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There's No Such Thing as Conceptual Competence Injustice: A Response to Anderson and Cruz

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¹ This paper was fully collaborative; the order does not represent amount of contribution.

1. Introduction

It's now been 10 years since the publication of Miranda Fricker's *Epistemic Injustice: Power and the Ethics of Knowing* (2007). New and novel forms of epistemic injustice continue to be identified and theorized; some more novel than others. The most recent form of epistemic injustice to be identified is what Derek Egan Anderson has termed *conceptual competence injustice*; "a form of epistemic injustice that occurs when a marginalized epistemic agent makes a conceptual claim and is illegitimately regarded as having failed to grasp one or more of the concepts expressed in her testimony" (2017, 210).

In this paper, we provide reasons to doubt that conceptual competence injustice is in fact a novel form of epistemic injustice. We argue for this on three grounds.

First, we suggest that there isn't anything more to be learned by thinking about conceptual competence injustice that isn't captured by testimonial injustice. Of course, we might learn of a *specific* instance of testimonial injustice, such as injustices involving conceptual competence, however we deny that Anderson has come across anything more substantial than this.

Second, despite his attempt to convince us otherwise, we will show that the grounds on which Anderson attempts to distinguish conceptual competence injustice from hermeneutical injustice and contributory injustice are ultimately unsuccessful.

Third, we query Manuel Padilla Cruz's (2017) suggestion that conceptual competence injustice is useful in helping us to grasp how epistemic injustice manifests in the field of relevance theory and its application to linguistic pragmatics.

2. Conceptual Competence Injustice

Anderson (2017) makes the case that there is a distinctive kind of epistemic wrongdoing that occurs in assessments about a marginalized person's conceptual competence; where such judgements can be made either by others, or reflexively. Specifically, Anderson suggests that conceptual competence injustice is a form of epistemic injustice "in which a member of a marginalized group is unjustly regarded as lacking conceptual or linguistic competence as a consequence of structural oppression" (2017, 210). Anderson emphasises that conceptual competence injustice can only occur in societies that "facilitate the systematic oppression of certain groups and the dominance of others" (2017, 210). To get a good grip on Anderson's suggestion, he invites us to consider the following scenario:

A philosophy graduate student, who is a woman of color, is giving a talk on natural kind terms and she makes the claim that they are "not rigid designators" given her thorough understand of Soames (2002). A white male undergraduate hears this and thinks the speaker has said something false, since he thinks that she does not have a good grip of the concept of natural kind; after all, he is familiar with Kripke's *Naming and Necessity* (1980). More

than this, however, is that his judgement about the speaker's conceptual competence is a product of implicit beliefs about women of color and their ability to understand metaphysics and the philosophy of language. Because of this, the white male hearer under-ascribes credibility to the speaker, and judges that he has better conceptual competence than she does (2017, 211).

For Anderson, this is a clear case of conceptual competence injustice. It is a clear event whereby “[a] person who is marginalized on the basis of her social identity makes a conceptual claim and that claim is rejected in part because her audience illegitimately judges her to have less credibility than she in fact has” (2017, 211). We agree with Anderson that something epistemically bad has happened here; the graduate student has been undermined in her capacity as a knower. However, we will argue in the following sections that the wrong that is present in cases like these can be captured by testimonial injustice.

But first we will argue against Anderson's claim that conceptual competence injustice needn't involve a judgement that is causally produced by an internal bias or prejudice. This is will be important in section 4.3, when we show that Anderson's reasons for thinking that conceptual competence injustice is distinct from contributory injustice are ultimately unsuccessful.

3. A Note on the Causal Etiology of Conceptual Competence Injustice

One surprising feature of Anderson's account of conceptual competence injustice is that he claims that it does not have to involve a judgement that is causally produced by some internal bias or prejudice; “[t]he causal etiology is not essential to the phenomenon” (2017, 211). He re-works the case of the white male undergraduate student to make his point:

Consider a variation of the case in which the white male graduate student has no implicit bias against women of color, but only has an unduly high degree of confidence in his own intellectual authority. His judgement still conforms to the general pattern of epistemic bias against women of color. It still harms the woman in all the same ways that it would have harmed her had the man's judgement been caused by an implicit internalization of the pervasive epistemic bias against women of color ... (2017, 211).

