NECESSARY ERROR: JOSIAH ROYCE, COMMUNAL INQUIRY, AND FEMINIST

EPISTEMOLOGY

by

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DISSERTATION ABSTRACT

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Title: Necessary Error: Josiah Royce, Communal Inquiry, and Feminist Epistemology

Feminist epistemologists have often argued that our relationships with structures of power shape the content, expression, and social force of what we know. While feminist standpoint theorists have often maintained that experiences on the margins of social power can lead to better understandings of the roles of systems of oppression in society, more recent writings on epistemologies of ignorance examine the reverse, how experiences from positions of social power limit our understandings. In this project, I draw on the concept of epistemic privilege as it has been formulated by feminist standpoint theorists, criticisms of objectivity and fixed, transcendent truths, and analyses of the relationships between structures of power and concepts of knowing. By considering the works of Sandra Harding, Lorraine Code, and Patricia Hill Collins, among others, I argue that knowledge is situational and contingent and that some individuals possess privileged understandings due to their positions on the margins of power structures. However, I also argue that, in order for feminist epistemology to utilize the concept of epistemic privilege successfully, it must incorporate a concept of error into its considerations of constructions of knowledge.

Thus, throughout this dissertation, I examine how a concept of error could bolster efforts to subvert the dominant approaches to knowledge that have upheld male privilege

and undermine the patriarchal power structures that rely on them. I propose a form of feminist inquiry that incorporates a method of error sensitivity, which will enable inquirers to recognize when institutions of power, individual limitations, and cultural myths are restricting knowing subjects' perspectives and leading them to commit errors. This concept of error, and the related approach to error-sensitive inquiry, relies upon a commitment to continuous and ever-expanding inquiry by a community, rather than an isolated individual. Thus, I derive much of my conceptual framework from the work of Josiah Royce and his concepts of the Beloved Community, loyalty to loyalty, and communities of interpretation.

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Dedicated to my loving parents, Glenn and Sally Barnette

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AND THE NEED FOR ERROR SENSITIVITY

Introduction

In this project, I contribute to the growing body of work on feminist

epistemology. In particular, I draw on the concept of epistemic privilege as it has been

formulated by feminist standpoint theorists, criticisms of objectivity and fixed,

transcendent truths, and analyses of the relationships between structures of power and

concepts of knowing. By considering the works of Sandra Harding, Lorraine Code, and

Patricia Hill-Collins, among others, I argue that knowledge is situational and contingent

and that some individuals possess privileged understandings due to their positions on the

margins of power structures. However, I also argue that, in order for feminist

epistemology to utilize the concept of epistemic privilege successfully, it must

incorporate a concept of error into its considerations of constructions of knowledge.

Thus, throughout this dissertation, I examine how a concept of error could bolster

efforts to subvert the dominant approaches to knowledge that have upheld male privilege

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This concept of error, and the related approach to error-sensitive inquiry, relies upon a

commitment to continuous and ever-expanding inquiry by a community, rather than an

isolated individual. Thus, I derive much of my conceptual framework from the work of

Josiah Royce and his concepts of the beloved community, loyalty to loyalty, and communities of interpretation.

I develop my argument through five chapters and a conclusion. In the first chapter, I address the ways in which contemporary discourse about knowledge perpetuates beliefs and assumptions that maintain existing privileges. In particular, I look at the discussions surrounding the confirmation of Justice Sotomayor to the U.S. Supreme Court and the criticism she received for suggesting that her gender and race could positively influence her decision-making process. I build upon this example by examining the work of feminist standpoint theorists and the importance of developing a means for determining when an epistemologically privileged view may be in error. My second chapter continues this discussion by reviewing a wider range of works in feminist epistemology and the means that they offer for supplementing and modifying and the concept of epistemic privilege in order to maximize its potential for promoting better knowledge production. In this chapter, I also propose that feminist epistemology should uphold four commitments and review the ways in which existing works establish and fulfill those commitments before arguing that a method of error sensitivity is still necessary.

In the third chapter, I examine how Royce develops his concept of error throughout his work and how his concept of error could promote a method of error-sensitive inquiry that would affirm the value of testimony. This examination leads directly to the discussion in my fourth chapter, which focuses on Royce's concepts of the beloved community and loyalty to loyalty. In this chapter, I argue that Royce's theories, which emphasize pluralism, communal knowing, and contingent knowledge, are

consistent with the commitments of feminist epistemology. Thus, in the fifth chapter, I address potential objections to using Royce's theories to address problems in feminist epistemology, review how an error-sensitive method of feminist inquiry could operate, and examine how the existing U.S. court system prevents this kind of inquiry. Finally, I conclude the dissertation by discussing how the Navajo Peacemaker courts reveal an alternative to the adversarial methods of the typical U.S. court. Although I do not promote adopting all of the Peacemaker's courts' methods, I consider how they offer a framework upon which new approaches to legal inquiries could be based.

Identity, Knowledge, and The Supreme Court

The 2009 confirmation of Supreme Court Justice Sonia Sotomayor instigated a moment when a discussion of feminist epistemology dominated cable news and newspaper op-eds. In the months surrounding Sotomayor's confirmation, politicians and pundits asked philosophical questions about what determines reliable knowing, what is the place of the knower in creating knowledge, and can and should the knower's identity affect knowledge. These questions mirror the concerns of feminist epistemologists who reject the concept of a universal, idealized knower in favor of diverse, communally-situated knowers. Critics often suggest that feminist epistemologists rely on a straw man depiction of modern epistemology and that Western epistemology has never actually lauded the isolated, unconstrained, and unbiased knower they critique.[i] However, the controversy over Sotomayor's appointment showed that the concerns of feminist epistemologists remain relevant.

Sotomayor became a controversial figure after media outlets widely reported that in a 2001 lecture at Stanford University she claimed, "I would hope that a wise Latina

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woman with the richness of her experiences would more often than not reach a better conclusion than a white male who hasn't lived that life."[ii] To those who have been educated in feminist epistemology and strive to institute various ways of better knowing, Sotomayor's comments might seem inspiring, honest, or even benign. Her suggestion that her identity as a "wise Latina" has given her perspectives that those in privilege lack could have appeared verbatim in early writings in Feminist Standpoint Theory from the 1980s or any of the plethora of feminist epistemologies that have been written since this time. As Linda Martín Alcoff states, "Judge Sotomayor has simply stated upfront what most of us know full well: identity affects experience, and experience makes a difference in our judgment."[iii] Since feminist epistemologists start from the position that identity will affect knowledge and judgment, Sotomayor's remarks acknowledge that all justices start from their own identities rather than making an argument that her approach to interpretation is radically different.

Although Sotomayor's remarks might not have stirred much controversy amongst feminist epistemologists and those who take identity politics or feminist epistemology seriously, they were met with outrage by Republican law makers and conservative media pundits. Many commentators like Rush Limbaugh and Newt Gingrich claimed that her comments were blatantly racist.[iv] Sotomayor's nomination indicated that the first African American President of the United States was in fact promoting an anti-white agenda that threatened white citizens and that Sotomayor herself opposed the American value that "all men are created equal." Moreover, Sotomayor's comments were also called a "poor choice of words"[v] by President Obama's administration, and liberal news outlets described them as the kind of thing that can be said by an academic but not a political

nominee. Other criticisms of Sotomayor included the claim that she "is just not that bright,"[vi] an interesting and unlikely remark by any means considering her position and her place on the law review of the highest ranked law school in the nation. Although none of these pundits or media outlets mentioned the work of Sandra Harding, Patricia Hill Collins, Donna Haraway or Lorraine Code, they criticized their works. These epistemologists have all argued that good knowing requires attention to the interpreter's identity and community and that women's experiences, as well as the experiences of those of color and the colonized, present the foundations for better knowing. When the unique epistemological position of a "wise Latina" was called biased, racist, and an unworthy starting point for interpretation, feminist epistemology itself was attacked.

By the end of her confirmation, Justice Sotomayor distanced herself from her Stanford remarks and claimed that her legal philosophy was "a simple fidelity to the law." Thus her final confirmation at least appeared to be dependent upon her advocating a legal epistemology where the identity and experience of the interpreter was separate from the job of a judge, which is to appeal to the kind of "law" that has the answers for justice, and agreeing that this kind of pure interpretation of the law was the only course towards "fairness."[vii]

In the year following her confirmation, the news media's attention turned again to the US Supreme court when Justice John Paul Stevens retired. Justice Stevens, a white male from Chicago, served on the Supreme Court for 35 years. In reflections on Justice Stevens's career, some of the same media outlets that covered Justice Sotomayor's controversial remarks implied that Justice Stevens's experience in the US Navy influenced him as a judge. These comments were not controversial. Rather than

remarking that Justice Stevens's reliance on his veteran status was an "unfair" influence, many conservative columnists lauded this aspect of his identity.[viii] Rather than claiming that Justice Stevens's identity as a veteran would get "in the way" of a "simple fidelity to the law," many conservative columnists seemed to find this status as compensating, at least in a small way, for his "liberal" rulings on key decisions, including *Roe v. Wade* and *Gore v. Bush*.

When President Obama nominated Elena Kagan as Justice Stevens's successor on the US Supreme Court, her sexuality was the source of public speculation, but she had not produced public remarks about her gender to scrutinize. Nonetheless, many pundits still argued that she was under qualified for the position as a Supreme Court Justice and that President Obama nominated her primarily because of her gender. Pat Buchannan claimed that Justice Kagan's nomination marked a policy of discrimination against white Anglo-Saxon men by the Obama administration.[ix] In this manner, Justice Kagan's identity as a woman and "possibly lesbian" was used to undermine the claim that she was a qualified appointee. The comments from Fox News, Pat Buchannan and others stem from the assumption that gender only plays a role in political appointments when a woman is appointed. By drawing attention to the existence of qualified men as an explicit critique of President Obama's choice to nominate a female appointee, Buchannan implies that Kagan was chosen because of her gender rather than her qualifications as a legal expert. Yet Justice Kagan's lack of public comments on her gender, sexuality, and Jewish heritage saved her from having a "wise Latina" moment even as these parts of her identity were scrutinized.

The media scrutiny of Sotomayor and Kagan may provide a more accurate account of popular epistemologies than academic philosophical texts contain. Nearly three decades into feminist epistemology, one might claim that the idea of the isolated knower gathering pure unadulterated knowledge is a straw man, or a caricature of a myth that never really existed. As Alan Sobel and others might claim, the work of feminist epistemology was ill formed from the beginning and even less relevant in a world with contemporary analytic accounts of knowledge making. However, Sotomayor's original claims were not radical in comparison to contemporary feminist epistemology. Simply, she claimed that her identity as a Latina gave her a perspective that those of the dominant gender and race did not share, and that this identity influences the decisions she makes. Yet, the reaction to, as well as her ultimate retraction of, her statements highlighted a much more popular epistemology: Male or female, white or Latino, Queer or straight, the judgments we make, especially when these judgments have legal significance, ought to bare no relation to an identity. Instead, they ought to capture a pure interpretation of external events and facts. With this in mind, even in our supposedly post-racial existence,[1] we can see the need for progressive epistemologies. Moreover, these epistemologies offer substantial ways to alter social discourse, legal proceedings, and politics.

The reaction from the news media, especially the conservative news media, to Justice Sotomayor's "wise Latina" remarks in comparison with the response to Justice Stevens's biography and the scrutiny of Justice Kagan's gender and presumed sexual orientation reveals that critics did not require that judges be blank interpreters of the law,

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[1] Please note that I am not advocating that we are in any way "post-racial" but rather I am using this term to highlight this contemporary assumption.

abstracted entities that can practice complete fairness, rather they maintained that their identities can influence their decisions but only if that identity is in some way an approved identity. Both Justice Stevens and Justice Sotomayor argued that their own experiences can lead to better legal decision making. For Justice Sotomayor, this comes in the form of gaining experience from being Latina, for Justice Stevens, it comes from having an exclusively male experience of being in the Navy during WWII. By condemning Justice Sotomayor's comments while commending Justice Stevens's, critics implicitly authorize white, male, and American identities as valid sources of knowledge while disregarding the value of Latina and female identities as sources of knowledge. They also cast aspersions about queer identities as sources of knowledge in the inquiries surrounding Justice Kagan's nomination.

By authorizing some identities while disregarding others, institutions of power hamper the process of developing better ways of knowing because the approved identities lack the capacity and incentive to recognize the limits of their own knowledge. Bolstered by a media that upholds the "Greatest Generation," history courses that valorize American veterans from WWII, and political allies who want to ensure his political legacy, Justice Stevens has no reason to doubt his own commitment to the law or question the possibility of a disparity between his experiences and legal precedence. As a result, Justice Stevens's identity gives him no reason to question the validity of the laws and their possible racist or sexist roots and implications. It is not a stretch to imagine that the conservative pundits decrying the nominations of Justices Sotomayor and Kagan by the first African American President of the United States may be reacting to the fear that the Justices may alter laws which uphold white privilege and patriarchy.

Sandra Harding and the Idea of Epistemic Privilege

The kind of alteration that conservative pundits fear Justices Sotomayor and Kagan will create in the United States' legal system is the same kind of alteration that Sandra Harding advocates in the sciences. In *Whose Science? Whose Knowledge?* Harding claims that conventional research within racist, sexist, and heterosexist societies will only reproduce the vision available to those in power. Conventional research in these instances is not only partial but also distorted by the effects of the dominant power structures. For example, when socio-biologists such as E. O. Wilson argue that traditional gender roles have their bases in natural, evolutionary biology, they can readily interpret data in order to support their hypotheses while ignoring other possible interpretations. Thus, Harding argues that those outside of the "view available to the rulers" share an epistemic privilege. In this context, the views of people who possess epistemic privilege need to be given the utmost credence and consideration by others because they have the most incentive to question not only what they see but also what influences their perceptions. Harding claims, "Feminist standpoint theorists argue that not just opinions but also a culture's best beliefs—what it calls knowledge—are socially situated. …It is [the knowledge claims made from women's situations] which are not used by conventional researchers, that enable feminism to produce more accurate descriptions and theoretically richer explanations than does conventional research."[x] The standpoints of women and anyone who is on the periphery of social privilege provide access to a view that is "less partial and distorted than the picture of nature and social relations that emerges from conventional research."[xi] Only from the periphery can knowers recognize the distortion caused by the power structures that define social relations.

Harding articulates eight reasons to value women's standpoints: First, women's lives have been neglected as starting points for scientific research and as a result represent an underutilized resource.[xii] Second, women are "strangers" to the existing social order and, therefore, will be able to perceive its harms and limitations better than those ensconced within it.[xiii] Third, women's oppression gives them fewer interests in maintaining ignorance about patriarchy.[xiv] Fourth, looking at women's specific political struggles is the only way to understand gender oppression.[xv] Unlike conventional scientific research, women's perspectives come from everyday life and thus they provide a better understanding of the everyday domestic tasks that underlies the research of men.[xvi] Sixth, the political situation in the United States means that women's labor, such as care work and mothering, has forced them to spend more time and effort than men do in negotiating philosophical dualisms, such as a nature and culture divide.[xvii] Seventh, women who are in academic and scientific fields of research represent outsiders within institutions of power who can critique conventional research methods.[xviii] Finally, Harding argues that the time of *Whose Science? Whose Knowledge?* was the right time to look towards women because feminist researchers were then able to provide better accounts of patriarchal institutions by looking at nature and social relations through analyses of conflicts in the sex/gender system.[xix]

While feminist standpoint theory historically focuses on women's experience as the starting point of more objective inquiry, the same principles that underlie the move to look at the standpoints of women also mean that good inquiry ought to look towards the standpoints of those oppressed by structures of power other than patriarchy. Women lack investment in maintaining ignorance about patriarchy and provide an outsider perspective

to conventional research, and their labor has negotiated dualisms. Since the standpoints of those oppressed by racism, classism, religious bigotry, and heterosexism similarly critique situations of power, they warrant equivalent epistemic privilege.

For Harding, any standpoint of oppression has some epistemic privilege. She argues "the social structures of race relationships are interlocked with gender and class structures."[xx] Epistemic privilege is the ability to understand structures of power. For Harding, this privilege is the result of suffering oppression, those who are oppressed share an epistemic privilege by way of their identity. However, those of privilege can achieve greater objectivity by adopting what Harding calls "a view from below." Harding claims, "Men's thought too will begin from women's lives in all the ways that feminist theory, with its rich and contradictory tendencies, has helped us all—women as well as men—understand how to do."[xxi] In order to adopt the view from below, researchers must accept working in collaboration with others and foregoing the social privileges afforded by ideologies of white supremacy, patriarchy, and heteronormativity. Harding goes on to claim, "The lives that provide starting point for African American thought will then also be providing the starting points for feminist, socialist, gay and lesbian, and other emancipator thought. They are part of the multiple subject or agent of *every* emancipatory thought. Thus it is not only African Americans who have an obligation to generate knowledge from the perspective of African American lives." [xxii] In these examples, people who maintain oppressed standpoints have a particular investment that helps create epistemic privilege while those with privileged identities share the obligation to cultivate research from the standpoints of those who are oppressed.

In addition to Harding, Patricia Hill Collins also describes various aspects of epistemic privilege. Although both authors emphasize different attributes of the concept, several elements of epistemic privilege remain consistent from work to work. First, epistemic privilege is not inherent; instead, individuals in oppressed groups develop epistemic privilege through their situations living on the margins.[xxiii] Second, because individuals from oppressed groups often must recognize and negotiate structures of power in order to succeed at their endeavors, they can develop uniquely insightful understandings of those structures of power. In particular, they can become adept at identifying the ways in which structures of power invalidate knowledge claims and curtail experiences in order to sustain themselves.[xxiv] Third, although experiences remain individualized, oppressed groups can begin to develop communal knowledge through a shared understanding of common experiences with the ways in which structures of power disenfranchise them.[xxv] Fourth, as a result of their insights into structures of power and their sense of shared experiences, individuals from oppressed groups can develop a sophisticated understanding of how both oppressed and privileged groups function as groups, as well as how they are identified and responded to as groups.[xxvi] In contrast, individuals from privileged groups tend to focus on how they function as individuals and react to others as individuals.

While these attributes of epistemic privilege indicate how individuals and communities within oppressed groups can develop vital knowledge that may be unavailable to others, these attributes do not immediately suggest how communities should respond to individuals with epistemic privilege, especially in situations in which individuals with epistemic privilege present knowledge claims that contradict the

knowledge claims presented by other individuals. Although it may be tempting to suggest that communities should always assume individuals with epistemic privilege are providing the better accounts of the events in question, this policy would not, ultimately, enhance the community's knowledge because it would not promote understanding how all the claims are situated. As a result, it would not help the community as a whole develop better knowledge in the future.

However, communities could benefit from responding to individuals with epistemic privilege by shifting the burden of understanding to the audience of a claim, rather than expecting the individual making the claim to persuade her audience of its validity according to the dominant standards. As I suggest throughout this dissertation, the community could develop better ways of knowing by accepting the responsibility of recognizing, understanding, and acknowledging the claims presented by individuals with epistemic privilege. For example, when a woman testifies about the experience of being raped, she may emphasize the pain and embarrassment she feels and, subsequently, fail to discuss the circumstantial details that clarify how she was coerced into a sexual act. If the community hearing the testimony expects the woman to prove that she was raped according to an established set of standards that emphasizes codifiable details, it may not find her explanation convincing. In contrast, if the community hearing the testimony accepts the responsibility of trying to understand how her explanation relates to her claim, it may be more likely to recognize the connections between her descriptions of what she felt and her initial statement about what happened.

Sexual Assault and the Case for Women's Epistemic Privilege

Although Harding's work focuses on reforming scientific research, her arguments in favor of standpoint theory implicitly promote reform in how legal inquiries are conducted because both scientific research and legal inquiries emphasize gathering empirical evidence in order to arrive at a value-neutral conclusion. Where scientific researchers observe phenomena in nature and objects in laboratories, judges, juries, and legal advocates witness conflicts in society. In both situations, institutions of power influence ostensibly neutral knowledge-making process through the distribution of funds, the perpetuation of cultural myths, and control over education and professional certification (i.e. being a board certified physician or a member of the American Bar Association). The influence of patriarchy on the legal system is particularly evident in cases that involve crimes which disproportionately harm women, such as domestic violence and sexual assault.

In "Sexual Terrorism," Carole Sheffield claims, "Sexual assault is the system by which males frighten, and by frightening dominate and control females. It is manifested through actual and implied violence. All females are potential victims…The subordination of women in all other spheres of society rests on the power of men to intimidate and to punish women sexually."[xxvii] Sexual assault represents one of the defining pillars of patriarchy. Female sexual assault survivors share an understanding that their accounts will likely not be believed, that prosecuting their victimizers will likely lead to their own lives and virtue being put on trial, and that as women they are always potential victims. Understandably, feminist scholars have argued that, in cases of sexual

assault, women share an epistemic privilege and that insisting on this privilege is crucial to undermining the oppression of women.

As Sheffield argues, the prosecution of male/female sexual assault in the United States reproduces patriarchy. Partly by reinforcing the male-active/female-passive stereotype, partly by perpetuating oppressive standards of sexual virtue, and partly by relying on the standard that women's testimonies about their experiences are untrustworthy, the legal representations of sexual assault have buttressed the political harms of specific acts of violence. Feminist legal scholars, ethicists, and epistemologists have argued for new ways of negotiating these power dynamics to help ensure that female victims of sexual assault will have more success in prosecuting their cases in the Justice System.

The high instances of sexual assault and its correlation with overarching structures of patriarchy has meant that women's own testimonies and experiences of rape have been downplayed, dismissed, and ridiculed in both social and legal settings. In particular, victims of assaults deemed "acquaintance rape"[2] have had a hard time getting their experiences of sexual assault prosecuted or accounted for. In "Women's Voices, Women's Words: Reading Acquaintance Rape Discourse," Molly Dragiewicz claims that the terms "acquaintance rape" and "date rape" entered the public lexicon as a way of acknowledging the experiences of sexual assault victims whose assaults did not fit the common understanding of rape: "The experience of these terms reveals the substance of dominant ideas about rape. …If acquaintance rape were not part of the cultural

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[2] The qualification of "deemed" is used here to imply that I understand and am sensitive to the arguments of Mary Daly and others who have claimed that the linguistic distinction between various forms of rape has been used to imply that victims of rape who were in relationships with their attackers were somehow "less raped" than those who are victimized by a stranger.

vocabulary, however, women would currently have no term available to them to describe any rape that differs from dominant connotations of Rape (usually a violent rape committed by a stranger)."[xxviii] In instances of acquaintance rape, instances that account for the vast majority of all rapes committed, accounts of women's experiences of victimization are often disregarded by law enforcement agents, peer groups, and the media as not being "as bad" as "real rape." As Dragiewicz points out, popular editorials, such as Katie Rophie's "Date Rape Hysteria" and the 1993 *Newsweek* issue on "Sexual Correctness" have at various points dominated the public discussion of acquaintance rape, all of these accounts have suggested that assaults that fall under the category of "acquaintance rape" are in some way not violent or hurtful enough to deserve the title of "rape." Rophie in particular has gone so far as to claim that much of what might be called "acquaintance rape" by feminist activists and scholars is really just "bad sex."[xxix]

Dragiewicz notes that the move to regulate what counts as "real rape" has often been used to delegitimize studies that show the extremely high rates at which women suffer from sexual assault, and by delegitimizing these statistics, those with positions of power, such as law makers and college boards and administrators, have been able to create suspicion around those who advocate for political and campus action to prevent rape. In particular Dragiwicz contends that this was the explicit strategy of several conservative law makers as they attempted to justify rejecting the 1990 Violence Against Women Act.[xxx]

The example of acquaintance rape offers one of the most important examples of the need for accounting for the epistemic privilege of women's standpoints. Because sexual assault is such an important tool for maintaining existing structures of patriarchy,

men, especially men in power, have an invested interest in maintaining ignorance about the staggeringly high rates of sexual assault against women.[xxxi] If acquaintance rape and other forms of sexual assault can remain an unacknowledged disciplinary power against women, then there will be few public and political actions taken that could reduce its occurrence. Moreover, acknowledging the rates of acquaintance rape and the social conditions that perpetuate it would require men to take action, "such as teaching little boys that 'women are equals, that sex demands consent, that violence is unconscionable, that rape is one of the gravest crimes of all.'"[xxxii] The fact that men have an interest in maintaining high levels of sexual assault points directly to Harding's third reason for granting women epistemic privilege; in cases of rape, women have fewer interests in maintaining ignorance around rates of sexual assault and thus would be more likely to consider a wide range of research methods on sexual assault.

Moreover, dominant research methods that stem from patriarchal interests will maintain the dominant myth of rape as primarily stranger driven assault. The only way to move beyond this myth would be to look to the experience of women's lives in accordance with Harding's second reason for the epistemic privilege of women's standpoints. The research methods that uncovered high rates of acquaintance rape on college campuses were driven by female researchers who asked women in-depth questions about their experiences rather than surveying police reports, medical records, or other official tallies or even survey's that asked women simply if they had ever been sexually assaulted. When women were asked several questions about their experiences, researchers found much higher rates of instances of sexual intercourse without consent, (i.e. instances that would fulfill the legal definition of rape) than previous studies.[xxxiii] In

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this instance, discovering the extent of acquaintance rape on college campuses required looking at women's experience, not simply at their rates of identifying themselves as having been raped. Without much more in-depth accounts that considered that women themselves might not have access to the language they require to be recognized as victims of sexual assault, this information would not be available.

Since the rate of acquaintance rape is much higher than the rate at which men are prosecuted for rape, women live with the knowledge that their testimonies will be placed under intense suspicion and that, in order to prosecute their attackers, they must submit their own virtue and sexual lives to public and legal scrutiny. By granting women's testimonies about acquaintance rape epistemic privilege, a progressive justice system could not only encourage more women to come forward with accounts of sexual assault but also develop better accounts of incidents described by the women who do come forward.

Although a focus on helping female victims of sexual assault successfully prosecute their cases is essential, this focus alone fails to rid the justice system of all harmful stereotypes, and in some cases fails to account for all of the power structures in place in a specific case. While the vast majority of rapes are intraracial, interracial sexual assault cases in which the alleged victim is white and the alleged perpetrator is a man of color present a particular challenge for feminist epistemology. While feminist standpoint theorists such as Harding, Code, and Collins have all advocated that better knowing requires privileging a view from below, instances of alleged interracial sexual assault place two differing and opposing views from below in conflict. Adjudicating these cases

requires not only adopting a view from below but also being sensitive to the potential for error in both sets of claims.

The Myth of the Black Rapist and Lynching in America

While sexual assault has been one of the most effective forms of social control of women, myths surrounding sexual assault have also been used as a means of social control of men of color. Although the vast majority of sexual assault cases involve someone the victim knows, the primary depiction of sexual assailants is that of a stranger who prompted by deviance or perversion rapes victims after dark. Prompting the myth of what Jackson Katz calls the "Crazed Rapist"[xxxiv] concept of sexual assault helps women maintain a constant level of fear while also promoting further dependence on men around them. Along with the prototype of sexual assault as an encounter with a stranger the ultimate "boogie man" rapist is also a man of color who preys on white women. In actuality the vast majority of sexual assaults are intraracial.[xxxv]

Even though the vast majority of sexual assaults involve members of the same race, the myth that men of color are violently promiscuous has worked to justify violence against African American men. In *Black Sexual Politics*, Patricia Hill Collins argues that African American sexuality has been controlled in the United States by racism: "Black sexuality is controlled by the rape of black women by white men and of black men through lynching." A history of lynching has a created a subjugated knowledge in African American men that is similar to the subjugated knowledge about sexual assault in women. Just as women know that their accusations about acquaintance rape will be derided and dismissed, African American men know that their pleas of innocence in sexual assault cases involving white women will be disregarded. Throughout history, this

situation has made it dangerous for African American men to pursue romances with white women or even be in the company of white women.

