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# EPISTEMIC ENTRAPMENT - THE RIGHT OF EXIT

by

BRENNAN NEAL

Under the Direction of Christie Hartley, PhD

## ABSTRACT

In “Epistemic Exploitation,” Nora Berenstain argues that an epistemic injustice of epistemic exploitation occurs “when privileged persons compel marginalized persons to educate them about the nature of their oppression” (569). While Berenstain accurately identifies norms of inquiry that ought to be avoided, her account ultimately establishes more barriers to the project of resisting oppression than it removes, necessitating the development of an alternative normative framework. Rejecting her account, I develop a normative model of inquiry through the isolation of a yet unidentified epistemic injustice: epistemic entrapment. I argue that the normative directives entailed by my account of epistemic entrapment mitigate the harmful norms of inquiry Berenstain identifies without establishing further barriers to the project of resisting oppression. Finally, I argue that marginalized individuals have a limited obligation to respond to inquiry into the conditions of their oppression.

**INDEX WORDS:** Epistemic injustice, hermeneutical injustice, hermeneutical marginalization, epistemic exploitation, epistemic entrapment

EPISTEMIC ENTRAPMENT - THE RIGHT OF EXIT

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BRENNAN NEAL

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2018

EPISTEMIC ENTRAPMENT - THE RIGHT OF EXIT

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## 1 Introduction

In “Epistemic Exploitation,” Nora Berenstain argues that an epistemic injustice of epistemic exploitation occurs “when privileged persons compel marginalized persons to educate them about the nature of their oppression” (569). While Berenstain accurately identifies norms of inquiry that ought to be avoided, her account ultimately establishes more barriers to the project of resisting oppression than it removes, necessitating the development of an alternative normative framework. In Section I, I present Berenstain’s account of epistemic exploitation, demonstrating that the normative framework she advances entails that privileged individuals ought not to ask marginalized individuals about the conditions of their oppression. In Section II, I reject her account, arguing that the normative prescriptions endorsed by Berenstain sustain both hermeneutical marginalization and hermeneutical injustice. In Section III, I develop a normative model of inquiry through the isolation of a yet unidentified epistemic injustice: epistemic entrapment. In Section IV, I argue that the normative directives entailed by my account of epistemic entrapment mitigate the harmful norms of inquiry Berenstain identifies without perpetuating either hermeneutical marginalization or hermeneutical injustice. Finally, in Section V, I argue that marginalized individuals have a limited obligation to respond to inquiry into the conditions of their oppression.

## 2 Epistemic Exploitation: Resisting Oppression?

As defined by Berenstain, epistemic exploitation occurs when privileged persons compel marginalized persons “to produce an education or explanation about the nature of the oppression they face” (570).<sup>1</sup> She takes epistemic exploitation to be accompanied by three harms: the

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<sup>1</sup> Although Berenstain uses the term *compel* at one point in her paper, it is not clear what role the term plays in her account. It is clear that she does not believe explicit force to be necessary for epistemic exploitation to occur, as she

opportunity costs incurred by the oppressed due to the labor of producing an answer; the double-bind produced by the presumed expectation that an answer will be provided; and the gaslighting and testimonial smothering produced by the default skeptical attitudes of the privileged in response to a provided answer (572, 580).<sup>2</sup> A paradigmatic case of epistemic exploitation will include each of these harms.<sup>3</sup>

To illustrate, consider a case where an individual mispronouns a trans woman, and in response to the trans woman's protest, demands that the trans woman tell him what he did wrong, denying that what happened was anything wrong at all. In denying that he did wrong, he maintains a default skeptical attitude that might facilitate a sense of self-doubt within the trans woman, which might cause her to question the legitimacy of her complaints, or refrain from speaking out in the future. Moreover, if she chooses to acquiesce to the demand, she will be met with opportunity costs, as she would be required to spend her valuable time and energy on the behalf of the privileged individual, when she could use that time and energy on the behalf of her own ends. Finally, if she chooses not to acquiesce to the demand, she might be subject to harmful

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maintains that epistemic exploitation is common in activist coalitions and alliances, where explicit force is infrequently present (570). Moreover, Berenstain claims that epistemic exploitation masquerades as a number of normalized practices such as 'just asking a question,' or 'making a well-intentioned effort to learn' (571), and never describes force or coercion as a necessary component of epistemic exploitation. To me, the most plausible explanation for the ambiguity is that Berenstain believes that a question or comment constitutes compulsion when unbalanced power dynamics are taken into account. For this reason, she frequently uses the term compel and request synonymously.