To see why this is surprising, compare it to the following case:

Imagine a person named Taylor who decides to judge the conceptual competence of others on the basis of a coin flip; heads is belief, tails is disbelief. One day Taylor comes across Linda, a black woman who is thoroughly familiar with the ins-and-outs of contemporary Meinongianism and can defend it against alternatives. Linda says to Taylor, “It seems obvious to me that there are things that don't exist, so in some sense they must be”. Taylor pulls out her coin and it lands tails up; Taylor does not believe that Linda has a good grasp of the concept of existence.

Given Anderson's requirements, should we say that Taylor has perpetrated conceptual competence injustice against Linda? Intuitively, we should say no; Taylor just has a bad belief forming methodology. However, according to Anderson, given that Linda is subject to a systematic pattern of epistemic marginalization, this is just another instance where she is not believed, and hence conceptual competence injustice has occurred. Anderson's suggestion has to be that Taylor's actions still harms Linda in all the same ways that it would have harmed her had Taylor's judgement been caused by an implicit internalization of the pervasive epistemic bias against women of color (2017, 211).

The reason why Anderson is committed to this conclusion is because he is primarily interested in the "general pattern of epistemic bias against women of color", independent of any internal bias, conscious or otherwise (2017, 211). But it isn't clear what Anderson means by 'general pattern'. In the case that Anderson specifies, a white male undergraduate student has an unduly high degree of belief in his intellectual authority, and because of this, when he hears a conceptual claim by a woman of color, he believes that she does not have a good grasp of the concept(s) that she is deploying. However, if such a student exists—and, irritatingly, they most certainly do—then their disbelief of other's conceptual competence will not discriminate; by and large, they will think *most people* are intellectually inferior. The graduate student will, more or less, think that people don't have a good grasp of philosophical concepts; or at least have a worse grasp than he does. Given this, the pattern of epistemic marginalization that Anderson seems to be suggesting is simply the fact that *women of color are, on the whole, disbelieved*.

But if this is right then coin-flipping Taylor must also be perpetrating conceptual competence injustice; she disbelieves Linda who is epistemically marginalized. This is a counterintuitive conclusion. Taylor does not seem to be committing anything other than shoddy epistemic behaviour; there doesn't appear to be anything unjust about what she's doing. Granted that Taylor isn't perpetrating conceptual competence injustice, then it's hard for us to see how the white male undergraduate student, no matter how annoying they are, could be committing such an injustice either. They both just have bad belief forming methods; one is due to an inflated judgement of their own intellectual capabilities, the other is due to forming beliefs on the basis of coin-flips. For each person, there will be times where they will disbelieve someone who is epistemically marginalized, but at these times it seems odd to say that they have committed any kind of epistemic *injustice*. What we should expect, then, is that the *causal etiology of judgement does matter*. Otherwise, we'll have to admit that even in 'coin-flipping' cases, the person with dodgy belief-forming methods commit epistemically unjust acts.

4. Conceptual Competence Injustice and the Existing Forms of Epistemic Injustice

Anderson aims to distinguish conceptual competence injustice from existing forms of epistemic injustice, claiming that conceptual competence injustice is not captured by testimonial, hermeneutical, or contributory injustice. In this section, we argue that the grounds on which Anderson tries to distinguish conceptual competence injustice from

testimonial injustice ultimately fail. We also argue all instances of conceptual competence injustice can be accurately characterized as instances of testimonial injustice. Further to this, we consider each of the strategies that Anderson uses to distinguish conceptual competence injustice from hermeneutical injustice and contributory injustice, and we suggest that such strategies are unsuccessful.

4.1. Testimonial Injustice

For Anderson, conceptual competence injustice occurs in cases where a speaker (or thinker) makes a conceptual claim, the truth of which *cannot* be empirically settled (2017, 213). This provides grounds for Anderson's first strategy to distinguish testimonial injustice from conceptual competence injustice (2017, 215). His suggestion is that because Fricker's central case of testimonial injustice involves an under-ascription of credibility to a marginalized person's testimony, where the truth of the testimony in question *can* be empirically settled, then Fricker's central case is not an instance of conceptual competence injustice. It's puzzling to us why Anderson employs this strategy. Fricker's central case of testimonial injustice is not a *defining* case. Because of this, even if Anderson can show that the central case is not an instance of conceptual competence injustice, it does not entail that conceptual competence injustice is not just an instance of testimonial injustice.

Anderson's second strategy is to attempt to demonstrate that not all instances of conceptual competence injustice are instances testimonial injustice (2017, 215). Anderson claims that this is because a person can suffer from conceptual competence injustice without speaking, and that because of this it cannot be testimonial injustice. This can occur in two ways. The first is that a marginalized person might come to doubt their own competence with a concept. Because of this, the marginalized person refrains from asserting something that she knows, or comes to doubt herself so much that she loses the belief that she is competent with a concept and hence loses knowledge of particular propositions that she previously had.