While interracial rape cases are rare, specific instances of Black on White interracial rape cases have garnered media attention and perpetuated multiple myths about both race and women's sexuality. Two of these cases, the 1931 Victoria Prince sexual assault case, also known as the "Scottsboro Boys" case, and the 1989 Tricia Meili sexual assault case, also known as the Central Park Jogger case, are infamous on their own and examples of the pervasiveness of the myths that surround sexual assault and race. Both cases became symbols for the policing of women who somehow step out of bounds by being alone in public and for the white justice system's response to African American men's alleged violent promiscuity, which Angela Davis coined the "Myth of the Black Rapist"[xxxvi] in *Women, Race and Class* and Collins, Kimberlé Crenshaw, and others have followed her use of this label.

In the 1931 Scottsboro Boys case, two women who were designated as runaways by the police, Ruby Bates, who was a minor, and Victoria Prince, who was not, were riding trains, or *hoboing*, between Chattanooga and Memphis. Following a fight between a gang of white men and twelve young African American men, the women were discovered dressed as men by officials when the train crossed over the border into Alabama. When asked if the African American men had harmed them in any way, Victoria Prince claimed that she and Bates had been raped.

Police gathered all the African Americans on the train they could catch, and the nine who failed to escape were brought to Scottsboro, Alabama where a mob of white male residents had gathered to lynch them. These nine men would become known as the

Scottsboro Boys. Though National Guard forces escorting the Scottsboro Boys prevented the lynching, the men were tried and found guilty by all white juries. Their cases went through multiple appeals and two Supreme Court reversals, but in the final case, eight of the nine Scottsboro Boys were convicted of rape.

During the trial and in media depictions of this case, the myth of the Black rapist was used as justification for proposed lynchings and convictions, while the sexual character of Prince was repeatedly called into question. Prince and Bates were both depicted as prostitutes and women of low moral character, while Prince—the only one to claim formally that she had been raped—was painted as an adulterer, swindler, and prostitute on the stand as the defense attempted to present her as unrapable. Meanwhile, the guilt of the nine African American men was widely assumed, and the presumed rape of the white women by African American men was depicted as the most heinous of crimes against the white race.[xxxvii]

Sixty years later, the Central Park Jogger case reestablished similar myths. In the 1989 case, investment banker Trisha Meili was raped and severely beaten while jogging through New York's Central Park during day light hours. As a result of her beating, Meili slipped into a coma and retained no memory of the attack. Police at the scene assumed the attack to be the work of several African American and Latino young men. Ultimately, five young African American men were arrested and convicted of the crime. All five were convicted and sentenced to prison.

In 2003, after repeated claims that their confessions had been coerced, all five men's sentenced were voided when convicted serial rapist and murderer, Matias Reyes confessed to the crime and claimed he had acted alone. Reyes's confession was

corroborated with DNA evidence that indicated that he was the only one who had engaged in sexual intercourse with Meili. Despite Reyes's confession and DNA support, the original prosecutor vocally opposed the voiding of the original five convictions. As of 2003, a New York City Police panel still claimed that the original five suspects were guilty.[xxxviii]

As Collins argues in *Black Sexuality* media representations of the Central Park Jogger Case led to a widespread panic that was built on a longer legacy of the myths about African American and Latino sexuality:

> The attack in Central Park occurred in this political, social, and cultural context. The "park panic" that followed the incident drew upon this fear of young Black men in public space, as evidenced by their loudness, their rap music, and their disrespect for order (graffiti). In doing so, it referenced the primitivist ideology of Blacks as animalistic. Media phrases such as 'roving bands' and 'wolf pack' that were used to describe young urban Black and Latino males during this period were only comprehensible *because* of long-standing assumptions of Black promiscuity.[xxxix]

Unlike Prince and Bates from the Scottsboro Boys case, Meili's sexual virtue was not officially or widely called into question. In this instance, Meili's status as a wealthy, Yale-educated, white woman protected her from extensive media criticism. However, her rape did serve as a cautionary tale for other white women, since it involved entering a space occupied by African American and Latino youth.

The Scottsboro Boys case and the Central Park Jogger case highlight key aspects of the "black rapist myth": First that the act of sexual assault of a white woman by a man

of color is not an individual act of assault. Rather, it is depicted as a crime against "whiteness" broadly. Second, the guilt of the accused is assumed. In cases of lynching the justice system is circumvented. In the case of the Scottsboro boys, lynching was prevented by National Guard troops but the assumed guilt of the nine defendants was maintained throughout their numerous trials, even when the US Supreme Court found insufficient evidence. More recently than the Scottsboro case, the Supreme Court did not overturn the conviction of the men accused in the Central Park Jogger case until 2002. The fact that it took more than a decade to overturn this conviction marks another example of the power of the assumed guilt of men of color. Moreover, Marcus found that men of color convicted of rape in interracial sexual assault cases receive harsher sentences than white men convicted of similar crimes.[xl] Third, in cases of lynching or attempted lynching, there is often a rational that "any black men will do." In the Scottsboro Case Prince claimed that twelve African American men had raped Bates and herself. Rather than trying to find the specific twelve men Prince referred to, police rounded up all African American men on the train.

Both of these cases, the cultural myths surrounding them, and the history of lynching demonstrate that African American men exist on the periphery of social power, and as a result, warrant epistemic privilege in manner similar to female victims of sexual assault. The fact that white culture has an interest in perpetuating the myth of the black rapist relates to Harding's third reason for supporting standpoint theory because African American men have a direct interest in learning about the effects of this myth and resisting the ignorance that surrounds it. Furthermore, in accordance with Harding's

fourth reason, looking at African American men's struggles with false accusations of rape and a culture of lynching creates a means of understanding racial oppression.

Competing "Views from Below" in Incidents of Interracial Acquaintance Rape

In "Race-ing Justice," Kimberlé Crenshaw claims, "In feminist contexts, sexuality represents a dominant narrative trope. In antiracist discourses, sexuality is also a central site upon which the repression of Blacks has been premised; the lynching narrative embodied as its trope. (Neither narrative tends to acknowledge the legitimacy of the other).'"[xli] In both the Scottsboro Boys case and the Central Park Jogger case, myths surrounding feminine virtue and propriety and myths of racism came into competition with one another. Cases such as these two, where the victims and the prosecuted are differently oppressed, leave anti-racist feminists in a difficult situation. To grant greater epistemological privilege to female sexual assault victims involves disregarding the significant role racist myths play in the American justice system and media. Similarly, to unequivocally grant greater epistemological privilege to accused men of color continues the trajectory of disregarding the personal experience of female sexual assault victims, while perpetuating oppressive standards for acceptable women's behavior. Both options carry tremendously harmful results, but the justice system and the community at large have to make a decision between these directly conflicting accounts.

In these cases, both parties are oppressed by existing myths and power structures. Both racism and sexism are perpetuated in the prosecution and in media representations of these situations, and feminist standpoint theory is left in the difficult position of deciding whose account is the "truer" view from below. Whichever choice it makes will perpetuate the harmful view that patriarchy and racism are separable in cases of sexual

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assault. Yet a decision must be made. Those accused of rape cannot go on indefinitely without either being sentenced or cleared, and their accusers require that some kind of communal condemnation take place.

Hence, I claim that in these cases, feminist epistemology needs a method of error sensitivity that takes into account the epistemic privilege of those suffering oppression. Error sensitivity, the ability to recognize when claims are in error, requires the ability to look beyond your own perspective, even if your identity grants an epistemically privileged standpoint. In order to be error sensitive, communities must resist making assumptions about the epistemic privilege of either white women or African American men at the onset of evaluating an instance of possible sexual assault; instead, they must interpret these situations on a case by case basis. This requires acknowledging that either side can make claims that are in error with regards to the events in question.

The limitations of feminist standpoint theory as it is currently articulated are recognizable in cases that involve possible interracial acquaintance rape. These cases bring two sources of epistemic privilege into conflict, the subjugated knowledge and epistemic privilege that women have as the result of the ubiquity of sexual assault and their recognition that their accounts of victimization will be downplayed and disregarded in cases of acquaintance rape and the subjugated knowledge and epistemic privilege that African American men have as the result of understanding that they will not necessarily be seen as "innocent until proven guilty" and that the mere accusation of raping a white woman can lead to the violence of lynching. Furthermore, instances of acquaintance rape are less likely to be resolved on the basis of things like DNA evidence and other seemingly straightforward matters of fact than cases that involve stranger rape. Instead of

focusing on the identity of the rapist or the question of whether or not sexual contact occurred, cases involving acquaintance rape center on the much more nebulous question of what constitutes consent and whether or not it was provided.

Under Harding's qualifications both women of all races and African American men have an important epistemic privilege in understanding the political reality of and reaction to interracial sexual assault. However, in cases of interracial acquaintance rape between a white woman and an African American man there are competing "views from below" to look towards with contradictory accounts of the incident. In this example epistemic privilege alone does not provide a means of determining what happened, what its significance of the occurrence is, or what the community's response should be to the incident. Moreover, in the example of interracial sexual assault cases, the oppressions of patriarchy and race act concurrently. For both white women and African American men, their sexuality is essentialized in the incident. The incident becomes a lesson for white women about what happens to those who not only failed to attend to their own sexual virtue properly enough but also disrespected the purity of their whiteness by fraternizing with men of color in the first place. With regards to African American men, the accusation of rape acts to confirm the myth that men of color are hypersexual and violent. At the same time, outcries over the supposed action reinforce the idea that they are stepping out of line by taking the sexuality of white women, the assumed domain of white men.

In "Marginality and Epistemic Privilege" Bat-Ami Bar On critiques the feminist use of epistemic privilege for relying upon an underdeveloped account of systems of power. Bar On claims, "[t]he attribution of agency to a marginality that is not at the same

time a centrality problematizes the attribution of epistemic privilege to the socially marginalized subjects. The source of the problem is the existence of multiple socially marginalized groups; is any one of these groups more epistemically privileged—does epistemic privilege matter?"[xlii] Bar On argues that when one position is chosen as the most epistemically privileged position it implies that that position is the farthest from a center of power. In the example of an interracial acquaintance rape, both the African American man and the white woman are on the peripheries of a central power, but as Bar On claims, these two standpoints are on the peripheries of different centers of power.

The white woman is on the periphery of patriarchy while the African American man is on the periphery of white supremacy. While both could be considered on the periphery because they are not white men, Bar On warns against conflating sources of oppression. Drawing on Iris Marion Young's concept of "the five faces of oppression" Bar On claims, "Instead of attempting to unify the oppression by providing a theoretical framework that will explain each and every kind of oppression and order that different kinds of oppressive relations, [Young] provides a theoretical framework that explains why one should resist the impulse to unify and how to go about politics in a heterogeneous world."[xliii] While both African American men and white women are oppressed in relationship to white men, for Young and Bar On, the vast differences in the nature of racist oppression and sexism require that these be understood as different experiences in relation to different sources of power. This means that it is impossible to judge who is more on the periphery of power between white women and African American men because they are on the periphery of two separate centers of power.

Along with the difficulty in determining whose epistemic privilege takes precedence when they come from different sources of oppression, the act of trying to rank oppression also has harsh social consequences. In "Toward a New Vision," Collins explains why the ranking of oppression is a dangerous proposition: "Adhering to a stance of comparing and ranking oppressions—the proverbial, 'I'm more oppressed than you'—locks us all into a dangerous dance of competing for attention, resources and theoretical supremacy."[xliv] For Young, unity is possible and helpful if people of different sources of oppression come together for political action, however, moves to determine who is the most oppressed often results in competition for political privileges. Rather than promoting unity to overcome oppression, the act of ranking oppression to find a "view from below" leaves both groups with fewer resources and prevents future political unity.

Theorists inspired by feminist standpoint theory have often responded to intersecting standpoints of oppression by relying on the language of negotiation or mapping of systems of oppression rather than the language of epistemic privilege. Lorraine Code provides an example of this work in *Ecological Thinking*. Code's approach in this work is to map structures of power when constructing knowledge. While the standpoints of women of all races, men of color, those who are colonized, and LGBTQ peoples are crucial to constructing better knowledge, the process of ecological thinking requires responsible knowers "to set high standards for the understanding that responsible action requires, yet to act on the best available explanation when definitive conclusions are elusive. It is, and it promotes thoughtful practice."[xlv] While Code draws heavily on feminist standpoint theory including the work of Sandra Harding, ecological thinking goes farther than standpoint theory. Rather than providing a clear "view from

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below" to ascribe to, Code's concept of ecological thinking requires that the effects of structures of power on guiding myths be examined in order to provide the best possible course of action. The work of feminist epistemology for Code is "to produce 'faithful accounts of the real world' by working through genealogical, power-, and situation-sensitive inquiry to destabilize the imaginaries that confer a critical immunity upon states of fact whose historical-material contingency attests to their vulnerability to critique."[xlvi] Producing better knowing means mapping the specific power structures in each incident, and a person's identity and experience is a crucial component to understanding how to produce knowledge in each situation. Code never tries to claim that there is an ultimate standpoint "from below," and ecological thinking requires a mapping process that could take into account multiple centers of oppression.

In relation to women's standpoints in sexual assault cases, Code argues that structures of patriarchy have silenced and discredited female rape victims.[xlvii] As a result, Code claims that rape victims ought to work within a network of advocates in order to develop their own testimonies. These advocates may give the rape victim a better chance at recognition in North American courts, but this is not the sole reason Code calls for advocacy. She explains that prejudices against women in general, and rape victims in particular, have prevented women from being able to represent their experiences to anyone. Advocacy could not only lead to better treatment for women in the courts but also lead to better knowledge about rape in the community.[xlviii] The job of advocates is to understand and negotiate the particular power structures that are at work in the oppression of the women they represent.

Yet Code's account of rape testimonies in the legal system does not address the ways in which the system can silence both accusers and defendants. North American courts have certainly discredited female rape victims; however, the same courts have punished the men of color who were wrongly accused of rape, denied proper legal counsel, indicted by false or coerced confessions, or silenced by harassment and lynching. Code never discusses these histories, though it would not be hard to imagine her response: men of color have been silenced by structures of racism, and as a result they need advocacy in developing their testimonies as well. Although Code never addresses the possibility of advocating for African American men in interracial acquaintance rape trials directly, if good knowing requires mapping structures of oppression in academia, medicine, and the courts, it would follow that responsible ecological thinking requires that men of color also have access to advocacy to negotiate structures of racism in the court system. Advocates could be just as important for understanding the structures of power that oppress men of color as they would be at understanding white women's oppression. In both cases, since the advocate is focused on a particular case and a particular person, there is nothing that would prevent her from focusing on the center of power that is most pertinent to her client without reducing all institutions of power to a single structure like the one Bar On warns against.

Although providing all parties with advocacy may nullify the adverse effects of gender or race on knowing within the legal system by enabling expert negotiation of power structures, it does not create a mechanism for choosing between accounts of an incident. Making all accounts as clear as possible can be beneficial for resisting the influence of existing power structures, but it does not make it any easier for a judge or

jury to know that a testimony is wrong. Just as feminist standpoint theory cannot determine which "view from below" ought to take precedence without creating a potentially dangerous hierarchy of oppression, Code's concept of advocacy cannot resolve conflicts between clear testimonies. Both theories continue to rest on the assumption that at some point in the knowledge-making process the parties involved will be able to recognize the truth. While feminist standpoint theory expects that the parties will be able to designate the appropriate view from below, Code anticipates that testimonies guided by expert advocacy will reveal what really happened.

Code's account of ecological thinking and advocacy opens up an important position in which epistemic privilege is changing and needs to be determined within each particular situation. Advocacy of both parties giving interracial acquaintance rape testimonies could provide a community with better understandings of the power of both racism and sexism in creating myths of sexuality. However, developing clearer accounts of the incident will not resolve the conflict between the two testimonies by itself. Harding's and Code's focuses are both on finding better knowleges. Harding relies on the term of "strong objectivity." Finding more accounts and accounts that take recognize more structures of power provides knowledge that is less partial and more objective than conventional approaches. However, in cases where two accounts directly conflict and where a reaction is required from the community gathering a more objective account will not be enough to determine responsible action.

The Importance of Error Sensitivity

Creating better knowing in communities requires that feminist epistemology seek methods that are not only "more objective,"—as feminist standpoint theory and Code do

by recognizing otherwise disregarded points of knowledge—but also better at sensing how any particular account, even a "view from below" can be in error. The goal for feminist epistemology ought to be not only finding a less partial view but also developing methods of error sensitivity. In "Peircean Induction and the Error-Correcting Thesis" Deborah G. Mayo argues that Charles Sanders Peirce's theory of induction can provide an important tool to the sciences that contemporary statistical methodology lacks because Peirce's theory of induction claims that inductive methods are justified to the extent that they can recognize and correct errors in experimental tests. Mayo argues that, for Peirce, the progress of science depends upon its ability to self-correct errors in hypotheses and methods. This requires two things: first, science must "asymptotically approach truth in the long run," and second, it must replace "rejected hypotheses with better (truer) ones."[xlix]Mayo defines induction for Peirce as "a matter of 'trustworthy' or reliable experimental testing. Evaluating the 'trustworthiness of inductive procedures' requires determining how reliably the detect error."[l] Mayo uses an example of testing weight gain to explain how this might work. If ten scales are used to measure changes in weight and all ten of them show either no weight gain or minimal weight gain then the results of this study would be more trustworthy than a study that used only one scale. However, Mayo explains what is important from this example is not that more data can help researchers get closer to truth but rather that having multiple scales provides a way of determining if an error is occurring in the study: "[w]hile it is true that averaging more and more weight measurements…one would get asymptotically close to the true weight, that is not the rational for the *particular* inference. The rationale is rather that the error probabilistic properties of weighing procedure…inform one of the correct weight *in the case at*

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hand."[li] It is not just that the weights collected from multiple scales could be averaged to find a closer approximation of the true weight that matters, rather it is that by having multiple scales the researchers are able to judge if any scales that are being used in the testing are in error.

In the much more complex example of feminist epistemology, the goal for feminist epistemologists ought not only be to reach the most objective account possible, as is the case with feminist standpoint theory, but also to be able to determine when accounts of knowledge, even feminist accounts of knowledge and accounts from oppressed standpoints, are in error. If feminist epistemologists only strive to attain objectivity by adopting the view from below they risk not being able to detect when views from below are reproducing errors, including errors caused by myths from various power structures. In the example of an interracial acquaintance rape case, both accounts cannot represent the whole truth, and trying to find the most oppressed standpoint as the deciding factor results in a dangerous ranking of oppression. In light of the critiques from Bar On, an approach like Code's, which looks at the structures of power involved in each particular testimony provides the best way of reacting to structures of power. However, it is important that even a method such as this one be able to detect and self-correct its own errors.

In this regard, the needs of feminist epistemology differ from the needs of science described by Peirce and Mayo because the subjects included in feminist inquiries have a different relationship with the methods of feminist inquiry than the subjects of scientific research have with scientific procedures. The most pressing difference is that the subjects of scientific research, for Peirce and Mayo, do not necessarily possess subjectivity while

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the subjects of feminist inquiry always do. In the example of measuring changes in weight, a broken scale does not alter the mass of the subject being measured because the subject's mass exists independently of the scales. In contrast, African American men and white women never develop identities as African American men or white women or present accounts of knowledge independently from the structures of power that surround them. Hence, racist myths and controlling structures of patriarchy can alter individuals' understandings of themselves and their experiences. As a result, changing the methods of inquiry directed at African American men and white women can destabilize structures of power, or reinforce them, and provide either libratory or repressive means of creating knowledge.

As an alternative to Peirce's account of induction for the sciences that Mayo discusses, the work of Josiah Royce in *The Problem of Christianity* and his 1912 "Error and Truth" provides a concept of error that focuses on communal interpretation. For Royce, we establish error sensitivity by looking towards a larger viewpoint. As individuals, we look towards this larger viewpoint in our respective communities. As communities, we seek this larger viewpoint by relating to viewpoints outside of our community and viewpoints in the past. Royce's community-oriented approach to error sensitivity provides feminist epistemology with a means of detecting error in both claims and methods while taking subjects' standpoints and subjectivities into account.

Notes

[i] See Alan Sobel, "In Defence of Bacon," *Philosophy of the Social Sciences*, vol. 25, no. 2, 1995.

[ii] Sonia Sotomayor, "A Latina Judge's Voice," *Berkeley La Raza Law Journal*, vol. 13, no. 1, 2002.

[iii] Linda Martín Alcoff, "Sotomayor's Reasoning," on *Common Dreams: Building Progressive Community*, May 27, 2009, < https://www.commondreams.org/view/2009/05/27-11>.

[iv] "Sotomayor's 'wise Latina' comment a staple of her speeches," *CNNPolitics.com*, June 8, 2009, http://www.cnn.com/2009/POLITICS/06/05/sotomayor.speeches/.

[5] Jeffery Zeleny, "White House: Sotomayor Used 'Poor' Choice of Words," *The New York Times*, May 29, 2009.

[vi] Jeffery Rosen, "The Case Against Sotomayor," *The New Republic*, May 4, 2009.

[vii] Robert Barnes, Amy Goldstein, and Paul Kane, "Sotomayor Pledges 'Fidelity to the Law,'" *Washington Post*, July 14, 2009.

[viii] Lee Ross, "Justice Stevens Announces Retirement," *Fox News Online*, <http://liveshots.blogs.foxnews.com/2010/04/09/justice-stevens-announces-retirement/>, April 9, 2010 [Retrieved: October, 2010].

[ix] Pat Buchannan, "Are Liberal's Anti-WASP?," *WorldNetDaily*, May 13, 2010, <http://www.wnd.com/index.php?pageId=153417>, [Retrieved: October, 2010].

[x] Sandra Harding, *Whose Science? Whose Knowledge?; Thinking from Women's Lives*, (Ithaca, New York: Cornell University Press, 1991), 119.

[xi] Ibid., 121.

[xii] Ibid., 121.

[xiii] Ibid., 124.

[xiv] Ibid., 125-126.

[xv] Ibid., 126.

[xvi] Ibid., 128.

[xvii] Ibid., 130.

[xviii] Ibid., 131.

[xix] Ibid., 133.

[xx] Ibid., 215.

[xxi] Ibid., 286.

[xxii] Ibid., 286-287.

xxiii Ibid., 270.

xxiv Patricia Hill Collins, *Black Feminist Thought*, (New York: Routledge, 2009), 254.

xxv Ibid., 8-9.

xxvi Ibid., 254.

xxvii Carole J. Sheffield, "Sexual Terrorism: The Social Control of Women," in *Oppression, Privilege, and Resistance: Theoretical Perspectives on Racism, Sexism and Heterosexism*, eds. Lisa Heldke and Peg O'Connor, (New York: McGraw-Hill Companies, 2004), 164.

xxviii Molly Dragiewicz, "Women's Voices, Women's Words: Reading Acquaintance Rape Discourse," in *Feminist Interpretations of Mary Daly*, eds. Sarah Lucia Hoagland and Marilyn Frye, (University Park, PA: The Pennsylvania State University Press, 2000), 195.

xxix Ibid., 214-215.

xxx Ibid., 198.

xxxi The US Department of Justice cites 1 in 6 women and 1 in 33 men are victims of sexual assault in their lifetimes. This same source also stated that sexual assault is the most underreported crime in the United States. "Sexual Violence in the United States: Summary of Roundtable Proceedings," Sponsored in partnership by the United States Department of Justice Office on Violence Against Women, the White House Council on Women and Girls, and the White House Advisor on Violence Against Women, October 27, 2010.

xxxii Dragiewicz, 200.

xxxiii Ibid., 199.

xxxiv Jackson Katz, "It Takes a Village to Rape a Woman," in *The Macho Paradox: Why Some Men Hurt Women and All Men can Help*, (Naperville, Il: Sourcebooks Inc., 2006), 148.

xxxv Shanon Marcus, "Fighting Bodies, Fighting Words: A Theory of Politics and of Rape Prevention," in Gender Struggles: Practical Approaches to Contemporary Feminism, eds. Constance L. Mui and Julien S. Murphy, (Boston: Rowman and Littlefield, 2004), 169.

xxxvi Angela Davis, *Women, Race and Class*, (New York: Vintage Books, 1981).

xxxvii Douglas Linder, "The Trials of 'the Scottsboro Boys'" [http://www.law.umkc.edu/faculty/projects/ftrials/scottsboro/scottsb.htm], (Retrieved: August, 2010).

xxxviii Robert D. McFadden, "Boy's Guilt Likely in Rape of Jogger Police Panel Says," *New York Times*, January 28, 2003, nytimes.com, (Retrieved: August, 2010).

xxxix Patricia Hill Collins, *Black Sexual Politics: African Americans, Gender, and the New Racism*, (New York: Routledge, 2004), 103.

xl Shannon Marcus, "Fighting Bodies, Fight Words," 169.

xli Kimberlé Crenshaw, "Race-ing Justice," Quoted in Patricia Hill Collins, *Black Sexual Politics*, 216.

[xlii] Bat-Ami Bar On, "Marginality and Epistemic Privilege," in *Feminist Epistemologies*, eds. Linda Alcoff and Elizabeth Potter, (New York and London: Routledge, 1993), 88-89.

[xliii] Ibid., 91-92.

[xliv] Patricia Hill Collins, "Toward a New Vision: Race, Class, and Gender as Categories of Analysis," in *Oppression, Privilege, and Resistance: Theoretical Perspectives on Racism, Sexism and Heterosexism*, eds. Lisa Heldke and Peg O'Connor, (New York: McGraw-Hill Companies, 2004), 530.

[xlv] Lorraine Code, *Ecological Thinking* (Oxford: Oxford University Press, 2006), 280.

[xlvi] Ibid., 112.

[xlvii] Ibid.,, 107.

[xlviii] Ibid., 193.

[xlix] Mayo 302.

[l] Deborah G. Mayo, "Peircean Induction and the Error-Correcting Thesis," 303-304.

[li] Ibid., 311.

CHAPTER II

KNOWING, AGENCY, AND EPISTEMIC PRIVILEGE: A REVIEW OF

CONTEMPORARY FEMINIST EPISTEMOLOGY

In the last chapter, I claimed that Harding's approach to epistemic privilege is incapable of dealing with the challenge posed by Bar On, that feminist epistemology needs to conceive of multiple sources of oppression. While Code's work may be able to conceive of multiple sources of oppression, her approach of advocacy does not give us a means of distinguishing between conflicting views from below. In this chapter, I will explore how contemporary feminist epistemology has addressed four commitments that I argue are necessary for answering the concerns of the previous chapter. After outlining the four commitments in the first half of the chapter, I assess how the resources available in existing feminist epistemology can be utilized to satisfy these commitments by examining epistemic privilege, responsible knowing, ecological thinking, and mestiza identity. Finally, I conclude by arguing that, if pooled together and utilized concurrently, these existing resources of feminist epistemology can satisfy the first three commitments; however, in order to satisfy the final commitment, feminist epistemology requires a concept of error and a method of error sensitivity.

