice that relates to the contribution of information and opinion, and other materials with a bearing on them, such as reasons for and against. (Accordingly the label 'testimonial injustice' is intended to cover more than strictly testimonial speech acts, to include other kinds of assertion that are involved in giving reasons, casting doubt, airing a hypothesis, and so on.[4]) Testimonial injustice happens when a person offers their view on something (as I am putting it here, offers epistemic materials bearing on some current question) but receives a deflated level of credibility owing to prejudice on the hearer's part —in short, the speaker suffers a credibility deficit caused by prejudice in the hearer. If we consider this kind of failure of Epistemic Contribution in relation to absolutely basic information—information needed for survival, for instance—we are confronted with a picture of human epistemic subjects who need to cooperate as sharers of knowledge, and this means functioning not only as receivers but also *givers of knowledge*. Thus the capability of Epistemic Contribution comes into view as a particularly strong candidate for a basic capability; and it does so under the general aspect (brought out by Wolff and De-Shalit's insight) of the importance to human well-being of the ability to function not only as a receiver but also as a giver—one who, in this case, stands in presumptive relations of *epistemic reciprocity* with others.

Third, there is hermeneutical injustice: the kind of epistemic injustice that relates to the creation and use of interpretive materials. This occurs when someone who is hermeneutically marginalised (in some degree, in some area of her social experience) makes an unsuccessful or semi-unsuccessful attempt to render an experience communicatively intelligible to others, where the lack of intelligibility is significantly caused by her hermeneutical marginalisation. Someone counts as hermeneutically marginalised when she enjoys less than some reasonable level of participation in the generation of shared social meanings (concepts, interpretive tropes, and so on). The marginalisation may be general or it

may be highly localised to one specific area of experience.[5] A person's hermeneutical marginalisation may or may not become actualised in a hermeneutical injustice—that is, in a failed attempt at intelligibility. And the hermeneutical marginalisation itself does not constitute an epistemic injustice. This is for the reason that there is nothing disadvantageous about being hermeneutically marginalised *per se*, and rather it becomes disadvantageous only when one has some occasion to try to render an experience intelligible (whether merely to oneself or in communication with others) but where the attempt meets with failure owing to the marginalisation. For the same reason, I now propose that we identify the frustration of the interpretive aspect of Epistemic Contribution not with hermeneutical marginalisation in itself, but rather with any failure of attempted intelligibility that it causes—any hermeneutical injustice.

What both kinds of epistemic injustice expose is the special vulnerability of combined capabilities, owing to their dependence on social uptake. While some people are enabled by evenly spread social uptake to make their epistemic contributions across the board, others find their capability thins or vanishes altogether in some contexts. In these latter cases, our imagined subjects possess and exercise an 'internal' capability (for forming in-principle pool-able epistemic inputs) and yet the lack of social uptake means they lack the relevant 'combined' capability and so their input does not make the pool. In previous work on testimonial injustice I have focussed on the idea of transactional[6] injustices done to the individual when s/he is thwarted in this way (hermeneutical injustice, by contrast, is characterised as purely structural); but I hope that setting both kinds of epistemic injustice in the frame of relational equality will help bring out some of the structural aspects of testimonial as well as hermeneutical injustice.

The social uptake called for in order to ensure that the 'combined' capability of Epistemic Contribution be possessed is fairly minimal. It is for instance emphatically not a

matter of securing acceptance or agreement, or of having others adopt the contributor's particular interpretive habits. It is rather a matter of social arrangements being such as to reliably ensure that these epistemic inputs are not rejected or under-rated owing to the sorts of epistemically irrelevant factors rehearsed earlier in this section: deliberate suppression of others' epistemic contributions, whether by way of coercion, legal prevention, or manipulation of local credibility relations…; a deficit of credibility resulting directly from some kind of prejudiced assessment; or a deficit of intelligibility that is caused by hermeneutical marginalisation. The absence of any of these kinds of wrongful exclusion or ejection of epistemic materials from the common pool seems the best way to gain an appropriate positive purchase on the contextually varying demands of social uptake.