Let us think about whether it's true to say that testimonial injustice cannot manifest itself in this way. Firstly, the harm that comes with this kind of self-doubt and lack of self-trust is present in Fricker's original discussion of the harms of testimonial injustice. Fricker points out that the experience of persistent testimonial injustice may lead one to lose confidence in one's beliefs and general intellectual capacities (Fricker 2007, 47). Further to this, Fricker points out that trustful dialogue with others is the mechanism through which one gains confidence in their beliefs, and, by extension, confidence to assert those beliefs (2007, 52); the absence of such means a loss in confidence in beliefs and their assertion.

Setting aside this exegetical consideration, we might make this point differently by considering the following question: can testimonial injustice be *reflexive* in this way? It seems so. There is no specification that the speaker and the hearer be different epistemic subjects; all that is required is that the speaker under-ascribe credibility to a hearer owing to structural identity prejudice. If one is subject to systems of epistemic marginalization and, say, internalizes a negative stereotype, then it seems possible that they could under-ascribed credibility to themselves in line with the stereotype and therefore come to doubt their

knowledge of certain propositions. Hence, it seems perfectly plausible that testimonial injustice is something that can be reflexively perpetrated.

Granted that testimonial injustice can occur reflexively when it comes to one's judgement of their knowledge or belief of certain *propositions*, should we say that this can also apply to one's judgement about their own *competence with a concept*? It seems perfectly straightforward to make this inference.

The second way in which Anderson thinks that conceptual competence injustice can occur without speaking is that there are scenarios in which a marginalized person is discredited as a source conceptual knowledge without having said a word; the marginalized person is expected not to know, and their competence with concepts is doubted. Their testimony is never solicited.

This consideration does not distinguish conceptual competence injustice from testimonial injustice because Fricker is clear in acknowledging that this as a possible way that testimonial injustice can manifest. She claims that a significant form of testimonial injustice occurs when prejudice "leads to a tendency for some groups simply not to be asked for information in the first place." Fricker continues,

This kind of testimonial injustice takes place in silence. It occurs when hearer prejudice does its work in advance of a potential informational exchange: it pre-empts any such exchange. Let us call it *pre-emptive* testimonial injustice. The credibility of such a person on a given subject matter is already sufficiently in prejudicial deficit that their potential testimony is never solicited; so the speaker is silenced by the identity prejudice that undermines her credibility in advance (2007, 130).

It is clear from this quote that Anderson has failed to distinguish conceptual competence injustice from testimonial injustice on the grounds that testimony is never solicited.

Finally, Anderson claims that conceptual competence injustice is distinct from testimonial injustice because it can exist in purely structural ways that do not involve individual perpetrators. There are two things that we might say here. First, Anderson just doesn't say enough to convince us this is the case. He merely mentions standardised testing as an example of a structural manifestation of conceptual competence injustice. But, why should we believe this? Anderson moves on without further explanation. Second, Fricker allows for the possibility that "purely structural operations of identity power can control whose would-be contributions become public, and whose do not" (2007, 130). This is the form taken by pre-emptive testimonial injustice. Thus, even if Anderson had made this point convincingly it would not distinguish conceptual competence injustice from testimonial injustice.

We take the above considerations to demonstrate that the grounds on which Anderson attempts to distinguish conceptual competence injustice from testimonial injustice are

unsuccessful. This gives us reason to believe that all instances of conceptual competence injustice are accurately characterized by testimonial injustice.

4.2. Hermeneutical Injustice

Anderson also suggests that conceptual competence injustice is not hermeneutical injustice (2017, 216). He makes the strong claim that there can never be an instance where conceptual competence injustice is an instance of hermeneutical injustice. To this claim, we agree that conceptual competence injustice cannot manifest as hermeneutical injustice; as we've just argued, we think that all instances of conceptual competence injustice are just instances of testimonial injustice. However, in this subsection we will argue that the grounds on which Anderson attempts to distinguish conceptual competence injustice from hermeneutical injustice are unsuccessful.

Anderson's interpretation of hermeneutical injustice is that it always involves a lacuna in the collective hermeneutical resource such "that every instance of hermeneutical injustice entails that the relevant crucial concept or word does not yet exist" (2017, 216). That is, marginalized people cannot render intelligible certain experiences owing to deficiencies in their interpretive assets. Whereas "[i]n every instance of competence injustice, the victim begins with some level of mastery with a concept or word and then their level of mastery is doubted. A fortiori, competence injustice involves the possession of all relevant concepts" (2017, 216). Hence, for Anderson, conceptual competence injustice cannot be hermeneutical injustice; he takes them as fully distinct.

