***Pragmatic Encroachment and the Challenge from Epistemic Injustice***

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**1: Introduction.** How are pragmatic encroachment theories in epistemology related to epistemic injustice? Since both pragmatic encroachment theories and research on epistemic injustice seek to bring epistemology in more direct contact with practical factors, philosophically significant relations might be expected. However, these relations remain very unclear. In consequence, I will begin to remedy this unsatisfying situation by setting forth a challenge to pragmatic encroachment theories from epistemic injustice. I do not regard this challenge as settling the matter. But it is a first step that calls for a response on the part of pragmatic encroachers. Moreover, the challenge illuminates very different conceptions of epistemology’s role in mitigating epistemic injustice.

In a nutshell, the challenge consists in an argument that pragmatic encroachment theories face difficulty in accounting for paradigmatic cases of discriminatory epistemic injustice as such. So, the challenge is a fairly unusual one that proceeds from moral judgments to an epistemological conclusion. The basic idea is, roughly, that in some cases, a knowing subject is wronged by being regarded as lacking knowledge due to social identity prejudices. But pragmatic encroachers appear to be committed to the view that the subject does *not* know in such cases. So, given that the cases in question are standardly diagnosed as instances of discriminatory epistemic injustice, pragmatic encroachment appears to be incapable of accounting for an important type of injustice. The reason why this is the standard diagnosis of the cases is that the subject is treated as being in a worse epistemic situation than she is actually in due to social identity prejudices. However, according to pragmatic encroachment theories, this is not the case because it is *correct* to treat the subject in question as one who lacks knowledge. The underlying worry with this is that pragmatic encroachment theories run the risk of obscuring or even sanctioning epistemically unjust judgments that arise due to problematic social stereotypes, unjust biases etc. In contrast, the epistemological view that rejects pragmatic encroachment – namely, *strict purist invariantism* – is capable of straightforwardly diagnosing the cases of discriminatory epistemic injustice as such. I will develop this challenge as a more principled argument which I label *The Diagnostic Argument*. Once the argument has been articulated and motivated, I will argue that alternative ways that a pragmatic encroacher might seek to diagnose the relevant class of cases are also subject to challenges.

In order to develop the challenge from epistemic injustice to pragmatic encroachment more stringently, the labels ‘epistemic injustice’ and ‘pragmatic encroachment’ must be specified. In consequence, I begin by specifying these labels (Sections 2 and 3, respectively). I then set forth some putative cases of discriminatory epistemic injustice (Section 4). Given these cases of discriminatory epistemic injustice, I outline a principled diagnostic argument according to which strict purist invariantists may diagnose them as such. In contrast, I argue that pragmatic encroachment theorists face challenges in accounting for the cases (Section 5). On this basis, I consider a number of responses that pragmatic encroachers might give or have given when I have presented the argument (Section 6). Finally, I consider some broader methodological issues that concern the roles of epistemology in combating epistemic injustice (Section 7).

**2: Epistemic injustice.** Fricker characterizes the notion of epistemic injustice as “a wrong done to someone specifically in their capacity as a knower” (Fricker 2007: 1). One species of it – *distributive* epistemic injustice – is a consequence of “the unfair distribution of epistemic goods such as education or information” (Fricker 2013: 1318). However, much work concerns *discriminatory* epistemic injustice, which is paradigmatically explained by *identity prejudices* that pertain to gender, class, race or social power.

I will rely on a broader notion of epistemic injustice that is not articulated in terms of knowledge. According this broader notion, someone who is warranted in believing that *p* but insufficiently warranted to know that *p* can also suffer epistemic injustice. For example:

*ZAMA AND THE SHARKS*

Zama is a marine biologist studying whether shark feeding alters the behavior of Zambezi sharks in South Africa. Zama has acquired significant but inconclusive evidence that shark feeding does not make Zambezi sharks more aggressive towards humans (henceforth: *p*). So, Zama is warranted in believing that *p* although she does not know that *p*. But although Zama is as well warranted as anyone, her testimony in public debates concerning *p* is ignored because she is a black woman of the Zulu tribe.

Although Zama is not a knower, she suffers from an important subspecies of discriminatory epistemic injustice – namely, *testimonial* injustice – since she is unjustly “given a deflated level of credibility” (Fricker 2007: 1). So, we may give the following generic characterization of discriminatory epistemic injustice (DEI for short):

***Generic DEI***

S suffers a discriminatory epistemic injustice if (and only if) S is wronged specifically in her capacity as an epistemic subject.[[1]](#footnote-1)

The parenthetical ‘and only if’ is due to other putative ways that S may suffer discriminatory epistemic injustice. But since I will only be concerned with the sufficient condition, we may set this issue aside. This broader characterization of discriminatory epistemic injustice is consistent with Fricker’s perspective: “The category of epistemic injustice should be considered an umbrella concept, open to new ideas about quite which phenomena should, and should not, come under its protection” (Fricker 2013: 1318. Se also, Pohlhaus 2016).

Discriminatory epistemic injustice harbors several subspecies, and an important one is testimonial injustice which may occur as a consequence of, for example, *negative identity prejudicial stereotypes* (Fricker 2007: 35). A paradigm example of testimonial injustice consists in cases in which a subject’s testimony is not given the credit that it is due because she belongs to a group that suffers from a *credibility deficit* that is explained by a negative identity prejudice, social stereotype, cognitive bias or the like (for a more elaborate discussion of cognitive biases, see Gerken 2017a).

Dotson coined the phrase ‘testimonial smothering’ to denote a variety of testimonial injustice that “occurs because the speaker perceives one’s immediate audience as unwilling or unable to gain the appropriate uptake of proffered testimony” (Dotson 2011: 244). Testimonial smothering is troubling in part because it is hard to track. After all, there is no testimony about which it can be said that it is not taken seriously enough (Dotson 2011. See also Dotson 2014).

Further varieties of discriminatory epistemic injustice – such as hermeneutical injustice – have been identified (Fricker 2007. See Maitra 2010; Kukla 2014; McKinnon 2016; Pohlhaus 2016 for helpful considerations). A more taxonomical approach consists in classifying the kinds of “epistemic wronging” that may figure in the generic characterization of discriminatory epistemic injustice. For example, the wronging is *direct* if it pertains to the epistemic evaluation or treatment of S:

***Direct DEI***

If S is systematically and distinctively judged or treated as being in a weaker epistemic position than S is in fact in and paradigmatic unjust features explain this, then S is wronged specifically in her capacity as an epistemic subject.

The second conjunct of the antecedent of *Direct DEI* is included to ensure that it is paradigmatic unjust features that explain the epistemic misjudgment or mistreatment of S. Such paradigmatic unjust features include prejudice, bias, stereotyping etc. (Fricker 2007). But since the features that can underlie discriminatory epistemic injustice are very diverse, I will use the generic label ‘paradigmatic unjust features’ to denote them. In what follows, I will work from specific and familiar examples of such features. However, it is crucial to include the second conjunct of the antecedent of *Direct DEI* to indicate that only a subset of the cases in which the first conjunct of the antecedent obtains are instances of discriminatory epistemic injustice. Being judged or treated as in a weaker epistemic position than one is in fact in is not by itself sufficient for epistemic injustice. For example, if S is treated as in a weaker epistemic position than S is in fact in due to actions that S is fully responsible for, then she is not wronged *qua* epistemic subject.