A Capability of Special Egalitarian Concern

I have been urging that the capacity to contribute epistemic materials to the shared pool of epistemic resources is fundamental to human well-being; and a strategy that helps us see the importance of Epistemic Contribution—one that reveals its relation to other egalitarian values—will be to try to show that Epistemic Contribution is implied by core egalitarian values, presumed to apply universally. This has the advantage of wearing one's substantive commitments on one's sleeve, so that any failure of universality will at least not be hidden. It also has the advantage that one will at any rate be simultaneously working to show something else worth showing, namely that Epistemic Contribution is a proper part of the relational egalitarian approach, so that the proposed idea of epistemic relational egalitarianism might be seen to have a useful role to play independently of any explicitly universalist project. Or so I hope to show.

I shall take my cues from Elizabeth Anderson's view of the value of equality—that its internal point or purpose is to eradicate oppressive social relations. Drawing on Amartya Sen's conception, she employs capabilities as a measure of equality in line with that anti-oppression rationale (Anderson 1999), and asks the question *which* capabilities should be prioritised for those purposes:

> Following Sen, I say that egalitarians should seek equality for all in the space of capabilities.
>
> Sen's capability egalitarianism leaves open a large question, however. *Which* capabilities does society have an obligation to equalize?... We should heed our first desideratum, to identify particular goods within the space of equality that are of special egalitarian concern (Anderson, 1999 p. 316).

Agreed; and the present proposal is that among the goods of special egalitarian concern are the goods of proper epistemic respect that come from all citizens being able to exercise the functionings associated with Epistemic Contribution. As with all capabilities, people may choose not to exercise them; that is their prerogative. They may choose not to take part in everyday debates, choose not to contribute or even cultivate their opinions and understandings beyond the minimum. What is important from the point of view of equality is that all citizens should have the capability of Epistemic Contribution—that idea, as I have been obliquely urging, is what gives concrete content to the otherwise blankly abstract idea of epistemic relational equality. Following Nussbaum's notions of 'internal' and 'combined' capability I have said that for someone to possess this capability their internal capability for forming and sharing beliefs about the world, including the interpretation of their social world, should enjoy the minimal social uptake required to render it a combined capability—the

capability to make epistemic inputs and not have them rejected or under-rated owing to any of the sorts of epistemically irrelevant factors I have described. If this social uptake were perfectly in place, no one with relevant epistemic materials to offer would be prevented from doing so for epistemically irrelevant reasons—at least not without an appropriately overriding reason. That represents an entirely recognizable ideal—indeed a common epistemic and democratic ideal—around which we may try to construct conducive social arrangements.

But does this ideal, even considered as such, place inappropriate burdens on citizens to nurture each other's epistemic offerings? Surely no one has a general entitlement to expect others to engage with their epistemic inputs—their opinions and interpretations—regardless of context?[7] Indeed not. The question of social uptake must be both context sensitive and subject to a general standard of reasonable expectations. If someone randomly comes up to you and offers a view on some matter of no particular concern, other things equal you are surely under no capability-preserving obligation to enable their epistemic functioning by engaging with their views. (In some contexts it is surely all right not to engage with another's views for thoroughly non-epistemic reasons, such as that you find him extremely annoying, or you can't be bothered.) The forms of social uptake in matters of Epistemic Contribution mirror those in matters relating to other combined capabilities—they do not create a general obligation of facilitation by others. As ever, some practical wisdom is called for to judge the demands of the context. The universal capability for affiliation and friendship, for example, will be properly understood as requiring social arrangements that do not put these things structurally out of anyone's reach; but decidedly not as generating an obligation on individuals to befriend anyone who lacks friends. Similarly the capability for work must be conserved by social arrangements that do not deprive any group of the opportunity to work; but it does not generate any specific individual obligations to employ a person just because she needs a job. Rather the question of exactly what is required of individuals will vary

according to the context, and in particular according to the responsibilities created by concrete social roles and relationships. The primary locus of the obligation to conserve capabilities is that of social institutional arrangements, and the demands that these arrangements make on individuals in the contexts of their particular lives and relationships will be a matter of irreducibly substantive judgement.