<sup>2</sup> Berenstain takes gaslighting to have occurred when a privileged individual offers a marginalized individual an alternative explanation for their experience of being victimized by an oppressive system, leading the marginalized individual to have an overall sense of self-doubt and a lack of trust in their ability to accurately perceive and understand events. She takes testimonial smothering to have occurred when a marginalized individual silences themselves to avoid a conversation with someone perceived to be unwilling or unable to accept an offered explanation.

<sup>3</sup> Note that Berenstain operates on a very broad conception of the term harm. On her view, an individual can be harmed by systematic pressures which produce psychological anxiety. For example, while the potential harms of a double-bind may not always materialize, the psychological anxiety of being exposed to the double-bind is harmful in-itself. For the sake of argument, I accept this notion of harm.



criticism by the privileged individual. She cannot win. She is trapped within a double-bind. On Berenstain's account, this is clearly a case of epistemic exploitation.

Paradigmatic examples aside, it is ultimately unclear whether Berenstain's normative model considers the three harms to be constitutive components of epistemic exploitation or instead merely contingent products of epistemic exploitation. While Berenstain sometimes refers to the three harms as 'features' of epistemic exploitation, she also implies that epistemic exploitation might occur in the absence of one or more of these harms. In her discussion of the costs faced by the oppressed due to the labor of producing an answer, Berenstain explicitly states that epistemic exploitation can occur even in the absence of default skeptical attitudes: "the demand for educational labor (is) epistemically exploitative even absent the 'tremendous resistance' that generally accompanies it" (575). However, epistemic exploitation can also occur when *only* default skeptical attitudes are present, as epistemic exploitation "can ... take the form of default skepticism" (571). As no one harm is implied to be individually necessary for an instance of inquiry to constitute epistemic exploitation, two possible interpretations of Berenstain's account remain:

- (E1) Privileged individuals are guilty of epistemic exploitation when they inquire about the nature of a marginalized person's oppression. No one of the three harms need be present, as the act of inquiry itself is sufficiently qualifies as epistemic exploitation.
- (E2) Privileged individuals are guilty of epistemic exploitation when they inquire about the nature of a marginalized person's oppression, **and** one of the three harms is present. Each of the three harms is individually sufficient for an act of inquiry to qualify as epistemic exploitation.

In the remainder of this section, I argue that Berenstain's account entails that the mere act of inquiry amounts to an instance of epistemic exploitation. While (E1) clearly entails such a consequence and can be defended as a plausible interpretation of her position,<sup>4</sup> I will not defend such an interpretation here. Instead, I argue that *even if* (E2) is the correct interpretation of Berenstain's position, the entailment holds. As a consequence, Berenstain's normative framework maintains that privileged individuals ought not to ask marginalized individuals about the conditions of their oppression.

(E2) states that each of the three harms is individually sufficient for an act of inquiry to constitute an act of epistemic exploitation. However, (E2) entails that the mere act of inquiry amounts to an instance of epistemic exploitation, as at least one of the harms (E2) requires for an act of inquiry to qualify as an epistemic injustice are, on Berenstain's account, inseparable from the act of inquiry itself. Consider the first harm: the potential opportunity costs faced by the oppressed due to the labor of producing an explanation. On Berenstain's account, such costs include the fact that the labor will be "financially uncompensated, time-consuming, and mentally draining" (573). As the relevant acts of inquiry will always request explanations from marginalized persons, and all explanations will be time-consuming and mentally draining, any such act of inquiry will request the time and mental energy of marginalized persons. Given that

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<sup>4</sup> There is textual evidence to suggest that (E1) is a plausible interpretation of Berenstain's position. First, in describing instances of epistemic exploitation, Berenstain frequently describes scenarios in which none of the three harms appear to be present. For example, she argues that epistemic exploitation "can be perpetrated through well-intentioned requests to help one learn about oppression" (571), and that epistemic exploitation occurs even when "upon being educated the privileged start pushing back in tangible ways against the oppressive systems" (575). Moreover, Berenstain explicitly states that what we generally think of as a virtuous act of inquiry by a privileged person into the conditions of a marginalized person's disadvantage is, in fact, epistemic exploitation: "it (epistemic exploitation) masquerades as a necessary and even epistemically virtuous form of intellectual engagement, and it is often treated as an indispensable method of attaining knowledge" (570). Finally, within a list of the "many other names" of epistemic exploitation, Berenstain includes the phrase "making a well-intentioned effort to learn" (570-571). While 'a well-intentioned effort to learn' might produce one of the three harms, none of the three harms can be plausibly held to be constitutive components of such an effort. Each of these points suggests that (E1) is a plausible interpretation of Berenstain's position.