In order to both take into account multiple structures of power and distinguish between conflicting accounts from below, this chapter argues that a new model of feminist inquiry must, first, acknowledge that conventional epistemology and knowledge-making in the natural and social sciences has depended upon myths that maintain and reproduce social structures of power, such as sexism, racism, homophobia, classism, and colonialism. Second, while conventional knowledge-making processes have perpetuated

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pernicious structures of power, better knowing will not just look beyond or question these structures of power but actually destabilize them, and in doing so, will be part of a liberatory social project. Third, better knowing requires that knowledge-making institutions such as academia, law, and the sciences, look to the lived experiences of those on the peripheries of power. In order to know well, communities must practice an intellectual pluralism that looks towards the ways of knowing that have most often been ignored by conventional epistemology. Finally, in order to maintain the liberatory social effects of feminist epistemology, a new account of feminist inquiry must be able to distinguish and judge between conflicting knowledge claims within communities, including conflicting claims that stem from the lived experiences of those on the peripheries of social power.

Feminist inquiry must uphold these four commitments in order to avoid replicating the harms perpetuated by conventional methods of knowledge production. The problems introduced in the previous chapter stem from an ignorance of or a disregard for these commitments among the agents involved. In the courtroom, an emphasis on the conventional epistemology of the empirical sciences can lead to the dismissal of testimony that is not corroborated with empirical evidence like DNA or videotape. Without a commitment to a liberatory social project, the courts have no incentive to examine the roles that sexism and racism may be playing in their decisions. Likewise, if they do not look towards the experiences of those who are on the peripheries of social power, the courts will have no means of detecting or understanding the effects of those structures of oppression. By rooting knowledge in the lived experience of these Others, the courts can take into consideration the particularities of the situations necessary to

avoid falling into dangerous abstractions and basing judgments on the sweeping generalizations promoted by these abstractions.

Commitment One: Conventional Epistemology Has Depended upon Myths that Maintain Existing Power Structures

The call for a feminist understanding of knowing in Anglo-American feminism is rooted in critiques of canonical classic and Ancient philosophy , in particular, the 1980s and early 1990s works of Nancy Tuana, Genevieve Lloyd, and Susan Bordo. These three theorists critique the work of Plato, Aristotle, Descartes, Beacon, Kant and Hegel. While the critiques by Tuana, Lloyd, and Bordo vary, they all argue that traditional epistemology has relied upon metaphors of femininity to define proper knowing as separated from the bodily senses and the private. Pure knowing under these interpretations became defined as something isolated from bodily needs, family life, and utilitarian function.

Through these metaphors, canonical philosophers have defined feminine ways of knowing as intuitive, emotional, domestic, ruled by caprice and lacking focus. Masculine ways of knowing became defined as rational, unemotional, focused on public life, universal, and inspired by or mimicking God. Due to the gendering of these characteristics, the knowledge that women produce as a result of their political situation has never been acknowledged as valuable. Therefore, women have never been seen as properly intelligent or capable of worthwhile expertise.

Like Tuana, Lloyd, and Bordo, Harding claims that conventional epistemology has perpetuated sexism. For Harding, the harms of masculinist epistemology are that the myths of "pure reason" and the "universal knower" have camouflaged existing prejudices

and motivations in the sciences. Thus, masculinist traditions make the knowledge produced in the sciences "less objective." In *Sciences From Below*, Harding summarizes the core arguments of feminist standpoint theory: "the argument has been that gender relations have shaped not just who gets to do science, but also the content and philosophical framework of even the most highly regards sciences. … The consequences of this androcentrism are bad for social justice. But they also deteriorate the adequacy and, thus, legitimacy of scientific claims themselves."[i] Sciences that depend on conventional epistemology are harmful to the extent that they present a biased account of the world as neutral, natural, and outside of time. The unwillingness of sciences based in conventional epistemology to look inward and to acknowledge the biases and monetary commitments of its practitioners and institutions results in a lack of objectivity: "[conventional] science is epistemologically under developed insofar as it cannot detect how androcentric commitments can, and all too often do, shape every stage of the research process. … Feminist Science studies has proposed scientifically more competent and politically progressive standards for objectivity, rationality good method, and 'real science.'"[ii] Better knowing, for Harding, is more objective knowing. Harding uses the term "strong objectivity" to denote knowledge that is created by individuals and institutions that are able to not only recognize their own biases but also adopt a view from below locations of privilege. By recognizing their own biases and adopting a view from below, these individuals abandon the myth of "pure reason" in favor of recognizing their own accounts as limited perspectives from situations of social privilege.

The claim that conventional sciences are not objective enough is shared by Nelson, who argues that the problem is not concepts of empiricism or rationality

themselves; instead, Nelson argues, the individualism of traditional methods of inquiry needs to be replaced with a concept of the community as the knowing subject. Although feminist epistemologists ought to reject the individualism of traditional epistemology, they should maintain a form of naturalized empiricism to serve as a standard of evidence. Nelson argues that the basics of empiricism are uncontroversial and that feminists ought to maintain standards of rationality and evidence. In "Who Knows: From Quine to Feminist Empiricism," Nelson claims that there are parallels between feminist science scholarship and the work of W.V. Quine. Nelson contends that Quine has a thoroughgoing historicism and challenges distinctions between metaphysics and science as well as between 'common-sense' and science. Furthermore, she contends that his naturalist positions are especially promising for feminist philosophies of science. In particular, she uses Quine to establish theories of feminist empiricism.[iii]

However, in contrast to Nelson and Harding, who argue primarily that the harms of conventional epistemology and conventional sciences result from a situation where the institutions and practitioners are either not objective enough as a result of sexist and racist biases or fail to uphold the core of empiricism, theorists like Code and Sarah Lucia Hoagland have argued that the problem is not just that the sciences have irrationalities, particularities, and biases that they cover up; rather, appeals to objectivity and reason in themselves are flawed. Thus, while Nelson and Harding primarily launch their criticisms of dominant epistemologies and conventional science at specific racist or sexist practices and the concept of individualism, Code and Hoagland go farther to undermine the supposed goals of reason and objectivity. In "Resisting Rationality," Hoagland claims

that women ought to separate themselves from labels of objectivity and rationality all together.

Hoagland maintains that discussing situated knowledges does not do enough to undermine dominant ideas of objectivity and rationality. Instead, she calls for scholars to study relativity with the kind of attention and complexity which they have devoted to objectivity.[iv] She claims that moving to a model of knowing persons rather than things, as Code suggests in *What Can She Know?*, offers a new logic. The social harms that are created by conventional accounts of knowing are not simply the results of bad practice for Code and Hoagland; rather, concrete social harms are the result of the fixation on unattainable and misleading concepts of objectivity and reasonability that spring from the myths of "pure reason" and the "universal human knower."

Beyond the myth that good knowing is the product of a universal human knower who practices pure reason untouched by particularities, the body, or emotion Code also argues that traditional epistemology has perpetuated oppression by abstracting what is being known. The result is that traditional epistemologies fail to take into account the subjectivity of what is being known. Code argues that while there are notable exceptions, the majority of Anglo-American epistemology is based on what she calls the "S knows p" structure. In order to complete the epistemological project, philosophers would need to justify the necessary and sufficient conditions of "S knows p" and do so in a way that would satisfy an idealized skeptic. However, Code argues that it is harmful to assume that this could be the end of an epistemological project, or that it ought to be the ultimate aim.

The "S knows p" model marks what Code calls the positivist-empiricist orientation of epistemology. She uses this term to highlight that epistemologies in this model promote the idea that necessary and sufficient conditions can be found. Code explains this problem in "Taking Subjectivity into Account": "For positivist epistemologists, sensory observation in ideal

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observation conditions is the privileged source of knowledge, offering the best promise of certainty. Knowers are detached, neutral spectators, and the objects of knowledge are separate from them; they are inert items in the observational knowledge-gathering process."[v] By ignoring the potential subjectivity of the known, the "S knows p" model forces conventional epistemology to objectify all that it attempts to know.

Commitment Two: Better Knowing Must Participate in Destabilizing Systems of Oppression

While Harding, Nelson, and Code have all claimed that the idea of universal and neutral knowing has coincided with existing power structures of racism, sexism, homophobia, and classism, feminists have also argued that good knowing requires both investigating these structures and undermining them. In relationship to the sciences, Harding's view from below implies that when science is geared towards those who are oppressed, it can produce liberatory effects. Both Harding and Code argue that, when responsible, science's liberatory effects could be geared towards overcoming poverty, creating healthy communities with the environment, and improving the physical health of human beings globally. Harding concludes, "the model for good science should be research programs explicitly directed by liberatory political goals."[vi] Better knowing does not lead to progressive politics by coincidence; good knowing is always geared towards the purpose of overcoming oppression. However, accepting that good knowing has a purpose is impossible when knowers accept the myth that knowledge can and should be "pure" and separated from political concerns.

In order to destabilize systems of oppression, good knowing has to produce good practice. Code describes this relationship as responsible knowing. Responsible knowing requires a relationship that takes into account the subjectivity of the known. In particular,

responsible knowing involves recognizing that the knower must accept the known as a subjective perspective that should not be appropriated or dismissed. Practically, this means that responsible knowing stands opposed to projects of dominance that prevent those who are oppressed from telling their own stories. In her 2004 *Ecological Thinking*, Code expands upon the relationship between knowledge and action by claiming that ecological thinking requires "thoughtful practice."[vii]

In order to adopt "thoughtful practice," feminist epistemology requires that good knowing aims at bettering the lives of those at the peripheries of power. Thus, Code's examples of good knowing include scientists who discover links between pesticides and breast cancer and, therefore, strongly advocate changes to agricultural standards, patient advocates who trace the relationship between gender and women's lack of proper pain management in medicine and, in doing so, create better practices of pain management, and advocates of sexual assault victims who both help construct better accounts of the assault and provide legal assistance to victims.

Commitment Three: Better Knowing Is Situated within the Lived Experiences of Those on the Peripheries of Power

Academia, law, and science have deemed believable, credible, and true only those epistemic judgments made by the most privileged members of society. Rarely have these institutions of power called upon women, men of color, those who have been colonized, and those with the least economic clout to determine or deliver "the truth." As a result that which has been accepted as true by knowledge-making institutions reflects the experiences and interests of those in power. Thus, feminist epistemologists argue that, in

order to create more just communities and seek better knowing, the knowledge-making process must include more views from a diversity of social locations.

The strategies for better knowing presented by feminist epistemologists rely on the understanding that a knower's situation influences her knowledge-making process. From this understanding, many feminist epistemologists share a commitment to locating better knowing within the everyday lived experiences of women, people of color, the colonized, and other oppressed peoples. From Harding's focus on the view from below to Code's claim that advocating the testimonies of oppressed peoples produces good knowing that was discussed in the last chapter, these theorists maintain that individuals outside the center of power develop knowledges that are unavailable to and often discredited by conventional authorities. Code summarizes this dynamic in *Ecological Thinking*:

> Feminists are well aware that within the insider/outsider structures that frame the politics of public knowledge and the prestige of scientific knowledge, 'ordinary' women's voices—like those of other disenfranchised knowers—often go unheard and fail to achieve autonomous acknowledgement. Their reports of violence, sexual assault, domestic abuse, racism and sexism in the work place and in the world are often discredited.[viii]

Code's reference to sexual assault in her description of "insider/outsider structures" highlights the ways in which all knowledge claims about sexual assault are controversial subjects involving politics of gender and sexuality. Thus, individuals making these claims are subject to disenfranchisement under patriarchy.

In order to develop a method of knowing that refrains from discrediting those on the peripheries of power, feminist epistemologists contend that all knowledge claims must be viewed within the contexts of the knowers' communities, commitments, and political situations. Good knowing does not take place exclusively in the laboratory, the university, or the courtroom. Instead, good knowing arises from an interaction between individuals, their communities, and their environments. In her 2008 *Sciences from Below*, Harding notes that "the feminist standpoint mantra" is "start off research and politics from women's lives."[ix] She puts this mantra in contrast to "the conceptual frameworks of the research disciplines."[x] Conventional, authoritative models of knowing fail to the extent that they remove knowledge from these situations or ignore the insights of those whose knowledge-making processes have never been accredited by traditionally dominant institutions of knowledge. While feminist standpoint theorists start from the position that good knowing needs to be grounded in women's experience, this foundation remains controversial. Joan Scott argues in "Experience" that theories that begin with experience as a foundation risk utilizing an ahistorical, acontextual concept that resists examination. Scott claims that an unanalyzed concept of experience will reinforce existing ideological systems: "Talking about experience in these ways leads us to take the existence of individuals for granted (experience is something people have) rather than ask how conceptions of selves (of subjects and their identities) are produced. It operates within an ideological construction that not only make individuals the starting point of knowledge, but that also naturalizes categories such as man, woman, black, white, heterosexual, or homosexual by treating them as given characteristics of individuals."[xi] She goes on to note that taking individuals for granted prevents us from questioning how

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"subjects are constituted as different in the first place."[xii] For post-structuralist feminists like Scott, starting at "experience" means taking for granted an ideology of individual subjectivity and agency. Because every concept exists within discourses of power, every foundation that escapes analysis is problematic.

In "Phenomenology, Post-structuralism, and Feminist Theory on the Concept of Experience," Linda Martín Alcoff argues that Scott and other post-structuralists have taken their arguments to a troubling extreme by posing an uncomplicated account of experience: "feminist theory has swung from the extreme of taking personal experience as the foundation for knowledge to discrediting experience as the product of phallogocentrism."[xiii] Although Scott frames experience as a particular form of discourse, Alcoff argues that, when one moves past a naïve view of experience as uninvestigatable, it can guide an understanding of knowledge along with the deconstruction of ideologies. Hence, she claims that the process of making experience visible has disrupted ideologies. In particular, she argues that looking at women's experience has positively impacted the political realities for survivors of acquaintance rape. With regards to descriptions of these experiences, she claims, "Such subjective descriptions have often had subversive political effects when they challenge existing epistemic hierarchies concerning what kinds of embodied speakers have credibility and authority, and when they raise questions about the benign status of institutionalized heterosexuality."[xiv] Thus, Alcoff argues that methods that place epistemic value on women's experiences, especially phenomenology, can subvert patriarchal ideologies.

Summarizing Commitments One through Three

Up until this point Harding and Code have shared and upheld three common commitments of feminist epistemology. By forcing those producing traditionally dominant knowledge to acknowledge their own situations of social privilege and encouraging knowledge producing institutions to look towards the view from below Harding's feminist standpoint theory requires that the oppressive myths of conventional epistemology are examined and rejected in favor of starting from the experiences of those on the peripheries. Likewise, Code's rejection of the "S knows p" model of conventional epistemology allows her work to take into account subjectivity in a way that is closed off to epistemology relying on practices of abstraction to achieve pure knowledge.

Both Harding and Code claim that good knowing has to be set towards a purpose of improving the lives of those on the peripheries of power. For Harding this means that good science (both natural and social sciences) have to be explicitly directed at improving the lives of those who are oppressed. Because she rejects the myth of pure knowledge, knowledge producing institutions are held responsible for moves that have harsh oppressive consequences and good knowing will be directed at producing liberatory effects. For Code good knowing destabilizes oppression by linking knowledge making to advocacy and connecting knowledge to thoughtful practice.

Moreover, Harding and Code both advocate not limiting good knowing to traditional knowledge producing institutions, such as laboratories, academia, and the law. Instead good knowing is found within the context of communities and must be understood in relationship to the specific situations from which it arises.

Commitment Four: Feminist Inquiry Should Be Able to Adjudicate between Conflicting

Accounts from Below

While none of these authors explicitly argue that there needs to be a way to adjudicate between conflicting claims from below Harding, Nelson, and Code all argue to some extent that a progressive epistemological project will have to understand epistemological communities as places of complex relationships and potential conflict and that good knowing must avoid essentializing the experiences of women and those on the peripheries of social power. Thus, for all three authors good knowing requires being able to recognize that the experiences from specific Others is situated within a particular location and that progressive epistemology must resist the temptation to fall into concepts of "women's experience" in general. Starting inquiry with a view from below does not provide us with unified 'laws' of action, absolute truths, or unconditional standards of evidence. Rather good knowing requires starting at messy situations and determining workable methods of inquiry on a case by case basis.

In *Feminism Without Borders* Chandra Mohanty articulates a common danger of western second wave feminism. When looking towards an uncomplicated view of "women's experience" western feminists speaking of "third world women," have engaged in discursive practices that idealize concepts of women in general or third world women in general "serve to distort Western feminist political practices, and limit the possibility of coalitions among (usually White) Western feminists and working class and feminists of color around the world. These limitations are evident in the construction of the (implicitly consensual) priority of issues around which apparently all women are expected to organize."[xv] Mohanty's criticism that western second wave feminism has

perpetuated an inadequately nuanced ideal of "women" in which not all women can or would wish to be included highlights a colonialist move on the part of second wave feminism that limits its effectiveness in building coalitions around political causes and limits white western feminists' ability to understand the needs or experiences of women globally.

While Mohanty's work in *Feminism Without Borders* has been one of the most commonly cited critiques of second wave feminism's approach to women outside of the west many post-colonial feminists and women of color have made similar arguments[xvi] that by assuming that there is such a thing as "women's experience" that can be universalized has reinscribed the oppressive structures of racism, classism, and colonialism. The importance of such critiques has not been lost on several key thinkers in feminist epistemology. Both Code and Harding argue that good knowing has to avoid essentializing the positions of those on the margins. In the same way that Mohanty argues that there is no specific "third world women's experience" both Code and Harding claim that good knowing cannot assume unified experiences of those on the peripheries of power. In order to avoid the harms articulated by Mohanty and others, Code and Harding remain adamant that good knowledge comes from the experience of "specific knowers."[xvii] Gaining knowledge from specific knowers rather than relying on essentialized assumptions of groups in general Harding and Code claim means that good knowing can only take place on a case by case basis. In order to avoid the violence of essentializing diverse groups and communities good knowing cannot rely on fixed laws of truth, unwavering standards of evidence, or unified methodologies.

Harding admits that the logic of standpoint theory has the potential for falling into essentialist accounts of women's experience. However, she claims that feminist standpoint theory can also be used to avoid essentialism when it understands the view from below as contradicting, multiple and complex. In *Whose Science? Whose Knowledge?* Harding states, "Feminist standpoint theory is not in itself either essentialist or nonessentialist, racist or antiracist, ethnocentric or not. It contains tendencies in each direction; it contains contradictions, and its logic has surprising consequences: the subject/agent of feminist knowledge is multiple and contradictory, not just unitary and 'coherent'."[xviii] In her later article "Rethinking Standpoint Epistemology," Harding develops this same claim, "So the logic of the directive to 'start thought from women's lives' requires that one start one's thought from multiple lives that are in many ways in conflict with each other, each of which itself has multiple and contradictory commitments. …The logic of standpoint theory leads to the refusal to essentialize its subjects of knowledge"[xix] Starting thought from women's lives requires starting thought from multiple perspectives and when done well requires avoiding the pitfalls that Mohanty warns against. Because there is no essential unified experience of what it means to be a woman, (or impoverished, or racially oppressed, or a lesbian) then looking to the view from below always involves looking towards several often conflicting accounts.

Theorists who theorize knowing as a communal process such as Nelson and to a different extent Code have the challenge of not only avoiding essentializing one view from below but also must be able to conceive of epistemic communities as complex and often contradictory. In "Epistemological Communities" Nelson explains,

"epistemological communities are multiple, historically contingent, and dynamic: they have fuzzy, often overlapping boundaries; they evolve, dissolve, and recombine; and they have a variety of 'purposes' and projects which may include (as in the case of science communities) but frequently do not include (as a priority) the production of knowledge."[xx] Understanding from communities requires understanding the way in which the community is historically situated and therefore cannot lead to ahistorical accounts. Moreover, to understand from a community requires that we understand communities as changing and seeped in internal contradiction. Rather than getting clear perspective from epistemic communities Nelson argues that "epistemological communities are not monolithic. … to recognize that such communities have generated bodies of knowledge, adopted standards, and developed categories of which each member of these communities accepts some—while recognizing that not all members of feminist communities agree on all things that there may be no single belief that is held by all feminists."[xxi] Members in communities share certain standards and may come up with sets of beliefs that determine action and future inquiry for the community but this process is constantly being reevaluated and debated amongst its members.

For Code to avoid essentializing the experiences of Other and in order to understand epistemic communities as complex, contradicting entities often riddled with disagreement requires that feminist epistemology reject a strict objectivism. However, communities are also places that require decisions to be made and concrete actions to be taken. Therefore in Code's "Taking Subjectivity into Account" she argues that feminist epistemology needs to adopt a kind of mitigated relativism: "A reconstructed epistemological project has to retain an empirical-realist core that can negotiate the

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fixies and less stable constructs of the physical-social world, while refusing to endorse the objectivism of the positivist legacy or the subjectivism of radical relativism."[xxii] Citing Haraway Code argues that an unmitigated relativism gives "a view from nowhere that pretends to be everywhere" but a positivist objectivism gives us a "view that is everywhere that pretends to be nowhere" neither side of relativism/objectivism is able to both understand knowledge as rooted in the particularities of subjects while also providing useful accounts of knowledge that are required for maintaining liberatory practices. Hence Code argues that knowledge claims must be related to specific conditions rather than abstracted into universalizable laws but that when action must be taken on the basis of knowledge claims we must look towards reasonable and workable solutions, even in this sense relying on empirical evidence:

> The position I am advocating is one for which knowledge is always *relative to* (i.e., a perspective *on*, a standpoint *in*) specifiable circumstances. Hence it is constrained by realist, empiricist commitment according to which getting those circumstances right is vital effective action. …Practice will show, not once and for all but case by case, whether conclusions are reasonable and workable. Hence the position at once allows for the development of practical projects and for the corrigibility.[xxiii]

Harding, Nelson, and Code all recognize the danger in essentializing the experiences of those on the peripheries of social power and assuming that communal knowledge is uncontested within communities. Effectively, this results in each author claiming that good knowing involves learning from each specific situation and evaluating that experience on a case-by-case basis. However, while each author refuses to essentialize

none explains what exactly should be done within specific cases that involve conflicting accounts from below. The closest solution to this question comes from Code who argues for finding the most practical and workable solution yet this in itself is vague.

Because knowledge claims are always made within communities, resolving conflicts between claims is essential for any community's ability to develop and progress. More specifically, because knowledge claims are always made within complex and diverse communities with multiple centers of oppression, resolving conflicts between claims made by situated knowing subjects drawing from their lived experiences at the peripheries of power is essential for any community's ability to uphold a liberatory social project. Since communities cannot move forward without resolving conflicts between claims, resolutions cannot be delayed indefinitely.

As explained in the previous chapter, neither Harding nor Code are able to provide an account of how to decide between conflicting views from below. In cases such as conflicting accounts of a sexual assault, the accuser, the accused, and the community at large need to resolve the conflict in order to progress. Possible victims require that their safety is provided for and that their accounts are met with action, and accused perpetrators of sexual assault cannot have their lives put on hold indefinitely while their guilt or innocence is debated. Moreover, there is little likelihood that the two parties can be expected to compromise between themselves as to whether or not a sexual encounter was assault. The community at large has to respond to cases such as these in a timely manner, and doing so requires being able to judge claims, even conflicting claims that both come from points of epistemic privilege.

Epistemic Privilege, Feminist Empiricism, and Responsible Knowing

The work by Harding and subsequent feminist epistemologists to promote the concept of epistemic privilege of women and other oppressed peoples provides the basis for meeting the aforementioned commitments. However, the limitations of epistemic privilege addressed by previous critics and discussed in the previous chapter have lead several theorists, especially Code, to recontextualize it within the larger project of responsible knowing. In this section, I examine how Code's concept of responsible knowing supplements and modifies Harding's concept of epistemic privilege in order to establish how individuals who possess epistemic privilege still might be able to improve their knowledges.

In the recent *Sciences from Below*, Harding continues to maintain her support for the concept of epistemic privilege. According to Harding in this work, the "main task" of progressive researchers is to "'study up,' to identify and explain the material and conceptual practices of power which are often undetectable by those who engage in them."[xxiv] Yet Harding acknowledges that the sciences cannot simply look below to women's lives. Instead, they need to look to how women's lives are structured and experienced within the political situations of households. Furthermore, this requires that the sciences understand how structures of racism and colonialism have shaped households globally through concepts of modernity.

Yet, even with these developments in her theories, Harding's commitment to epistemic privilege remains problematic in the ways explained in the previous chapter. It still fails to provide a mechanism for dealing with competing views from below.

Furthermore, the concept of epistemic privilege does not present a method for helping those who possess a view from below to improve their knowledges. However, when epistemic privilege is understood as part of a larger project of epistemic responsibility, it becomes possible to create a means for improving the views from below.

Throughout her work, Code promotes a concept of epistemic virtue. This begins with a concept of epistemic responsibility and evolves into her latest concept of ecological thinking. Unlike feminist empiricism, the concepts related to epistemic virtue do not attempt to promote better knowing through standards of evidence; instead, they promote better knowing through various strategies that help individuals negotiate structures of power in order to assert their knowledge claims. In her 1987 *Epistemic Responsibility*, Code argues that rather than choosing between foundationalist and rationalist epistemologies, we need to reconceive of epistemology in terms of an idea of "the responsibility to know." Her claim in this work is not that traditional epistemology has been wholly useless but that its focus on abstract questions that presume abstracted and often isolated knowers limits its insights into meaningful questions that arise from experience: "The implicit view often seems to be that, if epistemologists could get clear about what justifies our claims that this is a hand and that is a doorknob, then all the rest would follow."[xxv] Epistemological questions that arise from experience involve knowing subjects that are situated within concerns of communities, ethics, and politics, and as a result, the answers to epistemological questions do not just have implications for epistemology; rather, good epistemological questions often carry moral significance. Hence, Code states, "[m]y aim is to understand epistemic life as it is, not in a tidied-up, abstracted version."[xxvi] Throughout her first two books, Code begins to radicalize

traditional conceptions of epistemology. While these two books work on different central themes, they interweave into each other and work to further inform her later work, especially her arguments in *Ecological Thinking*. In *What Does She Know?* Code begins a project that continues in all her later work. She begins to develop her idea of second-person knowing. "Second-person knowing" means not only accepting someone's account as genuine but also recognizing it as a perspective that we ultimately should not conquer and may be prevented from fully accessing.

Responsible knowers become important aspects of their communities by tying moral obligations to ways of knowing. This becomes an even larger claim for Code when she states that human flourishing, in communities and as individuals, requires responsible knowing that entails throwing off the restrictive dichotomies of traditional epistemic practices as well as abandoning limiting prejudices. Responsible knowers examine both their own subjective knowledge and their systems of public knowledge, while understanding that the two are distinct aspects of both knowers and the known. Code's concept of responsible knowing creates a broader context for the idea of epistemic privilege. Within this context, epistemic privilege has a purpose, to promote human flourishing. With this purpose in place, epistemic privilege is granted to certain knowledge claims because they serve that purpose better than other knowledge claims, and individuals with epistemic privilege can be more or less responsible as knowers, depending on how well they contribute to that purpose. As a result, it is possible to evaluate the knowledge possessed by individuals with epistemic privilege. Without the concept of responsible knowing, all knowledge claims made by individuals with epistemic privilege are equally unassailable.

Code claims that traditional epistemology focuses on a conception of the knower as an atomistic individual who knows the best when she is separated from an external world and community as much as possible. However, she contrasts this approach with traditional moral theories that seem to always work with the premise that humans are social beings. In contrast to the idea accepted by traditional epistemology that mingling the knowledges of multiple subjective selves dilutes the quality of the knowledge, Code claims that knowledge itself is created through communities, or as she puts it, "Human beings are cognitively interdependent in a fundamental sense, and knowledge is, essentially, a commonable commodity."[xxvii] Human beings are incapable of ever attaining knowledge by themselves, and responsible knowers develop knowledge more fully both by situating their own knowledges in their communal settings and by interpreting others' knowledges in relation to their communities. Code notes that central to this account of knowledge is the idea that communities have to work through bonds of trust to establish knowledge.

