Knowledge, Confidence, and Epistemic Injustice

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Abstract: In this paper I begin by explaining what epistemic injustice is and what ordinary language philosophy is. I then go on to ask why we might doubt the usefulness of ordinary language philosophy in examining epistemic injustice. In the first place, we might wonder how ordinary language philosophy can be of use, given that many of the key terms used in discussing epistemic injustice, including 'epistemic injustice' itself, are not drawn from our ordinary language. We might also have doubts about the usefulness of ordinary language philosophy in this area, given ordinary language philosophers' aversion to *theory*. Finally, we might have doubts about the usefulness of ordinary language philosophy due to the fact that the study of epistemic injustice is clearly a study of practical matters concerning the way the world *is* and *has been* historically. If ordinary language philosophy is just concerned with *grammar*, what use can it be to practical and social philosophy concerning current issues? In response to these worries, I demonstrate the usefulness of ordinary language philosophy in practice by applying the insights of Ludwig Wittgenstein and Alan R. White to a problem that Miranda Fricker raises, but does not answer: about whether there is a confidence condition on knowledge. I also make use of Gilbert Ryles distinction between 'the use of ordinary language' and 'the ordinary use of an expression' to show that the terminology used in examining epistemic injustice is ordinary in some sense.

Keywords: certainty, confidence, epistemic injustice, knowledge, ordinary language.

Introduction

In this paper I intend to demonstrate the usefulness of ordinary language philosophy in examining questions about epistemic injustice. I will start by briefly explaining what epistemic injustice is before giving an account of what ordinary language philosophy is by first contrasting ordinary language philosophy as a *philosophy* with other ways of doing philosophy, then by contrasting the ordinary language philosopher's account of *language* with other accounts of language and then finally by looking at what *ordinary* might mean in '*ordinary* language philosophy.'

Having explained what epistemic injustice is and what ordinary language philosophy is, I will go on to look at some reasons to doubt the usefulness of ordinary language philosophy in examining questions of epistemic injustice. I will argue, in response to the worries raised, that although the methods of ordinary language philosophy cannot be expected to answer all of the questions that we might raise about epistemic injustice – about the best means to overcome it – that

it is nonetheless useful in examining many of the questions raised by Miranda Fricker's book *Epistemic Injustice*, and the literature inspired by it. I will particularly focus on one of the questions that Miranda Fricker raises, but does not answer in that book: about whether some sort of (epistemic) confidence is a condition of knowledge. Wittgenstein's ruminations on knowledge and certainty from the end of his life (that were published as *On Certainty* (Wittgenstein 1972) and A. R. White's work on knowledge and certainty (White 1972, 1975, 1982) prove to be useful in answering this question as well as many other epistemological questions raised in this area.

What is Epistemic Injustice?

Epistemology is the philosophical study of knowledge (from the Greek '*epistḗmē*', meaning 'knowledge'): its sources, its scope, and its nature. So, we might think that 'epistemic injustice' means any kind of injustice or unfairness in the area of knowledge, justification, belief, and so on. Miranda Fricker, who coined the term 'epistemic injustice,' focuses her attention on a particular subset of those injustices. She notes that we might be tempted to think of examples of distributive unfairness in goods that have to do with knowledge. We might think about whether, say, everyone gets their fair share of education or whether people are equally well-informed and, if not, whether there is some injustice in some people being less well-informed or less well educated than others. These are perfectly good questions, but they are not the questions that Fricker focuses on because "[w]hen epistemic injustice takes this form, there is nothing very distinctively epistemic about it, for it seems largely incidental that the good in question can be characterised as an epistemic good." (2007, 1) The distinctively epistemic forms of epistemic injustice that are the focus of Fricker's work are wrongs that are done to people in their capacity as knowers, and Fricker looks at two distinctively epistemic forms of epistemic injustice: *testimonial injustice* and *hermeneutical injustice*.

In our ordinary lives we normally encounter talk of testimony in legal contexts. Somebody giving testimony is offering a formal statement about something they have witnessed in a court of law. However, in philosophy, 'testimony' is a word used to identify a source of knowledge. We gain knowledge of the world around us through our senses, through experience, through reasoning, and also through *being told things by other people*. It is testimony in this broader sense, of being told things by other people, that is discussed in discussing testimonial injustice. People are sometimes treated unjustly when they try to tell other people things: when they try to inform others, in that they are treated as less credible than they deserve to be treated due to the prejudice of others. An example of testimonial injustice that Fricker explores comes from Anthony Minghella's screenplay of *The Talented Mr. Ripley* (based on Patricia Highsmith's novel). In *The Talented Mr. Ripley*, Dickie Greenleaf, the fiancée of Marge Sherwood, is murdered by Tom Ripley, who then claims that Greenleaf must have committed suicide.

Marge has good reason to believe that Tom murdered her fiancée because she is very familiar with Dickie and his habits, and also because she finds Dickie's rings at Tom's apartment, but, when she tries to tell Dickie's father, Herbert Greenleaf, about the murder, he dismisses what she says by responding, "Marge, there's female intuition, and then there are facts," (Minghella 2000, 130) and so he unjustly gives a deflated level of credibility to her words as a result of prejudice, his sexist attitudes and beliefs. Herbert Greenleaf does a testimonial injustice to Marge.

The other form of epistemic injustice that Fricker explores is what she calls hermeneutical injustice, which occurs when "a gap in collective interpretive resources puts someone at an unfair disadvantage when it comes to making sense of their social experiences." (2007, 1) It may be that someone lacks the social interpretive practices or the concepts necessary to view their own social situation clearly. An example of this that Fricker gives is of a woman who suffers sexual harassment, but is in a culture that lacks that concept (2007, 1, 149-56). These are the two major forms of epistemic injustice identified by Fricker, but we should not think that the forms of injustice identified by Fricker in her book exhaust all of the possibilities.