Given this articulation of *Direct DEI*, the case of Zama may be characterized as one in which she suffers a discriminative epistemic injustice even though she does not know. Likewise, *Direct DEI* may classify Dotson-style cases of testimonial smothering as discriminatory epistemic injustice insofar as they are caused by a history of systematic and distinctive epistemic misevaluations.

Importantly, *Direct DEI* is not a necessary condition on discriminatory epistemic injustice. This is because it does not capture cases in which S is epistemically wronged because other subjects or groups who are relevant to S’s epistemic life are treated as epistemically superior to their actual epistemic positions. Discriminatory epistemic injustice takes many forms and, consequently, my aim has merely been to characterize and distinguish between some of its central kinds in a manner that allows us to connect the phenomenon to pragmatic encroachment in epistemology.

**3: Pragmatic encroachment.** Roughly, pragmatic encroachment is the view that knowledge or the truth of knowledge ascriptions depends in part on practical factors and not merely on the subject’s beliefs, evidence, epistemic environment etc. DeRose coined the term ‘truth-relevant’ to denote factors that “affect how likely it is that the belief is true, either from the point of view of the subject or from a more objective vantage point” (DeRose 2009: 24, Fantl and McGrath 2009: 178). The phrase ‘practical factors’ can be used derivatively to denote factors that are *not* truth-relevant.

Pragmatic encroachment is typically not understood merely as the view that practical factors may cause the subject to cease to know in virtue of ceasing to believe. In fact, a stock *response* to practical factor effects on knowledge ascriptions is to accept that S ceases to know that *p* but to argue that this is solely in virtue of ceasing to believe that *p.*[[2]](#footnote-2) Similarly, we should set aside cases in which practical factors mess with enabling conditions for S’s knowledge – for example, by causing the non-existence of S, the truth of the complement clause etc. The relevant epistemological question concerns whether someone who continues to believe may cease to know in virtue of a change in (salient) practical factors.

I use the phrase ‘knowledge ascriptions’ and its cognates as shorthand for ‘assertive utterances of sentences of the form ‘S knows that *p*.’’ Given this terminology, we can state a biconditional that characterizes the core of *pragmatic encroachment about knowledge or ‘knowledge’* (henceforth PEAK):

**PEAK**

The true theory of knowledge or ‘knowledge’ is a pragmatic encroachment theory if and only if practical factors may partly determine the truth-value of ascriptions that S knows that *p* – even though they do not partly determine S’s belief that *p* or *p* itself.

Pragmatic encroachers uphold the right-hand side of PEAK, whereas those who reject it are strict purists. Some pragmatic encroachers are *metaphysical impurists* and take knowledge itself to be partly, although indirectly, determined by practical factors. Other pragmatic encroachers are *semantic impurists* and take the truth-conditions or truth-values of ‘S knows that *p*’ to be partly determined by practical factors.[[3]](#footnote-3) Consequently, the left-hand side of PEAK is a disjunction since a pragmatic encroacher may either uphold a brand of metaphysical impurism (e.g., interest-relative invariantism) or a brand of semantic impurism (e.g., contextualism or relativism). Thus, ‘pragmatic encroachment’ is a generic label for the family of theories that accept the right-hand side of PEAK. But, as noted, pragmatic encroachment theorists differ radically in their explanations of *why* the right-hand side of PEAK is true.

PEAK is more *inclusive* than Stanley’s Interest-Relative Invariantism (IRI): “…whether or not someone knows that *p* may be determined in part by practical facts about the subject’s environment” (Stanley 2005: 85). This characterization is narrow since it excludes brands of pragmatic encroachment according to which the relevant practical interests are those of the speaker, hearer, community or evaluator. PEAK is broader since it does not involve requirements pertaining to *whom* the practical factors concern. Moreover, IRI is a thesis about knowledge itself, whereas PEAK’s right-hand side is compatible with metaphysical impurism as well as with the assumption that the truth-values shift in virtue of *semantic* shifts. Such semantic shifts may, but need not, be in the truth conditional contribution of ‘knows.’ Because PEAK is articulated in terms of the truth-*values* of knowledge ascriptions, it is neutral with regard to the *theoretical explanation* of the alleged truth-value variance with practical factors. The explanation may turn on the view that knowledge itself is sensitive to practical factors or on the view that ‘knows’ is semantically sensitive to practical factors.

It is important to recognize a broad characterization of pragmatic encroachment that captures all the members of this family of views. But for the purpose of the present investigation, I will focus on pragmatic encroachment of the brand that subscribes to *metaphysical* impurism.[[4]](#footnote-4)

**4: SOME CASES.** I’ll initiate the discussion via a series of cases that I diagnose as exemplifying discriminatory epistemic injustice but which metaphysical versions of pragmatic encroachment will face challenges accounting for. To provide some initial motivation for these assumptions, I will sketch the basic rationale for the diagnosis and some reasons why I take it to be in tension with pragmatic encroachment theories of knowledge. However, the cases alone do not support a simple “gotcha” argument against pragmatic encroachment. The issue is too grand and too complex to be resolved in this manner. Consequently, my overall argument will be abductive and involve both critical reflection on the cases as well as methodological considerations about issues as lofty as the purpose of epistemology and the nature of folk epistemology.

**4.1. Basic case.** The basic case of the phenomena that I will be discussing is one in which the practical stakes between two epistemic twins differ due to their overall social circumstances.

***CAR BET***

Richie is extremely wealthy and has spent some of his money on a car park with more than 25 cars in it. One of his cars is old, rusty and not worth much. Richie does not really need the car but since there is ample space in his car park, he keeps it around. One day Richie argues with a colleague over Peru’s capital. Richie correctly remembers that it is Lima, but his colleague disagrees and offers to bet his much more expensive car against Richie’s old car. Richie’s memory is reliable, and he remains confident although he does not remember the source of his belief.

Brooke is extremely poor and has spent most of her money on a car because her work is more than 25 miles away. Her car is old, rusty and not worth much. Brooke desperately needs the car since it is the only way for her to get to work and have an income. One day Brooke argues with a colleague over Peru’s capital. Brooke correctly remembers that it is Lima, but her colleague disagrees and offers to bet his much more expensive car against Brooke’s old car. Brooke’s memory is reliable, and she remains confident although she does not remember the source of her belief.