The Rationale for Free Speech is a Rationale for Universal Epistemic Contribution

Epistemic Contribution is an ability to express one's epistemic subjectivity, to share by communicative means one's beliefs and interpretations, and I have suggested that its possession by all might usefully be conceived as establishing the core of epistemic relational equality. Given its communicative nature, we should ask the question whether there is an internal relation between the idea of such epistemic relational equality and freedom of expression. It seems there is, for we do not have to look very closely to see that Epistemic Contribution plays an embedded central role in the classical liberal defence of free speech. If the combined capability of Epistemic Contribution is a proper part of what gives free speech its special value and point, then our case for regarding the capability as one of special egalitarian concern is significantly strengthened—Epistemic Contribution is revealed as intimately bound up in the rationale for what is perhaps the most definitive liberty of the liberal polity.

Let us remind ourselves of the key claim by looking to J. S. Mill's treatment of free speech in *On Liberty*:

> Assuming that the true opinion abides in the mind, but abides as a prejudice, a belief independent of, and proof against, argument—this is not the way in which truth ought to be held by a rational being. This is not knowing the truth. Truth, thus held, is but one superstition the more, accidentally clinging to the words which enunciate a truth (Mill, 1989 ch. 2)

This argument for freedom of speech is instrumental in form, and it is not about achieving truth *per se*, but rather about achieving knowledge—knowledge conceived as truth believed for a reason (a justified belief) rather than by accident as mere 'prejudice' or 'superstition'. Without freedom of speech, Mill warns, we shall fail to achieve knowledge, which he claims is the mode in which rational beings ought to hold truths. There is perhaps some allusion to Kant here in the use of the notion of a rational being, or at least such an allusion would be apt: Kant, on a constructionist reading[8], held that the whole authority of reason itself—public reason—depends on the proviso that every critical thought will come to the fore unimpeded. That is what makes it 'public'. Reason, whether theoretical or practical, is what is produced when every single point of view finds representation in the forum of discussion—an ideal forum.

The relevance of this liberal ideal for present purposes is that in a situation where there is insufficient social uptake for a combined capability of Epistemic Contribution for all, Mill's standard for knowledge would not be met, or at least would be significantly compromised. This is because in such a situation the epistemic contribution of certain groups would not come to the fore, and so very likely some epistemic materials required for knowledge of certain relevant subject matters, including those bearing on how best to live together, would be absent. The imperfectly free speech situation threatens to corrupt the evidence base for knowledge to such an extent that certain kinds of central social knowledge

would not be achieved. This means that wherever there is a significant failure of Epistemic Contribution, the very point of free speech (to produce knowledge in the social body) is compromised. The combined capability of Epistemic Contribution is thereby revealed as a necessary means to achieving the epistemically multi-perspectival context in which citizens may come to believe truths in the mode of knowledge. In short, Epistemic Contribution turns out to be a condition of the Millian defence of free speech, and this seems a strong reason to regard it as among the capabilities that the egalitarian should prioritise. Insofar as free speech is necessary for knowledge, so is the combined capability of Epistemic Contribution, so the classical liberal defence of free speech is equally, if implicitly, a defence of promoting a universal combined capability of Epistemic Contribution. If we value freedom of speech, then by the same token we will value epistemic relational equality, for each is equally a general condition for knowledge in the social body.

This does not mean of course that everyone must enjoy the same level of Epistemic Contribution—the same levels of education, or expertise, or interpretive innovation. Rather it means that all citizens must enjoy whatever basic level of Epistemic Contribution is deemed necessary for equal standing as a citizen. As Anderson puts the general point:

> For some functionings, equal citizenship requires equal levels. For example, each citizen is entitled to the same number of votes in an election as everyone else. But for other functionings, standing as an equal does not require equal levels of functioning. To be capable of standing as an equal in civil society requires literacy. But in the U.S. context, it does not require literacy in any language other than English, nor the ability to interpret obscure works of literary theory (Anderson 1999, p. 319).