One kind of injustice that is not given attention by Fricker is a variety of hermeneutical injustice where the oppressed group *has* the hermeneutical resources to understand their experience, but their experiences are dismissed, ignored, or distorted by more powerful groups. Powerful groups might ignore the analytical frameworks formed by oppressed groups and refuse to acknowledge or acquire the concepts they use – remaining wilfully ignorant of their ways of understanding their lives and preferring the narratives of the powerful in their place. This is what Gayle Pohlhaus refers to as 'wilful hermeneutical ignorance.' (2012) There is not the space here to look at all of the various responses to Fricker's work and the new forms of injustice identified. For the purposes of this paper having a basic grasp of what is involved in testimonial injustice and a rough idea of what we are concerned with in studying epistemic injustice will suffice [1].

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[1] For a good recent overview of some of the critical literature, as well as an argument linking various criticisms of Fricker's book together into a coherent alternative view, see Camila Lobo's paper "Speaking Silences: A Wittgensteinian Inquiry into Hermeneutical Injustice" (2022). We might also situate Fricker's testimonial injustice within a wider framework of thinking about discursive injustices as Quill Kukla (writing as Rebecca Kukla) does in their paper "Performative Force, Convention, and Discursive Injustice" (2014). It is possible that somebody might be unjustly treated in giving *testimony* in the ways discussed by Fricker, but it is also possible that somebody giving an *order* might be unjustly treated as though they made a *request* (Kukla 2014, 445-8), somebody giving their opinion as an *expert* might be unjustly treated as if they are making an *entreaty* to offer expert opinion (Kukla 2014, 448-50), and somebody making an *assertion* might be unjustly treated as just 'venting' or *expressing their emotions* (Kukla 2014, 450-3). Offering testimony is just one of many speech acts we might engage in and receive unjust treatment.

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What is Ordinary Language Philosophy?

Before going on to look at how ordinary language philosophy might be useful in studying epistemic injustice, I will first say a few words about what ordinary language philosophy involves.

(1) Philosophy

One of the strange things about doing philosophy is that there are major disagreements amongst philosophers about exactly what we are doing in doing philosophy or in discussing epistemological or metaphysical or ethical issues. Many philosophers have thought of our ordinary language as an obstacle to philosophical understanding, because our ordinary language is full of ambiguous and vague expressions (e.g. *bear*, *bank* – ambiguous, *bald* –vague), and the form of sentences can mislead us into thinking of phenomena as analogous where they are, in fact, quite different (e.g. 'I have a pain in my leg' and 'I have a pin in my leg').

The Wittgensteinian philosopher, Peter Hacker, has pointed out that philosophers have responded to these worries in at least four different ways (2013, 442-5). Some philosophers have argued that, in order to achieve clarity about philosophical problems, we should look to the *world* and ensure that our words conform to the way that the world is. For example, Francis Bacon argued that the distinctions made in ordinary language were "lines of division which are most obvious to the vulgar understanding" and that we should alter the distinctions made in ordinary language "to suit the true divisions of nature." (2013, 269) Early Modern empiricist philosophers tried to avoid the confusion that language causes us to get into by looking directly at the *ideas* underlying them, rather than by looking at the ideas through what they thought of as the distorting lens of words (Hacker calls this 'The Way of Ideas'). Locke, for example, argued that words are used as "sensible marks of ideas; and the ideas they stand for, are their proper and immediate signification" (1997, III, II, §1) and that confusion results from different people using the same words to signify different ideas (1997, III, II, §§2-3). Similarly, Berkeley said that "since… words are so apt to impose on the understanding, whatever ideas I consider, I shall endeavour to take them bare and naked into my view, keeping out of my thoughts, so far as I am able, those names which long and constant use hath so strictly united them." (1734, Intro. para. xxi) In the late 19th and early 20th Centuries, the early analytic philosophers Gottlob Frege and Bertrand Russell were very impressed by new developments in logic and thought that *logic* was important in overcoming the lack of clarity in ordinary language. Frege thought of his concept-script as a logically perfect language that would overcome the problems of vagueness and ambiguity that plague ordinary language (Hacker calls this 'The Way of Logical Calculi' – 2013, 443).

Ordinary language philosophers, by contrast, thought that the way to respond to confusion arising from misleading features of language was not to turn

away from language, to the world, ideas, or to logic, but to focus more keenly on the language that is confusing us. The way to resolve confusions about the use of words is to pay more attention to them, not less. J. L. Austin, in his *A Plea For Excuses*, acknowledges that there are 'snags' in using the method of carefully describing a constellation of related words (such as 'justification,' 'excuse,' 'blame,' 'mistake,' 'accident,' 'on purpose' and so on), "But," he says, "with snags, as with nettles, the thing to do is to grasp them – and to climb above them." (Austin, 1979, 183)

The term 'ordinary language philosophy' is primarily used to refer to the philosophy of a group of philosophers working in Oxford between the end of the Second World War and about 1970. Austin is often taken to be a paradigmatic ordinary language philosopher, but Gilbert Ryle, Peter Strawson, Elizabeth Anscombe, Friedrich Waismann, Iris Murdoch, John Wisdom, H. L. A. Hart and the various other members of Austin's 'Saturday Mornings' discussion group (Grice, Hampshire, Hare, Paul, Pears, Urmson, Warnock, Woozley) might also be counted amongst the ordinary language philosophers. They were all, to some degree, influenced by the philosophy of Ludwig Wittgenstein,[2] but they were a very diverse group in terms of their interests and in terms of their understanding of what they were doing when they were doing philosophy. Paul Grice said of the philosophers working in Oxford at the time that "There was no 'school'; there were no dogmas which united us…In fact, the only position which to my mind would have commanded universal assent was that a careful examination of the detailed features of ordinary discourse is required as a foundation for philosophical thinking." (1986, 50-1)

Another thinker who is often associated with ordinary language philosophy is Austin's student, Stanley Cavell. It has been quite common in recent years for literary theorists to write about 'ordinary language philosophy' as a common thread running through the work of Wittgenstein, Austin, and Cavell. Toril Moi, for example, in the introduction to her recent book *Revolution of the Ordinary*, declares that "ordinary language has the power to transform the prevailing understanding of language, theory, and reading in literary studies" and says that she understands 'ordinary language philosophy' as being "the philosophical tradition after Ludwig Wittgenstein, J. L. Austin, as constituted and extended by Stanley Cavell…"[3] (Moi 2017, 1)

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[2] Wittgenstein's influence came to Oxford through his pupils Elizabeth Anscombe and John Wisdom, as well as through copies of the typescripts of the *Blue Book* and the *Brown Book*, and lecture notes made by his students. Waismann, who had worked closely with Wittgenstein in the late 1920s and early 1930s, was another source of Wittgensteinian ideas in Oxford. *Philosophical Investigations*, Wittgenstein's late masterpiece, was published in 1953.

