

‘Testimonial Throttling’ and Epistemic Injustice

Michael Calder


University of St Andrews

This essay provides a novel account of epistemic injustice by changing the standpoint of analysis from the marginalised to the oppressor. Previous investigations into epistemic injustice have shown how members of a marginalised group are harmed as knowers through their own speech. The framework that I will build — incorporating core elements of Fricker and Dotson’s work — focuses on speakers who truncate their own speech in conversation with a member of a marginalised social group, due to a bias against said audience. Testimonial throttling, at its core, is a restriction of access to the pool of knowledge due to bias. While a complete exposition of Fricker and Dotson’s work falls outwith the bounds of this essay, their accounts of ‘testimonial injustice’ and ‘testimonial quieting’, respectively, are instrumental in my account of ‘testimonial throttling’. After describing the foundations of this new account of epistemic injustice, I will propose a set of conditions along with thought experiment that describes a specific instance of testimonial throttling. Having defined testimonial throttling, I show that it covers a gap in the literature and provides insight into a vast array of resultant epistemic and practical harms. Before concluding I discuss a possible recourse for both the speaker and audience to combat testimonial throttling itself.

1 The Speaker: Why, and How

1.1 Why Investigate Testimonial Throttling?

1.1.1 The Road so Far: Fricker and Dotson

ricker explains epistemic injustice by providing an account of testimonial injustice. This builds upon the concept of speaker credibility, which is the level of belief we have in the credibility of the person speaking. When a speaker has their credibility deflated they can in turn be “wronged specifically in her capacity as a knower”¹ — this is testimonial injustice. Specifically, the credibility deficit must be the result of bias, rather than due to the content of the speech, for it to constitute testimonial injustice.² Fricker uses Harper Lee’s ‘To Kill a Mockingbird’ to illustrate her definition. Tom Robinson, is unable to testify (both epistemically and legally) to the actions that resulted in his indictment — if he is to state that the white girl tried to kiss him, he will not be believed as a black man in a racist society.

¹Fricker, Miranda, ‘Epistemic Injustice: Power and the Ethics of Knowing’, (2007), OUP, 20.

²Fricker, 22.

Fricker's other account of epistemic injustice, the more complex hermeneutical injustice, will help us clarify the nature of epistemic injustice. Fricker uses the example of women not having a term for sexual harassment as a paradigmatic case of hermeneutical injustice. Due to exclusion from the fields that investigate and construct concepts, and thus language, "such as journalism, politics, academia, and law",³ women faced an obstacle that was not yet defined and to which they could not properly articulate an objection.

Fricker ties these two types of epistemic injustice to exemplify the nature of epistemic injustice clearly: "The wrongs involved in the two sorts of epistemic injustice, then, have a common epistemic significance running through them — *prejudicial exclusion from participation in the spread of knowledge*".⁴ Epistemic injustice happens when people are excluded from the 'pooling of knowledge' (i.e. the knowledge we all share, contribute to, and draw from), due to bias. Testimonial injustice happens when this exclusion is based on "identity prejudice on the part of the hearer".⁵ Hermeneutical injustice is when this exclusion is based on "structural identity prejudice in the collective hermeneutical resource".⁶

Dotson expands the discourse by defining 'epistemic violence'. She clarifies the importance of the audience on the "success of a speaker's attempt to communicate",⁷ when the audience denies a speaker their full capacity to 'hear' they commit epistemic violence. This hinges on Dotson's definitions of 'reliable ignorance' and 'pernicious ignorance'. Pernicious ignorance is an extension of reliable ignorance ("ignorance that is *consistent* or follows from a predictable epistemic gap in cognitive resources"⁸) wherein the social context means that the reliable ignorance "causes or contributes to a harmful practice".⁹

To better understand what makes pernicious ignorance an epistemic violence Dotson provides an account of 'testimonial quieting', which occurs when "an audience fails to identify a speaker as a knower."¹⁰ The broad nature of this concept is illustrated in Dotson's example: the epistemic position of black women in America. "Black women as belonging to an objectified social group, which hinders them from being perceived as knowers",¹¹ such consistent lack of recognition for black women's capacity as knowers exemplifies reliable ignorance. Moreover, given the obvious repercussions for such a belief, it is clearly a case of pernicious ignorance as well.