The case-pair may be specified further to hold truth-relevant factors fixed. For example, it may be stipulated that Richie and Brooke formed their beliefs in equally reliable ways, that they are equally confident in their beliefs, that the general background conditions are type-identical etc. Non-skeptical strict purist invariantists may then assume that both Richie and Brooke know that Lima is the capital of Peru. Consider a subset of such cases in which Brooke is, because of her dire social circumstances, *regarded* as a non-knower. Strict purist invariantists may, as I do, take such cases to exemplify discriminatory epistemic injustice in a subset of cases that I will label ‘C.’ While it is a hard theoretical task to specify the relevant subset of Brooke cases in a principled manner, we can glean a working approximation by reflecting on the basic features of familiar cases of discriminatory epistemic injustice. For example, the subset of cases, C, may be those in which unjust identity prejudices concerning S’s social circumstances explain the mistaken judgments that S does not know. This would be a paradigmatic unjust feature of the sort required by the second conjunct of the antecedent of *Direct DEI*. That is, in the subset of cases, C, in which such paradigmatic unjust features explain that Brooke is mistakenly regarded as a non-knower, she suffers a discriminatory epistemic injustice. This general point may be made quite vivid by a case where Brooke and Richie are in direct competition as epistemic subjects:

***INTERVIEW***

Richie is extremely wealthy but to practice his Spanish, he has applied for a job with a US company with a market in South America. It is not particularly important to Richie that he gets the job since he just wants to practice his Spanish and can easily find another job opportunity. At the interview, Richie is asked what the capital of Peru is. Richie has a reliable memory and correctly remembers that it is Lima, although he does not remember the source of his belief.

Brooke is extremely poor and has, to get some much needed income, applied for a job with a US company with a market in South America. It is extremely important to Brooke that she get the job since she is in serious debt and cannot easily find another job opportunity. At the interview, Brooke is asked what the capital of Peru is. Brooke has a reliable memory and correctly remembers that it is Lima, although she does not remember the source of her belief.

Consider the subset of *INTERVIEW*-style cases, C, in which the interviewers are aware of the differences in social circumstances or associated stakes and consequently, due to identity prejudices, regard Richie as a knower and Brooke as a non-knower. Here my diagnosis is that Brooke suffers a discriminatory epistemic injustice. These are the paradigms of unjust features that yield discriminatory epistemic injustice when they explain why Brooke is epistemically undervalued. This is especially so if the interviewers hire Richie over Brooke for the reason that he knows something that she does not. So, *Direct DEI* underwrites this fairly intuitive diagnosis in a more principled manner.

Here the broadened notion of epistemic injustice is important because it allows that the case need not be cast in terms of knowledge ascriptions. If the interviewers regard Richie as a more reliable testifier than Brooke without making any judgments about knowledge, she would remain the victim of discriminatory epistemic injustice. But since knowledge ascriptions play important social roles as a “blue-stamp” in our folk epistemology, they are important to consider (Gerken 2017a).

The form of pragmatic encroachment that I am concerned with here has it that Richie knows, whereas Brooke does not know, that Lima is the capital of Peru. After all, the stakes are not very high for Richie and extremely high for Brooke. So, I will argue that this form of pragmatic encroachment faces a challenge of diagnosing the relevant subset of Brooke cases as exemplifying discriminatory epistemic injustice. But before doing so, let us consider another important set of cases.

**4.2. Testimonial injustice and testimonial smothering.** The challenge for pragmatic encroachers also arises with respect to more specific types of epistemic injustice, such as testimonial injustice and testimonial smothering. To do so, I start with the “base case” (similar to Srinivasan 2016) and then consider the two specifications of it.

***HARASSMENT (BASE CASE)***

After years of pursuing employment and many rejected applications, Brooke has been hired as a secretary in a small company. Unfortunately, her supervisor has started to sexually harass her. *BROOKE* considers reporting that she is being sexually harassed. However, she does not have hard evidence, and she suspects that she might be laid off if she testifies against her supervisor.

***HARASSMENT TESTIMONY***

Although she desperately needs to keep the job, Brooke asserts that she has been sexually harassed by her supervisor.

***HARASSMENT SILENCE***

Because she desperately needs to keep the job, Brooke remains silent about her supervisor’s sexual harassment.

Both versions of *HARASSMENT* may exemplify discriminatory epistemic injustice broadly construed. But, again, only a subset, C, of the *HARASSMENT-*style cases will do so. The relevant subset of *HARASSMENT TESTIMONY* cases are those in which Brooke’s testimony is ignored for reasons that pertain to identity prejudices, folk epistemological stereotypes, biases or the like. Brooke may be regarded as untrustworthy because she is poor and suspected of pursuing economic compensation. Or she may, on the basis of her gender, be regarded as too emotional to know whether her supervisor sexually harassed her or merely flirted. These are paradigm cases in which Brooke is wronged in her capacity as someone who knows that she was sexually harassed and, more generally, wronged in her capacity as an epistemic subject (cf. Srinivasan 2016). Perhaps extreme cases of *HARASSMENT TESTIMONY* may even be argued to be instances of what Kukla labels ‘discursive injustice.’ Roughly, discursive injustice occurs when the speaker is not capable of performing the speech act she intends to due to lack of uptake owing to, for example, unjust biases or social stereotypes (Kukla 2014. See also, Langton 1993 on illocutionary silencing and Peet 2016).

*HARASSMENT SILENCE*-style cases are different because there is no testimony to be accepted or ignored. Consequently, a subset of them is best understood as a variety of *testimonial smothering* (Dotson 2011: 244). For example, a *HARASSMENT SILENCE*-style case may take place in circumstances where Brooke reasonably believes or presupposes that she would not be taken as a credible testifier due to a stereotypical representation of her as poor and, therefore, in a high-stakes situation. So, unjust features of her social circumstance explain why she does not volunteer any testimony. This situation is epistemically unjust insofar as Brooke is not treated as being in as strong an epistemic position as she is in fact in. Apart from this intrinsic epistemic injustice, Brooke’s silence may *reinforce* the stereotype of her as someone who is not competent to contribute testimony. As Dotson emphasizes, testimonial smothering is extremely hard to track because there is no direct evidence of ignored testimony (Dotson 2011).

As above, a strict purist pragmatic account is well poised to diagnose the relevant subsets of the *HARASSMENT*-stylecases as instances of discriminatory epistemic injustice. In contrast, pragmatic encroachment theories have difficulty in accommodating this diagnosis insofar as they regard Brooke as a non-knower due to the fact that the stakes are high for her.

**4.3. Knowledge, action and some empirical findings.** Empirical work on practical factor effects on folk ascriptions of knowledge is still in its early days. Several studies did not find practical factor effects on knowledge ascriptions (Buckwalter 2010; Feltz and Zarpentine 2010; May et al. 2010; Rose et al. forthcoming). But other work has indicated such effects (Stanley and Sripada 2011, Pinillos 2012; Pinillos and Simpson 2014; Shin 2014). Yet further studies indicate that practical factor effects on judgments about whether S knows that *p* are driven in large part by judgments about *epistemic actionability* – roughly, judgments about whether the subject is in a good enough epistemic position to act on *p* (Turri, Buckwalter and Rose 2016; Turri and Buckwalter 2017).