[3] Nancy Bauer, in her recent book *How to Do Things with Pornography*, is also heavily influenced by both Austin and Cavell. In terms of the methodology of ordinary language philosophy, she stresses that Austin's "favourite method for generating lists of things that words do was to sit around a table with students and colleagues and float proposals" and she remarks that "[t]he

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(2) Language

We have already seen that ordinary language philosophy is distinct from much of philosophy prior to the twentieth century in terms of its attitude towards ordinary language. To get a slightly clearer idea of how to situate ordinary language philosophy in relation to other ways of doing philosophy, we should also get a bit of a clearer idea of how ordinary language philosophers thought about *language*.

Both Wittgenstein and Austin compared words to tools. In *A Plea for Excuses*, Austin says that "words are our tools, and, as a minimum we should use clean tools," (Austin, 1979, 181) and, in §11 of the *Philosophical Investigations*, Wittgenstein asks us to

> [t]hink of the tools in a toolbox: there is a hammer, pliers, a saw, a screwdriver, a rule, a glue-pot, glue, nails and screws. – The functions of words are as diverse as the functions of these objects... of course, what confuses us is the uniform appearance of words when we hear them in speech, or see them written or in print. For their *use* is not that obvious. Especially when we are doing philosophy! (2009, §11)

One of the reasons for making this comparison is to highlight the *diversity* of things we do with language. We count, we greet people, we label diagrams, tell jokes, give orders, tell people the names of things while pointing to them, and so on. This stands in contrast to Wittgenstein's earlier work in the *Tractatus Logico-Philosophicus*, where his examples had often been *propositions*, in abstraction from any context of use, with a particular emphasis on words as being *names* for objects in the world. Wittgenstein makes it explicit that he is objecting to his own earlier work at the end of §23 of the *Investigations*, where he says "It is interesting to compare the diversity of the tools of language and the ways they are used…with what logicians have said about the structure of language (This includes the author of the *Tractatus Logico-Philosophicus*)." (2009, §23)

A second thing that Wittgenstein is highlighting is that we *use* words to *do* things in the course of our lives. In the very first remark of the *Philosophical Investigations*, Wittgenstein gives the example of sending someone shopping with a slip of paper marked 'five red apples.'

> He takes the slip to the shopkeeper, who opens the drawer marked 'apples;' then he looks up the word 'red' in a chart and finds the colour sample next to it; then he says the series of elementary number words – I assume he knows them by heart – up to the word 'five,' and for each number-word he takes an apple of the same colour as the sample out of the drawer. – It is in this and similar ways that one operates with words (2009, §1)

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authority of the lists generated during these sessions... was therefore to rest neither on observations of other people talking nor on the inexorability of abstract logical thinking but on each participant's own experience as a user of English words-her or his own ear-as tested against other people's experience (and ears)." (Bauer 2015, 59)

This mundane, practical example, helps to break the hold of the idea that words are names for objects in the world (what is the object corresponding to 'five?') and, in highlighting the practical purposes to which language is put, it also helps to break the hold of the idea that meanings are things or entities independent of the words we use. The use of a hammer is not something independent of the hammer that stands in some relationship to it, and nor is the use of a word something independent of the word that stands in some relationship to it.

Similarly, Austin used mundane examples of language in use in particular contexts (e.g. the example of approaching a pig sty and then seeing the pig as a way of getting to grips with what counts as evidence in *Sense and Sensibilia* (1962, 115), the example of people getting married in *How to do Things with Words* (1975, 5). Indeed, the book which he is perhaps most famous for, which is a transcription of Austin's William James Lectures at Harvard University, has been given the title *How to do Things with Words*.

(3) Ordinary

Ryle is another ordinary language philosopher that makes the comparison of words with tools and places an emphasis on the *use* of words. In his paper *Ordinary Language* (2009 [1953]), he makes some distinctions that are useful in getting to grips with what it is that 'ordinary language' philosophers do. He distinguishes 'the use of ordinary language' from 'the ordinary use of an expression' and makes the point that, although ordinary language philosophers are very often concerned with expressions taken from our everyday, common, current language (as opposed to technical, esoteric, archaic, or theoretical language) i.e. with the use of *ordinary* language, they are not necessarily so concerned.[4] Sometimes ordinary language philosophers concern themselves with technical, esoteric, or theoretical language. Wittgenstein, for example, discussed logical operators, truth functions, sense data, and complex mathematical proofs. In that case we might nonetheless say that the ordinary language philosopher is concerned with the *ordinary use* (i.e. standard use) of an (esoteric/technical) expression (Ryle 2009, 314-15). 'Ordinary' is to be contrasted with technical, archaic, theoretical and esoteric in some instances, and with non-stock or non-standard in others. In *Philosophical Investigations*, Wittgenstein sometimes contrasts the ordinary or everyday use of an expression with its use by philosophers or metaphysicians, as when he says "what we do is to bring words back from their metaphysical to their everyday use." (2009, §116)

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[4] It is worth noting here that many of the terms that have provided the focus of philosopher's work throughout history are ordinary ones in this sense (i.e. not obscure, archaic, technical, or theoretical) – knowledge, belief, and certainty, mind, cause, good, true, false, correct, pain, emotion, and so on.