The other form that epistemic violence takes, as Dotson defines it, is through 'testimonial smothering', which occurs when a "speaker perceives one's immediate audience as unwilling or unable to gain the appropriate uptake of proffered testimony."¹² Dotson lists three issues at play which result in a speaker 'smothering' their own testi-

³Fricker, 152.

⁴Fricker, 152.

⁵Fricker, 152.

⁶Fricker, 152.

⁷Dotson, Kristie, 'Tracking Epistemic Violence, Tracking Practices of Silencing', *Hypatia*, no. 26 (2011), 238.

⁸Dotson, 238.

⁹Dotson, 239.

¹⁰Dotson, 242.

¹¹Dotson, 243.

¹²Dotson, 244.

mony: (a) “the content of the testimony must be unsafe and risky”; (b) “the audience must demonstrate testimonial incompetence with respect to the content of the testimony to the speaker”; and (c) “testimonial incompetence must follow from, or appear to follow from, pernicious ignorance”.¹³ Dotson gives the example of discussion of domestic violence against black women “understood to corroborate stereotypes concerning the imagined “violent” black male”¹⁴. As epistemic violence occurs in “a failure of an audience to communicatively reciprocate, either intentionally or unintentionally”, the ‘violence’ of testimonial smothering is the audience’s failure to demonstrate testimonial competence due to their pernicious ignorance.

Having seen the development and implementation of the terms ‘epistemic violence’ and ‘epistemic injustice’ — they are epistemic as they relate to knowledge and are linked by the harms they cause — we now have our framework for building an expansion of the field. ‘Testimonial throttling’, as I will define it, develops from both of these epistemological investigations.

1.1.2 Why Must We Investigate Bias-induced Speaker Truncation?

(i) The lack of investigation into the common instance of biased speakers truncating their speech; (ii) The necessary importance of investigating those who control access to information.

(i) Dotson’s work on ‘testimonial smothering’ relies on the analysis of speech truncation in instances wherein the speaker perceives bias against themselves. In Fricker’s testimonial injustice, the injustice occurs when a speaker has deflated credibility due to bias. A gap exists between these two: when the speaker is biased against their audience and thus truncates their testimony. Such an occurrence is ubiquitous in societies rife with identity prejudice, that is to say all societies.

(ii) The oppressor has the greatest propensity to commit epistemic injustice; they are able to restrict access to knowledge as they, by definition, hold power. Moreover, there is a motive for the oppressor to suppress access to knowledge in order to continue their literal and epistemic subjugation of the marginalised groups they oppress. This comes to fruition as a ‘self-fulfilling prophecy’ which will be discussed at length in Section 2.2.

1.1.3 Objections to the Investigation

Feminist epistemology takes the standpoint of the oppressed. While it may seem that analysing the speech of the powerful (as testimonial throttling sets out to) goes against this shared methodological aim, this is not the case. While it is true that “feminist standpoint theorists have been explaining the importance of starting our thinking or our research from the lives of marginalized people”¹⁵, investigating the powerful can shed much light

¹³Dotson, 244.

¹⁴Dotson, 245.

¹⁵Garry, Ann, ‘Intersectionality, Metaphors, and the Multiplicity of Gender’, *Hypatia*, 26, no. 4 (2011), 828.

on the epistemic injustices that marginalised people face.

Throughout this paper I will refer to the ‘marginalised’ or ‘oppressed’; and the ‘oppressor’. I understand that these terms have their definitions debated to great extent in the literature; later work on testimonial throttling could include reference to specific theories of oppression but I feel it falls outside the bounds of this work. Thus, I use them and intend them to be understood in simple, relational terms.

1.1.4 Throttling’s Advantage and the Term Itself

While it is primarily a complementary theory: there are inherent advantages to testimonial throttling as a mode of analysis over Fricker and Dotson’s work. While the harms resulting from testimonial throttling serve to best elucidate its importance, I posit that methodologically, throttling is easier to diagnose.