Anderson does not provide us with the full story in his explanation of Fricker's account of hermeneutical injustice. Anderson is right to say that Fricker's case of Carmita Wood and the introduction of the concept of sexual harassment captures an instance of a complete lack of conceptual understanding that is then remedied. However, this is just what Fricker calls a 'maximal' case; again, it is not a *defining* case. Fricker has other examples that she calls 'midway' and 'minimal' cases (2007; 2017). This is where a marginalized person has access to a hermeneutical resource and possesses the relevant concepts that can render intelligible their experience, yet cannot communicate such experiences across social space. In other words, midway cases are those where a social group has sophisticated interpretive assets yet such practices "are not shared with at least one out-group with whom communication is needed" (Fricker 2017, 9).

We acknowledge that Fricker's original statement of hermeneutical injustice was not as clear as it could have been (2007), and only recently has Fricker provided some clarity on how we should interpret her formulation (2017). Fricker's rearticulation has come in light of the thoroughly important work of Rebecca Mason (2011), Gaile Pohlhaus Jr. (2012), Kristie Dotson (2012), and José Medina (2013), that has made abundantly clear that hermeneutical injustice can occur even when an agent fully possesses the relevant concepts to render intelligible their experiences. Given Fricker's rearticulation of hermeneutical injustice,

Anderson has not shown that conceptual competence injustice is not hermeneutical injustice.

4.3. Contributory Injustice

Anderson also attempts to differentiate conceptual competence injustice from contributory injustice. Contributory injustice occurs when a marginalized person possesses the hermeneutical resources that are required for her to understand and communicate her experiences, but that this attempt at communication is thwarted by the fact that her interlocutor does not possess the requisite hermeneutical resources. In cases of contributory injustice the reason that the hearer possesses inadequate hermeneutical resources is because of their own willful ignorance; they actively uphold their biased hermeneutical resources in their interpretation of the speaker, rather than accepting that the marginalized speaker has a good grasp of their own experiences or making a concerted effort to understand what the marginalized speaker is saying (Dotson 2012).

Anderson claims that conceptual competence injustice is not contributory injustice because there can be cases of conceptual competence injustice that are not cases of contributory injustice. Anderson provides the following case:

Suppose a white person hears a person of color assert, “In the United States, racism against white people is impossible.” Suppose also that this white person believes falsely that racism is merely prejudice on the basis of race and that therefore white people can be victims of racism. Upon hearing the conceptual claim that racism against white people is impossible, the white person judges the person of colour to be conceptually incompetent—he thinks that she fails to grasp the concept of racism (Anderson 2017, 218).

Anderson claims that this is not contributory injustice because both people possess the same concept. If we take the person of color and the white person to be working with different concepts of racism, then this would mean that the white person expresses a true belief when they utter “It is possible for black people to be racist against white people in the United States”. This would be a bad result because this utterance is clearly false.

In section 3, we argued that causal etiology matters when it comes to conceptual competence injustice. Because of this, the case that Anderson uses to convince us that conceptual competence injustice is not contributory injustice needs to be re-worked; or else no injustice has been perpetrated. Instead of the white person simply believing that the person of color is not competent with the concept of racism, we must say that the white person does not believe this in virtue of identity prejudice against people of color. However, given this, the re-worked case just looks like an instance of testimonial injustice. This is because the speaker under-ascribes credibility owing to identity prejudice; and this is the essence of testimonial injustice. Hence, Anderson is right to say that the case is not an instance of contributory injustice, however this is because it is a case of testimonial injustice.

If Anderson insists that causal etiology doesn't matter in cases of conceptual competence injustice, then he must also think that causal etiology doesn't matter in other cases of epistemic injustice either. It would be *ad hoc* to insist that causal etiology is significant in some forms of epistemic injustice but not others. Hence, if in the example in which the white person takes the person of color to be incompetent in their grasp of the concept of racism, then Anderson should think that this is just an instance of testimonial injustice absent the prejudicial causal etiology that Fricker (and ourselves) take to be a necessary feature of testimonial injustice.

Either causal etiology matters for all forms of epistemic injustice, in which case this is not a case of epistemic injustice, or causal etiology matters in no forms of epistemic injustice, in which case this is just a case of testimonial injustice.