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Ryle also makes a distinction between 'use' and 'utility' on the one hand, and 'use' and 'usage' on the other. He emphasises that, although it is sometimes philosophically profitable to think about the usefulness (i.e. utility) of a word (where useful is contrasted with useless), what ordinary language philosophers usually have in mind is *use* (where the contrast is misuse): "Questions about the use of an expression are often, though not always, questions about the way to operate with it; not questions about what the employer needs it for." (Ryle 2009, 321) In this case, what the ordinary language philosopher may well have in mind is the *rule-governed use* of an expression – where we say that an expression is misused if it is not used in accordance with the rules for its use. A *usage*, on the other hand, Ryle says, "is a custom, practice, fashion or vogue" and so there is no such thing as a misusage "any more than there can be a miscustom or a misvogue." (2009, 321) So, discussion of usage is clearly quite different to discussion of use in Ryle's view.[5]

As already noted, both Wittgenstein and Austin gave examples of language as it is used in the flow of our lives. A final thing to mention here is that both of them highlight the way in which *context* can make the difference between a phrase being meaningful or meaningless or alter the way in which an expression is to be understood. In *On Certainty*, Wittgenstein gives various examples of propositions that are nonsensical in certain circumstances, e.g. in §10 he says "I know that a sick man is lying here? Nonsense! I am sitting at his bedside, I am looking attentively into his face," but he points out that "'I know that there's a sick man lying here' used in an *unsuitable* situation, seems not to be nonsense but rather seems matter-of-course, only because one can fairly easily imagine a situation to fit it." (1972, §10) Ordinary language philosophers are often eager to point to the fact that the use of language is a practice that is woven into various activities and getting a grip on language cannot be done in abstraction from that. Some philosophers,[6] including Wittgensteinians, have detected a tension here, between the emphasis on rules (general) on the one hand, and upon context (particular) on the other.[7] It is not the purpose of this paper to settle this question. Here I merely want to point out that ordinary language philosophers emphasise both rules and context.

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[5] Perhaps the distinction between use and usage is not quite so clear as Ryle had thought. Wittgenstein, for example, sometimes uses the word 'usage' when what he is talking about is the *use* in Ryle's sense. See, for example, *The Blue Book*, where Wittgenstein discussed "...different usages of the words 'to have,' 'to imagine.'" (1958, 49)

[6] For example, James Conant in *Wittgenstein on Meaning and Use*, 1998; Jonathan Dancy in *Ethics without Principles*, 2004; Charles Travis in *Thought's Footing*, 2006.

[7] Daniel Whiting has an excellent paper on this topic in his edited collection *The Later Wittgenstein on Language* (2010, 114-132) – "Particular and General: Wittgenstein, Linguistic Rules, and Context".

Why Might We Doubt the Usefulness of OLP?

It might seem strange to doubt whether ordinary language philosophy is useful in discussing epistemic justice, given that ordinary language philosophy has played such a prominent role in discussions thus far. Although Miranda Fricker does not mention Wittgenstein in her book *Epistemic Injustice*, many of the thinkers that she draws on, sympathetically, are Wittgensteinians or philosophers heavily influenced by Wittgenstein, such as Iris Murdoch, Cora Diamond (Fricker 2007, 74), John McDowell (Fricker 2007, 62-3, 67-8, 74, 77, 85), Martin Kusch (Fricker 2007, 62), and Sabina Lovibond (Fricker 2007, 53, 74, 82) – and Kusch and Lovibond were amongst the first to review and critically engage with Fricker's book. Work in feminist epistemology that preceded Fricker's book has employed J. L. Austin's speech act theory as a way of understanding silencing[8] and Fricker engages with this work critically, but sympathetically (Fricker 2007, 140-1). Moreover, the editors of *The Routledge Handbook of Epistemic Justice* (Ian James Kidd, José Medina, and Gaile Pohlhaus), one of the major collections of essays on the topic of epistemic injustice, are all very interested in and sympathetic to Wittgenstein's work.

So, why might we have doubts about the usefulness of ordinary language philosophy in discussing epistemic injustice?

(1) One reason that we might doubt the usefulness of ordinary language philosophy in getting to grips with issues surrounding epistemic injustice is that the language used in discussing epistemic injustice is not (or at least not always) our ordinary language. There is an enormous, and ever growing, vocabulary involved in discussions of epistemic injustice. Fricker gives us the expressions 'epistemological injustice,' 'testimonial injustice,' and 'hermeneutical injustice.' José Medina, in *The Epistemology of Resistance* (2013), talks about 'epistemic friction,' 'meta-blindness,' 'polyphonic contextualism,' and 'echoing.' [9] Carla Carmona introduces us to 'testimonial void,' as a new kind of testimonial injustice (2021),[10] and suggests that the remedy for it is 'engaging epistemically with the

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[8] See, for example, Rae Langton's collection of essays, *Sexual Solipsism* (2009), which gathers together her classic paper "Speech Acts and Unspeakable Acts" (1993) with various responses she made to her critics; J. Hornsby, "Speech Acts and Pornography" (1995); R. Langton, "Subordination, Silence, and Pornography's Authority" (1998); and J. Hornsby and R. Langton, "Free Speech and Illocution" (1998). Some philosophers influenced by Austin have also taken issue with the account of silencing given by Langton and Hornsby. See, for example, Chapters 5-7 of Nancy Bauer's *How to Do Things with Pornography* (2015); Quill Kukla's paper (writing as Rebecca Kukla), "Performative Force, Convention, and Discursive Injustice" (2014). Lorna Finlayson, who has some sympathy for Austin, argues that making reference to Austin's *How to Do Things with Words* is entirely unnecessary in defending Catherine MacKinnon's claim that pornography does not just cause harm, but is harm (see Chapter 4 of *The Political is Political*, 2015).

[9] Elsewhere ("Varieties of Hermeneutical Injustice," 2017, 41), he gives us the expression 'hermeneutical death.'

[10] A paper in which she is also discussing 'testimonial smothering.'

other.' (2022) Layla Raïd, drawing on Rae Langton's notion of linguistic disablement, suggests that Miranda Fricker's account of epistemic injustice stands in need of supplementation with an examination of what Raïd calls 'linguistic injustice.'[11] (Raïd 2022) When I applied to work on a project using the methods of ordinary language philosophy to help gain clarity about issues concerning epistemic injustice, the evaluator of the project raised a question about the proposed methodology. The evaluator noted that the methodology is "to reside in carefully tracing the connections between concepts as they are ordinarily used," but then raised the worry that "the concepts to be elucidated in this way are to include, e.g. 'epistemic injustice,' which has no ordinary use at all."