Throttling is easier to spot in social contexts, both historically and in new instances. As an outside observer, in order to diagnose an instance of testimonial throttling, we merely have to see a difference in speech due to bias on the part of the speaker. In the case of testimonial smothering, a further demand is that we must conclude that the speaker is changing their speech due to (a) *her perception* of (b) *the audience’s potential for bias* against her group. This calculation on the part of the speaker necessitates a subjective analysis that is not present in the cut and dry case of testimonial throttling. Given our goal should be to end epistemic injustices, the simplicity of testimonial throttling makes it easier to propose solutions to it.

I would like to make a note on the term ‘throttling’. While it evokes violence, I find this necessary, much as Dotson uses smothering, given the injustice at play. I intend its use not only as an homage to Dotson but as a double meaning - with ‘throttle’ understood to denote:

control, the throttle of a car, controlling power output just as testimonial throttling controls knowledge output; and **abuse** with throttling as a physical act of violence that controls the subject, just as limiting access to the pool of knowledge abuses the marginalised.

1.2 Defining Throttling

1.2.1 The Conditions

Testimonial throttling occurs when:

- (1) Speaker 'P' truncates speech to an audience 'Q'.
 - (1.a) Q must be the marginalised member of the conversation in which the truncation takes place.
 - (1.a.i) Q's status as 'marginalised' is relational to P, it can be but need not be that they are structurally oppressed.
 - (1.a.ii) P has knowledge that Q lacks, while they may not necessarily oppress the marginalised elsewhere, situationally they hold power over the knowledge.
- (2) The truncation reduces Q's access to the pool of knowledge.
 - (2.a) This knowledge would benefit Q and is relevant to the conversation.
- (3) P's reason for the truncation is bias against Q.
 - (3.a) Specifically, bias results from *identity prejudice*.
 - (3.a.i) Thus, Q's status as a knower is devalued.
- (4) Q is harmed as a knower due to the conjunction of (1), (2), & (3).

Specifically:

- While it is likely that the marginalised audience is structurally oppressed given the nature of such knowledge exchanges, it should not be a necessary condition for testimonial throttling. This allows for cases wherein 'outliers' of oppressed groups find themselves in positions of power over knowledge but continue to act as an oppressive force to others, even to their own communities.¹⁶ However, the central case of testimonial throttling should be understood as that which represents the structural disadvantage of the access to knowledge of the marginalised.
- In 3.a.i. Q's status as a knower being devalued mirrors Fricker's *speaker credibility* in cases of testimonial injustice. Just like Tom Robinson's credibility was deflated and so he wasn't believed a competent witness, Q is considered an incompetent audience.

1.3 Testimonial Throttling in Action

1.3.1 A Thought Experiment

This case not only shows a common and clearly diagnosable example of testimonial throttling but will also serve as a solid basis for analysing the epistemic and practical harms that arise from instances of testimonial throttling.

¹⁶A black republican senator, for example, is a member of a marginalised group still capable of testimonial throttling against minority communities in his capacity as a senator.

We are to imagine that a white man goes to a job centre, where he is given ample resources on emerging industries he may be suited to and instruction on the best way to prepare for a job interview. He follows the advice and secures a good job in a relevant industry.

A black woman with the same qualifications and background goes to the same job centre and meets with the same person. However, due to their preconceived bias that black women are 'lazy' and 'stupid', the job centre employee believes that the black woman would not benefit from the information he is able to provide her. Thus, he doesn't bother to explain the current industrial dynamics, nor does he give any advice on securing such a job, merely handing the black woman some readily-available pamphlets and giving non-specific advice. The black woman leaves the job centre with little new or relevant information.

1.3.2 Applying our Conditions

We set out conditions for testimonial throttling in section 1.2.1. I will now use the thought experiment to elucidate these conditions.

In this case, the employee takes the place of 'P', and the black woman 'Q'.