Berenstain considers the request of the time and mental energy of marginalized persons by the privileged to be indicative of an *epistemically exploitative* sense of entitlement (575, 576, 577), her account entails that the first harm of epistemic exploitation will accompany any act of inquiry by a privileged individual into the conditions of a marginalized individual's oppression.

Alternatively, consider the second harm: the double-bind produced by the presumed expectation of the privileged that an explanation will be given. Berenstain argues that such a double-bind is produced by the penalties which accompany any potential response to an inquiry: if the marginalized person gives into the pressure to provide an explanation she will be required to provide uncompensated labor, and if she does not give into the pressure to provide an explanation, then she will often be perceived as having committed an affront (576). However, such double-binds are produced by the complex interaction of systemic pressures, rather than the conduct of any one individual (Frye, 3). Moreover, as highlighted by Laurence Thomas, the social reality of marginalized individuals is such that when discussing the conditions of oppression with privileged individuals, there will *always* be an underlying vulnerability, even if the privileged individual is a trustworthy friend (366-367). This vulnerability stems from the fact that *any* response could elicit some form of penalty (367). As such, any act of inquiry into the conditions of a marginalized person's oppression will confront her with a double-bind, forcing her to choose which penalty to risk subjecting herself to. All acts of inquiry will thus be accompanied by Berenstain's second harm.

Given the unavoidable entanglement at least two of the isolated harms and acts of inquiry within Berenstain's account, it appears that, *even if* (E2) is the correct interpretation of Berenstain's account, the mere act of inquiry constitutes an instance of epistemic exploitation. (E2) considers each of the three harms to be individually sufficient for an act of inquiry to

constitute a case of epistemic exploitation. As a consequence, Berenstain's position entails that *any* inquiry into a marginalized person's oppression constitutes a case of epistemic exploitation, as *no* act of inquiry can avoid imposing a double-bind or subjecting a marginalized person to potential opportunity costs. Berenstain is thus advancing a normative framework in which privileged individuals ought not to ask marginalized individuals about the conditions of their oppression.

### **3 Barriers to Resisting Oppression**

Berenstain's restriction on inquiry might first appear to be a welcome outcome, as it prevents the isolated harms from occurring. However, the restriction ultimately sustains oppression, rather than preventing it. In particular, her restriction sustains hermeneutical marginalization, an epistemic injustice highlighted by Miranda Fricker in "Epistemic Injustice and the Preservation of Ignorance." As defined by Fricker, hermeneutical marginalization occurs when some social groups are less able to contribute to the pool of conceptual and interpretive resources that are deemed as legitimate by broader society (2016, 158). Importantly, hermeneutical marginalization arises when the flow of information between social groups is restricted. This is a consequence of the mere fact that for conceptual and interpretive resources to be deemed legitimate by broader society, they must first be successfully communicated to broader society. Consider the process through which the concept of sexual harassment was legitimized (Siegal, 18). The concept was first developed by Carmita Wood and her contemporaries in 1975, yet it took nearly two decades before the concept was legally recognized, yet alone socially recognized (Fricker 2007, 150). If Wood had been unable to communicate to persons of privilege (i.e. men) about her experiences, then the concept of sexual

harassment would not have been legitimized within the pool of hermeneutical resources. At the time, men occupied a clear majority of the positions of legal authority, meaning that for the concept to be legally recognized, a critical mass of men would have to deem the concept as legitimate (Siegal, 18). Had Wood been unwilling or unable to communicate about her experiences, she would have been left hermeneutically marginalized, unable to contribute to the pool of hermeneutical resources.

Berenstain, through the restrictions she places on inquiry, leaves disadvantaged social groups hermeneutically marginalized. Her account prohibits privileged individuals from inquiring into the conditions of a marginalized person's oppression. In doing so, her account restricts the flow of information between social groups, isolating the epistemic communities of the privileged and the marginalized. As a consequence, Berenstain's framework directly sustains the hermeneutical marginalization of the oppressed, limiting their opportunities to contribute hermeneutical resources to broader society. Granted, Berenstain's framework does not entirely bar interaction between the privileged and the marginalized. However, almost all restrictions on open epistemic exchange will tend to sustain hermeneutical marginalization.<sup>5</sup> Berenstain's restrictions are significant, and the resulting hermeneutical marginalization will be significant as well.