(2) A second worry that we might raise about the usefulness of ordinary language philosophy in discussing epistemic injustice is that 'epistemology' is often taken to mean '*theory* of knowledge' and philosophers often think of themselves as providing *theories* of what knowledge or belief or certainty is that might be opposed to other theories. They also often think of themselves as making *discoveries* in the field. Having seen that Gettier has demonstrated that knowledge is not justified, true, belief, they go searching for a fourth condition to add to the list of conditions for something to count as knowledge, and then test their 'hypotheses' about what knowledge is. However, Wittgenstein famously said that, in doing philosophy as he does, "we may not advance any theory. There must not be anything hypothetical in our considerations. All *explanation* must disappear, and description alone must take its place" (2009, §109) and that "[t]he name 'philosophy' might also be given to what is possible *before* all new discoveries and inventions." (2009, §126) Unlike scientists, philosophers do not theorise or make discoveries because they are not in the business of empirical observation, experiment, and discovery. What philosophers do is to lay out something that is already familiar in some sense – the grammar of expressions that competent language users already know how to use correctly, but which they need to be reminded of in order to recognise that philosophical uses of expressions are very often not the ordinary ones, and that this is a principal reason for philosophical confusion. As Wittgenstein says, "[t]he work of the philosopher consists in marshalling recollections for a particular purpose [i.e. to solve or dissolve philosophical problems]." (2009, §127)

Alice Crary has argued, convincingly, that, although Miranda Fricker appears to be quite close to philosophers taking inspiration from Wittgenstein, such as John McDowell, Fricker actually takes up positions in her book *Epistemic Injustice* that are quite significantly different from them when we look more

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[11] Raïd uses the expression 'linguistic injustice' to refer to cases where women and girls are dismissed as not having made bipolar statements when they report or denounce male violence against them. In these cases their statements are not rejected as false, but dismissed altogether as rantings or as cases of improper use of words. Her 'linguistic injustice' clearly has something in common with cases of discursive injustice, where assertions are taken to be expressions, as in Kukla 2014.

closely at what she says. For example, Fricker adopts what Crary calls a neutral conception of reason. According to a neutral conception of reason, we should shed biases, ethical perspectives, and culturally local perspectives to get a clear view of the world: "ethical neutrality is a regulative ideal for all world-directed thought."[12] (Crary 2018, 47) But John McDowell makes a point of repudiating the neutral conception of reason in his work on testimony (Crary 2018, 53). This is connected to issues of scientism, because this ideal of neutrality in the social sciences often takes its inspiration from the supposed neutrality found in scientific inquiry (Crary 2018, 49), and it seems that Fricker conceives the social sciences as quasi-natural sciences (Crary 2018, 52).

(3) A third reason to doubt the usefulness of ordinary language philosophy in studying epistemic injustice is that the study of epistemic injustice essentially involves thinking about the way the world currently *is* and the way that it *has been* historically. It is not (just) concerned with the use of words or concepts or with grammar. There is no thinking about prejudice without thinking about how it plays out, concretely, in the world. We might very well think that it is absolutely essential, in order to understand prejudice (for example), that we understand the ways in which it has come about in the course of history and the ways in which it is manifested in practice today. The field of epistemic injustice comes under the banner of *practical philosophy*, whereas we might think that the kind of epistemological and metaphysical problems that concerned Austin, Ryle, and Wittgenstein belong to *theoretical philosophy* (if we think about things in roughly Kantian terms).

Responses to these worries:

(1) Grammar and the World

I will respond to these worries in reverse order, tackling first the worry about the study of epistemic justice being a part of practical philosophy, and so not just involving conceptual problems. This concern seems to me to be a reasonable one, in that it is correct that philosophical discussion of epistemic injustice cannot just be constrained to discussing the grammar of relevant terms, such as knowledge, belief, testimony, certainty, justice, blameworthiness and so on. As I suggested in raising the worry, I think that getting to grips with a concept like 'prejudice' necessarily involves gaining at least some appreciation of how prejudices actually manifest in the world. I also think that there is some truth to Marx's complaint in the *Theses on Feuerbach* that "[t]he philosophers have only *interpreted* the world, in various ways, the point is to *change* it." (1974, 123) I say 'some truth' because I do not think it is true that philosophers of the past only interpreted the world in

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[12] Camila Lobo has also developed a Wittgensteinian critique of Miranda Fricker's book, *Epistemic Injustice*, that takes inspiration from Crary's work, in her paper "Speaking Silences: A Wittgensteinian Inquiry into Hermeneutical Injustice" (2022, 50-74).

various ways. However, I do think that it is right to emphasise that one of the tasks of philosophy, and one that does not get sufficient attention, is to think about how to change the world for the better. This is especially true in a field like epistemic injustice, which is clearly concerned with a current problem that is faced by billions of people throughout the world today. If philosophers are going to spend time polishing the conceptual tools in order to bring the problems more sharply into focus, then they should also spend some time thinking about how best to resolve those problems. It may well be that people other than philosophers should be the agents of change, but one of the activities that has gone by the name of philosophy is to think and write about the best means to bring about change. Should the working class be given a central role in thinking about the agency that can produce the change necessary to correct these injustices, or should we look to uniting various movements in opposition to the 'elites' that produce the injustices, or should we perhaps think about developing training programmes to correct the prejudices that people have? Should our focus be on changing the behaviour of individuals, or upon changing material reality collectively, or something else? Philosophers are amongst those who engage in discussions of these kinds of questions and the urgency of changing the world, given the multiple crises facing us, suggests that it is important that philosophers dedicate more time to these kinds of questions.