- (1) P has clearly truncated their speech directed at an audience Q, the speech granted to the white man before Q shows the extent of this truncation.
 - (1.a) Q is marginalised and relies on P for access to the pool of knowledge, due to her position as job seeker.
 - (1.a.i) In this case Q is also a member of a structurally oppressed group, black women, who have been systematically discriminated against in the job market.
 - (1.a.ii) P has knowledge due to their position as a job centre employee that Q lacks.
- (2) The truncation reduces Q's access to the pool of knowledge that would allow her to advance her job seeking ambitions.
 - (2.a) The truncated part of the speech contains knowledge highly important and relevant to the job seeking, i.e. the reason for the conversation.
- (3) P's reason for the truncation is bias against Q.
 - (3.a) Specifically, bias results from P's racial bias: *identity prejudice*.
 - (3.a.i) Thus, Q has her status as a knower devalued by P not due to any substantive reason
- (4) Q is harmed as a knower due to the conjunction of (1), (2), & (3).

1.3.3 Truncations of Speech Without Testimonial Throttling

It is important for a precise account of testimonial throttling to consider cases that appear to be truncations of speech, perhaps even due to bias, that do not meet the entire criteria. Tight criteria and acknowledgement of possible problem cases should bulwark testimonial throttling against possible objections.

Case 1 - When truncating testimony is not an epistemic harm & not due to bias.

In this case someone is truncating speech for epistemically beneficial reasons. A public lecture on a scientific discovery that is attempting to inform non-specialists will use different language to a professor informing his students of the same subject. The speech truncation in this case is not done either to cause harm, nor is it epistemically harmful - it is done to aid understanding of a topic that can be easily understood to be outside the grasp of the general public. In this case, simplification of technical terminology aids access to the pool of knowledge.

Case 2 - When truncating testimony is hurtful & due to bias but not an epistemic harm.

In this case we see a truncation of speech, due to bias, that may cause emotional harm to the audience but cannot qualify as an epistemic harm. For example, an employer in the service industry may truncate their speech when speaking to an employee they presume unable to understand 'proper english'. In saying something like "Clean... toilet... now" rather than "once you're done with your current task please can you go on to clean the toilets", the employer might hurt their audience's feelings and are acting on their bias but clearly there is no epistemic injustice at play. While speech has been truncated, the part that has been removed is not contributory to the pool of knowledge and while the worker may feel demeaned they have not been harmed in their capacity as a knower.

2 What's Happening to the Audience: Epistemic and Practical Harms

2.1 Epistemic Ramifications of Throttling

2.1.1 How Epistemic Injustices are 'Epistemic:'

Pohlhaus Jr. provides a useful set of criteria that describes the epistemological nature of the injustices present in the literature. I will first describe the criteria as they relate to Fricker and Dotson's work and then how each similarly applies to 'testimonial throttling'.

Pohlhaus Jr. helpfully uses both Fricker and Dotson to relay the main epistemological significance of epistemic injustice: that the injustice is being done to "knowers

as knowers.”¹⁷ She describes how in Dotson’s case it is a knower’s testimony that is suppressed (testimony is uncontroversially understood to be of great epistemic significance) and Fricker’s that it is made “difficult for particular knowers to know what it is in their interest to know”.¹⁸ Similarly, ‘testimonial throttling’ is the action of suppressing one’s access to the pool of knowledge, thus it wrongs the audience specifically in their capacity as knowers.

Furthermore, Pohlhaus Jr. describes these injustices as epistemic due to their inducing epistemic dysfunction,¹⁹ that which (negatively) affects one’s status or ability as an epistemic agent. The resultant harms of epistemic dysfunction, “distorting understanding and stymieing inquiry”²⁰, are clearly present in cases of testimonial throttling. The audience’s understanding is distorted as they are unaware of the knowledge they lack. Similarly, their ability to inquire is reduced by the lack of access to the full pool of knowledge. Thus, ‘testimonial throttling’ meets Pohlhaus Jr.’s second criterion as an action that causes ‘epistemic dysfunction’.