To the degree that Berenstain's restrictions sustain hermeneutical marginalization, they sustain hermeneutical injustice. As defined by Fricker, hermeneutical injustice occurs "when a gap in collective interpretive resources puts someone at an unfair disadvantage when it comes to making sense of their social experiences" (Fricker 2007, 1). For a paradigmatic example of

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<sup>5</sup> Exceptions include restrictions on open epistemic exchange such as precluding the use of hate speech or slurs, which would likely combat hermeneutical marginalization. While I remain open to the possibility of further exceptions, such consideration remains beyond the scope of this paper.

hermeneutical injustice, consider the historical plight of trans persons as they came to understand their experiences. In “Trapped in the Wrong Theory: Rethinking Trans Oppression and Resistance,” Talia Bettcher details her desperate search for a concept that would help her make sense of her social experiences. She writes, “How else to justify my claims? How else to understand my experiences?” (Bettcher, 383). To her, the two available ‘models’ of transsexuality did not “accurately capture the realities of transsexual people” (Bettcher, 385). As such, trans persons were victims of hermeneutical injustice, left without the conceptual tools to fully understand their experiences or communicate their experiences to others.

Berenstain’s restrictions sustain hermeneutical injustice due to the clear link between hermeneutical marginalization and hermeneutical injustice. Hermeneutical marginalization, if persistent and wide-ranging, can prevent areas of a marginalized group’s social experience from being collectively understood (Fricker 2007, 165). Naturally, this causes hermeneutical injustice, an injustice in and of itself. However, equally problematic is the fact that hermeneutical injustice leads to the perpetuation of further injustice. Often, hermeneutical injustice prevents certain types of injustices from being isolated and named. (Recall, for instance, the lack of the concept of ‘sexual harassment’ prior to the discussion between Carmita Wood and her peers.) When these injustices cannot be isolated and named, they cannot easily be criticized, and are unlikely to be considered as legitimate injustices by broader society. As such, they will continue to be perpetrated. Ultimately, by sustaining hermeneutical marginalization, Berenstain’s normative framework indirectly sustains a wide range of social injustice. To avoid such a problematic outcome, we must reject Berenstain’s account of epistemic exploitation.

#### 4 Epistemic Entrapment Defined

Although Berenstain's normative framework sustains oppression, the opportunity costs, double-binds, and default skeptical attitudes she identifies are real and pervasive. To address them, it is necessary to isolate what is truly problematic about inquiry into the conditions of oppression. While Berenstain is right to suspect that there is some epistemic injustice at play, she ultimately misdiagnosis what it is. A proper diagnosis reveals a distinct, yet unrecognized epistemic injustice, which, if combated, mitigates the harms Berenstain isolates without sustaining hermeneutical marginalization or oppression: epistemic entrapment. I offer the following account:

*Epistemic Entrapment:* Privileged individuals commit the epistemic injustice of epistemic entrapment when they inquire about the nature of a marginalized person's oppression **and** when they infringe upon a marginalized person's right of exit.

A person's right of exit is infringed upon when another person's actions **or** presence establishes barriers to exiting the epistemic exchange.

Before illustrating the ways in which a person might establish barriers to exit, it is necessary to make a comment on the role that the right of exit plays in my account. Traditionally conceived, the right of exit maintains that liberal societies may permit social groups or institutions to deny certain liberties to individuals so long as those groups or institutions respect those individuals' right to voluntarily leave the group or institution (Green 166-167). However, certain theorists such as Susan Moller Okin and Michael Ferguson have extended the scope of the concept's application, finding it both natural and helpful to analyze marriage in terms of the right of exit (Ferguson, 697; Okin 1989, 152). Similarly, I wish to extend the scope of the concept's application to social epistemology, as analyzing epistemic interactions in terms of the

right of exit can highlight salient details in cases of epistemic injustice. Take, for example, the following passage from the memoir of Simone de Beauvoir reflecting on her epistemic interactions with Jean-Paul Sartre (Fricker 2007, 50-51):

Day after day, and all day long I measured myself against Sartre, and in our discussions I was simply not in his class. One morning in the Luxembourg Gardens, near the Medici fountain, I outlined for him the pluralist morality which I had fashioned to justify the people I liked but did not wish to resemble: he ripped it to shreds. I was attached to it, because it allowed me to take my heart as the arbiter of good and evil; I struggled with him for three hours. In the end I had to admit I was beaten; besides, I had realized, in the course of our discussion, that many of my opinions were based only on prejudice, bad faith or thoughtlessness, that my reasoning was shaky and my ideas confused. 'I'm no longer sure what I think, or even if I think at all,' I noted, completely thrown.