Feminist Epistemology and Structures of Power

Throughout her criticisms mentioned in the previous chapter and articulated in "Marginality and Epistemic Privilege," Bar On contends that the concept of epistemic privilege relies on an under-complicated notion of structures of social power. This section addresses Bar On's criticisms in more detail. In particular, it examines how Bar On's reference to the work of Iris Marion Young actually provides the resources necessary for making epistemic privilege viable in the face of overlapping sources of oppression. Finally, it analyzes how in *Ecological Thinking*, Code addresses how epistemic privilege might function amidst multiple sources of oppression.

"The view from below" implies that power is centralized and that social oppression echoes out from one place of privilege. Bar On argues that looking at epistemic privilege through the uncomplicated lens of one central source of power prevents theorists from understanding how agency and resistance could ever be possible at sites of oppression. Drawing on the work of bell hooks, which she criticizes for relying on a concept epistemic privilege, Bar On argues, "[t]he attribution of agency to a marginality that is not at the same time a centrality problematizes the attribution of epistemic privilege to the socially marginalized subjects."[xxviii] She claims that the work of hooks in "Looking to the Margins as a Space of Radical Openness" and "On Self-Recovery" continues a project from the 1970s when Western second wave feminists began to look at women's experiences as places of survival and resistance as well as places of victimization. Doing this requires "realizing as Hooks [sic] does, that an important form of a resistance that is at the same time the creation of a counterhegemonic discourse is a construction of the self through the creation of a memory of a past that either precedes oppression or is a memory of resisting voices."[xxix] Recreating the self as an entity with agency and the ability to resist promotes empowerment outside of a centralized structure of power. Bar On recognizes that empowerment is important but claims that relying on epistemic privilege to do this results in essentializing agency and re-inscribes obedience to a knowledge authority.

As an alternative to the conception of power as one central entity, Bar On suggests that feminist epistemologists look towards Iris Marion Young's *Five Faces of Oppression*. In the introduction to this piece, Young claims, "[i]n the most general sense, all oppressed people suffer some inhibition of their ability to develop and exercise their

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capacities and express their needs, thoughts, and feelings."[xxx] Although oppression always

implies some kind of limitation, Young argues that, beyond the most abstracted concept

of oppression as limitation, structures of oppression, such as racism, sexism, classism,

heterosexism, and colonialism have to be understood as fundamentally different types of

oppression as they are experienced concurrently by various social groups. Young

theorizes, "oppression names in fact a family of concepts and conditions…exploitation,

marginalization, powerlessness, cultural imperialism, and violence."[xxxi] For Young, unity

is not developed through experiencing oppression from the same power source. Instead,

unity is a tool that various social groups can use for political progress. Those who suffer

from sexism, racism, and heterosexism can form a political unity, but that unity is both

voluntary and temporary. Such unity requires active participation, rather than shared

identities, and it disappears when it is no longer politically useful.

Although Bar On rejects the usefulness of epistemic privilege, by drawing

attention to Young's work, she highlights a means for understanding social groups in

relation to multiple centers of oppression. By embracing this understanding, new theories

could make epistemic privilege useful for the project of responsible knowing. In

Ecological Thinking, Code continues to promote the epistemic privilege of oppressed

peoples while conceiving of a feminist epistemology that works within multiple

structures of power by defining how better accounts of knowing can take place within

situations of overlapping structures of oppression.

In the introduction to *Ecological Thinking*, Code explains that *Epistemic*

Responsibility "relies on an excessively benign conception of community, imagined

without contest to provide space for and uniform access to open debate, for deliberations

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neither cluttered by hidden agendas nor thwarted by searing disputes or tyrannical oppressions—thus imagined to enable a relatively smooth journey toward knowledge."[xxxii] While critiquing her own work, Code also illuminates the key challenge to feminist epistemology previously posed by Bar On: How can feminist epistemology uphold a commitment to communally situated knowledge, pluralist practices, and "locating knowledge at the 'ground' of the experience of specific knowers"[xxxiii] while simultaneously understanding communities as places of conflict influenced and often controlled by multiple oppressive power structures?

Code endeavors to confront this challenge by posing the eponymous concept of "ecological thinking." According to Code, Ecological thinking "reconfigures relationships all the way down" to relationships of politics, epistemology, science, and ethics as well as humans' relationships to the environment. In this manner, ecological thinking is an expansion of Code's commitments in her earlier work. Ecological thinking radicalizes epistemology as a whole to include a focus on situations and a move away from established and restrictive dichotomies, including dichotomies that perpetuate the concept of a single center of power, such as the feminine/masculine dichotomy.

Code frames this project in reference to what she calls "social imaginaries," that is, cultural assumptions and their influence on knowledge claims. Drawing on Michel Foucault and Gilles Deluze, Code claims that ecological thinking involves a conscious and reflective approach to understanding social imaginaries that work to both construct and complicate norms of what it means to adequately know something. "Thus contesting, infiltrating this entrenched imaginary is a reflexive process of requiring it to submit its assumptions of universal rightness to scrutiny, its residual totalizing unity-of-science

assumptions, and its governing beliefs about the nature of nature, knowledge and knowledgeable subjectivity."[xxxiv] This overall focus on moving to reconstruct social imaginaries frees her term "ecology" from its association with the natural environmental and ties it to social, cultural, and legal work as well.

In accord with the fourth commitment of feminist epistemology, reconfiguring large social imaginaries requires starting at the local level of embedded situations: "I am proposing that ecological thinking can reconfigure epistemology, piece by piece in detailed local inquiries whose effects often have global resonances."[xxxv] Code heralds environmental scientist Rachel Carson's work with specific communities affected by insecticides and patient advocate Karen Messing's commitments to the individual health concerns and situations of the workers she studied, as well as advocacy groups' work with particular rape victims, for promoting this kind of local-to-global change.

In order to situate knowledge within personal experience and promote this kind of local-to-global change, Code claims that feminist epistemology must uphold personal testimony as an essential source of knowledge. In particular, Code's method of ecological thinking requires promoting the inclusion of testimonies from oppressed peoples into communal knowing.   By claiming that testimony is an important source of knowledge, Code is working not only to validate the experiences and knowledge of oppressed peoples but also to destabilize the commonly received epistemology of isolated individualism as well as the imaginary ideal of a "pure" knowing that can be separated from moral and political aims. As aforementioned, Code established this larger focus in *Epistemic Responsibility*. Yet, she states that her use of the term "ecological thinking" highlights that she wants to situate her new account of knowledge in both habitat and

ethos, that is, in order to know responsibly, we need to take into account the state of the

current environment socially, communally, politically, sexually and ecologically, even as

the process relies on acquiring certain epistemic virtues. In this manner, Code's account

of ecological thinking draws on the major themes of feminist standpoint theorists,

including the idea that knowing is always a matter of being situated within a certain place

and that the situation affects not only what you know but also how well you know

something.

However, Code's account here goes beyond standpoint theory and its focus on a

central structure of power. She specifically uses the term "ecological" to draw attention to

the multitude of factors that must be accounted for in order to understand the patterns and

long-term effects of structures of power. The first chapter of *Ecological Thinking* opens

with the claim that her theory is based on a working definition of ecology that entails

understanding through patterns, situations, and advocacy: "Broadly speaking, it is a study

of habitats both physical and social where people endeavor to live well together; of ways

of knowing that foster or thwart such living; and thus the ethos and habits enacted in

knowledge and actions, customs, social structures, and creative-regulative principles by

which people strive or fail to achieve this multiply realizable end."[xxxvi] By articulating

that that knowing requires an understanding of a situation and that the project of knowing

involves active work to change social imaginaries that prevent communities from living

well and inhibit situational accounts of knowing, Code's statement reflects the second

and third commitments of feminist epistemology.

Later in *Ecological Thinking*, Code claims that the disregard for testimonials in

the scientific, legal, and medical fields is based on a larger, misguided commitment to a

notion of individual autonomy that lies at the heart of the philosophical underpinnings of political liberalism within the Western politics of knowledge: "the image of the self-reliant knower directly confronting the world continues to play a regulative part in mainstream epistemology such that if it could not be held intact, the basic tenets of the system would no longer hold."[xxxvii] While testimony is immediately seen as untrustworthy because it is often uncorroborated, it is also distrusted because testimonials are most often presented within larger communities with shared loyalties and understandings. Rather than being an isolated bit of knowledge that one person was able to discover through her autonomous rationality, testimonial knowledge claims are the result of a communal context of interpretation and are understood through advocates and fellow testifiers. Testimony itself, Code claims, works outside of the ideal of an autonomous, isolated reasoner. In its presentation, interpretation, and accessibility, testimony is always reliant on others: "testimony challenges this [cognitive autonomy] imaginary, for it functions as a constant reminder of how minuscule a proportion of anyone's knowledge, with the possible exception of occurrent sensory input, is or could be acquired independently, without reliance on others."[xxxviii] Although it is often discredited in legal proceedings (with the exception of "expert testimony"), Code goes on to claim that most people rely on testimony as a source of everyday knowledge.

As a remedy for the dismissal of testimonies from oppressed peoples by institutions of power, Code describes the epistemological importance of advocacy. In the chapter "Patterns of Autonomy, Acknowledgment, and Advocacy," Code claims that testimony, especially in the legal format, requires that those who face the harsh side of institutionalized sexism, heterosexism, or racism need to have their accounts advocated

for by a third party in order to counteract the institutional forces that work against the believability of their account. Women who have suffered sexual assault, in particular, Code claims, are working against a system of patriarchy that uses realist language of "the facts" in such a way that it prevents their testimony from being accepted as a believable account of the pain and harm of the event. By Code's account, we are required to advocate for women whose emotional distress, instituted distrust in their own accounts, and patriarchal courts stand in the way of providing a believable account of "the facts of the matter."

While advocacy in courts may help provide clearer testimonies from sexual assault victims it still fails to satisfactorily answer the question "how do we adjudicate between conflicting accounts from below?" In the same way Code claims that female sexual assault victims need to be advocated for to develop clear testimonies and negotiate power structures within the court system, she could claim that those accused of sexual assault may need similar advocacy to negotiate racism. In these situations, we are left to find a "reasonable and workable" practical solution on a case-by-case basis. However, it is unclear what a workable solution to this situation might be. Based on the description of responsible knowing outlined above, a workable solution may be any solution that best promotes human flourishing. Yet, the concept of "human flourishing" presumes a common purpose among the participants that may not exist dues to their sharp differences. As a result, assuming that human flourishing provides a common purpose may inadvertently mask the participants different perspectives about life. Nonetheless, a judgment cannot be put off indefinitely and a compromise between the two parties seems unlikely at best and dangerous at worst.

Moreover, while Code supplements Young's account of how social groups operate in relationship to multiple structures of power by providing an account of progressive knowledge-making that exists within these overlapping structures, it is unclear throughout *Ecological Thinking* how those within structures of oppression can even possess the agency to appeal to an advocate, especially if those structures of oppression undermine an individual's ability to recognize her own position as oppressed. Understanding how oppressed peoples could have the agency to participate in ecological thinking requires a new conception of the self. This understanding must encompass not only pluralist communities but also pluralist experiences of the self. Theories of *mestiza* consciousness provide a model for this understanding.

<p align="center">Mestiza <i>Consciousness and a Role for Agency</i></p>

While Code's account of ecological thinking gives us a rich account of how multiple power structures are at work within complex communities, it still fails to give us a way of adjudicating between claims. However, Gloria Anzaldúa's description of *mestiza* identity provides a way of understanding how individuals can relate to structures of power while possessing agency that comes from within the self, rather than being granted to the self by the these structures of power. Although most of the knowers conceived of by feminist epistemologists do not possess the racial, cultural, and linguistic background of the *mestiza* described by Anzaldúa, they can experience the "intense pain" and "continual creative motion" that constitutes agency by embracing ambiguity and impurity.

The concept of *mestiza* consciousness, developed by María Lugones and Anzaldúa, conceives of a self that dwells within multiple structures of oppression and

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establishes a plural understanding of the self that is better able to conceive of ambiguity than traditional models of the self. The *mestiza* consciousness allows individuals to occupy a borderland between structures of oppression that allows for movement between cultures and ontological frameworks. In *Borderlands/La Frontera*, Anzaldúa describes the traditional concept of *mestiza*. Commonly, this term refers to a Latin American whose racial make-up includes European and indigenous ancestry. Anzaldúa qualifies this description with the caveat that it also refers to someone who lives on the border of the United States and Mexico and is never recognized as either truly Mexican or truly American. *Mestiza* consciousness "is a consciousness of the borderlands."[xxxix] Anzaldúa, who describes herself as *mestiza*, explains that this identity prevents *mestiza* individuals from being recognized as possessing a culture of their own. This is so because the *mestiza* cannot fit into established frameworks of race, culture, or language, in that they are not white, indigenous or African, their nationality is neither Mexican nor American, and their conversations are not held exclusively in Spanish, English or indigenous dialects.

The *mestiza* consciousness stems from the intersection of all of these races, cultures, and languages. Anzaldúa notes that, while "it is a source of intense pain, its energy comes from continual creative motion that keeps breaking down the unitary aspect of each new paradigm."[xl] Furthermore, she contends that *mestiza* consciousness is a "massive uprooting of dualistic thinking in the individual and collective consciousness."[xli]

In "Purity, Impurity, and Separation," María Lugones defines *mestizaje* as an example of a location of impurity. Those who share a *mestiza* identity do not have racial purity, linguistic purity, or cultural purity; rather, all of these categories are established as

mixed identities. Lugones uses the example of making mayonnaise to explain the concept of purity. She explains that, when separating the yolk from the white, any mixture of the two "taints" the other. When a mixture occurs, the mayonnaise curdles. To participate in *mestizaje* consciousness means that the agent "defies control through simultaneously asserting the impure, curdled multiple state and rejecting fragmentation into pure parts."[xlii] For Lugones, the conventional knower is a fragmented self composed of pure, abstracted components—a mind, a body, an historical situation and a sexuality—and, as a result of its abstraction, the fragmented self has no particularity. In order to maintain this purity, the conventional knower must be understood as ahistorical. By resisting this fragmentation into pure, abstracted components, the curdled *mestiza* subject can "perceive richly."[xliii] Similarly, as responsible knowers *mestiza* can embrace their mixed identities as subjects in overlapping structures of oppression in order to develop the agency necessary to create distinctive knowledge of their worlds.

Furthermore, Lugones contends in "Playfulness, 'World'-Traveling, and Loving Perception" that the *mestiza* consciousness requires conceiving of the self as neither independent from others nor subordinate to others. Rather, the self is "incomplete and unreal without other[s]."[xliv] Knowers develop themselves and come to know each other through building relationships of loving perception. This means that knowing someone always requires caring about her. In this way, the *mestiza* knower needs to take subjectivity into account and avoid the violence of the "S knows p" relationship. By taking subjectivity into account through loving perception, responsible knowers can acknowledge not only their own agency but also the agency of others.

Conclusion

In this chapter, I have endeavored to assess the current state of the field of feminist epistemology in relation to four commitments commonly espoused by its theorists. Despite insightful criticisms from Bar On and others, epistemic privilege remains an instrumental component of the project of responsible knowing. The concept of epistemic privilege carries an unparalleled potential for exposing the oppressive dimensions of traditional epistemologies and expanding knowers' perspectives by drawing on knowledge claims from oppressed peoples in pluralist communities. As a result, feminist epistemologists continue to modify and supplement the role of epistemic privilege in order to make it viable in relation to multiple, overlapping, and sometimes competing structures of power. With its emphasis on testimony and advocacy, Code's concept of ecological thinking demonstrates that this viability is possible. Yet Code's theory assumes, despite its acknowledgement of structuralist limitations that oppressed peoples possess the agency to seek advocacy and deliver testimonies. Thus, ecological thinking requires a conception of the self that leaves room for individual agency within the overlapping structures of oppression in order to be truly successful. Fortunately, descriptions of *mestiza* consciousness offer the possibility of developing an agency in relation to overlapping sources of oppression that bridge epistemically distinct perspectives.

The method of feminist inquiry proposed by this dissertation draws upon the epistemic privilege possessed by oppressed peoples' testimonies, bolstered by advocacy, in Code's ecological thinking by conceiving of the self in a manner similar to the theorists of *mestiza* consciousness. However, even when epistemic privilege is conjoined

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with this conception of the self, which presents individuals as more than representatives of or reducible to their political identities, it remains unclear how feminist epistemology will confront the reality of conflicting claims from privileged sources. So long as there remains an inability to choose between conflicting accounts, feminist epistemologists will not be able to move past benign concepts of the community. In order to choose between such accounts, feminist epistemology must develop a method of inquiry that includes an account of error and a method of error sensitivity that can detect error within epistemologically privileged accounts. This method of inquiry depends upon the conception of the individual as both created within overlapping structures of oppression and through the building of a self via voluntary commitments in a community. As I will explain in the next chapter, feminist epistemology can look to Royce's concept of communal interpretation as a starting point for these ideas.

Notes

ⁱ Sandra Harding, *Sciences From Below: Feminisms, Post Colonialities, and Modernities*, (Durham, NC: Duke University Press, 2008), 109.

ⁱⁱ Ibid., 109.

ⁱⁱⁱ Lynn Hankinson Nelson, "Who Knows: From Quine to Feminist Empiricism," in *Feminist Interpretations of W.V. Quine*, eds. Lynn Hankinson Nelson and Jack Nelson, (University Park, PA: Pennsylvania State University, 2003. 59-94.

^{iv} Sarah Lucia Hoagland, "Resisting Rationality," in *Engendering Rationalities*, 125-151.

^v Lorraine Code, "Taking Subjectivity into Account," in The Feminist Philosophy Reader, eds. Alison Bailey and Chris Cuomo, (New York: McGraw Hill, 2008) 720.

^{vi} Sandra Harding, Whose Sciences? Whose Knowledges?, 98.

^{vii} Lorraine Code, *Ecological Thinking*, 24.

^{viii}Ibid., 196.

^{ix} Sandra Harding, *Sciences from Below*, 225.

^x Ibid. 225.

^{xi} Joan Scott, "Experience," in *Feminists Theorize the Political*, eds. Judith Butler and Joan W. Scott, (New York: Routledge, 1992), 22.

^{xii}Ibid., 27.

^{xiii} Linda Martín Alcoff, "Phenomenology, Post-structuralism, and Feminist Theory on the Concept of Experience," in *Feminist Phenomenology*, eds. Linda Fisher and Lester Embree, (Dordrect, NL: Kluwer Academic Publishers, 2000), 44.

^{xiv} Ibid., 46.

^{xv} Chandra Talpade Mohanty, *Feminism Without Borders: Decolonizing Theory, Practicing Solidarity*, (Chapel Hill, NC: Duke University Press, 2003), 18.

^{xvi} See Doris Davenport, "The Pathology of Racism: A Conversation with Third World Wimmin"; Alice Walker, *In Search of Our Mother's Garden's: Wominist Prose*; and Uma Narayan, *Dislocating Cultures: Identities, Traditions, and Third World Feminism*.

^{xvii} Code, *Ecological Thinking*, 5.

^{xviii} Harding *Whose Science,* 180-181.

^{xix} Harding, "Rethinking Standpoint Epistemology: 'What is Strong Objectivity,'" in *Feminist Epistemologies,* 66.

^{xx} Nelson, "Epistemic Communities," in *Feminist Epistemologies*, 125.

^{xxi} Ibid.,150.

[xxii] Code, "Taking Subjectivity into Account," in *Feminist Epistemologies*, 21.

[xxiii] Ibid., 40-41.

[xxiv] Harding, *Sciences from Below*, 225.

[xxv] Lorraine Code, *Epistemic Responsibility*, (Providence: Brown University Press, 1087), 7.

[xxvi] Ibid., 11.

[xxviii] Bat-Ami Bar On, "Marginality and Epistemic Privilege," in *Feminist Epistemologies*, 88-89.

[xxix] Ibid., 88.

[xxx] Iris Marion Young, "Five Faces of Oppression," in *Oppression, Privilege, & Resistance: Theoretical Perspectives on Racism, Sexism, and Heterosexism*, eds. Lisa Heldke and Peg O'Connor, (New York: McGraw Hill, 2004), 38.

[xxxi] Ibid., 38.

[xxxii] Lorraine Code, *Ecological Thinking*, vii.

[xxxiii] Ibid., 5.

[xxxiv] Ibid., 30.

[xxxv] Ibid., 197.

[xxxvi] Ibid., 25.

[xxxvii] Ibid, 173.

[xxxviii] Ibid. 172-173.

[xxxix] Gloria Anzaldúa, *Borderlands/La Fontera: The New Mestiza*, 2nd ed., (San Francisco: Aunt Lute Books, 1999), 99.

[xl] Ibid 102.

[xli] Ibid 102.

[xlii] María Lugones, "Purity, Impurity, and Separation," in *The Feminist Philosophy Reader, eds. Alison Bailey and Chris Cuomo*, (New York: McGraw Hill, 2008), 330.

[xliii] Lugones 333

[xliv] María Lugones, "Playfulness, 'World'-Travelling, and Loving Perception," in The Feminist Philosophy Reader, eds. Alison Bailey and Chris Cuomo, (New York: McGraw Hill, 2008), 72.

CHAPTER III

ERROR, IGNORANCE, AND RESPONSIBILITY

In "How to Be Really Responsible," Lisa Heldke claims that, while feminist epistemologists have avoided the term "objectivity" because of its association with the harmful dichotomies of modern philosophy, this term can be fruitful for feminist projects. In this essay, Heldke offers what she claims is an odd definition of objectivity in which objectivity is defined as "responsibility to the context of inquiry."[i] Practicing objectivity under Heldke's definition requires that inquirers perform the following three tasks: first, they must work to acknowledge the other participants in the inquiry (even nonhuman participants), second, inquirers must work to fulfill their own responsibilities to the context of the inquiry, finally, inquirers must work to "expand the bonds of responsibility in any given inquiry context."[ii] Heldke goes on to claim that, when objectivity is defined as responsibility, it both upholds and requires a feminist ontology that views subjects as radically interdependent and reality as created through interactions between the subject and the world, "*including* the interaction we call inquiry."[iii] Heldke argues that, when inquirers work to be objective, they recognize and emphasize the interdependence and that inquirers will, as a result, take the relationships between each other and their own relationships with the world "very seriously."[iv]

In this chapter, I argue that Heldke's account of objectivity as responsibility is extremely fruitful for understanding how to take account of conflicts in the context of feminist inquiry. However, I also argue that to "work to acknowledge, fulfill, and expand the bonds of responsibility in any given inquiry context,"[v] in other words, to work towards objectivity in Heldke's sense, requires developing methods of error sensitivity. I

claim that Royce's account of error, especially as it is articulated in his 1913 "Error and Truth" essay helps us to develop an understanding of how to situate error sensitivity in the context of a pluralist ontology and a model of feminist inquiry that is useful in instances of conflicting claims.

In "Error and Truth," Royce defines error as an unwillingness to recognize one's own scope as limited. Rather than

> An error is the expression, through voluntary action, of a belief. In case of an error, a being, whose ideas have a limited scope, so interprets those ideas as to bring himself into conflict with a larger life to which he himself belongs. This life is one of experience and of action. Its whole nature determines what the erring subject, at his stage of experience, and with his ideas, ought to think and to do. He errs when he so feels, believes, acts, interprets, as to be in positive and decisive conflict with this *ought*. The conflict is at once theoretical and practical.[vi]

In this definition, error is the problem of a limited, finite perspective asserting itself as the perspective of a whole. This definition signifies an element of Royce's that is harder to see in *The Religious Aspect of Philosophy*; instead the practical understanding of error is that it is a process in which a finite agent is either unwilling or unable to recognize her or his limitations.

Examining Royce's works prior to "Error and Truth" reveals a change in emphasis over time. While Royce's concept of error remains consistent, his earlier work attempts to explain the nature of the Absolute and his later work emphasizes the human experience of the Absolute. J.E. Smith explains this development in Royce's thought: "in the course of his philosophic development Royce never lost his view concerning the

insufficiency of a purely voluntarisitc solution of the problem concerning the Absolute and hence the necessity for a *concrete* as distinct from an abstract or ideal universal, he ultimately came to think of it in terms of an infinite *community*."[vii] Just as Royce emphasizes an "infinite community" in order to maintain his focus on a concrete universal, he emphasizes particular situations in order to describe how error can be detected. For Royce, error occurs within particular situations. In order to recognize and prevent the type of error that Royce defines in "Error and Truth," it is not enough for inquirers to have a vague commitment to an abstract ideal of truth because error, to use Heldke's terms, consists of avoiding the responsibility that "emerges from some understanding of, and commitment to, an ontological conception of the context of inquiry"[viii] Hence, recognizing error requires recognizing one's own situation within a community.

In *Error: On Our Predicament When Things Go Wrong*, Nicolas Rescher develops an account of error with references to Royce, G.E. Moore, Descartes, St. Thomas Aquinas, and Plato, and analyzing Rescher's account of error highlights how Royce's commitment to communal situations is vital to the possibility of error sensitivity. Throughout his work, Rescher focuses on the relationship between the concept of error and the existence of an external reality. He claims that an account of error necessitates a commitment to realism: "The very idea of error involves subscribing to some sort of realism."[ix] Rescher defines realism as merely a belief that there is a reality outside of one's own thought. He is careful to note that there is nothing inherent about idealism that conflicts with realism. So idealists, such as Royce, who contend that the universe is fundamentally thought but that this thought is real outside of the thought of individual

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inquiry should be committed to realism. It does not matter whether the substance of the external reality is material or thought, only that the inquirer is committed to the claim that there is some external reality.

Like Royce in his early work, Rescher's primary interest in error is its ability to provide a basis for a belief in an external reality. Rescher envelops Royce's early account of error under his own description of error. Under Rescher's account, an error can be classified in one of three ways: A cognitive error which "arises from failures in the attainment of correct beliefs"; a practical error which "arises from failures in relation to the objectives of action"; and lastly "axiological error appertains to mistakes in regard to evaluation."[x] For Rescher, cognitive errors lead to practical errors because "where our thoughts go wrong, so will the action that we inevitably guide by them; and wrong actions, of course, prove to be very hurtful indeed."[xi] While Rescher's account of error envelops Royce's account from *The Religious Aspect of Philosophy*, he never acknowledges how Royce's concept error develops throughout his career. The idea that cognitive errors are harmful because they lead to practical errors is already a divergence from Royce's theory, in which errors are always both practical and theoretical.

Hence, Rescher's account of error suffers from his neglect of the triadic structure that is needed for truth and error to have meaning. While Rescher utilizes Royce's account to highlight how the existence of the possibility of error predicates the existence of an external reality, he neglects the more interesting aspect of Royce's account (as it exists throughout his career). In order for an error to have meaning, there needs to be more than simply a judgment that aims towards reality and comes up short; there needs to be a wider view that can recognize the aim (here, the reality of the situation), the

judgment, and the failure. The existence of an external reality does us as human beings little good if we have no access to it outside of our own perceptions of it. A single knower does not have access to the reality, the judgment, and the failure all at once, for if she did, she would not have erred in the first place. Rescher's account ultimately views error as a failure in the dyadic relationship between a judgment and a reality that is external to the inquirer. This concept on its own lacks meaning.