Pragmatic encroachers often embrace the knowledge-action association and appeal to a knowledge norm of action according to which S is in an epistemic position to act on *p* if and only if S knows that *p* (Hawthorne and Stanley 2008; Fantl and McGrath 2009). Such a norm is a central part of a broader knowledge-first epistemology (Williamson 2000. For criticism, see McGlynn 2014; Gerken 2011, 2015, 2017a-b, 2018). According to such a knowledge norm, the epistemologically right verdict about the cases above is that Richie knows whereas Brooke does not. In *CAR BET*, for example, Brooke’s reliable memory does not put her in a sufficiently strong epistemic position to act given that losing the bet would be disastrous for her. So, if knowledge requires being in a sufficiently strong epistemic position to act, she does not know (Stanley 2005; Fantl and McGrath 2009).

I will argue that reflection on epistemic injustice deepens and broadens existing criticism of both pragmatic encroachment and the knowledge norm of action (Brown 2008; Reed 2010; Gerken 2011, 2017a). But it should be acknowledged that pragmatic encroachers who adopt knowledge-first principles have a coherent framework that is both supported by principled considerations and capable of accounting for the empirical findings (Stanley and Hawthorne 2008; Fantl and McGrath 2012). This is one reason why the debate cannot be settled by cases alone. Critics of pragmatic encroachment and knowledge-first epistemology have recognized this and sought to attack this combination of views from various angles. However, reflection on epistemic injustice is a new and hitherto underexplored angle from which the combination of pragmatic encroachment and knowledge-first epistemology may be critically assessed.

**5: Strict purist invariantist approaches.** I have already sketched the strict purist invariantist argument for diagnosing the cases of Brooke as instances of discriminatory epistemic injustice (DEI). But to make its assumptions maximally explicit and to consider responses in an organized manner, it is worth articulating this *diagnostic argument* as a deductive argument proper:

***The Diagnostic Argument***

P1: If S is wronged specifically in her capacity as an epistemic subject, S suffers a discriminatory epistemic injustice. *Generic DEI*

P2: If S is systematically and distinctively judged or treated as being in a weaker epistemic position than S is in fact in and paradigmatic unjust features explain this, then S is wronged specifically in her capacity as an epistemic subject. *Direct DEI*

P3: In the subset of Brooke cases, C, Brooke is systematically and distinctively judged to be in

or treated as being in a weaker epistemic position than Brooke is in fact in. *Assumption*

P4: In the subset of Brooke cases, C, paradigmatic unjust features explain that Brooke is systematically and distinctively judged or treated as being in a weaker epistemic position than Brooke is in fact in. *Assumption*

P5: In the subset of Brooke cases, C, Brooke is wronged specifically in her capacity as an epistemic

subject. P2, P3, P4

P6: So, in the subset of Brooke cases, C, Brooke suffers a discriminatory epistemic injustice. P1, P5

P5 follows from P2, P3 and P4. So, the conclusion P6 is derivable from P5 and the generic characterization of discriminatory epistemic injustice, P1.

Before considering some responses that pragmatic encroachers might offer, it is important to clarify the dialectics of the challenge. First, it should be noted I do not suggest that pragmatic encroachment cannot account for any instances of epistemic injustice. Clearly, there are *some* cases that pragmatic encroachers can fairly straightforwardly diagnose as manifesting discriminatory epistemic injustice. [[5]](#footnote-5) The present conclusion only sets forth the more modest challenge that pragmatic encroachers have a hard time diagnosing *a subset* of paradigmatic cases of discriminatory epistemic injustice as such. However, this challenge is a significant one. Metaphysical pragmatic encroachment appears to be incapable of accounting for the conclusion of *The Diagnostic Argument* that there is a subset of Brooke cases in which she suffers a discriminatory epistemic injustice. But given that the relevant subset of Brooke cases are strong – indeed paradigmatic – cases of discriminatory epistemic injustice, the fact that pragmatic encroachers cannot account for them as such casts serious doubt upon their view. The concern here is not that pragmatic encroachment theories are causing epistemic injustice. Rather, the concern is that pragmatic encroachment theories fail to count *some* central cases of discriminatory epistemic injustice for what they are and thereby obscure the recognition of an important type of injustice.

With the core of the challenge in mind, let’s briefly consider the premises of *The Diagnostic Argument* in turn. Since both P1 and P2 have been motivated above, I will turn to P3 and P4.

P3 is the thesis that in the relevant subset of the cases, C, Brooke is systematically and distinctively judged to be in or is treated as being in a weaker epistemic position than she is in fact in. In *CAR BET,* the basic motivation is that since her memory is generally reliable and correct on the occasion, she knows that Lima is the capital of Peru. This is so, even if we have a tendency to intuitively regard her as a non-knower in part in virtue of her poverty. In this subset of cases, she is regarded as a non-knower although she is in fact a knower. So, in a subset of cases, C, Brooke is systematically and distinctively judged or treated as being in a weaker epistemic position than she is in fact in. This is P3. As mentioned, the relevant subset of cases, C, includes those in which an identity stereotype – for example, pertaining to Brooke’s poverty and associated stakes – negatively influences the epistemic assessment of her as a non-knower. Note that given the broadened characterization of discriminatory epistemic injustice, the assumption that Brooke knows is not required for the argument. However, ascriptions of knowledge are often used to indicate broader epistemic competence. Consequently, knowledge ascriptions often serve as an important stamp of *social approval* (Gerken 2017a). So, the case for P3 may be put in terms of a discrepancy between Brooke’s knowledge and systematic patterns of judgments to the effect that she does not know. If Brooke’s stakes are *extremely* high, the problem is even more striking. Some pragmatic encroachers would appear to be committed to assuming that Richie knows and Brooke does not know even if she is in a *stronger* epistemic position than Richie – e.g., even if her memory is more reliable or she has supplementary evidence. Such variations reinforce P3 since Brooke is downgraded as an epistemic subject if she is deemed a non-knower although she is more reliable than Richie, who is regarded as a knower.

P4 is the thesis that in the subset of Brooke cases, C, the epistemic misjudgments or mistreatments of her are explained by paradigmatic unjust features. As noted, a paradigmatic case of discriminatory epistemic injustice is one in which the systematic misjudgment of Brooke’s epistemic position is due to, for example, identity prejudices, social stereotypes, implicit or explicit bias etc. But the subset of Brooke cases under discussion, C, is assumed to consist of the very type of cases in which such unjust factors explain the mistaken epistemic assessments of her.

So, *given* the assumption that Brooke is mistakenly regarded as a non-knower, the cases align with the cases that Fricker and others set forth as cases of discriminatory epistemic injustice: Someone is, for reasons that do not have to do with the truth-conduciveness of her belief, regarded as a non-knower when others who are no more reliable (or even less reliable) are regarded as knowers. Moreover, in the relevant subset of cases of Brooke, C, this is explained by identity prejudices, social stereotypes, biases and so forth. But those are paradigms of unjust features. So, opponents of P4 face the challenge of specifying how *CAR BET* and *INTERVIEW* are relevantly different from stock cases of discriminatory epistemic injustice. Likewise, *HARASSMENT TESTIMONY* and *HARASSMENT SILENCE* are modelled on Fricker’s and Dotson’s central cases of testimonial injustice and testimonial smothering, respectively (Fricker 2007, 2013; Dotson 2011).[[6]](#footnote-6)

Notice that arguing against P4 is a tall order in part because it is not enough to note that there are versions of the cases in which the epistemic misjudgment/mistreatment of Brooke is not unjust. Rather, opponents of P4 must argue that there is not even a subset, C, of these cases in which paradigmatic unjust features explain the epistemic misjudgment/mistreatment of Brooke.