As highlighted by Miranda Fricker, it is likely that Sartre was guilty of a testimonial injustice. However, testimonial injustice is not all that is in play. Sartre's conduct is such that he infringes upon de Beauvoir's right to exit the epistemic exchange by establishing barriers to exit through the imposition of penalties. Through his combative "bullishness" (Fricker 2007, 50), Sartre put de Beauvoir on the defensive, leaving de Beauvoir to believe that to exit the interaction was to admit defeat on a topic of intimate attachment, to be beaten, and to have her conception of herself as a thinker undermined. Sartre not only convinced her that she was mistaken, but that she was prejudiced, acting in bad faith, and thoughtless. For de Beauvoir, leaving the conversation was akin to conceding the point, as the conversation is referenced in her memoir as the turning point in her intellectual career where she was convinced that philosophy is "not really for her" (Fricker, 51). The consequences of leaving the conversation, caused in part by previous exposure to systematic epistemic injustice (Fricker, 50), were exploited by Sartre's conduct, and caused her to feel trapped within the conversation.



Had Sartre approached the conversation differently, it is likely that de Beauvoir could have exercised her right of exit without any penalty, and that the harms might have been avoided. Even if Sartre had been granting de Beauvoir the credibility that she deserved, and was not guilty of a testimonial injustice, his combative ‘bullishness’ penalized exit, and it was the penalties imposed upon exit that caused de Beauvoir to respond in the way she did.<sup>6</sup> A focus on right of exit helps to make sense of the interaction in a way that a focus on testimonial injustice does not.

Having clarified the role that right of exit plays in epistemic interactions, I can now develop my account of epistemic entrapment. In defining the epistemic injustice, I maintained that epistemic entrapment occurs when, in inquiring into a marginalized person’s oppression, privileged individuals establish barriers to exit through either their actions or their presence. Let us first consider how a person’s actions might establish barriers to exit. The clearest way in which actions might establish barriers to exit is through the imposition of penalties. These penalties might be imposed explicitly and intentionally, such as when a person in a position of power demands that another person continue with a conversation or face some harm. Often, however, conduct which places penalties on exit will be subtle and unintentional. Like Sartre, individuals might be overly adversarial in their inquiry, causing others to feel as if they need to defend or legitimize their position. Alternatively, inquiry might intimate that a response is expected or morally required, causing an individual to feel as if not responding to the question is a moral failure. As Berenstain highlights, inquiry which places penalties on exit might even be couched within normalized practices such as exercising curiosity or virtuous pursuit of truth

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<sup>6</sup> Of course, as Fricker highlights, de Beauvoir’s response was likely a partial product of continued exposure to testimonial injustice over the course of her life. Such continued exposure can and does result in the unjustified undermining of a person’s confidence. My point is merely that, given potential lack of confidence, focusing on the penalties Sartre imposed on the right of exit helps to explain her reactions more than the testimonial injustice he may have committed.

(571). Ensuring that one is not infringing upon another's right of exit requires giving explicit consideration to how the inquiry is being conducted, even when such inquiry appears to conform to epistemic practices commonly considered to be virtuous.

Next, we can consider how a person's presence might establish barriers to exit. Presence establishes barriers to exit in situations where a person occupies a clear position of epistemic authority relative to another person. For example, consider an epistemic exchange between a professor and a student during the professor's office hours. The professor, through the teaching relationship, is perceived as holding a position of epistemic authority, granting them significant influence over the epistemic exchange (Kotzee, 325-326). If a professor requests that a student continue to discuss an issue which makes the student uncomfortable, she will likely suspect that penalties might be imposed if she exercises her right of exit, and refuses. Even in situations where such an explicit request is not made, a student might feel as if it would be disrespectful or inappropriate to exit such an exchange before the professor has indicated that the conversation is concluded.<sup>7</sup>

Similar situations arise when there is *any* power imbalance between individuals participating in an epistemic exchange. Of particular concern are interactions between privileged individuals and marginalized individuals. Due to the social power imbalances at play in such interactions, marginalized individuals might suspect that exit will be penalized by the privileged, who might act as if they are entitled to further conversation (Berenstain, 576). Alternatively, exit might entrench the feelings of confusion, vulnerability, and alienation that sometimes

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<sup>7</sup> Note that this example illustrates epistemic entrapment only if the conversation between the student and the professor concerns the conditions of the student's oppression. While students might become uncomfortable when discussing other topics (such as grades), the pressure to continue the discussion would not amount to epistemic entrapment, as defined. While I am open to a broadening of the concept of epistemic entrapment such that it would apply to situations other than inquiry concerning the conditions of oppression, the intent of the proposed concept is to address a particular type of injustice, and such broadening is beyond the scope of this paper.

accompany interactions with the privileged (Thomas 367). In some of these cases, the mere presence of a privileged individual within an epistemic interaction might establish barriers to exit. Naturally, the severity of the established barriers will vary on a case by case basis and will only constitute epistemic entrapment when they pass a certain threshold of severity. Ensuring that one is not infringing upon another's right of exit thus requires giving explicit consideration to how one might reasonably be perceived and treated within a given epistemic interaction.