That being said, the fact that the study of epistemic justice is not *just* about grammar or about conceptual questions clearly does not mean that it is not about those questions at all. Many of the questions that are raised in Fricker's book, *Epistemic Injustice*, are clearly conceptual ones, and ordinary language philosophy can be of use in tackling those. For example, one of Fricker's questions is about how to define or conceive of knowledge, and particularly, whether some sort of epistemic confidence is a condition of knowledge. The resolution of this question has implications for how we are to think about the injustice done to someone who repeatedly suffers testimonial injustice in such a way that it undermines the person's confidence in their beliefs. Does someone's loss of confidence in their beliefs or their justification for their beliefs mean that they thereby lose knowledge?[13]

Moreover, the ordinary language philosopher's understanding of language and philosophy is particularly well-suited to resolving such questions. 'Knowledge,' 'belief,' 'justification,' 'certainty' and 'confidence' are all expressions from our ordinary language. Not only are they ordinary expressions (everyday, common, non-technical words), what we are looking for in order to answer these questions is their ordinary (standard) use – not some kind of non-stock or non-

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[13] Fricker says that "...on any confidence-including conception of knowledge, the implications for someone who meets with persistent testimonial injustice are grim: not only is he repeatedly subject to the intrinsic epistemic insult that is the primary injustice, but where this persistent intellectual undermining causes him to lose confidence in his beliefs and/or his justification for them, he literally *loses knowledge.*" (2007, 49)

standard employment of the expressions. We want to know what 'know' means in cases like 'I know that Tom Ripley committed the murder' and 'I know that Tom Robinson could not have beaten the Ewell girl because his left arm is disabled.' Ordinary language philosophy's way of thinking about language, as something spoken and as something integrated into the flow of our lives, is well suited to thinking about cases of people giving testimony in concrete circumstances – exactly the kinds of cases examined by Fricker and other philosophers examining questions of testimonial and hermeneutical injustice.

Towards the end of his life, Wittgenstein focused a lot of attention on knowledge, doubt, certainty, belief, and justification. His writings, in notebooks, on these issues, were edited and published as *On Certainty* (1972). His observations there are relevant to resolving the question which Fricker raises, but does not answer, about whether confidence is a condition of knowledge. Wittgenstein reminds us that knowledge is factive, whereas certainty is not. That 'Jim knows that things are so' implies that things are as Jim knows them to be. What is known to be the case is in fact the case. Wittgenstein asks, "…can't I infer 'It is so' from my own utterance 'I know etc.'?" and he responds "Yes; and also 'There is a hand there' follows from the proposition 'He knows that there's a hand there…'." (1972, §13) 'I know,' Wittgenstein says, "has a primitive meaning similar to and related to 'I see' ('Wissen,' 'videre).' And 'I knew he was in the room, but he wasn't in the room' is like 'I saw him in the room, but he wasn't there." (1972, §90) However, from somebody *being certain* that something is the case it does not follow that it is the case. It may well be true that I was certain that the Arsenal football team would lose when Arsenal were 4-0 down to Reading with 37 minutes to go, but that nonetheless Arsenal won the game 7-5 in the end.

Wittgenstein also drew attention to another variety of certainties, which have become known as hinge-certainties. This kind of certainty is such that no justification can be given for the certainty in question, because anything that we might try to bring in as evidence could be no more certain than the certainty itself. An example that Wittgenstein used was 'I have two hands.' Of this certainty, he said, "my having two hands is, in normal circumstances, as certain as anything that I could produce in evidence for it. That is why I am not in a position to take the sight of my hand as evidence for it." (Wittgenstein 1972, §250) Now, if we think that having justification is necessary for knowledge, as many philosophers do, then it seems that it is improper for us to claim to *know* these hinge certainties. Wittgenstein himself makes a claim along these lines when he says that "One says 'I know' when one is ready to give compelling grounds. 'I know' relates to a possibility of demonstrating the truth."[14] (1972, §243) Knowledge is grounded,

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[14] Note: We might question whether justification really is a condition for knowledge. It seems there are cases where we (properly) make claims to know, but where we cannot and need not give any justification. One such case is knowledge of the position of one's own body (I, for example, know my legs are crossed, without any evidence or justification). See Anscombe 1957, 13-14 on this. But there are many other cases too. As Peter Hacker points out, "there are

whereas hinge-certainties are groundless. Propositions expressing what I claim to know are either true or false. However, when it comes to hinge-certainties, Wittgenstein argues that they are the "inherited background against which I distinguish between true and false." (1972, §94) So, it is clear at this point that neither subjective certainty (someone being certain that something is the case), nor hinge-certainties (groundless grounds) are sufficient for someone having knowledge.

It is also clear that certainty is not necessary for knowledge. Peter Unger's example of the unconfident student giving the correct answer to a question about the date of a battle shows that we happily attribute knowledge to people who are not subjectively certain [15] and it cannot be that being hinge-certain of *p* is necessary for knowledge of *p*, because being hinge-certain of something is incompatible with knowing it (hinges are groundless and neither true nor false). As Wittgenstein says, "'knowledge' and 'certainty' belong to different *categories*." (1972, §308) A person can be quite uncertain of an answer that they give to a question, but nonetheless answer it correctly on the basis of good grounds, and so make it clear to us that they *know* something despite not being confident of it, and another person might be completely certain of something, and yet not know it.

Before leaving the topic of knowledge and certainty, let us first consider another way in which we talk about certainty, and this will help us to get clearer about the notion of subjective certainty (a person being or feeling certain of something). Alan R. White, an ordinary language philosopher inspired by Wittgenstein, wrote one of the most insightful and clear papers on the topic of certainty in the past century. [16] In that paper, he distinguishes between the certainty of persons (subjective certainty) and the certainty of things (it being certain that something is the case). One of the ways in which he clarifies the concept of certainty is to remind us that it falls on a continuum that runs from possible to probable to certain. In terms of the certainty of *things*: to say that it is

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indefinitely many things we know to be so, even though we could give no justification for believing them to be so, for example that we dreamt of so-and-so last night, that when you interrupted me yesterday I was about to say such-and-such..." (2013, 180)

[15] "An examiner asks a student when a certain battle was fought. The student fumbles about and, eventually, unconfidently says what is true: The Battle of Hastings was fought in 1066. It is supposed, quite properly, that this correct answer is a result of the student's reading. The examiner...allows that the student knows the answer." (Unger 1975, 83-4) Note: Unger ultimately argues that subjective certainty *is* necessary for knowledge. See Jason Stanley's article "Knowledge and Certainty" (2008) for a convincing rebuttal of Unger's case for this conclusion.