Whereas *The* *Diagnostic Argument* calls for a response by pragmatic encroachers, I want to acknowledge that the motivation for its premises also leaves something important to be explained by strict purist invariantists. Such theorists owe an explanation of why our folk epistemology is mistakenly influenced by practical factors. My preferred explanation invokes a combination of cognitive biases and pragmatic effects (Gerken 2017a, forthcoming b). Very roughly, I hold that knowledge ascriptions in our folk epistemology often serve as *heuristic proxies* for assessments about epistemic actionability. Thus, it is natural to slide from a correct negative assessment of Brooke (that she is not in a strong enough position to take the bet) to a mistaken negative assessment that she does not know. Here my aim is not to present this positive account.[[7]](#footnote-7) My present aim is only to make the case that *if* a strict purist invariantist account of practical factor effects is tenable, then it also applies to *CAR BET, INTERVIEW* and both varieties of *HARASSMENT*.

That said, I take it to be a fairly independent point in favor of a strict purist invariantist approach that it may straightforwardly diagnose the relevant subset, C, of the Brooke cases as instances of discriminatory epistemic injustice. So, I propose the account to those who are inclined to regard it as a discriminatory epistemic injustice that Brooke, because of her social circumstances, is not regarded as knowing something that she does in fact know.

**6: Pragmatic encroachment responses.** How might proponents of metaphysically impurist versions of pragmatic encroachment account for the relevant subset of the Brooke cases? One reason why I regard the challenge as a first rather than a last step is that a number of interesting responses are available. Part of the interest in the challenge from epistemic injustice is that it may reveal that different versions of pragmatic encroachment have interestingly different commitments. I have articulated the challenge as a deductive argument in part because this provides a clear structure for recognizing such differences. Rejecting different premises comes with substantively different commitments. To see this, I will consider some of responses available to pragmatic encroachers. Clearly, I cannot consider all interesting responses and some responses must be developed before they can be fruitfully considered. So, I will focus on responses that are interesting, clear or suggested to me by interlocutors.

**6.1: Mere distributive epistemic injustice?** Pragmatic encroachers who regard Brooke as a non-knower do not appear to be able to accept the conclusion, P6, that Brooke is suffering a discriminatory epistemic injustice. Metaphysical impurists may, of course, say that it is an unfortunate circumstance that Brooke does not know. But it is hard to see how they can regard it as epistemically unjust in the discriminatory sense. So, perhaps they might argue, instead, that Brooke only suffers a *distributive* epistemic injustice? According to this response, it is epistemically unjust that Brooke’s socioeconomic status prevents her from knowing certain things. So, this response would accept that Brooke suffers an epistemic injustice. But it would do so in a manner that is compatible with (metaphysical) pragmatic encroachment.

The first thing that I want to recognize is that in cases in which high stakes undermine the confidence (belief) required for knowledge, the account seems plausible and may be shared by strict purist invariantists. If social marginalization results in distinctive *doxastic* defeaters, this may amount to an important type of distributive epistemic injustice. However, this response has a limited explanatory force. It does not address cases in which Brooke overcomes these psychological challenges. In such cases, the natural thing is to say that she knows but is unfairly judged or treated as someone who does not know. *The Diagnostic Argument* provides a principled support of this diagnosis. The challenge that remains, then, is that the account is inconsistent with views according to which Brooke does not know. So, pragmatic encroachers with this commitment appear to be restricted to the claim that it is unjust that Brooke’s social circumstances prevent her from knowing on the basis of reliable memory.

There are several costs associated with this claim. First of all, it would seem to reduce the epistemic injustice in question to the *distributive* brand. But, as argued above, the epistemic injustice in question is of the *discriminatory* variety in the subset of cases, C, where Brooke is, for paradigmatically unjust reasons concerning her social circumstances, regarded as a non-knower when equally reliable persons are regarded as knowers. Second and relatedly, if there are cases in which it is not unjust that Brooke is in the social circumstances she is in, then it will be hard to argue that such cases merely exhibit distributive epistemic injustice. The two worries are related insofar as the response appears to miss what is central to the distinctively *epistemic* character of the injustice that Brooke suffers by being regarded or treated as a non-knower. Here is one reason why: It seems that she may suffer this distinctively epistemic injustice *independently of whether it is just or unjust that she is in the social circumstances she is in*. To see this, let us consider both options:

If it is unjust that Brooke is poor, the epistemic injustice she suffers in the relevant cases *adds* insult to injury. Given that it is unjust that Brooke is poor, the fact that she is regarded as a non-knower is a further injustice and one that is distinctively epistemic. But this further epistemic injustice is precisely what must be accounted for. The challenge to pragmatic encroachers of doing so persists.

Let us therefore consider the other option – namely, that it is *not* unjust that Brooke is poor. Assume, for example, that she was born with ample means but that she is now poor due to a spending extravaganza that she should be held personally responsible for.[[8]](#footnote-8) In this case, the epistemic injustice also appears to persist. Even though Brooke’s social situation is entirely self-inflicted in this manner, it remains unjust to regard her as non-knower when she in fact knows. However, if the epistemic injustice is fairly independent of distributive injustice in this manner, it is hard to deny that it is of the discriminatory variety. So, the claim that the relevant subset of cases merely exemplifies distributive epistemic injustice does not appear to help the pragmatic encroacher.

**6.2: No epistemic misrepresentation.** Might the pragmatic encroacher instead reject P3 – i.e., the assumption that Brooke is, in a subset of cases, systematically and distinctively judged to be in or is treated as being in a weaker epistemic position than she is in fact in? Perhaps the pragmatic encroacher may argue as follows about *CAR BET*: The judgment that Brooke does not know does not involve any misrepresentation of the strength of her epistemic position. Rather, she is accurately assessed as having a certain positive epistemic position vis-à-vis *p*. So, she is accurately regarded as in an insufficiently strong epistemic position to act on *p* and, on this basis, she is reasonably deemed a non-knower.

Interestingly, this response yields different commitments for different varieties of (metaphysical) pragmatic encroachment. According to one version of pragmatic encroachment, knowledge is affected by practical factors although epistemic position is not (Fantl and McGrath 2009, 2012). But another variety has it that knowledge is indirectly affected by practical factors *because* epistemic position is affected by practical factors (evidence from Sripada and Stanley 2012 may be taken to suggest this view). The response that I just sketched aligns with the former version but not with the latter. Proponents of the view that epistemic position is affected by practical factors will have to make the stronger claim that Brooke is correctly judged to be in an inferior epistemic position than Richie in virtue of her dire socio-economic circumstances.