Importantly, to give sufficient consideration to how one might be perceived and treated within an epistemic interaction, it is necessary to be aware of how the internalization of social norms and expectations might limit an individual's perception of herself as an epistemic agent. As highlighted by several scholars, an individual's self-perception depends in part on how others perceive her (Bartky, 24; Nelson, 60). For example, if an individual is frequently viewed and treated as subordinate, incapable, or otherwise lacking control over some aspect of her life, it is possible (if not likely) that she will internalize some of these viewpoints (Cudd, 80; Liebow, 715). The internalization of these 'intimations of inferiority' can in turn restrict the ability of an individual to act autonomously, making her less likely to stand up for herself, assert her moral equality, or decry infringements on her rights (Bartky, 22; Cudd, 80; Hay 2013, 72).

Importantly, oppressive social norms and expectations frequently concern individuals' status as epistemic agents. Women, for example, have been stereotyped as being emotional (and thus lacking rationality), deferential, and submissive (Liebow, 715). When such stereotypes are internalized, an individual's view of herself as an epistemic peer is undermined, resulting in a wide range of epistemic practices, including: decreased rates of academic participation (Rocca, 197); the taking on of supportive epistemic roles (Swann, 16); greater willingness to let others

talk for extended periods of time (Swann, 16); greater tendencies to hedge when asserting claims (Holmes, 78); and frequent use of rhetorical strategies to avoid attention (Baxter, 85).

Similarly, the internalization of oppressive social norms and expectations concerning individuals' status as epistemic agents likely restricts peoples' capacity to exercise their right of exit. If an individual views herself as epistemically subordinate due to internalized stereotypes, she will be more likely to comply with social norms which cede control over the epistemic interaction to the privileged. Such control includes the power to determine the terms of the interaction's completion. If the privileged wield greater power to determine the terms of an interaction's completion, marginalized individuals will be less able and less likely to act on their right of exit. They will be more likely to end the interaction on the terms of others, rather than their own.<sup>8</sup> As such, for the privileged to ensure that their presence does not establish barriers to exit in interactions with the marginalized, it will sometimes be necessary for them to explicitly emphasize and establish the marginalized person's right of exit.

Finally, it is worth noting that the privileged will have an additional obligation to not impose the very social norms and expectations which, if internalized, would undermine an individual's view of herself as an epistemic agent, as doing so would sustain epistemic entrapment. As such, individuals should avoid practices such as frequent interruption of or talking over the marginalized that signals that their voice is not worth hearing, and that they are, in some sense, epistemically inferior. Individuals should also avoid committing epistemic injustices such as testimonial or hermeneutical injustice. Testimonial injustice, for example, can

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<sup>8</sup> It is ultimately an empirical question whether or not there exist social norms and expectations which lead marginalized individuals to accept the terms of an epistemic interaction's completion as determined by the privileged. However, given the wide range of psychological evidence on stereotype threat and agency, I suspect that empirical evidence would support this supposition. At the very least, the possibility of empirical corroboration is high enough to consider the possibility within the account.

inhibit the development of intellectual courage (Fricker 2007, 49). As courage is necessary to exercise the right of exit, testimonial injustice can undermine an individual's capacity to exercise her right of exit. Meanwhile, hermeneutical injustice can result in a phenomenon described by José Medina as *hermeneutical death*, where an individual's epistemic agency is radically constrained through the loss of one's status as a participant in shared epistemic practices (2017, 41). Each of these practices and injustices will undermine a person's sense of herself as an epistemic peer, restricting her capacity to exercise her right of exit, and will thus sustain epistemic entrapment.

In sum, the normative framework I advance entails that to avoid committing or sustaining the epistemic injustice of epistemic entrapment, privileged individuals inquiring into the conditions of oppression must: 1) avoid explicitly or implicitly imposing penalties upon exit through action; 2) be aware of how their presence might be perceived given structural power imbalances or internalized norms and expectations; 3) explicitly emphasize and establish the right of exit in certain interactions; and 4) avoid imposing social norms and expectations which signal to marginalized individuals that they are epistemically inferior. I do not take these obligations to outweigh all other obligations, and accept that there may be cases in which countervailing obligations exist.