The Possibility of Error in The Religious Aspect of Philosophy *and* The Sources of

Religious Insight

In the chapter "The Possibility of Error" from *The Religious Aspect of Philosophy*, error occurs when a judgment does not agree with its object. All judgments have an aim and, for those who are trying to make an accurate judgment about something in the world, the aim of the judgment is to present the subject of the judgment as it is in reality. Scott Pratt clarifies this in "'All our Puzzles will Disappear': Royce and the Possibility of Error," "there are two conditions that are necessary for an act to be an error, whether the act is an assertion, a judgment of value, or an attempt to realize some result: first, the actor or agent must have some intention or purpose in mind. Second, the claim made must say something about the thing or relation or result that does not hold."[xii] If I make a judgment that the dog outside of my window is a golden retriever, my judgment is in error if the dog is actually a yellow lab. My judgment of the dog as a golden retriever disagrees with the reality where the dog is a yellow lab. Although referring to a yellow lab as a golden retriever could just be a lie or an otherwise false statement, if the aim of my judgment was to say something about the real dog outside of my window, my judgment is in error.

According to Royce, the truth or error of judgments cannot have any meaning in isolation. Sitting by myself in front of my window, I have no way to determine if my judgment is in error or not. I have an idea of the dog in my mind, and this idea might change if, for example, I get a better look at the dog; however, I only have access to my own thought of the dog. I can disagree with my earlier thought that the dog is an afghan and now make a judgment that it is a golden retriever, but without any other account of the dog, I am left with no way of knowing if I am in error or not. Alternatively, if I call down to the woman walking the dog and ask if the dog is a golden retriever, she can give me some insight into my error. She presumably has a fuller view of the dog, since she is closer, is the dog's caretaker, and has access to the dog's American Kennel Club records that contend that the dog is a registered purebred yellow lab. She can compare my judgment that the dog is a golden retriever with her own judgment that the dog is a yellow lab.

However, when taking into account the commitments of feminist epistemology, the third party's job may become far more in-depth than simply providing AKC records. As mentioned in the previous chapter, Code argues in *Ecological Thinking* that better knowing requires tracing how structures of power have worked to define terms and structure knowing. In this example, the third party might be motivated to establish the AKC's definition of the dog's breed but then complicate this idea as well by questioning the AKC's authority to define these terms or the history of dog breeding itself that has created the contemporary yellow lab and dictated formal guidelines for the breed's characteristics. Moreover, the third party may go forward and further investigate how

these factors have harmed dogs in the past and continue to sustain animal abuses through degrading breeding practices.

Royce claims that the possibility for meaningfulness in either truth or error only arises through the addition of a third party into a situation of judgment (in the example above, the woman becomes the third party in a situation involving myself and the dog). An individual, alone in her own thoughts, is unable to attain any kind of judgment: "The substance of our whole reasoning about the nature of error amounted to the result that in and of itself alone, no single judgment is or can be an error. Only as actually included in a higher thought, that gives to the first its completed object and compares it therewith, is the first thought an error."[xiii] In addition to noting that a judgment cannot be in error until it is "included in a higher thought," Royce explains that, in order to be in error at all, the object in question has to be one with which we are already familiar. This means that judgments are always social. Judgments are voluntary expressions that involve engaging with a social setting.

Royce uses an example of two people knowing each other to illustrate his early concept of error. By first claiming "mere disagreement of a thought with any random object does not make the thought erroneous. The judgment must disagree with *its chosen* object,"[xiv] Royce explains that if two people are placed in a room together and asked to make judgments about each other on no other basis than their individual experience at that moment, then they will never be able to make either a truthful or erroneous account of one another. This is because when the first person—in Royce's account, "John"—makes a judgment about the second person, "Thomas," he is not making an assessment of truthfulness or error in regards to the real Thomas, but rather in light of his own

immediate idea of Thomas. In this case, John singly expresses the idea he has of Thomas relative to that very idea. It cannot be in error since it is only a report of what John already believes. For John to be in error about Thomas, there needs to be a third perspective, a spectator who can compare John's claims to Thomas, not just to John's idea of Thomas.[xv] In his early work, Royce describes the ultimate spectator as the Absolute, and he relies upon the Absolute to provide meaning for the notions of truth and error. In other words, Royce's early concept of error requires the possibility of an Absolute in order to be meaningful.

In order to understand why Royce moves to the Absolute for error's meaning, it is helpful to return to the example of the yellow lab. If I ask the dog's caretaker if her dog is a golden retriever, she can correct me and say, no, that it is indeed a yellow lab. This woman's situation as the dog's caretaker will give her a fuller view of the dog than I am able to attain from my window. However, even as the dog's caretaker, this woman's view of the dog remains incomplete and, therefore, fallible. If this woman lacks a complete knowledge about the characteristics that mark a yellow lab, she might overlook a variation in the dog's coloring, or a height that is taller than is common with yellow labs. Moreover, if the paper work from AKC had been forged by the seller of her dog when she bought it as a puppy and she never discovered this deceit, she could be unaware of the dog's actual lineage. No matter how much more she knows about her own dog than I do, she will always have, in some way, an incomplete view of the dog and may, in fact, never become aware that, in reality, her dog is an Irish wolfhound and border collie mix.

Human finitude prevents anyone from having a complete account of any idea, whether that idea is of the real Thomas, a dog that is not a yellow lab, or a scientific

claim. Therefore, while a third party might be able to lead an observer to a better fuller account of an idea, no human insight will ever be enough to fully decide if a judgment is in truth or error. Thus, Royce claims that our ability to be in error requires the existence of an Absolute unity of thought:

> [L]et us overcome all our difficulties by declaring that all the many Beyonds, which single significant judgments seem vaguely and separately to postulate, are present as fully realized intended objects to the unity of an all-inclusive, absolutely clear, universal, and conscious thought, of which all judgments, true or false, are but fragments, the whole being at once Absolute Truth and Absolute Knowledge. Then all our puzzles will disappear at a stroke, and error will be possible, because any one finite thought, viewed in relation to its own intent, may or may not be seen by this higher thought as successful and adequate in this intent.[xvi]

For Royce, the concept of the Absolute is an inevitable conclusion. Practically speaking, error must be possible, but no "single significant judgment" is self-contained enough to be assessed with any definitive finality. Every "higher thought" against which it is possible to evaluate the "fragments" that constitute initial judgments simply points toward an even higher thought. Thus, if judgments are only true so long as they reach the intended aim of their objects (usually to portray a subject as it actually is in reality), then there must be a final destination, an Absolute, for "truth" to have any meaning.

After contending that truth and error are only meaningful if an Absolute contains the unified sum of all judgments, Royce goes on to elaborate the qualities of an error: "What, then, is an error? An error, we reply is an incomplete thought, that to a higher

thought which includes it and its intended object is known as having failed in the purpose that it more or less clearly had, and that is fully realized in this higher thought. And without such higher inclusive thought an assertion has no external object, and is no error."[xvii] In this passage, Royce continues to discuss error in terms of an initial judgments relationship with a higher thought while introducing some of the terms that will characterize errors throughout his work. First, by referring to an error as "an incomplete thought," he suggests that thoughts have their own impetus toward completion. Although he does not address it here, this idea implies that it possible for finite humans to cause errors when they interrupt a thought's drive toward completion. Second, by using the term "purpose," Royce clarifies that the "intended object" of a judgment is not necessarily prescribed; instead, his language implies that there must be an agent making the judgment, a knowing subject with a reason, or purpose, for doing so. Finally, by reiterating that the absence of a "higher inclusive thought" means there is "no external object" that can establish truth and error, Royce restricts the range of judgments that can be in error. He is not interested in evaluating nonsense. He is interested in how judgments made in earnest fail to reach their aims. Throughout his career Royce continued to teach his students this argument for the possibility of error, and as Frank Oppenheim notes in *Royce's Mature Ethics*, this suggests that as late as 1916, Royce's original conception of error had a seminal place in his theory.[xviii]

In the 1912 *The Sources of Religious Insight*, written twenty-seven years after *The Religious Aspect of Philosophy*, Royce holds on to the concept of an all-inclusive, super-human insight for the necessity of error. In this work, Royce argues, "True is the judgment that is confirmed by the larger view to which it appeals. False is the assertion

that is not thus confirmed. *Upon such a conception the very ideas of truth and error depend. Without such a conception truth and error have no sense*."[xix] He goes on to state, "if there is no wider insight, our opinions have neither truth nor error, and merely meaningless."[xx] The common sense understanding of error leads us to seek a wider view than our own to discover if we are in truth or in error; it is only on the basis of some wider view that truth and error have any meaning. Yet, while we can seek a wider view through comparing our insights with each other or comparing our own insights over time, Royce argues in *Sources* as he did in *Religious Aspect* that, in order for any of these methods to have any meaningful relationship to truth, there needs to be an ultimate inclusive insight. Royce states this idea in *The Sources of Religious Insight* when he claims, "*The true rational warrant for this confidence of ours lies in the fact that whatever else is real, some form of such a wider insight, some essentially super-individual and superhuman insight is real*."[xxi] Although this statement maintains many of the ideas first presented in *Religious Aspect*, it builds upon those ideas by introducing the notion of "confidence" and shifting from an emphasis on "higher thoughts" to an emphasis on "wider insight." By introducing the idea of "confidence," Royce provides some insight into why we want to retain the meaningfulness of truth and error. Without truth and error—and, therefore, without the "super-individual and superhuman insight that makes them possible"—we could not have confidence necessary to act. This idea contributes to his argument that the concept of error has both theoretical and practical importance. Smith summarizes, "From the outset, Royce was concerned with the problem of the concrete or actual infinite, and that problem had, for him, both a practical and a theoretical aspect. In its theoretical aspect the problem of the actual infinite presented

itself to Royce as a problem both in metaphysics and in the theory of knowledge. On its practical side it appeared as a problem of ethics and religion."[xxii] When Royce discusses absolute thought in terms of the Beloved Community, he emphasizes the ethical element of this concept and its role in shaping relationships between individuals and communities.

Royce retains much of this definition of error in his later work "Error and Truth" however, he changes his emphasis, and his change in emphasis gives his seemingly abstract concept a more obvious practical effect, which he signals by referring to it as "at once theoretical and practical."[xxiii] While both the earliest and latest definitions of error locate the source of error in the finitude of the knowing subject, the earlier definition emphasizes when and how a judgment may be in error. In contrast, the later definition emphasizes when and how a knowing subject may be in error. While the first definition indicates that error occurs when an initial thought is compared to "a higher thought, that gives to the first its completed object,"[xxiv] the later definition notes that an error is an "expression, through voluntary action, of a belief."[xxv] Despite this shift in emphasis, Royce's later work highlights the consistent theme that truth and error refer to a real world, but their meaning is dependent upon a social setting.

The Concept of Error in "Error and Truth"

In "Error and Truth," Royce outlines the meaning of "error" under the correspondence theory of truth, the pragmatic concept of truth, and finally under Absolute Idealism. In the introduction to this essay, Royce claims that the popular use of the term error refers to not just false opinions but also practical failure. Royce goes on to claim that theoretical errors, or false opinions, are largely inseparable from practical errors. Practical errors usually fall into what Royce calls "blunders." Blunders "must

involve actions which do not attain their goal."[xxvi] Practical errors are always failures related to volition. False opinions are errors that are related to belief. In the moral world, it is impossible to fully separate these two forms of error.

Yet, Royce argues that, when we look at formal logic, we can attain a separation between practical and theoretical errors. Theoretical errors in formal logic mistake a false proposition for a true one. Practical errors will involve volition and therefore will be outside of the realm of formal logic. Formally, truth and falsity are closely related and always imply each other. Royce explains, "True and false are, for the formal logician, predicates belonging to propositions, quite apart from any questions as to whether anybody believes or asserts those propositions."[xxvii] For a proposition to be true in formal logic, it must follow that the contradiction of that statement is false. While knowing the truth of a proposition implies knowing what the corresponding false proposition is, Royce claims, "A being can be supposed to know the truth and falsity, and their distinctions and relations without having any tendency to fall a prey to error. At all events, no purely formal logical reasons, such as for the moment concern us, can be given for supposing that a being who is capable of knowing truth should be capable of falling into error."[xxviii] Because formal logic cannot give an account of how someone may fall into error, yet it is an obvious, common phenomenon, Royce abandons a formal understanding of error.

Instead, Royce moves on in this essay to explore the definitions of error from the three leading concepts of truth, the correspondence theory of truth, the pragmatist understanding of truth, and the Absolute Idealist theory of truth. Royce argues that, under correspondence theory, which he claims is the most prominent theory, there are four definitions of truth. The first is the theory most prominently articulated by Spinoza.

Under this theory, error is defined in the negative as being merely a lack. Most people do not know about themselves, God, or the world, yet they still make judgments. According to Spinoza, "Men fill the void with errors."[xxix] Under this account, error is ignorance. Royce rejects this claim by claiming that error, even error that results from ignorance, is not in itself ignorance because being able to make an error requires at least some level of knowledge about the facts that one is in error about. For example, Royce claims, "I cannot in a speech, make grammatical blunders of whose existence I have never heard."[xxx] The second correspondence theory definition of error comes from the Scholastic tradition. Under the Scholastic tradition and famously articulated by Descartes, error occurs when a person wills something that exceeds her intellect. Under this account, error is a marker of the interplay between free will and finitude, two of the most important markers of humanity in the Scholastic tradition. Royce states, "From this point of view an error is a willful assertion of a false propositions…False beliefs are thus due to a combination of ignorance with the will to believe."[xxxi] The third and fourth definitions of error from the correspondence theory of truth claim that error is the result of a kind of failure in the mind of the erring subject. In the third definition, error is the result of an erring subject accepting a false proposition because it fits within preconceived notions or somehow fits the interest of the subject. Error "is a false opinion which, because of its appeal to the sentiments, the feelings, the prejudices, of the erring subject, because it is harmonious with his social interest or his private concerns, win the subject over to the state of mind called belief."[xxxii] In the fourth definition, error is caused by a lack of ideas standing in the way of a false proposition: "an error is a false proposition whose assertion is forced upon the erring subject through the mechanism of association."[xxxiii]

As Royce explains, the correspondence theory of truth relies on a concept where the representative idea and the object are as separate as a "a man and his portrait."[xxxiv] Ultimately, this separation between the object and the representative idea is an insurmountable chasm for Royce. When correspondence theorists presume that an error has taken place, there is an implicit claim that those marking the error have some access to the real object outside of the representative idea. Royce claims that it is impossible to account for "how the critic of human truth and error has himself acquired his assumed power to see things as they are."[xxxv] Although they do not usually claim to have a special power to see a pure reality, people do still make distinctions between clear ideas and ideas that are more and less likely to be in error. Royce claims that the instinct to make judgments between truth and error is good and tells us more about the nature of error than the correspondence theory can. He rejects the correspondence theory of truth in this article on three grounds. The first is that it is impossible for anyone to compare an idea to the reality of an object in order to determine that an error has taken place. Secondly, it is impossible for someone to differentiate fully between the real object and the associations or sentiments that might be clouding one's own judgment. Finally, Royce rejects the correspondence theory of truth because it only views the cognitive process as representing reality. Cognition, Royce claims, is far loftier. Rather than merely representing reality, cognition requires us "to come into a living unity with [reality]"[xxxvi]

After rejecting the correspondence theory of truth and its accounts of error, Royce turns his attention to the pragmatist theory of truth. As Royce describes it, in the pragmatist account, truth is workability and error is the failure of an idea to provide a suitable model for action: "If the idea agrees with its expected workings, that idea is true,

and with the proposition which accepts that idea as suited to its own ends is true; otherwise the idea and the proposition are erroneous."[xxxvii] Under this account, truth is not absolute or permanent, and in relation to this, error is also never fixed or concrete; instead, truth and error are such within the context of expectations and anticipated consequences.

Pragmatism, according to Royce, accepts the same psychological accounts of how we often fall into error as theorists of the correspondence theory of truth. However, their accounts of error differ in that under pragmatism, "propositions live only as opinions in the process of being tested."[xxxviii] Royce goes on to argue that this condition of pragmatism means that it gives an inadequate account of error. If propositions live as opinions, then determining whether or not the propositions are in error requires that inquirers compare propositions to their current situations: "But this assumption requires the truth of the proposition that the meaning, the object, the purpose, the definition of the ideas, and expectations of one moment or period of time, or person, not only can be but are identical with the meaning, object, purpose, definition of the ideas and expectations of another moment, temporal region, or person."[xxxix] This task is too large for any person to be able to do. Therefore, Royce argues that pragmatism's definition of truth and its corresponding definition of error imply a unity that is not possibly testable.

After dismissing the correspondence theory and pragmatism's accounts of error, Royce goes on to base his own account of error in the theory of truth offered by Absolute Idealism. Under this account, truth and falsity are not fixed categories or two sides of an opposing dichotomy, but rather truth is a process of attaining the largest possible view of an idea. Royce claims, "[i]f one accepts such a theory of the 'degrees of truth and falsity,'

and of truth as the harmony or organic unity between a partial view and the ideal whole of experience or of reality, the essence of error—that is, of false opinion must receive a new interpretation."[xl] Royce distinguishes between Hegel's account of error and more recent idealists such as Bradley. Under Hegel's account, error is an inevitable stage of history. Error under this account is a partial view that "regards[s] itself as the total and final view."[xli] Mistaking a partial view for the final view for Hegel is the inevitable stage of abstraction. Under this account, error is not an ultimate failure, a final resignation into falsity, or a turn away from a fixed truth forever, but rather error is a necessary step in attaining the highest possible degree of truth.

Royce places himself in communion with the more recent idealists. These theorists, like Hegel before them, contend that error is a partial view that sees itself as whole view. A view is false to the extent that it is partial, but it transforms from a false view into an error when the partial view mistakes itself for the whole view. Truth, under this account, happens when the partial view is put into harmony with the total view of experience. At this point, Royce claims that this modern idealist approach itself is incomplete. Royce ends "Error and Truth" with seven conditions for a possible solution to the problem of error, which Oppenheim suggests address his anxiety surrounding the "disharmony between the demands of any partial interpretation of experience and that which is revealed and fulfilled by the whole of experience."[xlii]

First, a satisfactory theory of error must maintain a sharp distinction between formally true propositions and their formally false contradictions. Second, this theory of error must "take account of the actual unity of the cognitive and volitional processes."[xliii] Royce claims that both pragmatists and Hegel do this when they argue that "every insight

or opinion is both theoretical and practical"[xliv] and that generally insights and opinions are tested by how they are successful in life. Third, a successful theory of error must acknowledge that the meaning of a proposition is related to the experience of the idea and the meaning of a proposition is not defined by a relationship with objects outside of experience entirely. Fourth, Royce argues that a satisfactory theory of error must place the success of ideas, hypotheses, and opinions in relationship to the whole of experience and the whole of life as much as possible. Fifth, a successful theory of error must understand that error, evil, individuality, and conflict are all the inevitable result of finitude. Sixth, "[t]heoretical error cannot be separated from practical error."[xlv] Finally, Royce argues that a successful theory of error will combine Hegel's dialectical method with pragmatism and the methods of logic to address the problem of error. When these three accounts are combined, people are in error when their limited ideas force them into conflict with their larger life. The individual subject "errs when he so feels, believes, acts, interprets, as to be in positive and decisive conflict with this *ought*."[xlvi]

Error and Royce's Pluralist Ontology

In the previous chapter, I claimed that, in order to take advantage of epistemologically privileged testimony, feminist inquiry needs a conception of individuals as both originating from overlapping structures of power and developing through voluntary commitments in their communities. With regards to Heldke's claims about the interdependence between feminist epistemology and feminist ontology, these twin traits correspond to her descriptions of acknowledging and being responsible toward the other participants in the inquiry and fulfilling their own responsibilities to the context of inquiry. Furthermore, Heldke's stipulation that the interdependence between feminist

epistemology and feminist ontology also creates the responsibility to constantly expand

the scope of inquiry anticipates and informs the possibility that Royce's philosophy could

benefit feminist inquiry. Hence, having established that Royce's definition of error calls

for the pursuit of an ever-wider view, I contend in this section that Royce's definition of

error, conjoined with Heldke's concept of objectivity as responsibility, creates the

necessity for a method of error sensitivity in order to promote pluralistic communities

without eliding the role of conflict in communal inquiry.

In "The Experience of Pluralism," Scott Pratt claims that in Western philosophy,

pluralism has traditionally been seen as the counterpoint to monism, as in pluralism

implies that the world is made of several individual perspectives rather than one, but this

account pales in comparison to the account of pluralism that comes through American

philosophy. In this tradition, which Pratt says can be seen through William James's late

works, but could include Royce's work as well, pluralism signifies not just that there are

multiple things making up the world but that experience shows both plural knowledges

and plural realities. Through experience, we recognize both perspectives and things as

separate and irreducible; yet, we also recognize that different things relate to and interact

with each other across these different perspectives. Pluralism in the American tradition

means not just that there is a difference in the things that make up the world but rather

that these things exist in relationships of connection and disconnection. To focus on

pluralism then means to focus on the relationships between points of difference.[xlvii]

When understood as a focus on relationships between differing things and

perspectives and the necessary components of interaction, pluralism becomes more than a

call for more inclusive theories; it forces epistemology to recognize ways of knowing as

interrelated and communally situated. Ways of knowing that promote pluralism must understand "things" as separated but also able to be unified. When we look at pluralism as something that is experienced as both separate knowledges and plural realities that interact with each other, we can begin to conceive of pluralism within communities that takes account of differences and use relationships across these differences to undermine rather than uphold unifying structures placed on communities by institutions of power.

In order to do this, pluralism has to be understood as something that builds connections but does not result in a monolithic society. Heldke explains this kind of interdependence by explaining how responsibility should be conceived of within the context of a medical research project:

> Recognizing that all these participants are interdependent and have mutually constitutive responsibilities to each other leads us to recognize that there is more than one 'research agenda' in place—the medical researcher's agenda to develop an anticancer drug is not the only operative. The subjects of the study have agendas and responsibilities—to themselves, to the scientists conducting the study, to future cancer patients—and these responsibilities may or may not neatly coincide with those of the medical researcher. A context of inquiry in which participants acknowledge each other's interests, agendas, and resulting responsibilities is a complicated and messy context—but it is also likely to be a context that addresses the interests of participants differently situated, with different amounts of power and control in the situation.[xlviii]

In the model of inquiry described by Heldke, the pluralistic group that constitutes the research community—the researcher, the assistants, the subjects, the potential

beneficiaries, and the families, etc.—is not reduced to a multitude of voices contributing to the single, authoritative view of the researcher.

Likewise, the concept of pluralism that follows Royce throughout his work conceives of the many as potentially one through relationships while maintaining the individuation of the many. Pluralism in Royce's account is framed as a response to the problem of the one and the many. In "The Moral Order" from *World and the Individual*, Royce explains the Absolute as being both the One and the Many: "this Absolute purpose is not only One, but also infinitely complex so that its unity of many Wills, each one of which finds its expression in an individual life while these lives, as lives of various Selves have an aspect in which they are free, in so far as each, while many aspects determine, is still its own measure a determiner of all the rest."[xlix] Royce relies on a metaphysical pluralism throughout his work, and the Absolute provides a unity, the connection between individual selves, wills, and ideas. While never subsuming them, the Absolute acts as the larger framework that puts differing wills into connection with each other.

By *The Problem of Christianity*, discussions of the Absolute change. In *The Problem of Christianity* Royce emphasizes a humanistic account of the Absolute. In this work the Absolute takes the form of an ultimate community that secures the widest view possible, "This essentially social universe, this community which we have now declared to be real, and to be, in fact, the sole and supreme reality, — the Absolute, — what does it call upon a reasonable being to do?"[l]   Communities in general, and the Beloved Community in particular, provide the connection that relates individuals together into communities and communities together for the ideal of the ultimate community. Royce

argues that while James's concept of compounding of consciousness from "A Pluralistic Universe" varies significantly from his own concept of the idea of the community, "James's final opinions…tended to show, better than would otherwise have been possible, where the true problem [of the one and the many] lies."[li] James's pluralism and Royce's pluralism are similar until we reach their end point. While James conceives of compounding of consciousness, Royce purposes the community. Royce contrasts the pluralism of James and himself with what he calls the dominant social pluralism of the day. The dominant pluralism, Royce claims, is focused on the separation of individual consciousness and entities. However, this dominant model misses for Royce the experience of our social lives in communities:

> Our ordinary social pluralism leads us to conceive the individual streams of consciousness as if they were unable to share even a single pang of pain. No one of them, we have said, can directly read the secret of a single idea that floats in another stream. Each conscious river of individual life is close shut between its own banks, like the Oregon of Bryant's youthful poem that roles, 'and hears no sound but his own waves.'

> But in our actual social life,--in the market-place, or at the political gathering, or when mobs rage and imagine a vain thing, in the streets of a modern city, the close shut-in streams of consciousness now appear as if they had lost their banks altogether. They seem to flow together like rivers that are lost in the ocean, and to surge into tumultuous unity, as if they were universal tides.[lii]

The experience of life within the community, "the complicated and messy context" described by Heldke, is actually Royce's greatest reason for understanding pluralism as

relationships between differing entities rather than entities separated from each other. Importantly for Royce's conception of community, these pluralist relationships are based within situations of difference and conflict.

While understanding pluralism as relationships across difference and conflict within communities, Royce's work also provides us with a requirement for communities to maintain this kind of pluralism. Ultimately, in order for communities to relate the many individuals into a unity of the community, the community must cultivate error sensitivity, just as Heldke's inquirers must be responsible to the context of inquiry in order to work toward objectivity. When Royce defines error as a finite agent asserting her perspective as the perspective of the whole when the rest of her community has no opportunity to dissent, he focuses on the results of an agent failing to recognize her limitations. When an agent joins a community, she must acknowledge the limits of her own perspective. In Heldke's example, the medical researcher must acknowledge the limits of her own authority when she solicits subjects for her research. Similarly, in a sexual assault case, a man must acknowledge the limits on his understanding of the effects of patriarchy, and a white woman must acknowledge the limits on her understanding of the effects of racism, even to the extent that patriarchy and racism are at work in their own claims about the incident. An agent who isolates herself from her community loses a degree of error sensitivity because she has no larger perspective to provide comparison. Thus, the method for recognizing error is a process that takes into account a larger perspective, and Royce calls this process "interpretation." Interpretation puts multiple perspectives into relationships with each other and creates a larger perspective.

Without interpretation, there is no way to recognize error because an agent's limited perspective exhausts the possibilities. Royce claims that individuals and communities cannot find meaning in truth and error without a triadic relation. A community of interpretation is a relationship among three or more participants wherein the third party plays the role of a mediator. The three or more parties create what Royce calls a "community of interpretation."[liii] Under this model, the two conflicting parties lack a larger perspective. They experience conflict with each other but there is no larger view that can mediate their conflicting accounts. The interpreter works with both sides of the conflict to create a new, larger view. Because this interpretation requires a new creative action, determining who is in error is no longer about finding a fixed truth to use in order to disregard one account or the other, nor is it about one account subsuming the other; rather, differing perspectives work with each other to make the community more inclusive.