However, even the less radical response according to which only knowledge is affected by practical factors is far from uncontroversial. It may be granted that there is no epistemic injustice in the judgment that Brooke is in an insufficiently strong epistemic position to act on *p*. But this point does not address the injustice of mistakenly denying that her epistemic position is that of *knowing*. After all, ascriptions of knowledge are central to our social life in part because they serve as a stamp of social approval (Gerken 2017a). So, claiming that Brooke’s memory is as reliable as Richie’s and that she is as confident as Richie but simultaneously claiming that she does not know is to degrade her as an epistemic subject. Indeed, it devaluates her as an epistemic subject in a manner that is both epistemologically and socially significant.

The implausibility of denying P3 is particularly striking in versions of the *INTERVIEW* case in which Brooke is *literally* disqualified on the grounds that she does not know whereas Richie is hired on the basis of knowing. Assume that the interviewers reason as follows: “Well, he knows and she does not. So, let us hire him rather than her.” At the very least, it requires an argument to uphold that this is not an instance of epistemic injustice given the basis on which Brooke is regarded as a non-knower.

Moreover, the *HARASSMENT* case illustrates an overarching worry with rejecting P3. Rejecting P3 appears to involve the assumption that Brooke does not know basic facts about her troublesome social situation precisely because she is in that troublesome social situation. By strict purist invariantist lights, pragmatic encroachers who uphold this assumption come disturbingly close to *vindicating* the sort of discriminatory epistemic injustices inherent in our folk epistemology that we should be combating.

**6.3: No relevant subset of cases.** Alternatively, pragmatic encroachers may reject P4, the assumption that there is a subset of Brooke cases in which the mistaken epistemic devaluation of her is explained by paradigmatically unjust features. However, this would seem both *ad hoc* and dialectically problematic since the cases closely resemble the sort of high/low-stakes case that pragmatic encroachers themselves appeal to. For example, *CAR BET* has a structure that is similar to Stanley’s *BANK* cases and Fantl and McGrath’s *TRAIN* case (Stanley 2005; Fantl and McGrath 2002, 2009).

Likewise, the relevant subset of circumstances, C, are modelled after the kind of circumstances that are commonly recognized as exemplifying discriminatory epistemic injustice (Fricker 2007). Indeed, with one exception, these cases exhibit the features and structure of the paradigms of cases of discriminatory epistemic injustice. The exception is *HARASSMENT SILENCE* in which there is no testimonial injustice of the “classic” sort. But strict purist invariantists may straightforwardly categorize the case as testimonial smothering in accordance with (Dotson 2011) whereas there is a challenge to pragmatic encroachers of diagnosing the case as such. One strategy to do so would be to say that prudential considerations *override* the fact that Brooke meets the epistemic norm of assertion. While interesting and worth developing, I worry that this strategy will undermine some important commitments to the relationship between knowledge and assertion that pragmatic encroachers rely on. However, it will be hard to properly assess the strategy before it has been developed into a specific account. So, I just note it here to encourage such developments. It should be noted, though, that the relevant subsets, C, of *CAR BET, INTERVIEW* and *HARASSMENT TESTIMONY* are constructed as to align with the structure and key features of paradigmatic cases of discriminatory epistemic injustice. So, unless pragmatic encroachers can identify a specific disanalogy between the relevant subset of Brooke cases and cases of epistemic injustice that they are willing to recognize, it does not seem promising to reject P4.

**6.4. Equivocation.[[9]](#footnote-9)** Another objection is that P4 hinges on an equivocation in the explanation of why Brooke suffers discriminatory epistemic injustice. Whereas pragmatic encroachers characteristically argue that raised stakes explain the lack of knowledge, they may reject that poverty *per se* does. These are different things, although they are often correlated and overlap in the present case. So, running together explanations in terms of poverty and stakes is to equivocate. Once these explanations are kept apart, the pragmatic encroacher can easily handle them. Thus goes the objection against P4.

While it is correct that poverty and stakes should not be equivocated, critical examination of this objection reveals that significant challenges remain. Let us consider the case varieties in turn:

**Poverty case:** Assume first that the interviewers deem Brooke a non-knower on the basis of her being poor. According to the present response, pragmatic encroachment is compatible with assuming that they have (i) made a mistake and (ii) thereby committed discriminatory epistemic injustice. Let us consider these claims in order.

First, if Brooke’s poverty causes the high stakes, pragmatic encroachers cannot claim that the interviewers have made a mistake in the sense of making a false judgment. At most, they may claim that the interviewers have made a true judgment for the wrong reasons. There is much to be said about this claim. But while pragmatic encroachers have focused on stakes, other practical factors have been argued to play similar roles in epistemic assessment. For example, urgency has been empirically argued to be one such a practical factor (Shin 2014). Likewise, empirical evidence suggests that epistemic assessment is similarly affected by practical factors such as availability of evidence, the subject’s social role, and availability of alternative actions (Chapter 2 of Gerken 2017a surveys this empirical evidence). So, empirical evidence indicates that various practical factors may generate the patterns of knowledge ascriptions that pragmatic encroachers take to motivate their theory. Some pragmatic encroachers, like Shin (2014), conclude that these further practical factors play the same epistemological role as stakes. Pragmatic encroachers who disagree owe a principled distinction between the practical reasons that do not play an epistemic role (e.g., urgency, poverty) and those that do (e.g., stakes). Specifically, pragmatic encroachers owe a *principled* reason for accepting that high stakes may play an epistemic role while rejecting that poverty may play a similar one – even when it causes the stakes to be high.

Consider now whether pragmatic encroachers can diagnose the case as one of discriminatory epistemic injustice. The first thing to note is that they cannot do so by claiming *that Brooke is systematically and distinctively judged or treated as being in a weaker epistemic position than she is in fact in and paradigmatic unjust features explain this*. This is because pragmatic encroachers cannot say that Brooke is treated as in a weaker position than she is in fact in. After all, she is treated as a non-knower, and according to pragmatic encroachment, she is in fact a non-knower. This is so even if the interviewers have judged this on the wrong basis. So, pragmatic encroachers face the challenge of articulating precisely wherein the discriminatory epistemic injustice lies. Moreover, they must do so in a manner that explains why deeming Brooke a non-knower on the basis of poverty is epistemically unjust whereas deeming her a non-knower on the basis of high stakes is epistemically just. While some pragmatic encroachers may find this natural, an explanation would be clarifying to those who are inclined to think that both cases exemplify epistemic injustice.

**Stakes case:** Assume now that the interviewers deem Brooke a non-knower on the basis of the high stakes. In this case, pragmatic encroachers will claim that they have made no mistake and committed no discriminatory epistemic injustice. The former judgment is notoriously controversial, and the present case adds fuel to this controversy. However, I will here focus on the claim that there is no epistemic injustice in this case. To illustrate why this is also a controversial claim, assume that an interviewer reasons in accordance with pragmatic encroachment principles:

“They have the same evidence. But she does not know since the stakes are high for her, and he does know since the stakes are low for him. So, I suggest we hire him.”

Here the interviewer neatly sets aside what pragmatic encroachers claim to be irrelevant (poverty) and focuses on what they claim to matter (the subject’s stakes). So, the interviewer’s reasoning should be perfectly fine by the lights of pragmatic encroachment. Yet, it will strike many philosophers as epistemically unjust. I think this is something that pragmatic encroachers should acknowledge and address – even if they differ in their own assessment.