As regards Epistemic Contribution, one attractive possibility for the egalitarian would be to say the following about different sorts of epistemic functioning: that while equal citizenship does not require that all citizens be educated to the same level, it does however require that all citizens receive a basic level of education; that while the views of all citizens need not be sought on every issue, the right to vote is universal; and that while not every citizen need attend to the views of anyone who happens to express them, there are many contexts and relationships that create obligations of this sort, such as doctors to patients, line managers to their staff, teachers to their students, parents to their children, and so on. Such relationships and roles are part of the practical wisdom governing our substantive and context-sensitive judgements about what forms of social uptake are required from whom in order to sustain a capability.

The combined capability of Epistemic Contribution, then, is an integral part of the liberal egalitarian fabric. Without it, the classical rationale for free speech is not achieved, for the active ingredient in free speech (from the point of view of the rationale) is really the epistemic relational equality that it tends to facilitate. Safeguarding free speech is the best method we have of safeguarding Epistemic Contribution as a capability of citizens, and it is that capability which is directly working to secure our ability to hold truths in the mode of knowledge.

Epistemic Contribution as Necessary for Non-domination

The second line of argument I would like to advance so as to substantiate the idea that Epistemic Contribution is of primary egalitarian concern relates to a different liberal value—the value of non-domination. A particular conception of political freedom is advanced in

Phillip Pettit's republican theory, but one does not need to agree that political freedom *per se* is to be understood as non-domination in order to accept the general point that non-domination is a cardinal liberal value. Anyone who values the negative liberty of not having their projects arbitrarily interfered with is thereby committed to valuing a certain *security* against having their liberty interfered with.[9] And that is what, according to Pettit, non-domination amounts to: security against infringements of negative liberty that cannot be justified in relation to the collective interest of the citizenry. The security in question is provided in real institutional terms by way of measures that ensure infringements of that kind cannot be made with impunity; and on this republican picture the lack of impunity is cashed out in terms of the citizen's ability to *contest* the infringement.

To take an example, if my employer could with impunity fire me on a whim, then even if in actuality she is a person of decent professional ethics who would never do such a thing, still, according to Pettit, I stand to her in a relation of domination. I am dominated by her because of the counter-factual possibility that she fires me on a whim and there is no recourse left open to me—I have no ability to contest it. Domination is on this view not so much a way of behaving as a way of *relating*, where that is understood somewhat thinly as established by a certain counterfactual possibility. This seems right: domination is a power relation, and therefore a relation that takes the conditional form of an oblique (perhaps vanishingly oblique) threat 'If you don't do what I want, I can hurt you'. However, one should add that there is always a likely causal connection between how people relate 'thinly' or counterfactually and how they actually behave towards each other. As Pettit points out, a relation of domination will display a tendency to corrupt even the most equal of relationships, so that the parties' behaviour—notably their expectations of each other, and perhaps their sense of who is entitled to what—is likely to shift, perhaps only very slightly, but in a negative way. An example he raises is of rape within marriage. When there was no such

crime on the books, the way husbands and wives related was a matter of domination, and even the most mutually respectful and loving of relationships will have tended to be vulnerable to some slight behavioural corruptions as a result—at the very least a shared awareness of the traditional idea of male entitlement would tend to subtly alter the meanings around the couple's behaviour, in a way that is largely beyond their control.

The feature of the view that is most relevant to present concerns is the citizen's ability to contest interferences. She must be able (really able) to avail herself of some institutional process of contestation whereby she can obtain a proper hearing of her grievance. Pettit rightly draws our attention to a number of safeguards that are necessary to ensure contestation is genuinely possible. He lists three in particular: a 'potential basis for contestation'; 'a channel or voice available by which decisions may be contested'; and 'a suitable forum in existence for hearing contestation' (Pettit 1997, p. 186, 187).[10] But—here is the point—among the institutional safeguards that should be made explicit as necessary for contestation is the safeguarding of the citizen's ability to express and thereby contribute her beliefs and interpretations of the meaning of the social experiences she needs to relate. If the institutional body—be it an employment tribunal or a jury or a complaints panel—dismisses her expressive attempts for any of the sorts of epistemically irrelevant factors rehearsed earlier, then contestation is simply not available. First, if there is any deliberate thwarting of her Epistemic Contribution then obviously she cannot contest—there is no chance of a fair hearing. But more than this, and less obviously, if the reception of her word is negatively influenced by prejudice (testimonial injustice) then, again, she cannot contest; or if her account is dismissed because she needs to relate a form of social experience for which there are insufficient shared concepts owing to hermeneutical marginalisation (hermeneutical injustice), then once again she cannot contest. In short, her combined capability of Epistemic Contribution needs safeguarding from all such epistemically irrelevant influences if she is to

have the capacity to contest—and without that capacity she stands to her employer, or her husband, or the police, in a relation of domination.