The third criterion is an extension of the first two in that it states such harms arise either “within [...] through the use of, our epistemic practices and institutions”.²¹ Epistemic practices are all those which engage with the social pool of knowledge; Pohlhaus Jr. notes that ‘school curricula’ is an epistemic institution. If curricula are a locus of epistemic injustice then the application of a curriculum can surely produce instances of testimonial throttling. Given testimonial throttling’s focus on speech truncation that affects access to the pool of knowledge it aids our evaluation of the harms “an epistemic institution causes in its capacity as an epistemic institution.”²²

2.1.2 Epistemic Objectification

There is a debate in the literature as to whether the primary harm that occurs in cases of testimonial injustice is an instance of ‘epistemic objectification’ or ‘epistemic othering’. An understanding of this debate will help frame ‘testimonial throttling’ in the literature whilst serving to better understand the exact nature of the resultant epistemic harms.

Fricker posits that the harm *objectifies*, as the epistemic agent is treated as an object or “a mere source of information rather than as an informant due to one’s prejudices”.²³ This is based upon a criteria of objectification, proposed by Nussbaum, that identifies seven ways in which one may be objectified.²⁴ Fricker specifically focuses on Nussbaum’s third criterion ‘inertness’, that states “the objectifier treats the object as lacking in agency, and perhaps also in activity”. Nussbaum, 257

¹⁷ Pohlhaus Jr, Gaile, ‘Varieties of epistemic injustice’, in: *The Routledge Handbook of Epistemic Injustice* (2017), 213.

¹⁸ Pohlhaus Jr, 213.

¹⁹ Pohlhaus Jr, 213.

²⁰ Pohlhaus Jr, 213.

²¹ Pohlhaus Jr, 213.

²² Pohlhaus Jr, 214.

²³ McGlynn, Ann, ‘Objects or Others? Epistemic Agency and the Primary Harm of Testimonial Injustice’, *Ethical Theory and Moral Practice* 23 (2020), 832.

²⁴ Instrumentality, denial of autonomy, inertness, fungibility, violability, ownership, and the denial of subjectivity". from: Nussbaum, Martha, ‘Objectification’, *Philosophy and Public Affairs* 24, no. 4 (1995), 257.

McGlynn notes that three problem cases are typically used to motivate the claim that the harm should instead be considered an instance of epistemic othering:

- (i) When there is a failure to consider the speaker as an inquirer despite treating them as an informant rather than a mere source of information.²⁵
- (ii) When credibility excess leads to a testimonial injustice.²⁶
- (iii) When one lies in spite of being considered capable of telling the truth.²⁷

I adopt McGlynn's approach to these problem cases. In order to solve these problem cases and account for testimonial throttling within the framework of epistemic objectification we need only turn to the rest of Nussbaum's criteria. McGlynn refers to the specific implementation of each of Nussbaum's criteria in the epistemic objectification account of harm as 'epistemic analogues'.²⁸

McGlynn argues that (ii) can be solved by considering Nussbaum's "Fungibility" criterion, wherein "the objectifier treats the object as interchangeable with other objects of the same type, or with objects of other types"²⁹. Similarly, (i) can be overcome when one considers it an example of Nussbaum's second criterion: a 'denial of autonomy' in which "the objectifier treats the object as lacking in autonomy and self determination"³⁰. Finally, (iii) is actually not a problem case. Fricker deals with this in her example of Tom Robinson's testimony as he is believed to have been insincere: she considers "both competence and sincerity as epistemic [...] she takes the capacity to convey one's knowledge to others as essential to the very possession of knowledge".³¹

Having asserted the applicability of the objectifying account of epistemic harm in Fricker's 'testimonial injustice', its use for describing the harms inherent to testimonial throttling is clear. When a speaker truncates their speech due to bias they are, in fact, epistemically objectifying their audience in accordance with four of Nussbaum's criteria for objectification, specifically through the analogues of: (a) "inertness: the objectifier treats the object as lacking in agency, and perhaps also in activity."³²; (b) "denial of subjectivity: the objectifier treats the object as something whose experiences and feelings (if any) need not be taken into account."³³; as well as the aforementioned (c) 'denial of autonomy' and (d) 'fungibility'.

2.1.3 Applicability of Objectification to Throttling

To illustrate my case I will show how each of these are observable in cases of testimonial throttling. Using the thought experiment set out in Section 1.3.1, we can see the applica-

²⁵McGlynn, 834.