Finally, consider the following line of reasoning:

“They have the same evidence. But the stakes are low for him and high for her. So, he knows and she does not. Yet, I suggest that we hire her.”

Pragmatic encroachers who claim that this reasoning is unproblematic from an epistemological perspective face the challenge of explaining why the dramatic difference in knowledge ascription is irrelevant for the decision. This is a particularly hard challenge for pragmatic encroachers who rely on principled links between knowledge and action in motivating the view (Stanley 2005; Fantl and McGrath 2009). But if the pragmatic encroacher claims that the epistemically correct thing to do is to hire the candidate who knows over the one who does not, we’ve come full circle to the original worry that a pragmatic encroachment epistemology sanctions epistemically unjust actions.

In sum, despite the correct observation that we should avoid equivocating explanations in terms of, for example, poverty and stakes, challenges remain for the pragmatic encroacher. Once we consider these explanations in turn, it appears that each case is associated with its distinctive challenges. Indeed, critics might see these challenges as double trouble for pragmatic encroachment. As above, I do not presume that these challenges are conclusive. However, I think that it is fair to say that they must be responded to. Consequently, the charge of equivocation does not provide an *easy* way that pragmatic encroachers may diagnose the various Brooke cases.

**6.5. The hardline response.** In the end, the pragmatic encroacher may opt for the hardline response of rejecting that there is any discriminatory epistemic injustice in denying that Brooke knows since this is the truth of the matter. Very simplified, *The* *Diagnostic Argument* can be thought of as providing the basis of a modus ponens argument from the assumption of discriminatory epistemic injustice (in the relevant subset of cases) to the denial of pragmatic encroachment. The hardline response consists in upholding that this should rather be a modus tollens argument from the truth of pragmatic encroachment to the denial of discriminatory epistemic injustice (in the relevant subset of cases).

This is clearly an internally coherent response. But it is a hardliner’s response insofar as it takes pragmatic encroachment as being so plausible that it may be invoked to reclassify paradigm cases of discriminatory epistemic injustice as not exhibiting discriminatory epistemic injustice at all. As such, the hardline response will be less attractive to pragmatic encroachers who share the inclination to agree that Brooke is suffering a discriminatory epistemic injustice. Moreover, the hardline response seems to become increasingly hardlined given variations of the cases. If we assume, for example, that the interviewers hire Richie rather than Brooke on the grounds that he knows and she does not, it is a good deal harder to deny that any discriminatory epistemic injustice is going on. Likewise, I expect that many pragmatic encroachers will be uncomfortable about assuming, on the basis of pragmatic encroachment theory, that Brooke does not know that she has been sexually harassed in *HARASSMENT TESTIMONY*.

However, the hardline response is interesting because it is likely to reveal subtle differences between pragmatic encroachers. At least, the hardline response reveals an important commitment of one brand of pragmatic encroachment that it is good to explicate. Other pragmatic encroachers will agree that it is an important desideratum to diagnose the relevant subset of cases of discriminatory epistemic injustice as such. How they will go about doing so is also likely to shed important light on the commitments of *their* variety of pragmatic encroachment.

**6.5. Responses in sum.** Pragmatic encroachers may seek to address the challenge from epistemic injustice in various ways by rejecting various premises of my argument. I hope that setting forth the challenge via concrete cases and an explicit argument will facilitate that the challenge be addressed. Of course, I have not addressed every possible response that a pragmatic encroacher might pursue. For example, I have not sought to preemptively address a response that consists in “going on the offensive” by developing cases in which pragmatic encroachment theories can and purist theories cannot account for as instances of epistemic injustice. Likewise, pragmatic encroachers may seek to find broader positive ramifications of pragmatic encroachment that cannot be matched by competing theories.[[10]](#footnote-10) Since such strategies may be developed in many different ways, it would be counterproductive to try to respond preemptively. However, the strategies are well worth developing, although I suspect that doing so will be a substantive challenge. For example, it will be a challenge to provide clear cases in which the privileged subject is deemed a non-knower in virtue of socially unjust identity prejudices.

A key lesson, however, is that the differences in response strategies are substantive. For example, Fantl and McGrath’s brand of pragmatic encroachment may uphold the idea that pragmatic encroachers do not mischaracterize the strength of the subject’s epistemic position insofar as they do not claim that this is affected by practical factors (Fantl and McGrath 2009, 2012). In contrast, such a response is *prima facie* more problematic fora view according to which the strength of the subject’s epistemic position is also affected by practical factors (Sripada and Stanley 2012).

Thus, examining the responses above (and those further responses that pragmatic encroachers should be encouraged to develop) will help distinguish between importantly different varieties of pragmatic encroachment. It might even help in adjudicating between competing pragmatic encroachment theories. For example, if pragmatic encroachers who are semantic impurists can meet the challenge and those who are metaphysical impurists cannot, the former will have a distinctive advantage over the latter and *vice versa*.

**7: Epistemic injustice and the role of epistemology.** As mentioned, the Brooke cases and my discussion of them only marks a first step in answering the question about the relationship between pragmatic encroachment and epistemic injustice. However, they highlight a stark contrast between two very different epistemological frameworks. But while I take the cases to help motivate strict purist invariantism over pragmatic encroachment, I reemphasize that the cases alone do not provide a conclusive argument. Rather, they contribute an important but underexplored dimension to the debate. Specifically, the cases help pinpoint important differences in how pragmatic encroachers and their opponents may take epistemology to bear on epistemic injustice.[[11]](#footnote-11)

According to the strict purist invariantist perspective that I advocate, the powerless are often less likely to be regarded as knowers due to cognitive biases inherent in our folk epistemology (Gerken 2012b, 2013, 2017a, forthcoming a). Thus, the fact that Brooke is treated as a non-knower is a discriminatory epistemic injustice precisely because she knows just as well as Richie does. To judge or treat Brooke as someone who does not know is, at least typically, to engage in a discriminatory epistemic injustice insofar as it is a culpable mistake arising from cognitive biases concerning race, class, gender, power etc.

In contrast, metaphysical varieties of pragmatic encroachment according to which Brooke does not know appear to be unable to classify the relevant subset of the cases as discriminatory epistemic injustice. Rather than speculating further on how pragmatic encroachers may then address the cases, I will conclude by indicating what is, from my point of view, potentially troublesome.

As noted, pragmatic encroachers who are metaphysical impurists appear to be committed to the striking claim that the oppressed and powerless do not know the basics of the social situation that they are in precisely because they are in that situation. This strikes me as problematic for a number of reasons. Aren’t those in a particular social situation often the best positioned to know basic facts about it? Aren’t the privileged often ignorant of their privilege rather than ideally positioned to know about it? Pragmatic encroachers seem to me to answer these questions the wrong way round. The worry is that by drawing substantive epistemological conclusions from the practical factor effects of our folk epistemology, pragmatic encroachers are at risk of hampering an important epistemological job. This is the job of identifying the folk epistemological practices that generate epistemic injustice. If we are unable to identify and diagnose our epistemically unjust folk epistemological practices as such, we will be in a bad position to improve upon them. In the extreme case, some brands of pragmatic encroachment may even appear to *obscure* or even *sanction* epistemically unjust folk epistemological practices. If this is so, the consequence is dramatic: Pragmatic encroachment is not merely mistaken, it is dangerous.