What this reveals is that Epistemic Contribution is necessary for citizens' standing in relation to institutional bodies and indeed to their fellow citizens in ways that avoid domination. Given that relations of domination are anathema to just about anyone's idea of equality, this seems another powerful reason for regarding it as a capability of special egalitarian concern.

A Central Human Capability?

I hope that the comments made earlier in this paper about the fundamental human interest in being able to contribute knowledge, opinions, and social interpretations to the cognitive pool have persuasive force as regards the idea that if there is to be a list of central human capabilities in Nussbaum's sense, then Epistemic Contribution should be on it. The further arguments I have gone on to present in relation to Epistemic Contribution as the active value protected in freedom of speech, and as a condition of non-domination are, I hope, persuasive as regards the idea that Epistemic Contribution is a capability of special egalitarian concern.

Others must judge for themselves how far a capability's being of special egalitarian concern should also be regarded as supporting the claim that it is essential to human well-being quite generally; but I expect my own affirmative inclination will be clear. The general idea that human well-being has an epistemic dimension depends on the idea that functioning not only as a receiver but also as a giver of epistemic materials is an aspect of human subjectivity that craves social expression through the capability to contribute beliefs and interpretations to the local epistemic economy. This seems to me an eminently plausible idea,

albeit one that should—of course—remain hostage to empirical fortune. I have cast this capability as the enjoyment of epistemic relational equality, and pictured it as a contextually adjusted flow of epistemic materials from the individual subject to the common pool—the *giving* side of our everyday epistemic give and take. The flow outward from the individual to the collective is perhaps the most basic social expression of human epistemic subjectivity—the theoretical side of our rational nature. To be able to contribute to the common cognitive store in this everyday way, and thereby to enjoy the mutual regard and trust that go with that kind of epistemic reciprocity looks a very strong candidate for a capability that is fundamental to human well-being—the epistemic breaking of bread.

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NOTES

1. Fricker (2007) exemplifies this negativist method, and there is some specific comment on it in the Preface and Conclusion. I have discussed the method more fully in Fricker (2013).

2. See Daniel Putnam this volume for an argument to the effect that Scheffler's interest-based view calls on hermeneutical justice.

3. For the genealogical case to this effect, see Craig (1990) and Williams (2002).

4. For this point see Fricker 2007, p.60, though Chris Hookway has expanded it further with the idea that in a context of collective inquiry (e.g. a classroom) even the asking of a question whose relevance is under-rated as a result of prejudice would be a case of (something like) prejudicial credibility deficit (Hookway, 2010). I think he is right and that his example gives us a reason to expand the category of testimonial injustice beyond even assertoric speech acts.

[5] In Fricker (2007) the example of educated, articulate, white middle-class Joe, from Ian McEwan's novel *Enduring Love*—who understands his experience of being stalked perfectly well, and who would have been able to communicate it to many others, but unfortunately not to those parties (the police, and his partner) to whom he most needed to be able to render it intelligible—was designed to illustrate the minimal, because highly localized, case of hermeneutical marginalization, and so of hermeneutical injustice.

6. This distinction between a transactional and a structural kind of epistemic injustice is owed to Elizabeth Anderson (Anderson 2012). See James Bohman (2012) for an argument for the view that the proper lens through which to view phenomena of epistemic injustice is structural, and republican.

[7] Ishani Maitra made a similar criticism in relation to the account I gave of testimonial injustice in Fricker (2007), and her point is well taken. See Maitra (2010).

8. See O'Neill (1989).

9. I have argued this more fully in Fricker 2013.

10. I discuss these in detail in Fricker 2013.