²⁶McGlynn (2020), 834

²⁷McGlynn, 835.

²⁸McGlynn, 842.

²⁹McGlynn, 833.

³⁰McGlynn, 833.

³¹Hawley, Katherine, 'Trust, Distrust, and Epistemic Injustice' in: *The Routledge Handbook of Epistemic Injustice* (2017), 72.

³²Nussbaum, 257.

³³Nussbaum, 257.

bility of each mode of objectification:

- (a) The classic means of objectification in Fricker's cases is treating the agent as inert. In our case we see the audience being treated as inert through the assumptions made on the part of the speaker. By allowing their bias to influence their speech truncation they take no measures to engage with the audience as an epistemic agent and thus are treating them as though they lack agency. They see a 'black woman' and their minds are made up (due to their bias) as to their audience's capacity.
- (b) The audience are having their subjectivity denied as they are judged and treated not due to their individual experiences or feelings but instead solely as a representative of their group; conversely, the white man is treated as a unique individual whose feelings and experiences are taken into account.
- (c) The speaker is clearly denying the audience their autonomy, by restricting their access to knowledge they are denying their right to self-determination. The restricted knowledge, on account of their membership of a marginalised group, restricts their ability to flourish. The audience, having been defined as 'a black woman' and having been tarred through bias as being 'undeserving' of access to the full pool of knowledge, is seen as not befitting the full range of opportunity to develop themselves that would be granted to 'a white man'.
- (d) The audience being treated as 'fungible' can be seen as an extension of (b). While the denial of subjectivity means that the audience is being seen solely as 'a black woman' rather than a complex individual, they are being demeaned by the fact that the speaker is considering them to be interchangeable with any other member of the group 'black women'. The white man is considered an individual and thus given specific, relevant information; the black woman is given the small amount of information that the employee would give any black woman.

Thus, we have framed the primary epistemic harms of 'testimonial throttling', with reference to several leading authors in the field of feminist epistemology. Moreover, we have used the case given in Section 1 to exemplify these harms.

2.2 Practical Harms Arising from Epistemic Harms

Having described the epistemic harms that arise from instances of testimonial throttling I will move on to the practical implications of these harms.

2.2.1 Individual and Group Harms

Anderson claims that Fricker's 'testimonial injustice' fails to remedy the structural nature of epistemic injustice as "her remedies in both cases [individual and structural injustices]

stress individual virtue".³⁴ Anderson claims Fricker's "depict[ion] as a transactional injustice",³⁵ cannot account for structural epistemic injustice. However, I contest that Anderson is merely not considering enough instances of transactional injustices. Adding more accounts of transactional injustices (testimonial throttling being merely one), will show that transactional injustices can account for structural injustices.

Anderson proposes a case:

there is no transactional injustice in refusing to offer a job to an unqualified applicant, the fact that members of a disadvantaged group cannot get good jobs because they have been unjustly denied opportunities to qualify themselves for these jobs justifies the judgment that their lack of access to good jobs is a structural injustice.³⁶

Anderson is correct that testimonial injustice alone is inadequate to account for the asymmetry of access to the pool of knowledge; it is for this reason I consider throttling a significant expansion of the literature. The case she gives is a paradigmatic example of the structural repercussions of an instance of testimonial throttling — as shown in my thought experiment. Testimonial throttling is one of many 'transactional' instances that can lead to structural injustices. As the literature expands, we will have accounts of many more varieties of transactional instances of epistemic injustice that will further our understanding of the resultant structural injustices. Deconstructing these structural injustices from their point of conception (instances of transactional injustice) will provide us with the best tools for combatting injustice.

However, Anderson is correct in noting that a full treatise on the remedies for structural epistemic injustices "would require many books".³⁷ Importantly, this analysis has shown the intrinsic link between individual and group harms: each instance of transactional injustice against individuals contributes to the structural injustices the group (of which the individuals are members) must face.

2.2.2 Personal Harms

It takes little imagination to see how the repercussions of testimonial throttling can be severe and widespread. I see these practical harms as ways in which the audience are harmed as persons — in contrast to them being harmed as knowers. The first harm I will discuss is both an epistemic and practical harm, it is perhaps the most significant of all the harms that an account of testimonial throttling divulges: the self-fulfilling prophecy.