[16] A. R. White, "The Inaugural Address: Certainty" (1972). In a recent piece, the great Wittgenstein scholar and Wittgensteinian philosopher Peter Hacker has claimed that, "Only two philosophers have made deep and substantial contributions to the clarification of the concepts of certainty and doubt in the modern era, Ludwig Wittgenstein and Alan White." (2023, 201) Hacker himself has written very clear surveys of the concepts of knowledge, certainty, and possibility in his book *The Intellectual Powers* and in his chapter in Christian Kietzmann's edited collection just cited.

certain that *p* is to say that the possibility that not-*p* is excluded. In terms of the certainty of *people*: somebody is certain of *p* when they have excluded the possibility that not-*p* from their mind. Note here that somebody might *be* certain of something despite *it* not being certain that it is the case. Somebody might have excluded the possibility that not-*p* from their mind rashly – without taking due care to take all of the possibilities into consideration – or they might have been misinformed, and so think that it is certain that something is the case when it in fact is not or they might be superstitious. A gambler might be certain that the ball will land on red next even though it is far from certain that it will. Notice too that whether it is certain that something is the case is independent of what anyone knows about whether it is certain. This can be made clear by developing one of the examples that Peter Hacker presents us with in his survey of the concept of certainty in *The Intellectual Powers.* There Hacker points out that objective certainties (the certainty of *things*) can be made certain by foreclosing circumstances, by evidence, or by people foreclosing possibilities through their actions, and the example that he gives of people foreclosing possibilities through their actions is people in political parties making pacts to bring it about that the Prime Minister will face *certain defeat* (2013, 171). We can imagine a situation in which a parliament is made up of five parties, A, B, C, D, and E, and where each of the parties has ten members of parliament. It might be that all members of party A make a secret pact with the members of party B to join the vote of no confidence in the Prime Minister, and that party C makes a secret pact with party D to join the vote of no confidence in the Prime Minister, but none of the parties have a particularly good reason to believe that the other parties will vote one way or another – except for the parties they have made pacts with. In that case, nobody knows whether the Prime Minister will lose the vote of no-confidence, although the two secret pacts, between A & B and C & D, have made it certain that the Prime Minister will lose. In that case *it* is certain – it is an objective certainty – that the Prime Minister will lose, but nobody knows it.

  Given that certainty that *p* (whether subjective, objective, or hinge certainty) does not imply knowledge that *p* and that knowledge that *p* does not imply certainty that *p*, why have philosophers thought that there might be a confidence condition on knowledge or that people might have to be certain in order to know? One reason that philosophers have thought this is that, although you do not have to be certain to know something, you do have to not have doubts about whether things are so in order to *claim* to know they are so. As Peter Hacker says, "If one doubts whether things are thus-and-so, one *should* not claim to know they are so. Absence of doubt (which is not the same as presence of certainty) is a normative condition for *claiming* to know something to be so."[17] (2013, 177)

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[17] White says something similar in his paper on certainty: "One source of the confusion about *knowing* and *being certain* may lie in the fact that one commonly *says* 'I know' when one is certain and *vice-versa*. But the appropriateness of saying 'I know' must not be confused with its truth." (1972, 9) More recently, Jason Stanley has explained confusions over knowledge and

These reminders from Wittgenstein and White about the grammar of 'knowledge' and 'certainty' allow us to conclude that there is no confidence condition on knowledge. One can answer questions correctly, and thus demonstrate one's knowledge, despite lacking confidence or being uncertain. So, persistent testimonial injustices undermining someone's confidence do not imply that they thereby lose knowledge. However, that is not to say that no great harm is done. Persistently subjecting someone to the insult of unjustly deflating their credibility is undoubtedly wronging them. Although it might not mean that they lose knowledge, it may well mean that they feel unable to assert the things they know. This means that other people are denied knowledge that might have otherwise been passed on. As Miranda Fricker points out, it might also mean that the person subjected to repeated injustices is prevented from developing intellectual virtues such as intellectual courage, and if the person backs down too easily in the face of challenge, this may well mean that they are denied knowledge they would have otherwise gained.[18]

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certainty by reference to two certainty norms of assertion: "The Subjective Certainty Norm for Assertion: Assert that p only if you are subjectively certain that p" and "The Epistemic Certainty Norm for Assertion: Assert that p only if you are epistemically certain that p." (2008, 48) Although Stanley is correct that the confusion is an upshot of a norm of assertion, his distinction between subjective certainty and epistemic certainty is muddled. Stanley does not acknowledge Wittgenstein's work on certainty, nor A. R. White's classic paper, and his account suffers from not acknowledging their insights. For example, his notion of *epistemic certainty* muddles together elements of the certainty of things (objective certainty) and the certainty of people (subjective certainty). He says that, in the case of epistemic certainty (as opposed to subjective certainty), "one is certain of a proposition p if and only if one knows that p (or is in a position to know that p) on the basis of evidence that gives one the highest degree of justification for one's belief that p," (2008, 35) but if he is talking about *one's* certainty here, then it seems that he is talking about a variety of the certainty of people (i.e. subjective certainty), and as the case of parties making pacts makes clear – nobody need know nor be in a position to know – in order for it to be the case that *it* is certain that p. It makes perfect sense to report, after the fact, of the Prime Minister losing a confidence vote and the voting pacts being revealed, that *it* was certain that the Prime Minister would lose once party C made a pact with party D, although none of the members of parliament knew about both of the two pacts made (between party A and party B and between party C and party D), and none was in a position to know at the time. Moreover, as Wittgenstein's examples of hinges make clear, somebody can be certain of something in cases where a mistake is not possible (e.g. I have two hands), and yet not have any evidence or justification at all. Stanley also fails to acknowledge the important connections between certainty, probability, and possibility. For a thorough examination of the confusions involved in various notions of 'epistemic possibility' and 'epistemic certainty', see Hacker's *Certainty and Possibility* (2023).