Community plays both an ethical and a metaphysical role. Smith formulates this dual role by describing "real" communities of interpretation and "true" interpretations: "The interpretation offered is real only if the community of interpretation serving as its basis is real, and it is true only if that community attains its goal."[liv] For Royce, these communities of interpretation are a necessary component of all larger communities. In order to be sensitive to error, Royce claims that a mediator must act with a "loyalty to loyalty"[lv] that, as a guiding principle, commands her to adopt a larger and larger view. This commandment parallels Heldke's stipulation that inquirers must expand the scope of inquiry, except, where Royce uses the language of "loyalty," Heldke uses the language of "responsibility." Communities of interpretation never terminate this project of an ever-

expanding view, even though the community of interpretation can create a temporary consensus. However, all interpretations that come out of communities of interpretation remain up for reinterpretation. For example when a community develops a larger view of a conflict through the passage of time they may find that the consensus reached by the original community of interpretation is in error and needs to be negotiated.[lvi]

In order for truth and error to have any meaning there has to be a larger perspective from which to judge individual claims. This larger perspective for Royce is the community, and the largest community of all is the Beloved Community. By practicing loyalty to loyalty, those within communities of interpretation aim their community towards the Beloved Community. If individuals and communities do not commit to a larger aim, then judgments are framed either by dogmatic rules of authority or judgments that are radically relativist and lack any meaningful relationship to truth and error. Royce compares the Beloved Community to the bonds of friendship: "When friends really join hands and hearts and lives, it is not the mere collection of sundered organism and of divided feelings and will that these friends view as their life. Their life, as friends, is the unity which, while above their own level, wins them to itself and gives them meaning."[lvii] Royce argues that the Beloved Community establishes a higher purpose for all communities. It presents the possibility that diverse communities can join together, and this more inclusive community can provide a perspective on the way to the largest "absolute" perspective. The result is a process of ongoing interpretation that generates new perspectives.

Contemporary Accounts of Error and Ignorance

From his early account of error in *The Religious Aspects of Philosophy* to his account in "Error and Truth" Royce maintains that that error stems from a conflict that "is at once theoretical and practical."[lviii] While error is the natural result of our human finitude, we have a deep ethical obligation to avoid it. In order to maintain loyalty to loyalty and fulfill our commitments to each other, we must continually strive towards a wider perspective. Errors do not necessarily stem from passive failures to recognize the truth; they often stem from active reluctance to recognize the limits of one's view or seek a wider viewpoint**.** The contemporary concept of epistemology of ignorance highlights this harm in reference to structures of oppression. While multiple scholars working in feminist epistemology such as Shannon Sullivan, Nancy Tuana, Lorraine Code, and Linda Martín Alcoff have discussed epistemology of ignorance over the past decade, the term comes from Charles Mills's 1997 *The Racial Contract*.[lix] The term refers to "an examination of the complex phenomena of ignorance, which has as its aim identifying different forms of ignorance, examining how they are produced and sustained, and what role they play in knowledge practices."[lx] As Mills explains, epistemology of ignorance is "a straight forward corollary of standpoint theory: if one group is privileged, after all, it must be by comparison with another that is handicapped."[lxi] Dominant groups cultivate an ignorance about the lives of those whom they oppress and the structures of oppression that support their own social privilege. Just as it is in the interest of those who are oppressed to recognize structures of oppressive society, it is in the interest of dominant groups to maintain ignorance.

Mills explains one formation of this in "White Ignorance," where African Americans have "been forced to become lay anthropologists,"[lxii] studying and learning white culture in order to survive and avoid violence. He notes, "[t]he white delusion of racial superiority insulates itself against refutation."[lxiii] For Mills, this phenomenon of white ignorance is so strong of a factor "even seemingly straightforward empirical perception will be affected… *the concept* [of white supremacy] *is driving the perception, with white aprioristically intent on denying what is before them*."[lxiv] White ignorance has the power to affect seemingly race neutral observations because it structures white perception itself. While this power is seemingly unstoppable, Mills contends, "white ignorance is not indefeasible (even if it sometimes seems that way!), and some people who are white will, because of their particular histories (and/or the intersection of whiteness and other identities), overcome it and have true beliefs on what their fellow whites get wrong."[lxv] White ignorance is a strong cognitive tendency that is supported and reinforced continually by white supremacist societies. However, even though this tendency has the power to drive perception itself, it is not an epistemological destiny. Rather, it is a strong but potentially subverted force. Mills closes this essay with the claim, "[o]nly by starting to break these rules and meta-rules [of white ignorance] can we begin the long process that will lead to the eventual overcoming of this white darkness and the achievement of an enlightenment that is genuinely multiracial."[lxvi] Here, Mills language clearly reflects Harding's claim that privileged individuals can, and must, cultivate a view from below.

Drawing on Mills work, as well as feminist standpoint theory and Code's account of subjectivity and responsible knowing, Alcoff argues that "[t]he idea of an

epistemology of ignorance attempts to explain and account for the fact that such substantive practices of ignorance—willful ignorance, for example, and socially acceptable but faulty justificatory practices—are structural."[lxvii] For Code, ignorance is similarly situational, much like epistemological privilege is situational. Alcoff explains, "knowers are at once limited *and* enabled by the specificities of their locations…. That is, the fact that we are all situated does not give us reasons to classify any *given* situation as ignorant in and of itself; rather, a given epistemic situation may be advantaged or disadvantaged."[lxviii] While ignorance is situational for Code, it is, according to Alcoff, broader for Harding. Under Harding's account of feminist standpoint theory, ignorance is a feature of social groups "simply because groups will sometimes operate with different starting belief sets based on their social location and their group-related experiences, and these starting belief sets will inform their epistemic operations such as judging coherence and plausibility."[lxix] In other words, social groups do not just limit the information available to their constituents but also the ways in which their constituents validate or invalidate any given notion as knowledge.

In this regard, works in epistemology of ignorance highlight the ways power operates to produce errors. The erroneous beliefs that permeate white supremacist cultures about the lives and experiences of African Americans leads to myths of Black sexuality, while the same power of ignorance limits the corrective power of African American testimony: "Even when such fears [of lynching and other forms of racially motivated violence] are not a factor, and blacks do feel free to speak, the epistemic presumption against their credibility remains in that it does not for white witnesses."[lxx] At the same time, women's testimonies of sexual assault are also discredited to maintain a

standard of male ignorance. Epistemology of ignorance accounts for the ways in which power limits knowledge, however, it also relies on the concept that truth and error have meaning. Works about the epistemology of ignorance investigate how and why power structures limits knowing, but they do not, on their own, give us a means of recognizing the error that results from structural ignorance. Thwarting the power of strategic ignorance requires an aim towards an ideal of clearer, fuller, knowing. This aim cannot be an ahistorical, raceless, sexless ideal of pure knowing but rather an actualizable account of a given situation that carefully considers the context and relation of a given claim to structures of power.

Error Sensitivity and Testimony

As indicated in the previous chapter, developing a method of error sensitivity will enable feminist inquiry to retain the value of epistemologically privileged testimonies because communities of interpretation, unlike conventional juries, do not need to base their decisions on dualistic notions of true and false. Instead, they can evaluate which testimonies possess the greatest degree of truth or the greatest degree of error by establishing the widest view possible, one that accounts for situations, contexts, and responsibilities. When a community of interpretation establishes the widest view possible, it can recognize error in testimony and respond to it without labeling someone's testimony as either willfully deceitful or blatantly wrong. For example, a community of interpretation could recognize that a man is in error when he testifies that a woman consented to sexual intercourse through her body language without asserting that the man is lying about the events in question or that he is wrong about the woman's body language. Instead, they can acknowledge that the man's limited perspective caused him to

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err in his understanding of how patriarchy has shaped definitions of consent. However, this recognition is only possible if communities of interpretation are prepared to confront structures of power. Hence, in the next chapter, I explore how Royce's concept of loyalty to loyalty promotes destabilizing oppressive power structures in order to promote progress toward the Beloved Community.

[i] Lisa Heldke, "How to Be Really Responsible," in *Engendering Rationalities*, (Albany, NY: State University of New York Press, 2001), 81.

[ii] Ibid., 82.

[iii] Ibid., 91

[iv] Ibid., 89

[v] Ibid., 81-82.

[vi] Josiah Royce, "Error and Truth," 1913 in Royce's Logical Essays, ed. Daniel S. Robinson, (Dubuque, IA: Wm. C. Brown Company, 1951), 124.

[vii] J.E. Smith, *Royce's Social Infinite*, (New York: The Liberal Arts Press, 1950), 18-19.

[viii] Heldke, "How to Be Really Responsible," 90.

[ix] Nicolas Rescher, *Error: On Our Predicament When Things Go Wrong*, (Pittsburg: University of Pittsburg Press, 2007), 80.

[x] Ibid., 1.

[xi] Ibid., 1-2.

[xii] Scott Pratt, "All Our Puzzles Will Disappear": Royce and the Possibility of Error, *Cognitio: Revista de Filosofia*, 11, 2, (July – December, 2010).

[xiii] Josiah Royce, *The Religious Aspect of Philosophy*, (New York: Harper Torchbooks, 1958) 431.

[xiv] Ibid., 409.

[xv] Ibid., 406-411.

[xvi] Ibid., 423.

[xvii] Ibid., 425.

[xviii] Frank M. Oppenheim, *Royce's Mature Ethics*, (Notre Dame, IN: University of Notre Dame Press, 1993) , 91.

[xix] Josiah Royce, *The Sources of Religious Insight* (1912), [Washington, D.C.: The Catholic University of American Press, 2001], 109.

[xx] Ibid., 110.

[xxi] Ibid., 112.

[xxii] Smith, 11.

[xxiii] Josiah Royce, "Error and Truth," 124.

xxiv Josiah Royce, *The Religious Aspect of Philosophy*, 431.

xxv Josiah Royce, "Error and Truth," 124.

xxvi Josiah Royce, "Error and Truth," (1913), 99

xxvii Ibid., 100.

xxviii Ibid., 102.

xxix Ibid., 105.

xxx Ibid., 105.

xxxi Ibid., 106.

xxxii Ibid., 106.

xxxiii Ibid., 107.

xxxiv Ibid., 107.

xxxv Ibid., 110.

xxxvi Ibid., 111.

xxxvii Ibid., 111-112.

xxxviii Ibid., 115.

xxxix Ibid., 116.

xl Ibid., 121.

xli Ibid., 121.

xlii Oppenheim, *Royce's Mature Ethics*, 84.

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xliv Ibid., 123.

xlv Ibid., 123.

xlvi Ibid., 124.

xlvii Scott Pratt, "The Experience of Pluralism" Journal of Speculative Philosophy 21 (2):106 –

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xlviii Heldke, 89

xlixJosiah Royce, *World and the Individual*, vol. 2, (1901; repr., New York: Dover Publications, 1959), 335-336.

l Josiah Royce, *Problem of Christianity* (1913), (Washington D.C.: The Catholic University of America Press, 2001), 350.

li Ibid., 242.

lii Ibid., 239.

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lvii Ibid., 197.

lviii Royce, "Error and Truth," 124.

lix Shannon Sullivan and Nancy Tuana, "Introduction," *Race and Epistemologies of Ignorance*, eds., Shannon Sullivan and Nancy Tuana, (Albany, NY: State University of New York, 2007), 2.

lx Ibid., 1.

lxi Charles Mills, "White Ignorance," Race and Epistemologies of Ignorance, eds., Shannon Sullivan and Nancy Tuana, (Albany, NY: State University of New York, 2007), 15.

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lxiii Ibid., 19.

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lxvi Ibid., 35.

lxvii Linda Martín Alcoff, "Epistemologies of Ignorance," *Race and Epistemologies of Ignorance*, eds., Shannon Sullivan and Nancy Tuana, (Albany, NY: State University of New York, 2007), 40.

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lxx Mills, "White Ignorance," 33.

CHAPTER IV

INTERPRETATION WITHOUT ASSIMILATION: COMMUNITIES OF

INTERPRETATION IN ROYCE'S MATURE PHILOSOPHY

In the last chapter, I claimed that a concept of error sensitivity is a necessary part of what Heldke terms "a responsibility to the context of inquiry."[i] In this chapter, I argue that adopting this responsibility requires a specific account of what inquiry within a community ought to look like. A common commitment of feminist epistemology is the inclusion of previously ignored and disregarded perspectives in what counts as knowledge. At its core, feminist epistemology asks for more inclusive, more balanced, and overall more pluralistic approaches to attaining knowledge. By focusing on Royce's definition of error as the willful presentation of a partial view as a whole, I argue that error sensitivity requires an account of feminist inquiry that includes Royce's triadic model of interpretation. However, incorporating an account of error sensitivity as a component of feminist epistemology involves not merely fitting a triadic model of interpretation onto existing methods of feminist epistemology but rather reimagining communal inquiry with error sensitivity at its core.

A holistic reimagining is necessary because developing error sensitivity requires accounting for the concepts I discussed at the end of the previous chapter, "loyalty to loyalty" and the Beloved Community, as well as the extensions of these concepts that I describe in the first section of this chapter, "loyalty to interpretation" and the aforementioned triadic model of interpretation. Although accounting for these concepts will require a significant shift from existing models of feminist inquiry, they are, as I contend in the second section of this chapter, consistent with the four commitments of

feminist epistemology that I described in the second chapter. After assessing how

Royce's concepts are consistent with the commitments of feminist epistemology, I

provide a closer analysis of how these concepts promote error sensitivity. In particular, I

consider the importance of viewing truth as incomplete and growing, accepting a

communal commitment to interpretation, and developing an unwavering focus on being

as inclusive as possible. In the conclusion, I review the concrete application of this model

by returning to the example of an interracial rape case and discuss the Navajo court

system.

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Royce's Triadic Model of Interpretation

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In the previous chapter, I described the development of Royce's theories about

error and truth. Ultimately, the development of these theories resulted in the development

of Royce's mature model of interpretation as well. In his later works, *War and Insurance*,

Problem of Christianity, and the unfinished "The Spirit of the Community," Royce

develops a model of interpretation that makes sense of responding to an incomplete,

growing truth in a communal setting. For Royce, interpretation is always a social

endeavor. It operates in concrete situations and within particular contexts. As Oppenheim

explains, "Royce cautioned his audience that they must counter their habit of defining

truth and reality in merely conceptual terms. If his argument [for the existence of an All-

Knower] were to function for them, they would have to shift to a concrete interpretive

context and consider truth and reality in their essentially social setting."[ii] Oppenheim

goes on to explain that as Royce's thought matures over time interpretation plays a larger

role: "Even if Royce himself in 1883 had not yet shifted his mode of thinking explicitly

to an *interpretive* epistemology, he had surely done so by 1915. At this later date, he

stressed the need 'to revise our metaphysical ideas' this occurred if one shifted one's

habits of thinking from primarily conceptual or perceptual mode of thought into a

primarily interpretational mode."[iii] In particular, Royce's shift toward an "interpretive

epistemology" resulted in his concept of communities of interpretation.

Royce's 1914 work *War and Insurance* provides his clearest model of what he

calls the community of interpretation. In chapters three and four of this work Royce

explains that when people or nations relate to each other only in terms of pairs any

consideration for each other ultimately fades and produces an adversarial and

antagonistic relationship. This piece, written three years before the United States entered

World War I, is Royce's most prominent political writing. In this piece he proposes that

nations form an international mutual insurance to prevent global war. Royce's logic being

that if multiple nations had an interest in being loyal to a mutual peace and each other

then they would be less likely to allow individual disputes between nations develop into

wars. [iv]

Royce's explanation of interpretation in this piece then is used to explain how

nations can develop long lasting peace. Thus, when he argues that relationships of pairs,

or dyadic relationships, are dangerous, he goes so far to claim "*War itself persists

because the nations still cultivate dyadic relationships too exclusively*."[v] Royce argues

that whenever there is a pair of two people, they are just as likely to approach each other

with love as with antipathy, and when they come together for a task, such as debating,

buying and selling, or gathering food, they are capable of maintaining a loving

relationship. However, when the individual task has passed, this pair will eventually

become antagonistic because they are two separate beings who are likely to develop two

separate sets of interests: "We naturally [hurt each other] not because we are by nature either mainly selfish or primarily malicious or even greedy. We do all this merely because, if taken in pairs, we are, in each pair, two different and contrasting people or groups."[vi] Royce goes on to claim that the self-consciousness of individuals requires that they are able to contrast themselves against others within a community. Our ability to contrast ourselves against others is therefore a crucial part of our identity. However, this need to contrast ourselves ultimately means that we will interrupt, bore, and collide with each other when we are in pairs.[vii]

For Royce, we escape the harms of the dyadic relationship by focusing mutual love on something else. This something else can be a mutual cause between comrades, a community for neighbors, or a mutual interest in peace for warring nations. The third entity that unites the previously dangerous two entities must be something that moves the community towards a wider perspective than before.[viii] While a dyadic relationship is always a socially dangerous relationship, the specifics of what should intervene to make the dyadic relationship a triadic one depends on the context of the relationship. Royce argues that one common example of a triadic relationship is the professional relationship of a principle, agent, and client. Each member of this community has an interest that depends upon the interests of the other two members because of this, it is "naturally a peace-loving community."[ix] In business terms, such as Royce envisions the most basic form of the relationship, the principle and the client are inaccessible to each other even though they require each other for a particular task. The agent builds the relationship between the principle and the client. While the principle, agent, and the client remain individual separate agents, they together form a new community consisting of the triad.

Royce claims that this relationship provides the basic model for all communities of interpretation.[x]

In *War and Insurance*, Royce focuses on nations as the potential members of communities of interpretation and claims that his contemporary political tensions are the result of dyadic relations between nations. However, in his unfinished 1914 work, "The Spirit of Community," Royce claims that the dyadic relationships are not just harmful in social and global settings but also that the ideal dyadic relationships that underlie much of western philosophy creates antagonistic and ultimately underproductive philosophy. In this essay, Royce sets out to create an account of mediation that fulfills what he sees as a void in philosophy: "Both philosophy and religion have suffered in the past from the tendency to think of mediation too exclusively in terms that presuppose some sort of quarrel which is to be settled."[xi] In "Josiah Royce on 'The Spirit of the Community' and the Nature of Philosophy: An Interpretive Reconstruction," Kelly Parker summarizes key ideas from the unpublished essay. In this essay, according to Parker, Royce argues "that the traditional conception of philosophy and philosophical method, deriving from Socrates and Plato, is overly narrow, a deformation of genuine philosophy."[xii] Royce distinguishes between dyadic mediation and triadic mediation. Dyadic mediation is philosophical inquiry that is based on an antagonistic relationship between two real or ideal parties. Philosophical questions are examined and settled through what Parker calls "verbal combat." The Socratic method encourages forms of dyadic mediation. The Socratic method, Royce argues, "gives a permanent expression to the idea that philosophical inquiry consists in a sort of disputatious game, played between a pair of contending philosophers."[xiii] Royce goes on to claim that inquiry ends when either both

parties agree or one party is silenced. In this account, he claims, the mediator of inquiry is supposed to be history or thought itself.

Royce, then, accounts for the other most famous account of mediation in western philosophy, the Hegelian dialectic. Royce summarizes the Hegelian dialectical method: "The familiar Hegelian generalization of the dialectical method undertakes to substitute for all such views of philosophical mediation the thesis that the solution of each philosophical clash of contrary opinions lies in some higher synthesis, wherein the opposed opinions are at once annulled, and fulfilled, and united."[xiv] While Royce does not offer an extensive rejection of Hegel's method here—though he does claim that it is inadequate in "Error and Truth"—he contends that the topic of meditation is too complex and too important to philosophy to be reduced to either the Hegelian or the Socratic method. Royce claims, "The Hegelian union of contraries or contradictories in a higher synthesis is not the only type of rational mediation either in philosophy or in practical life."[xv] From this point, Royce goes on to illustrate his own account of mediation wherein the community relies on certain third parties to come into connection with parties to create relationships.

Parker explains Royce's triadic model of mediation by contrasting with the dyadic models preferred by Socrates and Plato. In the Socrates-Plato model "the direct confrontation of two conflicting positions" leads to a "course of criticism and argument"[xvi] and concludes when either only one of the two positions remains viable. Parker suggests that this process constitutes mediation to the extent that the conflict itself disappears at the conclusion. However, unlike the disputants in the Socrates-Plato model, the conflicting parties in Royce's triadic model do not need to confront one another

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directly. Instead, the "Roycean public philosopher" uses "the art of inquiry, a sound understanding of the science of logic, and systematic knowledge of the range of philosophical ideas that have been advanced throughout history by others"[xvii] to create a healthy exchange of ideas between the two parties, one that does not necessarily require an adversarial relationship.[xviii]

Royce's 1913 work *The Problem of Christianity* gives the most cohesive view of his mature philosophy. In this work Royce develops his metaphysical account of community. In his early work, notably *The Religious Aspect of Philosophy*, Royce claims that the meaning of truth and error requires the existence of an all-encompassing view. In these early pieces this largest view is the view of an Absolute.[xix] Royce maintains a form of absolute idealism throughout his entire career. However, over time the language that he uses to describe the Absolute changes. In *The Problem of Christianity* Royce claims that the meaning of truth and error requires the all-encompassing view of the "Beloved Community." The Beloved Community is Royce's ideal of an end where all communities are joined together under the common causes of "loyalty to loyalty."[xx] The Beloved Community acts as the ideal aim for all interpretation in *The Problem of Christianity*. Community members strive to develop better interpretations and develop greater error sensitivity as part of the larger ethical, metaphysical, and spiritual striving towards unity. This concept provides an aim for inquiry. As Oppenheim explains, "Interpretation, then, is essentially social but also teleological—that is, it possesses 'a directed 'sense',' the bearing of one minded being *toward* another intended mind."[xxi] Hence, when communities strive towards the Beloved Community, inquiry itself acquires the ethical aim of unity.

Yet, in order for communities to strive for unity as an ethical aim, they must be genuine communities. Jacquelyn Kegley succinctly explains the distinction Royce makes between "genuine communities" and involuntary, "parasitic" communities.[xxii] She notes that genuine communities are "those communities that foster genuine, moral selves."[xxiii] In order to help individuals develop "genuine, moral selves," communities must provide "the context for self-interpretation, for self-planning, and for moral action."[xxiv] Kegley's explanation emphasizes some of the important attributes of Royce's genuine communities. First, genuine communities must be voluntary. In order for individuals to develop themselves through loyalty, their loyalties must be freely chosen. Involuntary communities, such as the families we are born into and the locations we may be forced to live in due to financial circumstances, may play a role in structuring our lives, but unless we actively choose to make these communities our causes, they are not genuine. Second, genuine communities are connected by a common cause, but they must respect individuals as unique entities, and they must protect the freedom of the individual to continue to choose her own causes. Royce explains the importance of this quality: "a community does *not* become one, in the sense of my definition, by virtue of any reduction or melting of these various selves into a single merely present self, or into a mass of passing experience."[xxv] Here, Royce maintains that genuine communities must respect and preserve the integrity of individual experiences. Third, genuine communities must aim towards loyalty to loyalty. In other words, genuine communities must be open enough to engage in inquiry with those outside of the community in order to build relationships and commitments with other communities. Likewise, they must allow their own members the freedom to be committed to other causes and, if need be, leave the

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community to commit themselves to a new ultimate cause. To the extent that communities close themselves off from interpretation with other communities, and to the extent that communities restrict their members' abilities to voluntarily pursue their own causes, communities become parasitic and violent. In *The Problem of Christianity*, Royce argues that individuals require relationships within communities for meaning. The self for Royce is only understandable, for example, when it can be contrasted with other selves. Goals can only be established amongst neighbors and spiritual salvation is only possible for the whole of a community. Meaning requires not just the existence of others but also an active love and commitment to others. Royce states, "When friends really join hands and hearts and lives, it is not the mere collection of sundered organism and of divided feelings and will that these friends view as their life. Their life, as friends, is the unity which, while above their own level, wins them to itself and gives them meaning."[xxvi] For Royce, this central commitment towards others is manifested through loyalty to loyalty. Royce's pluralism maintains that our commitments to each other are fundamentally commitments to respecting each other's loyalties. This commitment of loyalty to loyalty transcends differences between specific loyalties.

As with *War and Insurance* and "The Spirit of Community," Royce defines interpretation in *The Problem of Christianity* as a triadic relationship where the third party mediates between the conflicting starting parties. Also like the two works of the following year, in *The Problem of Christianity*, Royce credits C.S. Peirce with developing the triadic model of interpretation. He notes that "Charles Peirce cannot be held responsible for the use that [he] shall here make of his opinions" before delving into his description of perception, conception, and interpretation with the acknowledgement

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that "I should never have viewed as I now view them without his direct or indirect aid."[xxvii] With this acknowledgement, Royce draws upon Pierce to explain, "For neither perception nor conception, nor any combination of the two, nor yet their synthesis in our practical activities constitutes the whole of any interpretation."[xxviii] Here, Royce distinguishes his model of interpretation from those that rely on dyadic relationships like those presented by Henri Bergson and James. Where Royce views their models as defining the problem of knowledge in terms of the tensions between perceptions and conceptions, he believes that these dynamics, no matter how they are cast, are too limited to capture the full range of human experience. In particular, they fail to capture the social experience of knowers in communities.

For Royce, perception and conception remain important, but they present dyadic relationships between perceivers and the objects perceived and conceivers and the ideas conceived. However, because human knowledge only has value in communal settings, it is not enough for individuals to reconcile their own perceptions and conceptions with the objects and ideas perceived or conceived. Instead, individuals must reconcile their perceptions and conceptions with those of their neighbors, and while it may be possible to communicate conceptions so that "they can be regarded, with a high degree of probability, as identical," the process of passing "our own concepts to our own percepts" remains highly individual and inhibits "mutual understanding."[xxix] As a result, knowers must engage in a third process, interpretation. Royce explains, "Interpretation, however, is what we seek in all our social and spiritual relations; and without some process of interpretation, we obtain no fullness of life."[xxx] In this statement, Royce emphasizes that humans never experience the problem of knowledge as isolated individuals and that

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acquiring the larger view, which enables individuals to avoid error and find meaning in truth as I explained in the previous chapter, requires the act of interpretation.

Having established that the social and spiritual components of knowledge creation require a process of interpretation, Royce describes its triadic relation: "Thus an interpretation is a relation which not only involves three terms, but brings them into a determinate order. One of the three terms is the interpreter; a second term is the object – the person or the meaning or the text – which is interpreted; the third is the person to whom the interpretation is addressed."[xxxi] Here, Royce provides the clearest statement of his formula for the triadic model of interpretation. From this formula, it is evident that the triadic model does not necessarily require three separate agents—the borrower, the lender, and the banker or the two disputants and a philosopher. Instead, it requires a relationship with three points. Royce even specifies that it is possible for an individual to interpret herself to herself as long as she puts herself into a relationship with three terms, her past self, her present self, and her future self.[xxxii] In this regard, it is also important to recognize that three physically or socially discrete units would not necessarily constitute three separate parties for Royce. In order to operate as a triadic relationship, the three parties must maintain distinct perspectives while sharing a commitment to a common cause. In other words, if Lynn and Sarah come into conflict and Ellen supports Lynn's position against Sarah, there are still only two parties, and it remains a dangerous dyad. Furthermore, just as three parties can fail to be a triadic relationship for Royce, his description of triadic relationships does not suggest that only three parties can or should be involved in any given inquiry. Instead, it suggests that communities of inquiry that involve the spirit of interpretation will lead to further inquiry amongst several different

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individuals and groups, with groups constantly forming new triangulations in pursuit of new creative acts of interpretation.