The self-fulfilling prophecy can be best understood practically, through our original thought experiment. The aftermath of our thought experiment can conceivably go

³⁴Anderson, Elizabeth, 'Epistemic justice as a Virtue of Social Institutions', *A Journal of Knowledge, Culture and Policy* 26, no. 2 (2012), 165.

³⁵Anderson, E., 165.

³⁶Anderson, E., 169.

³⁷Anderson, E., 171,

as follows. The white man's ability to get a good job will be greatly improved via his easy access to the pool of knowledge. The black woman will struggle to get a similar job due to her lack of access to the same pool of knowledge. Her lack of access to the pool of knowledge will result in her genuinely having less knowledge, thus 'confirming' one of the original stereotypes that resulted in speech truncation: that black women are stupid. Furthermore, her lack of knowledge in this area will result in her finding it more difficult to get a job. Her resultant unemployment will 'confirm' to her prejudiced observers that she is lazy, the other stereotype for which she was excluded from access to the pool of knowledge. In summary: the result that the white man gets the job and the black woman is forced to go onto unemployment benefits, reaffirms both the employee's racist beliefs and the white man's belief of superiority. I see this as a reflection of the consequences Fricker discussed, in which those who commit testimonial injustices end up limiting their own access to knowledge:

So the preservation of ignorance that p, where p is the propositional content of what was said, may often entail further missed epistemic opportunity [...] We might express this by saying that testimonial injustice tends to preserve not only immediate ignorance but also inferentially ramified ignorance.³⁸

However, in our case those that commit the injustice limit their *victims'* access to knowledge.

The self-fulfilling prophecy is thus, the confirmation of the original biases - that led to testimonial throttling — by the effect testimonial throttling has on its audience. This in turn can lead to further testimonial throttling. For instance, in our case, the black woman going onto unemployment benefits will increase the percentage of black unemployment, leading the job centre employee to reaffirm his belief that black women are lazy and make him even less likely to provide black women with adequate resources in the future. The self-fulfilling prophecy causes harm to the audience over and over again, as knowers and as persons.

The self-fulfilling prophecy is not only a symptom of oppressive society but one of the causes, an enabler of what Mills calls the 'domination contract', that in contrast to social contract theory, "society is basically coercive, with injustices and social oppression being the norm".⁴⁰ Without properly assessing instances of testimonial throttling we permit the coercive nature of society that states "United States has historically been a racially flawed liberal democracy"⁴¹ rather than the United States has historically been a white supremacist polity.⁴² Testimonial throttling addresses systemic practices that create and reinforce oppressive dichotomies, particularly racist theories of supremacy, which harm the audience as persons.

Beyond the self-fulfilling prophecy there are numerous practical harms that result from instances of testimonial throttling. The black woman is clearly harmed as a

³⁸Fricker M., & Jenkins, K., 'Epistemic Injustice, Ignorance, and Trans Experience', in: ³⁹ (2017), Routledge, 270.

⁴⁰Mills, Charles W., 'Philosophy and the Racial Contract', in: *The Oxford Handbook of Philosophy and Race* (2017), Oxford: Oxford University Press, 6.

⁴¹Mills, 7.

⁴²Mills, 7.

person by her lack of ability to get a job: financially as well as her ability to achieve self-determination. The possibilities for similar harms are endless. The black student who was not adequately prepared for his university applications due to his teachers' bias misses out not only on the financial opportunity that a degree permits but also to become better educated. The minority defendant who through the bias of lawyers and the court isn't fully explained the consequences of a plea bargain and relinquishes her freedom.⁴³ Testimonial throttling clearly accounts for harms that negatively affect the daily lives of those on the receiving end. For this reason, testimonial throttling is a social justice issue as much as it is an epistemic concern.