## **5 Epistemic Entrapment Defended**

To demonstrate that the concept of epistemic entrapment is more useful than the concept of epistemic exploitation for the project of resisting oppression, I must demonstrate that combating epistemic entrapment sufficiently confronts each of the three harms isolated by Berenstain, while also avoiding the harms entailed by her normative framework. First, consider

opportunity costs. When the right of exit is not infringed upon, inquiry can be conducted on the terms of the marginalized, allowing them to decline responding to inquiry if the response would be overly burdensome. While opportunity costs will still exist if inquiry *is* responded to, the costs will no longer be imposed by the privileged, but instead voluntarily undertaken by the marginalized. This addresses Berenstain's worry that the privileged act entitled to the time and energy of the marginalized (577), as well as the worry that opportunity costs are often imposed onto the marginalized through coercion (576).

Similarly, respecting the right of exit mitigates the problem of the double-bind. According to Berenstain, the double-bind arises because marginalized individuals "do not have the option to simply disengage from an epistemically exploitative situation" (576). Adequately respecting the right of exit provides that option, thus alleviating Berenstain's concerns about the double-bind. While structural factors might sometimes constrain exit, my normative framework directs privileged individuals to attempt to counterbalance them by explicitly emphasizing and establishing the marginalized person's right of exit in cases where power dynamics and internalized norms and expectations leads them to suspect that their presence might impair an individual's ability to exercise her right of exit.<sup>9</sup>

Next, when combined with the normative recommendations entailed by other accounts of epistemic injustice, the harms produced by default skeptical responses can be addressed. Consider the epistemic injustice of gaslighting, explored in detail within Rachel McKinnon's article "Gaslighting as Epistemic Injustice." According to McKinnon, gaslighting occurs when "the listener of testimony raises doubts about the speaker's reliability at perceiving events

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<sup>9</sup> I admit that even such positive obligations will not always sufficiently counteract structural factors. However, given the alternative of prohibiting inquiry (and acquiescing to the entailed harms), as well as the isolated benefits of my normative framework, I maintain that such outcomes, while unfortunate, do not undermine my overall position.

accurately” (168). Gaslighting is remarkably similar to default skeptical responses, which, according to Berenstain, occur when privileged individuals offer “skeptical responses to lived experiences of oppression” (578). Given the similarity, combining the normative recommendations suggested by McKinnon with the normative recommendations I suggested, each of the three harms isolated by Berenstain are addressed. While it is true that my account of epistemic entrapment does not *explicitly* address default skeptical responses or gaslighting, I do not take this to be problematic. As epistemic entrapment and gaslighting pertain to entirely different spheres of epistemic activity (inquiry and response to testimony, respectively), it is more helpful to consider them as distinct epistemic injustices.

Finally, we can consider how my account of epistemic exploitation accounts for the problems I raised in Section II. Unlike Berenstain’s account, which *precludes* inquiry by the privileged into the conditions of a marginalized person’s oppression, my account provides a direct mechanism through which privileged individuals can actively seek out the information necessary to combat oppression, so long as their inquiry is conducted in the proper manner. Allowing such a direct mechanism protects open epistemic exchange, and through doing so, does not sustain hermeneutical marginalization. By avoiding hermeneutical marginalization, my account avoids perpetuating hermeneutical injustice. Ultimately, the account of epistemic entrapment offered above is capable of mitigating the harms Berenstain isolates while also avoiding the problems I have isolated. As such, it is more useful than the concept of epistemic exploitation for the project of resisting oppression.

## 6 A Duty to Respond

Having established that privileged individuals are permitted to ask oppressed individuals about the conditions of their oppression (so long as such inquiry is not accompanied by epistemic entrapment), we are left with a remaining problem. It is still not clear what obligations, if any, the marginalized have to respond to such inquiry. In this final section I argue that marginalized individuals have an *imperfect duty* to respond to inquiry. I presume for the sake of brevity that the obligation to resist oppression extends beyond just the oppressors, such that the oppressed also have some obligation to resist their oppression.

The obligation of the marginalized to respond to inquiry regarding the conditions of oppression follows from the general obligation to resist oppression. Like inquiry itself, response to inquiry plays a vital role in resisting oppression. Responding to inquiry expands the pool of hermeneutical resources to accommodate the concepts and ideas necessary for resisting oppression and injustice. In this way, responding to inquiry directly combats hermeneutical injustice. Moreover, refraining from responding to inquiry contributes to hermeneutical marginalization through the isolation of the epistemic communities of the privileged and the marginalized. If refraining from response becomes commonplace, those who wish to inquire will refrain from doing so, and the flow of information between the communities will be restricted, ultimately granting the marginalized less influence over the global pool of hermeneutical resources. Responding to inquiry thus plays a vital role in combating both hermeneutical injustice and hermeneutical marginalization. Moreover, as knowledge and understanding of injustices must be obtained before those injustices can be adequately combatted, the ability of the marginalized to contribute to the pool of hermeneutical resources is of considerable importance within the project of resisting oppression. To the extent that we believe that the marginalized are



obligated to resist their oppression, we must maintain that they are obligated to respond to some inquiry in some circumstances.