While Royce indicates that it is possible for interpretation to take place without three independent subjects, his examples continue to focus on interactions between separate knowers because he contends that the motivation for the process of interpretation stems from the value offered by social relationships. He explains, "Life is essentially, in its ideal, social. Hence interpretation is a necessary element of everything that in life, has ideal value."[xxxiii] For Royce, within social settings, the process of interpretation that provides the "ideal value" he describes depends upon an ideal motivation called "The Will to Interpret." Parker explains how the Will to Interpret functions as an ideal motive:

> The "spirit" of any community of interpretation is simply the "Will to Interpret," a will of which all the community's members are possessed. A member may at any time personally take up the task of interpretation as a means of mediating among diverse views within the community, and in doing so aim toward that "ideal event,--the spiritual unity of our community"--that all seek. Such a member embodies the Spirit of the Community, makes it active and effective in a particular context, and in doing so becomes its 'incarnation.'[xxxiv]

Parker's explanation highlight's Royce's view that all good motivations are aimed toward the cause of greater unity. Yet, as Parker explains, unity, for Royce, cannot be created through coercion or deceptions. Real unity depends upon truth: "Royce's 'will to interpret' *intends to unify these communities* of interpretation by promoting truth in them. Only through such a truth-seeking, unity-promoting will can these communities become and remain ethical."[xxxv] Hence, Royce's mediators act selflessly as part of the community

and do more than settle conflicts in favor of one party or the other; they guide the community toward a new and better understanding of the issues at hand.

Royce describes how the Will to Interpret enables people to derive value from social and spiritual knowledge: "Loyalty to a community of interpretation enters into all the other forms of true loyalty. No one who loves mankind can find a worthier and more significant way to express his love than by increasing and expressing among men the Will to Interpret."[xxxvi] In this passage, Royce identifies the importance of the Will to Interpret for both the community and the interpreter. For Royce, adopting the role of the mediating interpreter is the highest spiritual calling for any individual. In this sense, interpreting knowledge is not just a mechanism for allowing people to coexist without violence; it is a matter of ethical, metaphysical, and spiritual importance. As Oppenheim explains, "This ethical life was to be energized (and in part guided) by the community-members' moral will to interpret and be interpreted."[xxxvii] The fact that Royce's will to interpret is not just a guiding principle for epistemology but also for ethical concerns highlights how these two concepts are never separate for Royce. Epistemological concerns are ethical concerns, and this is part of the idea that all errors are both practical and theoretical.

Royce's Model of Interpretation and the Commitments of Feminist Epistemology

Although Royce did not develop his theories with an explicitly feminist perspective, those surrounding error sensitivity—communities of interpretation, the triadic model of interpretation, the Beloved Community, loyalty to loyalty, and the Will to Interpret—as well as his philosophy in general are compatible with the four commitments of feminist epistemology that I described in the second chapter: first,

conventional epistemology has depended upon myths that maintain existing power structures; second, better knowing must participate in destabilizing systems of oppression; third, better knowing is situated within the lived experience of those on the peripheries of power; and fourth, feminist inquiry should be able to adjudicate between conflicting accounts from below. First, Royce's description of the dangerous pair aligns with the ways in which conventional epistemology depends upon the myths that maintain existing power structures. Second, since interpretation, for Royce, is the process of building communities and seeking wider views, it is always going to destabilize systems that exclude the knowledges of those who are oppressed. Third, the in-between identity of the mediator corresponds with the border identity of the *mestiza* identity, the Will to Interpret, the desire for greater spiritual unity, that motivates the mediator resembles the loving perception that the *mestiza* can undertake. Fourth, Royce's emphasis on creating knowledge within communities led him to devise a concept of error that community-oriented feminist epistemologists can draw upon for adjudicating between conflicting claims.

Feminist epistemologists have been critical of binary logic structures, such as the dichotomies that often create us versus them mentalities, and dyadic models of interpretation often promote binary structures. In "A Paradigm of Philosophy: The Adversary Method," Janice Moulton claims that canonical western philosophical reasoning, which shapes conventional epistemology, has been defined by what she calls the "Adversary Method." Moulton claims that philosophical debate and scientific reasoning is dominated by the idea that, in order to get at the truth of an argument, one must prove another's argument wrong. Under this model, the philosophical claim that

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"wins" in an antagonistic debate is determined to be the most truthful claim.[xxxviii]

Moulton claims that any philosophical approach or work that does not fit into the Adversary Method will either be disregarded and ignored or misinterpreted in order for proponents of the Adversary Method to fit it into their existing paradigm. In particular, she describes how the Socratic Method is the most notable example of a philosophical approach that has been misinterpreted to fit the Adversary Paradigm.[xxxix]

The Adversary Method is troubling to feminists for two key reasons: in many Western communities, women are socialized to be less aggressive, less confrontational, and less confident with their positions. Thus, if doing good philosophy requires besting an adversary in a debate, women in these communities will be at a remarkable disadvantage to men who have been socialized to excel under the Adversary Method.[xl] Second, the Adversary Method restricts the philosophical issues that can be addressed to ideas that can be put into terms of deductive reasoning. Arguments that cannot fit into deductive reasoning are often labeled unreasonable, emotional, too personal, or not philosophical.[xli] As mentioned in chapter two, feminist epistemologists like Code argue that the move to turn all discussions into abstractions in the name of being philosophical has prevented the experiences of those who are in some way socially oppressed from being seen as appropriate sources of knowledge.

Western philosophy's emphasis on the Adversary Method is troubling to Royce as well. However, where Moulton claims that something like the Socratic method has only been misconstrued as adversarial, Royce would argue that any philosophical inquiry that relies on only two participants will become antagonistic. As such, the disregard for another's positions, oversimplification of ideas, and destructive flight towards abstraction

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that Moulton describes as consequences of the Adversary Method will inevitably happen in any interaction limited to two parties. In this regard, Royce's triadic model of interpretation resists the masculinist myth that the truth will stand out as the superior position in any discussion and helps individuals disinclined towards conflict to participate in the knowledge-making process. Furthermore, Royce's emphasis on the community's pursuit of greater unity, epitomized by the non-adversarial triadic model of interpretation, rejects the myth of an isolated knower finding truth through the exercise of pure reason.

By resisting the myth of an isolated knower, Royce's triadic model of interpretation also resists the "S knows p" model of knowing that Code criticizes. Because Royce's model of interpretation never assumes that an object of knowledge could be known outside of a relationship, it does not promote the kind of dangerous objectification that a reliance on only perception and conception often does in the "S knows p" model, as I explained in the second chapter. Code's criticisms of this objectification note that, when women, colonized peoples, and people of color have been "known" by a socially privileged position, they have not been asked to participate in the process of creating this knowledge. As a result, knowledge within the "S knows p" model becomes a form of domination and contributes to systems of oppression. Thus, Royce's insistence on creating relationships between the three terms of interpretation corresponds with feminist epistemology's endeavors to undermine systems of oppression.

In order to reject the "S knows p" model, feminist epistemologists have contended that good knowing must embrace the purpose of overcoming oppression. While conventional epistemologies that call for pure knowledge untainted by political concerns cannot accept the idea that knowing should have a social purpose, Royce's contention

that knowledge only acquires meaning within communities automatically gives good knowing the purpose of building communities within his model of interpretation. In this regard, the Will to Interpret is not just an epistemological motivation; it is an act of love towards the community that, ultimately, promotes a more united and inclusive community. As such, the Will to Interpret undermines systems of oppression that rely on a process of knowledge making that is either solitary or divisive.

While Royce's concept of the Beloved Community provides a potential basis for a concept of error that remains consistent with many feminist epistemologists' objections to the Adversary Method and the myth of the isolated knower, the "loyalty to loyalty" that brings communities together, and therefore has the potential to establish the Beloved Community, also connotes the kinds of totalizing accounts of communal identity that many feminists have criticized. In *Dislocating Cultures*, Uma Narayan argues against analytic moves within Western discussions of Third World cultures that provide totalizing descriptions of both Third World and Western cultures. In particular, Narayan contends that contesting the assumptions about "culture," "tradition," and "national identity" perpetuated by Western theorists is a vital part of "Third-World feminist perspectives."[xlii] In other words, Narayan's claim suggests that pushes for greater unity, such as some claims that various aspects of Indian feminist culture are the results of "Westernization," threaten to undermine the importance of the "particular."[xliii]

Narayan goes on to explain that the "theoretical frameworks and conceptual assumptions" that determine who is included and who is excluded from analyses of cultures or groups of any kind carry "problematic implications":

The terms 'exclusion' and 'inclusion' are not, in one sense, pure opposites. Since

feminist analyses that did not explicitly concern themselves with the applicability

and relevance of their analyses to 'women on the margins' often perceived

themselves as applicable to *all* women, that form of 'exclusion' was

simultaneously a problematic form of 'inclusion.' Attending specifically to

problems affecting women in Third-World contexts, as Daly does, is a *form* of

'inclusion' and is, in one respect preferable to simply *assuming* that one's

feminist perspective applies to *all* women. However, the terms in which such

analyses are carried out might still be embedded in theoretical frameworks and

conceptual assumptions that have problematic implications.[xliv]

Here, Narayan's analysis draws attention to the possibility that a concept like the Beloved

Community that relies on the language of unity could exclude, or at least greatly

diminish, various groups and unique problems from consideration in its effort to be all

inclusive.

In *Feminism Without Borders*, Chandra Mohanty also argues that cross-cultural

feminist scholarship has often produced Eurocentric, universalizing methodologies.[xlv]

However, Mohanty goes on to contend that her argument in "Under Western Eyes" for

"grounded, particularized analyses linked with larger, even global, economic political

frameworks" drew "inspiration from a vision of feminist solidarity across borders."[xlvi] In

this instance, and in arguments throughout her book, Mohanty's claim that a vision of

cross-cultural solidarity can provide inspiration for feminists resembles the ways in

which feminists could use the ideal of the Beloved Community as a source of inspiration

when they are engaged in acts of inquiry. In particular, Mohanty cites the need for "a

shared frame of reference" among feminists across cultures.[xlvii] Her description of "a shared frame of reference" provides a potential response to the inclusion-exclusion problem described by Narayan and useful way of understanding "the widest view possible" provided by the Beloved Community. Conceived of this way, the pursuit of the Beloved Community is not the pursuit of a monolithic vision of the universe; rather, it is the pursuit of a coherent frame of reference that would facilitate communication between its members about their diverse perspectives.

Indeed, "loyalty to loyalty," as conceived by Royce, requires a commitment to pluralism. It requires a commitment to maintaining a community that supports and nurtures loyalty to different causes. In this regard, Mohanty's definition of "solidary" resembles Royce's concept of "loyalty to loyalty":

> I define solidarity in terms of mutuality, accountability, and the recognition of common interests as the basis for relationships among diverse communities. Rather than assuming an enforced commonality of oppression, the practice of solidarity foregrounds communities of people who have chosen to work and fight together. Diversity and difference are central values here—to be acknowledged and respected, not erased in the building of alliances.[xlviii]

Like Royce, Mohanty focuses on people coming together and building communities around shared commitments and causes, rather than shared conditions, such as shared oppression. Amrita Banerjee summarizes Mohanty's approach to solidarity in terms of building agency in response to difference: "A concept such as 'common oppression,' on the contrary, stipulates identities without regard for whether or not it is taken up by actual agents.... this account [is] untrue to these women's experience as Mohanty points out."[xlix]

In order to help people build communities around shared commitments and causes, Roycean mediators must not try to erase differences between groups or individuals. Instead, they undertake a creative action that builds the potential for a common cause by maintaining a pluralist community that protects the ability to commit oneself to differing causes.

As they promote more unified and inclusive communities, the mediators in Royce's triadic model must bring the lived experiences of those on the peripheries of power into process of interpretation. The ways in which Royce's mediators stand in between not just different points of view but different worlds of experience resemble the way that *mestiza* consciousness exists on the border between identities. In "Border Communities and Royce: The Problem of Translation and Reinterpreting Feminist Empiricism," Celia T. Bardwell-Jones illustrates this connection while drawing on the work of feminist empiricism, *mestiza* consciousness, and Royce. In this piece, Bardwell-Jones claims that the necessary third party of Royce's model of interpretation can illuminate the role of *mestiza* consciousness. While she is drawn to Nelson's work in feminist empiricism because it offers an account of feminist epistemology that is well guarded against relativism, she claims that this project is limited because it is based on Quine's holism, which is a dyadic process. Bardwell-Jones argues that the dyadic model of Quine (via Nelson) is incapable of taking into account "recalcitrant experience."[1]

One of the most valuable concepts from the literature on *mestiza* consciousness is the concept of incommensurability. While this concept can be found throughout the work of Lugones and Anzaldúa, it is clearest in Schutte's work. Incommensurability is the cultural differences that are not apparent in intercultural dialog. Schutte argues that

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instances of incommensurability cannot be overcome by simply acknowledging cultural difference; rather, incommensurability creates a sense of strangeness and displacement. Attempts at cross-cultural understandings fail and become harmful when the dominant culture tries to avoid this sense of strangeness and displacement by subsuming cultural difference under a totalizing rationality.[li]

The second concept that Bardwell-Jones draws on from *mestiza* literature is the concept of intersectionality. Intersectionality in the sense that Bardwell-Jones discusses it refers to the places, both physical and metaphorical, where two or more cultures overlap. Those whose lives are lived in the borderlands of cultures, as is in the case of *mestiza*, are able to tolerate contradictions and recognize differences between cultures. The experience of intersectionality itself then challenges binary modes of understanding.[lii] Bardwell-Jones claims that *mestiza* consciousness develops a triadic model of interpretation: "In this sense, the negotiation of seemingly contradictory cultures becomes a 'third element' in the mestiza consciousness. The third element amounts to a new consciousness born amid differences [that] creatively acts to wholly understand the complexities of the culturally fractured self."[liii] Bardwell-Jones's argument indicates why individuals with *mestiza* consciousness could be uniquely well suited to act as Roycean mediators. Since they are already practiced in interpreting their own identities within a triadic model, they may be prepared to exercise this model in communal settings. For Royce, interpretation is always a creative act that does not need to reject the displacement or strangeness caused by incommensurability in order to fit multiple views into an existing rationality. A mediator should never be satisfied with simply assimilating one party's view into the other's. Rather, genuine interpretation creates both a new

community—a community of interpretation—and an entirely new view beyond the original scope of the original parties' views.

The role of creativity in Royce's model of interpretation connects it to the final commitment of feminist epistemology, the ability to adjudicate between conflicting claims from below. As I explained in chapter two, feminist epistemologists' efforts to avoid essentializing the experiences of oppressed peoples and acknowledge the complex and conflict-ridden dynamics within communities has produced an emphasis on understanding the situations in which claims come into conflict and evaluating them on a case-by-case basis; however, it has not produced a satisfying means for this kind of evaluation. Because Royce's triadic model of interpretation produces original knowledge rather than forcing claims into a preexisting, dominant rationality, it is well suited for responding to conflicting claims on a case-by-case basis. Likewise, Royce's descriptions of interpreters throughout *The Problem of Christianity*, *War and Insurance*, and "The Spirit of the Community" illustrate the ways in which they must form a thorough understanding of all parties' situations. Since Royce's model of interpretation fulfills the existing demands of feminist epistemology for adjudicating between claims, his definition of error provides a sound starting for developing a feminist method of inquiry that contains error sensitivity at its core.

<center>*Error Sensitivity as the Core of Interpretation*</center>

While Royce's theories are compatible with the commitments of feminist epistemology, incorporating them fully into a model of feminist inquiry requires identifying the strands of both Royce's theories and feminist epistemology that situate error sensitivity at the core of interpretation. In order for us to begin developing error

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sensitivity, we need a form of inquiry that accepts truth as incomplete and growing. Accepting this requires both that communities commit themselves to the ongoing process of interpretation and that they develop an unwavering focus on trying to be as inclusive as possible without sliding into assimilation. Oppenheim explains "Because Royce's argument [for the existence of an All-Knower] calls for a series of judgments, it cannot function in the atemporal atmosphere of *mere* precepts or concepts. When a person shifts from an erroneous to a true judgment, he or she has to grasp the temporal process involved in this interpreted shift."[liv] Errors are always situated within the passage of time. We have to acknowledge that time has passed and that the community has learned something new or understood something that happened. When a community does so, it also demonstrates that it prefers truth to error. Time may pass but an interpreter will only discover an error if she is actively aiming towards trying to discover the truth.

In the previous chapter, I analyzed one form of error articulated by Royce, the partial view presenting itself as the view of the whole. This particular account of error is one of the most important ideas for developing error sensitivity within a community. For Royce, truth is always expanding and incomplete. In *An Idealistic Pragmatism*, Mary Briody Mahowald defends Royce against the charge that he is an out-of-date idealist by arguing that his philosophies are truer to the principles of pragmatism than his critics believe and analyzing his concept of truth. She explains, "Truth 'changes' for [Royce], not in the sense that it alters, but in the sense that it increases or grows. Truth is relative in that it is inevitably partial or limited, incomplete-while-completing itself."[lv] While Royce rejects the skeptical argument that truth is relative and instead holds firm to the claim that truth and error need to have meaning, he contends that finding the truth and

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producing knowledge must be anti-dogmatic acts. Because we need others in order for truth and error to have meaning, the process of changing truth or allowing truth to grow is always a social endeavor. It is the ongoing process by which we correct our limited engagement with others. In this regard, Royce's account of truth is ideal for situating it within a discussion of feminist inquiry. Truth is not fixed and accessible by pure reason, but it is also not relative. There are better and worse accounts of the world for Royce. Yet, the act of interpreting the world, of understanding the truth, must be a never-ending process.

For feminist standpoint theory, feminist empiricism, and ecological thinking, better knowing always marks a fuller account of the world. In particular, under all of these approaches, feminist epistemology gives us a "more true" account of the world than traditional epistemology because it actively incorporates marginalized perspectives to get a fuller view of concepts like racism, sexism, homophobia, and classism. Worse accounts of the world are not accounts that fail to be reasonable per se or miss a pure truth; worse accounts are those that provide no room for, or actively exclude, marginalized perspectives. Hence, Royce's account of good interpretation and feminist accounts of good knowing share something in common: accounts of the world are better when they are inclusive.

However, Royce's account of truth as ever expansive and incomplete also provides the basis for a method of error sensitivity, an idea that is not found in feminist standpoint theory and ecological thinking. If truth is ever expansive and ever growing, anything that blocks interpreters' recognition of this expansion is in error. Because truth is infinitely expansive and human communities, including communities of interpretation,

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are finite, all interpretation is destined to produce error to some extent. Nonetheless, when truth is understood as ever expanding and growing, then the aim of interpretation, Royce's Will to Interpret, will always be focused on getting as expansive of a view as possible in order to make it possible to recognize existing errors and avoid future errors.

An incomplete, expanding truth demands a commitment from communities to a constant process of interpretation. When communities do not acknowledge the ongoing process of interpretation or accept an interpretation as a fixed truth, they inhibit their ability to recognize error because they make it possible for a partial view to pass as a complete view. In "Feminist Empiricism and Royce," Bardwell-Jones claims that when there "is no interpretive process to translate the cultural differences between the two speakers [. . .], incommensurable experience becomes assimilated unreflectively."[lvi] Her claim highlights Royce's argument that it is destructive to only look at perception and conception as ways of creating knowledge because these accounts are based on dyadic structures and provide no means of completely sharing our perceptions with others; yet, they enable us to make the mistake of believing that our neighbor's process of conception is identical to our own.[lvii] Believing that our neighbor's process of conception is identical to our own is one manner of committing the error of misrepresenting our own partial view as the whole view of our neighbors and ourselves.

For Royce, when we take interpretation seriously and try to recognize the differences between our processes and those of our neighbors, we undertake an active spiritual endeavor because the process of creating knowledge in communities through acts of interpretation is always occurring whether or not we acknowledge it. Thus, when we take the process of interpretation seriously, we also recognize something beyond our

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finite capacities: "We try to solve the problem of learning how to exchanges the values of our own lives into the terms which can hope to pass current in the new or foreign spiritual realms whereto, when we counsel together, we are constantly attempting to pass."[lviii] Without an account of interpretation, we still make interpretations, such as interpreting our neighbors' process of conception as our own; however, we are unable to reflect upon this interpretation as a new and creative action. As a result, instead of aiming towards the most inclusive account possible and building a relationship with those whose knowledge or experiences we are interpreting, we quickly assimilate their unique perspectives into our own. In cases of cross-cultural communication, this inclination to assimilate others' views into our own is not only an example of bad knowing but also serves as the basis for oppressive action.

Maintaining a communal commitment to an ongoing process of interpretation is impossible without a concerted effort to develop an increasingly inclusive view. For Royce, developing the will to interpret and adopting the role of the mediator is the greatest act of love that an individual can perform for the community.[lix] Genuine interpretation for Royce always has to be an action of loyalty and dedication to the community. Interpretation is vital to the community because it is the key process for moving individual communities towards the largest, all-inclusive Beloved Community. Royce states, "we can readily see that the Beloved Community, whatever else it is, will be, when it comes, a Community of Interpretation."[lx] In this way, interpretation aims towards an ultimate community while utilizing finite communities as the means of getting at a larger perspective.

Striving towards the Beloved Community makes error sensitivity possible and necessary by directing the focus of interpretation away from the desire for specific preconceived goals. These goals may manifest as abstract ideals, such as the most logically coherent interpretation, the most compelling interpretation in an adversarial context, or the interpretation most consistent with an existing, dominant model of rationality. They may also manifest as concrete ends to communal inquiries, such as interpretations that support existing patriarchal or racist myths and interpretations that reward assimilationist mentalities. Instead of focusing on specific preconceived goals, communities of interpretation must seek the largest perspective of the issue that is being interpreted. Seeking the largest perspective requires not only involving as many parties as possible but also abandoning codified restrictions on what constitutes knowledge and accepting traditionally marginalized viewpoints that draw upon emotions and experiences as potentially valuable sources of knowledge. In order to involve as many parties as possible in the knowledge-making process and seriously consider traditionally marginalized viewpoints, communities of interpretation cannot accept the generalizations that lead to a limited view to standing in for the whole. Likewise, communities of interpretation striving for the widest view possible will always create new triads as they resolve initial interpretations, encounter new parties, and invite new mediators. By constantly seeking new, creative interpretations from fresh mediators, communities avoid falling into the assumptions that could prevent them from recognizing the errors produced by deeply ingrained myths.

Since Royce's model of triadic interpretation with its corresponding error sensitivity can help communities recognize harmful myths, it is the ideal mechanism for

adjudicating between conflicting claims from below, such as those presented in the example of an interracial sexual assault case. In these cases, the triadic model of interpretation helps to adjudicate between claims without ignoring the incommensurable positions of the accuser and the accused. All cross-cultural encounters include a level of incommensurability and, therefore, can easily become places of assimilation and error. In an example of an interracial sexual assault case, there are multiple levels of incommensurability. The effects of the black rapist myth may not fully translate to a white audience, and the way in which sexual assault and the fear of sexual assault construct white femininity might not be fully understandable to a male audience. However, these are necessary considerations for gaining a larger view through interpretation. Instead of making assumptions about the epistemic privilege of either white women or African American men at the onset, communities must interpret these situations on a case-by-case basis. This requires acknowledging that either side can make claims that are in error with regards to the events in question.

Without error sensitivity, communities cannot perform these kinds of interpretations. As the natural result of human finitude, error is the inability to understand the whole of any given situation. While error is inevitable to an extent, joining into larger perspectives, most notably by inquiring as communities, provides the best way to recognize and avoid error. In the example of a sexual assault case, the judge and jury interpret the event in context of the community. The role of the interpreter is not necessarily to reconcile the accuser and the accused; rather, it aims towards a larger perspective of the event in question and then interprets that event through a judgment to

the community. In this regard, communities of interpretation will not perpetuate the forms of mediation and reconciliation commonly criticized by feminist scholars.

By accepting the purpose of identifying error, the court shifts its agenda away from judging the accused's guilt or innocence and toward judging what is in error in accounts of the event in question. In an example of a white woman accusing a man of color of rape, a community of interpretation may judge the accuser's testimony to be in error if it determines that the woman only believed she had been raped after feeling pressure from her community to disavow a sexual identity which involves interracial relationships. In this instance, her error results from a limiting racist perspective of sexuality. In another instance, a community of interpretation may judge the accused's testimony to be in error if it determines that he believed that, having consented to a sexual encounter once, the woman had tacitly consented to further sexual encounters. In this instance, his error results from a limiting patriarchal perspective of what constitutes a woman's consent. By considering these claims in the context of the largest view available, the court, acting as a community of interpretation, develops the means to identify these kinds of errors in competing claims.

When the court as a community of interpretation delivers verdicts in these instances, it must not attempt to conform to preexisting understandings of sexual identity or consent. If the judge and jury are acting as interpreters for the community, they must also make decisions that reflect a creative knowledge-making process. Thus, while they strive for the widest view possible to determine errors and lies, the decisions handed down remain judgments made at a moment in time; they call for certain kinds of actions, but do not record fixed truth that can never be reexamined. One implication of this might

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be that the court may decide that it is better for the community to privilege the woman's testimony. The court might conclude that her perspective is more accurate because the man's perspective is in error as a result of the restrictions to his perspective that patriarchy has caused. However, this decision is far different than assuming, before taking into account both parties' testimonies, that the perspective of the woman is always more accurate in circumstances of sexual assault.

Furthermore, this decision does not establish a basis for adopting the same perspective in the future because the ongoing process of interpretation will always develop a new, wider perspective for each subsequent case. For Royce, interpretation is an infinite process that only stops with arbitrary interruptions:

> But interpretation both requires as its basis the sign or mental expression which is to be interpreted, and calls for a further interpretation of its own act, just because it addresses itself to some third being. Thus interpretation is not only an essentially social process, but also a process which, when once initiated, can be terminated only by an external and arbitrary interruption, such as death or social separation.[lxi]

By recognizing its judgments as arbitrary interruptions in the ongoing process of interpretation, the community will be able to avoid falling into error of presenting its judgments as the whole view of the issue. Recognizing this requires that communities look towards their pasts and continue examining the judgments that mark arbitrary interruptions in the process of interpretation. In this regard, far from establishing precedents for future judgments, existing judgments establish the basis for the creation of new knowledge.

i Lisa Heldke, "How to Be Really Responsible," 81.

ii Frank M. Oppenheim, *Royce's Mature Ethics*, 87.

iii Ibid., 87.

iv Josiah Royce, *War and Insurance*, (New York: Macmillan Company, 1914), 42-54.

v Ibid., 40.

vi Ibid., 33-34.

vii Ibid., 33-35.

viii Ibid., 39-41.

ix Ibid., 46.

x Ibid., 47-50.

xi Josiah Royce, "The Spirit of the Community," 62.

xii Kelly Parker, "Josiah Royce on 'The Spirit of the Community' and the Nature of Philosophy: An Interpretive Reconstruction," *The Journal of Speculative Philosophy* 14, 2000: 180.

xiii Royce, "The Spirit of Community" 62.

xiv Ibid., 63.

xv Ibid., 64.

xvi Parker, 181.

xvii Ibid., 187.

xviii Ibid., 181-187.

xix Josiah Royce, *The Religious Aspect of Philosophy*.

xx Josiah Royce, *The Problem of Christianity*, 129-131.

xxi Oppenheim, *Royce's Mature Ethics*, 94.

xxii Kegley, *Josiah Royce in Focus*, (Bloomington, IN: Indiana University Press, 2008), 101.

xxiii Ibid., 101.

xxiv Ibid., 101.

xxv Royce, *Problem of Christianity*, 255-6.

xxvi Royce, *The Problem of Christianity,* 187.

xxvii Ibid., 276-277.

xxviii Ibid., 284.

xxix Ibid., 283.

xxx Ibid., 284.

xxxi Ibid., 287.

xxxii Ibid., 287.

xxxiii Royce, *Problem of Christianity*, 292.

xxxiv Parker, "Josiah Royce on 'The Spirit of the Community' and the Nature of Philosophy," 187.

xxxv Oppenheim, *Royce's Mature* Ethics,100.

xxxvi Royce, *The Problem of Christianity*, 318.

xxxvii Oppenheim, *Royce's Mature Ethics*, x.

xxxviii Janice Moulton, "A Paradigm of Philosophy: The Adversary Method," in *Women, Knowledge, and Reality: Explorations in Feminist Philosophy*, 2nd ed., eds. Ann Garry and Marilyn Persall, [New York: Routledge, 1996], 13-15.

xxxix Ibid., 17-18.

xl Ibid., 11-12.

xli Ibid., 18-19.

xlii Uma Narayan. *Dislocating Cultures*, ix.

xliii Ibid. 20-1.

xliv Ibid. 45.

xlv Chandra Mohanty. *Feminist Without Borders*, 222-3

xlvi Ibid. 223.

xlvii Ibid. 223.

xlviii Ibid. 7

xlix Amrita Banerjee, *Re-Conceiving 'Borders': A Feminist Pragmatic Phenomenology for Postcolonial Feminist Ethics and Politics* , PhD Dissertation, University of Oregon, (Eugene: Scholarsbank, 2011), 127.

l Celia T. Bardwell-Jones, "Border Communities and Royce: The Problem of Translation and Reinterpreting Feminist Empiricism," *Journal of Speculative Philosophy* (22), 2008, 12-13.

li Ibid., 13.