[18] As Layla Raïd points out, a person's confidence in sharing information might be undermined through being treated as incompetent in their use of language – in such a way that their competence as a locutor is undermined. A person's choice of words or tone of voice might be unjustly questioned or they might be treated as not understanding something that they understand perfectly well. A testifier might suffer what she calls a 'linguistic injustice.' (see Raïd 2022, 35) This is different to them not being treated as credible, because in cases of credibility

(2) Epistemology and Theory

As for the worry about epistemology being *theoretical* and involving *discoveries*, it may be that some of the people working in this area think about what they are doing in that way, but insofar as our investigations are investigations into grammatical relationships between concepts, then what we are doing does not involve hypotheses that might be true or false, but rather norms of representation that might be correct or incorrect. Much of what has gone by the name of epistemology has involved attempts to understand what knowledge *is*, what belief *is*, what justification *is*, and so on, and, as Wittgenstein observed, "*Essence* is expressed in grammar." (2009, §371) These questions are equivalent to questions about what 'knowledge' means, what 'belief' means, and what 'justification' means. The philosopher does not go out into the world and conduct experiments to *find out* what knowledge, belief, and justification are. If they did not know what 'knowledge,' 'belief' or 'justification' meant, then they would not understand the questions being asked. They rely upon their own mastery of these concepts to give illuminating overviews of how they are used in order to answer philosophical questions. Wittgenstein was correct that philosophy, as he did it (i.e. providing synoptic representations of regions of grammar), was not scientific. If 'epistemology' is taken to mean 'theory of knowledge'[19] and its task is taken to be testing hypotheses to discover the nature of knowledge, justification, and belief, then there is no such task, but 'epistemology' does not have to be understood in this way. We might use expressions such as 'epistemology' or 'epistemic' simply to mark the fact that our investigations are into notions such as knowledge, belief, justification, warrant, and so on.[20]

However, as I suggested earlier, the tasks of philosophy are not restricted to grammatical questions of the sort that Wittgenstein investigated. One of the tasks of philosophers is to think about the best means of understanding society (should we, for example, use class dynamics as a lens through which to view it?) and how to change it (are its problems best resolved through reform or revolution? Under what circumstances, if any, should we resort to war to bring about change?). This task does involve thinking about which means have historically been successful, as well as about the possibilities allowed by how society currently is, and so has an empirical element. Given that philosophy, understood in this way, involves gathering empirical data, evaluating means of changing things through

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deficit, the person is still treated as if they have said something that can be judged as either true or false.

[19] We have seen that Alice Crary makes an argument that Fricker has some scientistic commitments that undermine her conceptualisation of the injustices done to people when they are not believed or not supplied with the hermeneutical resources to understand their situation. However, Fricker is clearly alert to there being an issue here. When she uses the word 'theory', she very often places it in inverted commas.

[20] As many of those discussing 'hinge epistemology' do (see, for example, Coliva and Moyal-Sharrock 2016, and Sandis and Moyal-Sharrock 2022).

historical analysis and through practice, and so on, it may well be that talk of 'theory' is appropriate – although we should be careful to distinguish the methods of understanding society from the methods of natural science.

One final thing to note here is that, although Wittgenstein saw his way of doing philosophy as being sharply different from empirical theorising, other ordinary language philosophers were not so averse to talking in terms of theory. Ryle and Strawson both talked in terms of philosophical truths and of theory in philosophy, though both were clear that theory in philosophy was not like natural scientific theory. Austin was also happy to speak about theory of language, logical theory, and the theory of speech acts (1975, 106, 143). Whether they were correct to do so is beyond the scope of this paper, but this does at least suggest that the tension between ordinary language philosophy and theoretical work is not so great as it first appeared.[21]

(3) Is 'Epistemic Justice' an Expression that Might Be Examined by Ordinary Language Philosophy?

Finally, in response to the worry about the terminology used in discussing epistemic injustice, including the term 'epistemic injustice' itself, we can say several things. Firstly, armed with Ryle's distinction between the 'the use of ordinary language' and 'the ordinary use of an expression,' we might say that, although the expressions used in discussing epistemic injustice are not always ordinary ones – expressions drawn from our everyday, common language – they are expressions that have an ordinary (i.e. standard) use. The expressions are introduced with definitions or with rules for their use, and so we can elucidate their place in grammar, in relation to other epistemological terms, using those definitions or rules. The second point to make is that, although they are not ordinary, everyday expressions, they are defined in terms of everyday expressions like knowledge, belief, certainty, doubt, justice, blame and so forth. We could not grasp these new terms of art without first grasping the everyday expressions that they are defined in terms of. Thirdly, we should be clear that ordinary language philosophers have absolutely no objection to philosophical discussions involving technical, theoretical, or esoteric terms, or philosophical investigations of such terms. In the lectures that were published as *How to do Things with Words*, Austin uses a great variety of expressions that are not drawn from ordinary (i.e. common, everyday) language: 'performatives,' 'constatives,' 'locutionary acts,' 'illocutionary force' etc. Wittgenstein also used terminology that is not everyday, such as 'aspect perception,' 'ostensive definition,' 'language games,' and so on.

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[21] See Peter Hacker's *Wittgenstein's Place in Twentieth Century Analytic Philosophy* (1996, 137-82), and also Oswald Hanfling's *Philosophy and Ordinary Language* (2000) for an overview of Wittgenstein's relationship to ordinary language philosophy and differences between Wittgenstein, Ryle, Austin, and Strawson. Nancy Bauer's "What Is to Be Done with Austin?" (Chapter 6 of her book *How to Do Things with Pornography*) also contains some interesting reflections on Austin and theory.

In conclusion, I have demonstrated the usefulness of ordinary language philosophy in discussions of epistemic injustice by using observations made by Ludwig Wittgenstein and Alan R. White about knowledge and certainty to answer one of the questions Miranda Fricker raises in her book *Epistemic Injustice* about whether there is a confidence condition on knowledge. Worries raised about the fact that discussions of epistemic injustice often employ new expressions that are not 'ordinary' ones were shown to be unfounded. The new expressions that have been introduced in order to highlight forms of injustice are defined in terms of ordinary words like 'knowledge,' 'certainty,' 'language,' 'belief' and 'confidence' – and they are no barrier to applying the methods of ordinary language philosophy. Given that Wittgenstein wrote a great deal of insightful material about 'epistemological' notions towards the end of his life, his work is clearly very much relevant to recent work on understanding epistemic injustice.[22]

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