However, I accept that inquiry can be conducted in a number of different ways, and some methods of inquiry are more likely to produce the harms that Berenstain isolates. Moreover, it would be unrealistic to suppose that inquiry will be frequently conducted in the manner outlined in Section IV. As such, it is not plausible to maintain that marginalized individuals are obligated to respond to inquiry at every available opportunity. Inquiry will often be conducted unjustly, and to mandate marginalized individuals to respond in these cases would require marginalized individuals to subject themselves to the very harms that Bernstein and I hope to avoid. Moreover, it is similarly implausible to maintain that marginalized individuals are obligated to respond to properly conducted inquiry at every available opportunity. There will often be situations in which there are countervailing considerations, and individuals may be exposed to so much inquiry that it would not be possible to respond to all of it without significant opportunity costs.

As such, I endorse the position that the obligation to respond to inquiry is an imperfect duty. To say that marginalized individuals have an imperfect duty to respond is to say that while some response is obligatory in some circumstances, there is a great deal of flexibility granted to the marginalized individuals in determining when and how to act on that obligation. In particular, I accept Carol Hay's argument that imperfect duties grant individuals both *latitude in which action to take* (Hay 2011, 30), as well as *latitude in refraining from action* (Hay 2011, 35). These latitudes grant individuals the right to determine how they go about responding to inquiry, as well as the right to refrain from responding to inquiry if they choose.

Let us consider the first latitude. To say that an individual has latitude in which action to take is to say that she has the right to exercise agency over the method of response: she can choose to respond interpersonally, through protest, through writing, through art, or through any other mechanism.<sup>10</sup> No particular method of response can be obligated. Allowing such latitude allows an individual to avoid many of the unfortunate demands isolated by Berenstain. If a person feels deeply uncomfortable speaking to a privileged individual due to a looming feeling of danger, she can respond through the methods she perceives to be safest. Alternatively, if a person believes that a particular method of response would be too costly, she can respond through the methods she believes to be least burdensome. So long as there is *some* response, the epistemic communities will not be isolated, and information about the conditions of oppression will be circulated.

Similarly, to say that an individual has latitude in refraining from action is to say that she has the right to exercise agency over whether or not she responds to a particular act of inquiry *at all*, so long as she does not refrain all the time (Hay 2011, 35). Such latitude ensures that an individual is not obligated to respond in situations in which a response might be overly burdensome. As noted by Berenstain, response to inquiry will sometimes be pointless (577), psychologically taxing (573), exploit the marginalized (574), require valuable time, energy, or expertise (575), subject the marginalized to harassment or verbal abuse (576), or subject the marginalized to further epistemic injustice (580). Latitude in refraining from action ensures that a marginalized individual is not obligated to respond to *any* situations in which she suspects such harms might occur. Instead, the obligation only requires them to respond to *some* inquiry: inquiry conducted in good faith. Moreover, they will only be obligated to respond to some of the inquiry

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<sup>10</sup> See Chapter 7 of Ann Cudd's *Analyzing Oppression* for further examples.

conducted in good faith. Such latitude ensures that the marginalized are responding to inquiry on their terms, rather than the terms of the privileged.

## 7 Conclusion

I first demonstrated that Berenstain's account of epistemic exploitation creates barriers to the project of overcoming oppression by contributing to hermeneutical marginalization. Through contributing to hermeneutical marginalization, her position also contributes to hermeneutical injustice. However, recognizing the legitimate harms that Berenstain isolates, I developed an account of an alternative epistemic injustice: epistemic entrapment. The normative directives which follow from this account permit the privileged to inquire into the conditions of a marginalized individual's oppression, so long as the inquiry does not impair the marginalized individual's right of exit. After defending my position, I concluded by arguing that marginalized individuals have an imperfect duty to respond to inquiry, and advanced a normative framework granting such individuals flexibility over acting on such an obligation to ensure that they are not obligated to subject themselves to vicious inquiry conducted in bad faith. Combining the restrictions placed upon the inquiry of the privileged with *imperfect duty* of the marginalized, I have advanced a normative framework of inquiry into the conditions of oppression which secures the benefits of open epistemic exchanges and minimizes the risk of the harms presented by Berenstain.

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