Of course, it is premature to draw such a dramatic conclusion. The present considerations are initial rather than conclusive. In all likelihood, pragmatic encroachers will have a less gloomy perspective on the relationship between their theory and epistemic injustice. Indeed, many pragmatic encroachers are more concerned than most epistemologists with how epistemological theorizing may mitigate social justice issues (e.g., Stanley 2015). So, I set forth the present challenge in the spirit of seeking clarification about the relationship between pragmatic encroachment theory and central cases of epistemic injustice.

As I see things, the cases and arguments forwarded here highlight an important contrast in *how* pragmatic encroachers and strict purist invariantists conceive of epistemology’s ramifications for social justice. In drawing this contrast, I have tried to be upfront that my favored strict purist invariantist approach also requires work. For example, it owes a psychologically plausible account of why the practical factor effects on knowledge ascriptions are mistaken without postulating an outright error-theory about our capacity for ascribing knowledge. To do so is a major challenge.[[12]](#footnote-12)

However, pragmatic encroachers should also recognize a pressing challenge: That of explaining either why the diagnosis that Brooke is suffering a discriminatory epistemic injustice is misguided or why this epistemic injustice is after all compatible with pragmatic encroachment. As noted, pragmatic encroachers may seek to meet the challenge from epistemic injustice in various ways. But addressing the challenge head-on is vital to get clear on the larger methodological question that is important to both pragmatic encroachers and strict purist invariantists: What is the proper role of epistemology in combating social injustice?[[13]](#footnote-13)

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1. In recent work, Fricker has also gravitated to the broader notion (see, e.g., Fricker 2013: 1320, 2017). Thanks to Miranda Fricker for a helpful correspondence and to Emily McWilliams who argues for a similar broadening on independent grounds. Knowledge-first epistemologists are likely to object to the broadening. I have argued against knowledge-first epistemology elsewhere (Gerken 2011, 2012a, 2014, 2017a-b, 2018, forthcoming a). So, rather than engaging further in that dialectic, I will focus on cases in which the subject is wronged in her capacity as an epistemic subject in virtue of being mistakenly regarded as a non-knower.

   Note also that a subject may be wronged in her capacity as an epistemic subject by way of restricting certain information from her. For example, negative identity prejudices may lead to unjust paternalistic restrictions or distortions of information. Such cases may well represent a mix of distributive and discriminatory epistemic injustice. Thanks to a referee. [↑](#footnote-ref-1)
2. See Bach 2005, 2010. However, there are more subtle developments of the view that knowledge is lost due to the effects of practical factors on belief or credence, and it is debated whether some such views should be regarded as a form of pragmatic encroachment (cf. Ganson 2008; Nagel 2008, 2011; Gerken 2017a, forthcoming b; Gao forthcoming). Moreover, it is not clear whether such views are subject to the challenge from epistemic injustice. If they are not, this may be taken to be an advantage. But since a separate treatment is required for a responsible verdict, I will leave the question open here by considering case-pairs in which privileged and disadvantaged agents are on a par with regard to belief, credence and such. [↑](#footnote-ref-2)
3. The distinction between metaphysical and semantic purism is fairly standard (Stanley 2005; Fantl and McGrath 2009; Buckwalter and Schaffer 2015). Metaphysical impurists include Hawthorne 2004; Stanley 2005; Fantl and McGrath 2009. Strict purist invariantists include Bach 2005; Brown 2008; Rysiew 2007; Williamson 2005; Nagel 2008; Reed 2010; Gerken 2011, 2017a, forthcoming b). It can be a hard exegetical question whether contextualists such as DeRose 2009 and Lewis 1996 exemplify semantic impurism. Clearer cases are Greco 2012; Hannon 2013; Henderson 2009, 2011; McKenna 2013. For further classificatory considerations, see Roeber 2018; Kim and McGrath 2018. [↑](#footnote-ref-3)
4. The restriction is due to the importance of considering a concrete target where there is no dispute as to whether it is a genuine version of pragmatic encroachment. While it is far from clear that semantic brands of pragmatic encroachment fare better with regard to the challenge from epistemic injustice, it requires an investigation of its own to make a responsible assessment. [↑](#footnote-ref-4)
5. These include some important cases of testimonial injustice on the basis of unjust race or gender stereotypes. More complex cases arise when someone rich is discriminated against because he is *misjudged* to be poor. Finally, there may be cases that pragmatic encroachers will regard as epistemically unjust that strict purist invariantists will regard as instances of non-epistemic injustice (thanks here to Matthew McGrath). These cases are harder. Hence, my more modest challenge is only that pragmatic encroachers have a hard time diagnosing *some* paradigmatic cases of discriminatory injustice as such. [↑](#footnote-ref-5)
6. Recent work on epistemic injustice would classify the cases similarly (see, e.g., McKinnon 2016; Pohlhaus 2017). [↑](#footnote-ref-6)
7. But I have written a book that aims to do so (Gerken 2017a. See also Gerken forthcoming b). [↑](#footnote-ref-7)
8. Or pick another example, if you do not like this one. [↑](#footnote-ref-8)
9. Thanks to James Stazicker and a journal referee. [↑](#footnote-ref-9)
10. Thanks to a referee for these suggestions. [↑](#footnote-ref-10)
11. In contrast, Stanley emphasizes ways in which pragmatic encroachers and their opponents are similar with regard to both epistemic oppression (Dotson 2012) and epistemic injustice (Stanley 2015: 259). Dotson criticizes Stanley (2015) for relying on socially disadvantaged sources that, according to pragmatic encroachment, do not know (Dotson 2018. For a response, see Stanley 2018). The present criticism is congenial to Dotson’s but they differ importantly. Dotson’s criticism does not focus on discriminatory epistemic injustice generally and the present challenge does not focus on the internal consistency of Stanley (2015) specifically. [↑](#footnote-ref-11)
12. But the challenge is one that I have sought to meet (Gerken 2017a). [↑](#footnote-ref-12)
13. The paper was presented at The University of Reading (Feb. 2017), TheDanish Philosophical Society Annual Meeting, Pedagogical University of Denmark (Mar. 2017), Leuven University (Apr. 2017), University of Geneva (Jun. 2017), University of Southern Denmark (Sep. 2017) and University of Hamburg (Oct. 2017). I am extremely grateful to the audiences for helpful feedback and I apologize for failing to keep track of who made which specific point. But I hope interlocutors will find that their comments have improved the paper. I received helpful written comments from Rachel Fraser, Miranda Fricker, Nikolaj Nottelmann and Amia Srinivasan and I had a few rounds of useful discussions with Matthew McGrath. As always, I owe thanks to Julie Brummer. The paper is dedicated to Loa. [↑](#footnote-ref-13)