2.3 Alleviating a Meta-Harm & Ethics of this Investigation

This paper has addressed a meta concern. We have provided those who have been subject to testimonial throttling a concept which makes their experience intelligible. Before this investigation, those on the receiving end of testimonial throttling were unable to make communicatively intelligible something which was particularly in their interests to be able to render intelligible. This has the effect of ending one hermeneutical injustice. To not discuss these concerns would be to engage in "the active production and preservation of ignorance by those in privileged positions".⁴⁴

Pohlhaus Jr. warns, when writing on epistemic injustices: "we would do well to consider [...] the ways in which this essay might itself participate in and perpetuate epistemic injustice".⁴⁵ Thus, I have tried to ensure that this essay does not engage in throttling nor any other act of epistemic injustice. From my perspective, a privileged one where I am not a member of a marginalised community, I have attempted to spell out my case clearly so as to not create an impasse for any potential readers.

2.4 What Can be Done About This, by the Speaker and the Audience.

Remedies for epistemic injustices are difficult due to the wide-reaching, structural and individual biases that form their cause. This puts philosophers in the position that their proposed solutions can be deemed 'grandiose' or 'naïve'. However, instances of testimonial throttling can be reduced on the part of the speaker, and the audience, being aware of throttling, can prepare to fight against it.

On the speaker side, Sullivan points to a number of ways in which we can begin to stamp out epistemic injustices in the criminal justice system. His most relevant point is, to "increase efforts to make judges and juries more aware of the assumptions they bring to

⁴³Cox, Jane, & Sacks-Jones, Katharine, 'Double Disadvantage: The Experiences of Black, Asian and Minority Ethnic Women in the Criminal Justice System', *Agenda, the alliance for women and girls at risk*: Report (April 2017), <https://weareagenda.org/wp-content/uploads/2017/03/Double-disadvantage-FINAL.pdf>, 8.

⁴⁴Tuana, Nancy, 'Feminist epistemology: the subject of knowledge', in: *The Routledge Handbook of Epistemic Injustice* (2017), 132.

⁴⁵Pohlhaus Jr, 14.

their interpretation of the meaning of our social practices.”⁴⁶ The most important barrier to stopping testimonial throttling is ignorance of the act. If, as we have shown, implicit bias can cause testimonial throttling, then society, and individuals, must work hard to acknowledge their own biases. Sullivan notes that: “The retraining and wide-ranging dialogue needed for an assessment of the objectivity of our beliefs would require a significant investment of time and energy”.⁴⁷ While I do not doubt the difficulty of this undertaking, in the past year alone we have seen the meteoric rise of Black Lives Matter, a movement whose purpose is to raise awareness of structural and individual racism in society. As racial justice movements grow, those who control access to knowledge will inevitably be forced to consider their own role in a system that perpetuates injustice, epistemic or otherwise. Thus, the clearest way of decreasing the instances of testimonial throttling is through increasing awareness for those who perpetrate it. In Dotson’s terminology this would be education to weed out pernicious ignorance, in Fricker’s this would be ensuring that credibility is not unjustly deflated. As Sullivan puts it “active ignorance of our own ignorance” is no excuse.⁴⁸

As for the audience, hoping that awareness of testimonial throttling will enable those on the receiving end to prepare for it is only one small step - becoming aware that sources of knowledge can be biased, motivates searching for knowledge elsewhere. To contest testimonial throttling, to call it out when it is apparent, is the clearest (if tremendously difficult) means of raising awareness. To ask that of the marginalised, could be asking too much, but as we have seen with the rise of racial justice movements this century - it can be done.

3 Conclusion

I have shown that testimonial throttling merits a place in the literature given its wide reaching implications and ubiquity. Ideally, the discernment of cases of testimonial throttling should be made a priority for those wishing to fight for not only epistemic justice but social justice. Eliminating instances of testimonial throttling will increase access to the pool of knowledge, in turn preventing the ‘self-fulfilling prophecy’ and other resultant harms. While these aims are no mean feat, such idealism is not without merit. Epistemology by its very nature can be a force for change: as knowledge builds so does power.

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⁴⁶Sullivan, Michael, ‘Epistemic Justice and the law’, in: *The Routledge Handbook of Epistemic Injustice* (2017), 300.

⁴⁷Sullivan, 301.

⁴⁸Sullivan, 301.

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