5. Conceptual Competence Injustice is Not that Useful: A Response to Cruz

Perhaps value can be found in the notion of conceptual competence injustice if there is utility to it that cannot be had from the existing categories of epistemic injustice. To this end, Manuel Padilla Cruz (2017) has suggested that conceptual competence injustice is particularly useful in a relevance theoretical model of linguistic pragmatics. Roughly, relevance theory is the idea that evolution has shaped our cognitive architecture so that we are able to collect and integrate information that enables us to make inferences and judgements relevant to us (Wilson and Sperber 2002). Understanding cognition in this way provides a means to model linguistic pragmatics; communicators presuppose that everyone aims to maximise relevance and in virtue of this speakers can convey, and hearers can infer, information not encoded in utterances. According to Cruz, Anderson's notion of conceptual competence injustice is a useful way to characterise epistemically harmful pragmatic implicatures. These epistemic harms arise when a speaker makes a lexical mistake, such as misusing a word, and a hearer then infers from the mistake that the speaker has failed to grasp some concept, when they in fact do.

While Anderson (2017b) is receptive to Cruz's suggestion, he claims that conceptual competence injustice "... must be tempered with the proper understanding of that phenomenon as a *structural* injustice" (2017b, 36). Anderson claims that we should not think that at any time there is a lexical mistake and subsequent implicature of speaker incompetence there is an occurrence of conceptual competence injustice. This is because the relationship between relevance theory and conceptual competence injustice "cannot be accurately characterized merely as the result of a certain type of pragmatic inference without specifying facts about the social identities of the speakers and hearers involved, together with facts about the structure of their social circumstances" (2017b, 36). We think that Anderson is correct to push Cruz on this point.

In addition to Anderson's comments on Cruz's suggestion, we also want to comment on the lack of clarity in where Cruz is locating the epistemic injustice in his discussion. In making his case, Cruz claims that speakers are not always fully competent in a language, perhaps because they are non-native speakers. Consequently, they may lack or misuse vocabulary.

This might lead the hearer to make harmful inferences about the speaker's competence. Cruz claims that this constitutes an epistemic injustice since "the speaker would be degraded as a knower of a language in some respects..." (Cruz 2017, 17).

What in particular is the inference that the speaker makes that is unjust? Let's consider two possibilities. Firstly, suppose that in conversation with a person born and raised in Germany, Holly, as a non-native German speaker, misuses some particular word from which her German interlocutor infers that she is not wholly competent in her use of that word. Whether or not this leads Holly to doubt her abilities to speak German, it seems to us that Holly's German interlocutor has not put a foot wrong in making this inference. After all, Holly has just made a mistake.

If instead the inference that Cruz has in mind is an inference made by the hearer from a speaker's one off lexical mistake, to the speaker having some more general intellectual incompetence, then this might reasonably be characterised as an injustice. Consider a re-working of the example above: Holly misuses a German word when in conversation with a native German speaker, who happens to be a man. From Holly's particular mistake, the man infers that Holly lacks the intellectual capabilities required to become a competent speaker of German because he has a prejudice against the intellectual capacities of women. It is an empirical matter whether or not this kind of inference is ever made.

If it is made, then the epistemic injustice that it constitutes is not conceptual competence injustice as theorised by Anderson. Rather, it is some broader intellectual incompetence attribution. But, even then, this might very well be accounted for by Fricker (2007). The attribution of broad intellectual incompetences to particular social groups looks as though it collapses into what Fricker calls "negative-identity-prejudicial stereotypes" that are operative in the perpetration of testimonial injustice: a widely held disparaging association between a social group and one or more attribute (Fricker 2007, 35).

In his response to Cruz, Anderson discusses the ways in which relevance theory possesses resources that can usefully allow us to model the ways in which the interests of individuals and groups shape patterns of epistemic injustice (see Anderson 2017b, 36-38). This looks promising to us, though it must be said that we are no experts in relevance theory. However, while relevance theory might be useful in modelling patterns of epistemic injustice, it is far from obvious that conceptual incompetence injustice is useful in illuminating epistemic injustices that arise from harmful pragmatic implicatures of the lexical mistakes of speakers.

6. Conclusion

To recount what we have achieved in this paper: we have shown that Anderson's reasons for thinking that conceptual competence injustice is distinct from other forms of epistemic injustice are ultimately unsuccessful. We have argued that conceptual competence injustice is accurately accounted for by testimonial injustice. Finally, we have argued that the purported usefulness of conceptual competence injustice in linguistic pragmatics is doubtful, especially

because any epistemic injustice of the kind specified by Cruz can also be accounted for by testimonial injustice.

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