[lii] Ibid., 14.

[liii] Ibid., 14.

[liv] Frank M. Oppenheim, *Royce's Mature Ethics*, 87.

[lv] Mary Briody Mahowald, *An Idealistic Pragmatism: The Development of the Pragmatic Element in the Philosophy of Josiah Royce*, (The Hague: Martinus Nijhoff, 1972), 40.

[lvi] Bardwell-Jones, "Feminist Empiricism and Royce,"

[lvii] Royce, *The Problem of Christianity*, 283.

[lviii] Ibid., 284.

[lix] Royce, *The Problem of Christianity*, 318.

[lx] Ibid., 318.

[lxi] Ibid., 290.

CHAPTER V

NEW VISION OF FEMINIST INQUIRY

Josiah Royce's concepts of communities of interpretation and the Beloved Community are sometimes interpreted as too abstract by many feminist theorists. Theorists such as Sandra Harding, Lorrain Code, and Patricia Hill-Collins have claimed that overly abstract theories conceal and reinforce existing structures of power while convincing those who lack social power that their knowledge is invalid unless they can translate it into academic or professional jargon. If feminist epistemology focuses on examining the ways in which a knower's unique relationship with structures of power is irrevocably linked to their ways of knowledge, and if we read Royce's concepts as purely abstractions then feminist epistemologist should approach his theories with caution. Yet, a great deal of contemporary Royce scholarship interpret Royce's works as compatible with contemporary discussions of important social issues. When we read Royce like scholars such as Cornel West, Judith Green, and Jacqueline Kegley, do, we can imagine how Royce's work could contribute to a new account of feminist inquiry.

Potential Feminist Objections to Royce and his Concept of Error

The first major objection feminist theorists might raise to incorporating Royce's account of error into feminist inquiry could be Royce's unwavering position as an absolute idealist. In an absolute idealism like Royce's, all individuals, actions, matter, and endeavor exist as the thoughts of an absolute. While Royce's work in *The Problem of Christianity* and "Error and Truth" is not a fully embedded in the language of the absolute, much of his earlier work, as well as his later *Sources of Religious Insight*, still fit into the category absolute idealism that Royce never explicitly dismissed. Absolute

idealism is a totalizing metaphysics. In this manner, it might seem like Royce's work leaves no room for examining how reality changes and develops through structures of power, or changes in relationship to standpoints. Totalizing accounts in general have been troubling since they tend to naturalize and obfuscate the ways in which power creates how people encounter reality. In "Situating Knowledges," Donna Haraway criticizes both objectivism and relativism, claiming that they are both oppressive to the extent that they are totalizing. Code is critical of naturalized empiricism and ethics, such as the works of Quine and Nelson, as well as the work of Mark Johnson, because the process of naturalization is a totalizing act that reduces knowing, ethics, and embodiment to "something natural," and in the process, these theories protect themselves from criticism that might question their objectives or effects.

Another concern feminist theorists might raise to using Royce's work within a feminist project is that while he was influenced by theorists like Jane Addams who have strong feminist credentials, Royce himself never developed an account of gender, never explained how his theories might differ in relationship to women, and in his major works, never explicitly advocated for women's suffrage. By not explicitly addressing the situation of women and by not explicitly acknowledging the existing systems of power at work in his own time, Royce's work is potentially subject to the same criticisms as a lot of historical philosophy: Any theorists who fail to recognize their place within patriarchy risk promoting an ideal of an uncomplicated humanity that naturalizes male dominance. For Royce, individuals are all finite creatures aiming for something larger, and they possess the same needs for loyalty, community, and humility. He never explains how one's gender changes these aims and needs.

With the plethora of contemporary feminists addressing epistemology, it may seem, at best, simply unnecessary to draw a male figure from the early 20th century into the conversation. At worst, using Royce's work to address feminist epistemology could become a way of discrediting the work of feminist epistemologists by escaping back into the acceptable work of a male historical philosopher whose theories, on surface, do not address the concerns of feminists. Throughout the past decades, feminist theorists have seen their concerns belittled, diminished, and trivialized by the claims that their concerns have already been answered by male philosophers. Bringing Royce's work into conversation with contemporary feminist epistemology—especially as a means of critiquing existing feminist theories—risks repeating philosophy's common disregard for feminist work. Why draw on Royce's work when several contemporary feminists have contributed work that is underutilized?

Aside from feminist concerns about utilizing Royce's work in general, feminist epistemologists could also be legitimately concerned about incorporating a concept of error into a project of feminist epistemology. Claiming that someone is in error has often been a way of ending discourse. In fact, arguments that emotion, personal investment, and a lack of academic education lead to error have been used suggest that the insights of those on the peripheries of power are erroneous. When feminist epistemologists warn against the harms of maintaining an ideal of a fixed and complete truth, it would seem that the idea of error is complicit in those harms. Instead, feminist epistemologists argue that good knowing comes from engaging in more inclusive inquiries, and acknowledging that participants in the inquiries could be in error seemingly creates the paradoxical

possibility that better knowing could be equally dependent upon excluding some views while drawing in as many views as possible.

Furthermore, feminist theorists might be wary of utilizing Royce's method of error sensitivity for feminist inquiry because, in order to recognize one's own error, one has to look outside of oneself. Royce's method of error sensitivity necessitates the existence of a third party. Individuals must turn away from themselves as the sole standards of truth and, to some extent, grant authority to another party. Historically, women have been told that their internal perceptions are wrong, that their understandings of their own experience lack the status necessary to be trusted, that their lives, emotions, sexual impulses, and political interests prevent them from being able to decide what is true for them and what is in error. Women have often been told that in order to recognize truth and error they must defer to a third party's authority. Feminist theorists have rightfully pushed back against this thinking, and many feminist theorists have argued that women need to locate good knowing within their own personal, internal understanding of their experiences.

In feminist discourse surrounding sexual assault, the movement to recognize sexual assault as a philosophic topic worthy of investigation has relied upon validating the feelings of survivors as well as encouraging survivors to trust their own understandings of their experiences. When discussions on sexual assault fail to start at the place of women's own experiences, the incidences are often reduced to "bad dates," misunderstandings, or a failure of communication. Furthermore, when theorists do not prioritize survivors' internal understandings of sexual assault, they often generalize sexual assault as something too easily understandable. Under these conditions, sexual

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assault is often understood as just like any other type of violent assault, but one that utilizes specific body parts.[i] Feminist theories of sexual assaults, in particular feminist phenomenological accounts, have developed valuable understandings of the unique and horrific nature of sexual assault. This would not have been possible if they had not started with the insights of individual survivors.

Feminist theorists would have good reason to be wary of basing a model of feminist inquiry solely on the work of Josiah Royce. Unmitigated, Royce's work presents an abstract idealist philosophy that is deeply rooted in concepts like Christianity and a mother-father-child family that have traditionally oppressed women. Both contemporary philosophy and historical American philosophy have a plethora of figures who actively addressed issues of gender oppression and concepts of power. Royce was not one of these figures. Moreover, Royce's account of error sensitivity requires that we look outside ourselves to understand the truth and errors in our own understandings. This move to an outsider to detect the errors of our internal understandings is a historically utilized tool to deny Others, including women, the ability to state their knowledges as valid and worthwhile. If we only took these accounts of Royce's work into consideration then error sensitivity, communities of interpretation, and the Beloved Community would all seem like wrong turns in developing a new account of feminist inquiry.

The fact that Royce is an underutilized, absolute pragmatist, who never explicitly addressed systems of power makes him an unlikely fit with contemporary feminist epistemology. However, for the past two decades several scholars have gone back to Royce's work for inspiration on contemporary accounts of issues of social justice. Many of these scholars highlight Martin Luther King Jr.'s use of Royce's concept of the

Beloved Community as the most famous use of Royce's work for social justice projects. King's popularization of the Beloved Community envisioned this ideal as an achievable end when people came together in love and practiced nonviolent activism.[ii] Royce's influence on King's conception of the Beloved Community is the most recognizable example of Royce's work being utilized for social justice, but theorists such as Cornel West, Judith Green and Jacqueline Kegley have discussed several inspirational elements of Royce's work.

One of West's most important contributions to contemporary American philosophy is his concept of prophetic pragmatism. West claims that, in order for philosophy to be relevant in the contemporary world, there needs to be a model of philosophy that maintains an ethical aim, is based in hope, and can account for and recognize the intense horror and tragedy of systemic oppression. In order to accomplish these goals, West develops prophetic pragmatism, which draws upon classical pragmatism, contemporary pragmatism, Marxism and African-American Christian theology.[iii] He claims that prophetic pragmatism contains a "sense of the tragic character of life and history. This sense of the tragic highlights the irreducible predicament of unique individuals who undergo dread, despair disillusionment, disease and death *and* the institutional forms of oppression that dehumanize people."[iv]According to West, American pragmatism suffers from its inability to make sense of tragedy; however, he claims, "[t]he one pragmatist who understood this tragic dimension is Josiah Royce."[v] In "Pragmatism and the Sense of the Tragic," West argues that Royce is a crucial figure for American philosophy because he is the only American philosopher who is able to account for the tragic element of human finitude. Even though West goes on to claim that Royce's sense

of the tragic is not as satisfactory as Anton Chekhov's sense of the tragicomic, he nonetheless suggests that Royce's combination of pragmatist principles, especially voluntarism, fallibilism, and experimentalism, with an understanding of the tragic nature of human life and a deep sense of the evil conveyed by certain actions is a resource for future philosophy. He argues that Royce's work offers an important element that many accounts of pragmatism miss when they ignore his work. He concludes that, by looking at "Royce's efforts to sustain the strenuous mood in the face of the deep sense of evil,"[vi] we can develop richer sense of pragmatism that provides a better starting point for encountering the future.[vii]

In d*eep democracy*, Judith Green sets out to "frame the kind of philosophy of deep democracy that can guide individual and social transformation as we address our urgent contemporary problems and opportunities."[viii] Green draws on the work of classical pragmatists, contemporary communitarians, and various social activists to claim that contemporary social issues involving racism, sexism, classism, homophobia, and religious conflict require a communitarian commitment to transformative and diverse democratic communities. Royce is one of the many theorists that Green highlights. In particular, Green explicates Royce's concepts of loyalty and communities of interpretation. Drawing on the persuasive critique of communitarianism offered by Iris Marion Young, Green acknowledges that communitarianism often reinforces existing structures of power and forces unity though assimilation. While Green admits that communitarianism can result in assimilation, she argues that Royce's concept of communities of memory and hope create unity that not only accepts diversity but encourages it. Like my comparison between Royce's Beloved Community and

Mohanty's call for a shared frame of reference, Green argues that Royce's concept of loyalty to loyalty is an important resource for contemporary theories that want to develop diverse unity: "Royce's conception of 'loyalty to loyalty,' is enjoying a renaissance of posthumous influence, in large part because of his transformative insights about the path to achieving democratic unity amidst diversity through respectful cooperation among culturally differing individuals and groups."[ix] While Green claims that the concept of loyalty to loyalty has transformative power, she also claims that King's adoption of the Beloved Community illustrates its transformative power.[x]

In addition to claiming that Royce's concepts of loyalty to loyalty and the Beloved Community can play an important role in developing a new account of deep democracy, she draws inspiration from Royce's concept of communities of interpretation. Green claims that Royce's account of interpretation illuminates a moral and metaphysical epistemology that can work as part of a movement to develop deep democracy: "Royce's alternative metaphysical, epistemological, and moral interpretive framework expresses *a transactionally mediated objectivity* that reflects our experience that, just as we participate within and contribute to the shape of reality through an inescapable interpretive process, reality also pushes back."[1][xi] As we go through this process of interpretation, for Royce, we are constructing "*a shared, interactively developing, interpretive phenomenology of our lived experience* as individual members of historical and cultural communities of memory and hope."[xii] Since Royce's epistemology is

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[1]Green's use of the word "objectivity" in her discussion of Royce's epistemology is potentially problematic; however, she does not suggest that she is referring to the kind of codifiable standard for knowledge that this project rejects. Instead, she seems to be indicating that Royce's epistemology includes a rigorous evaluation of claims.

morally guided, communally situated, and potentially transformative, it provides unique advantages in social justice projects.

Finally, Kegley is one of Royce's most vocal and unwavering contemporary advocates. She claims that Royce's work establishes the exact model of public philosophy that contemporary philosophy needs. At the close of *Royce in Focus*, Kegley claims that there are four areas where Royce's work is especially valuable for contemporary philosophy: "bringing purpose and meaning back into individual lives; creating functional, fostering, supportive families, building bridges through interpretation; and renewing and revitalizing democracy through individual and communal action."[xiii] Eleven years prior to publishing *Royce in Focus*, Kegley published *Genuine Individuals and Genuine Communities*. In this work, Kegley argues that Royce's work is valuable because it clearly and fully breaks down the construction and harms of liberal individualism.[xiv]

The work of West, Green, and Kegley highlight some of the significant contributions that Royce can make to contemporary scholarship because these three authors utilize Royce's work for contemporary social justice goals. However, these scholars are not the only ones utilizing Royce's work for contemporary goals. Previous chapters have already noted creative contemporary interpretations of Royce's work from Scott Pratt, Celia Bardwell-Jones, and Kelley Parker. These authors differ in how they interpret Royce specifically, but they all read his work as something that cannot be reduced to out of date and esoteric abstraction. In the following sections, I contribute to this body of work by noting how Royce's theories can clarify, supplement, and facilitate the goals and attributes of feminist inquiry.

Visualizing an Error Sensitive Feminist Inquiry

Feminist epistemology's goal, as I describe it, is to explore the ways in which structures of power—including but not limited to gender dynamics—construct, organize, and affect ways of knowing and what is validated as knowledge. Feminist inquiry is a method of gaining new knowledge. For the feminist epistemologists that I have drawn from in this work, feminist inquiry works to provide a larger view than what institutions of power have already accepted. For feminist standpoint theory this means including the view from below, looking towards those whose understanding has been excluded from traditional accounts of good knowing. For feminist empiricists, such as Nelson, striving for a larger view requires that communities of knowledge production, in particular the sciences, view themselves along with their results. In Code's account of ecological thinking, finding a larger view requires looking beyond a myopic view the individual situation in question and mapping out the structures of power that manipulate and determine the given situation.

In my own conception of feminist inquiry, I maintain the commitment to striving for the largest view possible, the view that will provide the greatest framework for a shared frame of reference; however, I also argue that inquiry requires a method of interpretation that provides it with error sensitivity in order sustain the largest view possible within a real, complex, and conflicted community. When we incorporate such a method, moments of conflict, instances when multiple accounts directly contradict one another and communities require decisions in order to move forward, can be adjudicated without the inquirers relying on traditional models of fixed truths or uncomplicated accounts of objectivity. Rather than limiting inquirers' views, providing feminist inquiry

with a method of error-sensitive interpretation will force communities to become more reflective about their own limitations and push communal inquiry even farther towards the widest perspective.

Defining My Method of Feminist Inquiry

Like feminist standpoint theory and ecological thinking, the goal of this method of inquiry is ultimately to create more just and more inclusive communities. Better inquiry does not just give us answers that are closer to truth itself but rather it enriches communities by attracting the perspectives of those who are often left out of the conversation. Doing this does not just create an epistemological advantage but also subverts existing structures of power. However, these advantages diminish if inquirers cannot mediate between conflicting accounts, and within lived experience, multiple accounts of the same event often conflict. While feminist standpoint theory can tell us whose perspectives needs to be included and ecological thinking can tell us how we ought to trace structures of power in order to advocate for these perspectives, neither of these accounts can tell us what amounts to better truths after we have followed these steps. With these accounts, we reach a stopping point when we run out of ideas for making the perspective bigger. Better knowing might present itself to us, but we have no way of judging it as such. In contrast, traditional accounts of objectivity and disinterested knowing offer clear methods of determining the best knowledge amidst conflicting claims. The best possible knowledge is that which can be phrased in such a way that it fits within the particular language of an institution of power. The best knowledge in the natural sciences is traditionally the knowledge that can most thoroughly be situated in the scientific method; therefore, the best knowledge is the knowledge that leads to the most

repeatable results. For history, better knowledge is a fidelity to the evidence presented; therefore, good knowing denies anachronistic explanations or sentimental accounts that can render historical research political. For the legal system, the best knowledge is that which can be fit into the structures of acceptable evidence. The best knowledge is that which can be supported by expert testimonies, physical evidence, and a logically crafted narrative. Juries and judges do their jobs well when they remain unaffected by any factors outside of these criterions of good knowing and then apply the law as an absolute. All of these traditional ways of knowing rely on the idea that there is some kind of attainable truth and that personalization, emotion, and political interests taint that pursuit.

Since feminist epistemology rejects the notion that there is a pure truth to attain after stripping away emotion, political interests, and one's acknowledgement of his or her own situation in structures of power, taking these factors into account, finding the better knowledge and detecting when we have gone wrong in feminist inquiry must be a more nuanced and complicated endeavor than it is under these traditional approaches. All of these traditional approaches decide between better and worse knowing by limiting what counts as knowledge. The personal experience of being raped keeps a woman off of a jury in a sexual assault case; the incommensurability of the experience of physical pain is left out of medical research, and the contemporary political ramifications of an account of history cannot be taken into account if the historical analysis is to remain pure. However, when the ultimate goal of feminist inquiry is to build larger more expansive perspectives as a means of building more expansive and just communities, then determining good knowing and recognizing error cannot rely on such limiting moves. Hence, feminist

inquiry requires a method of error sensitivity that aligns with the overarching goal of building more inclusive communities.

In order to ensure that feminist inquiry maintains its commitment to the nuanced and complicated process of developing more expansive perspectives while remaining sensitive to error in a way that does not silence or discount claims, knowers must begin with a source of motivation that is more complex and nuanced than "truth for truth's sake." Traditional forms of epistemology view any motivations for pursuing knowledge other than "truth for truth's sake" as suspect because they threaten to taint the purity of supposedly neutral, objective claims. In contrast, feminist epistemology recognizes that, because knowledge claims are never neutral, the motives for inquiry must be more transparently situated. With regards to an error sensitive feminist inquiry, knowers' must be motivated by love because they must be prepared to construct knowledge through relationships that are neither antagonistic nor reductive. Moreover, without the inspiration love provides, knowers may develop a myopic focus on the problem at hand because love provides the motivation for them to conduct their inquiry as a means of promoting social justice holistically and not just resolving the current situation.

The Attributes of My New Feminist Inquiry

As a source of motivation, love is the first of the attributes of feminist inquiry described below. The other attributes include taking subjectivity into account, recognizing the limitations that structures of power place upon our understandings, and ensuring that decision making takes place within the real lives of those on the periphery. In this section, I argue that inquiries defined by these attributes and conducted through

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acts of error-sensitive interpretation will fulfill the commitments of feminist epistemology outlined in chapter two.

The idea that inquiry should be motivated by love is not new to feminist epistemology, and Patricia Hill Collins's work in *Black Feminist Thought*, along with the work of Marilyn Frye and María Lugones, provides a foundation for understanding what love as a source of motivation and a component of inquiry looks like. In *Black Feminist Thought*, Collins states "[i]n this alternative epistemology, values lie at the heart of the knowledge validation process such that inquiry always has an ethical aim."[xv] While maintaining an ethical aim for inquiry similar to the aim outlined above and championed consistently throughout feminist epistemologies, Collins outlines four dimensions that she claims constitute the framework for Black feminist thought: maintaining lived experience as a criterion of meaning, the use of dialogue in assessing knowledge claims, the ethics of care, and the ethics of personal accountability. While all of these dimensions are consistent with the commitments of feminist epistemology, Collins's description of her third dimension, the ethics of care, provides unique insight into the relationship between love and inquiry.

As Collins outlines the components of the ethics of care, she illustrates how inquiry motivated by love can help knowers construct knowledge through relationships, rather than isolation, by enabling them to recognize the validity of their experiences, acknowledge the meaningfulness of emotions in dialogue, and broaden their perspectives through empathy. Collins claims that African-American women have maintained an ethics of caring as an important aspect of inquiry. She explains that the ethics of care "suggest that ideas cannot be divorced from the individuals who create and share them.

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This theme of talking with the heart taps the ethic of caring."[xvi] In addition to upholding the idea that all knowledge claims must be situated, this explanation illuminates the idea that knowledge claims situated within interpersonal relationships draw upon forms of experience that cannot be codified, categorized, or universalized. These forms of experience include impressions, feelings, attachments, and aversions, and accounting for themes of "the heart" such as these requires intense care by all parties involved in the knowledge making process.

Hence, Collins defines three interrelated components of the ethics of care. The first of these "is the emphasis placed on individual uniqueness."[xvii] An ethics of care requires a fundamental respect for the unique perspectives and individual expressions of the subjects involved in the inquiry. For Collins, these subjects are African-American women, and she contends that they maintain emphasis already within their culture; however, this emphasis would benefit any form of inquiry with a liberatory aim. Quoting Alice Walker, Collins describes this component: "[Walker] never doubted her powers of judgment because her mother assumed they were sound."[xviii] By maintaining a respect for individual expression, Black feminist thought can account for more diverse perspectives than other forms of epistemology. By encouraging African-American women to trust and value their own perspectives, the ethics of care not only maintains respect for these perspectives in the course of inquiry but also draws more perspectives into that inquiry. Without maintaining this respect and without drawing in these perspectives, it would be impossible for any method of inquiry to build knowledge through relationships because individuals would isolate themselves, not out of a desire for purity but out of a sense of self-preservation.

The second component of Collins's ethics of caring is a respect for emotions within dialogues. Under Black feminist thought, a person's emotions in dialogue do not signify that her perspective is tainted or unreliable. Rather, for Black feminist thought, emotions within dialogue signify that the speaker has an intense connection with her position. Since we need to respect each other in dialogues, we are required in Black feminist thought to respect the emotions of the other speakers. Often intense emotion in dialogue grants a meaning to the statement that an uninvolved delivery could not convey.[xix] When knowers accept emotion as an integral part of the process of inquiry, they can begin to empathize with experiences that are incommensurable to them without trying to dissect and assimilate those experiences. Without this kind of empathy for incommensurable experiences, knowers cannot expand their perspectives through communal relations beyond the most basic of shared experiences. In this regard, any method of inquiry that involves shared, communal knowledge must be dedicated to developing empathy as part of the process of inquiry.

The final framework for Black feminist thought's ethics of care expands upon the importance of the knowers' capacity for empathy. Collins draws on the work of African-American women who have written about gaining understanding of others through empathy. In particular, she draws on the work of Sherley Anne Williams. In *Dessa Rose*, Williams's main character, an African-American slave named Dessa, discovers that the white character, Rufel, has been raped. By developing empathy with Rufel, Dessa develops a better understanding of the extent of male violence. Before sympathizing with Rufel, Dessa only understood rape as something that happened to her and other African-American women; when she is able to recognize that Rufel has undergone the same

violence as herself, she gains a better understanding of male oppression and builds a relationship with Rufel. This example illustrates how empathy acts a precursor to knowledge in the process of inquiry. Before she developed a relationship with Rufel, Dessa was satisfied with her understanding of sexual violence as a weapon exclusively against African-American slave women. In order to pursue inquiry beyond the first potentially satisfying answer, knowers must feel motivated to not only satisfy their own curiosities but also fulfill their obligations to their communities. This additional motivation is especially important in light of the overwhelming influence of structures of power to limit complex and time consuming inquiries.

In addition to promoting feminist inquiry's goal of supporting inclusive, pluralist communities by enabling knowers to maintain respect for themselves and others as uniquely valuable participants, incorporate incommensurable experiences into the process, and continue the process even after they develop satisfying answers and encounter significant opposition, love as a source of motivation helps knowers avoid the oppressive harms perpetuated by other motives. In her 1983 "In and Out of Harm's Way, Arrogance and Love," Marilyn Frye distinguishes between arrogant perception and perceiving with a loving eye. As explained in chapter two, arrogant perception involves trying to understand a subject without involving the subject in the process or acknowledging the similarities between the subject and the knower. This kind of perception is often practiced by knowers interested in maintaining objective standards for knowledge, and it prevents them from identifying with others. As a result, when they perceive arrogantly they become unable to empathize with those they perceive. The arrogant perceiver can only understand others as a means to an end, and as a result, she

subjects those being perceived to oppression. This oppression occurs both during the act of perception and as a consequence of the perceiver's claims about her observations. Frye claims that women in particular are the victims of arrogant perception. Thus, in order strive for the betterment of women's situations, knowers must abandon arrogant perception and develop what she calls a "loving eye." Without a loving eye, it would be impossible for knowers to construct communal knowledge through the bonds of equal relationships. Moreover, knowers would be unable to recognize their own limits.

Frye's 1983 essay influenced the later work of Maria Lugones, Mariana Ortega, Sarah Hoagland and Nancy Tuana. In "Playfulness, 'World'-Travelling, and Loving Perception," Lugones argues that women ought to start at loving perception as a way to build solidarity between women across race, class, and nationality. Encouraging loving perception involves empathizing with those who we are trying to understand and, for Lugones, in some way entering their "world." Entering the "world" of another involves acknowledging the ways in which one's own life is intertwined with theirs. Lugones argues that when white feminists actively pursue loving perception, they are in the best situation to learn from women of color and to build solidarity amongst women. In this way, love as a motivation for inquiry initiates a self-perpetuating process of developing better knowledge through ever-expanding relationships that push knowers to not just answer questions but also reexamine those answers in acts of empathy with their fellow knowers.

These concepts from Collins, Frye, and Lugones illustrate that inquiry ought to be an action of developing caring relationships. Rather than requiring distance and disinterest, the kind of inquiry that is required for building a shared commitment has to

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involve genuine care in the process. For Royce, this love or care is a crucial part of the will to interpret. Throughout his work, he uses the concepts of "love" and "loyalty" synonymously. Hence, in order to sustain loyalty to loyalty, third party mediators in inquiry must operate with a loving commitment towards the potential larger community. Error sensitivity, in this regard, requires that better inquiry include love, empathy, and care to the community at large.

<div align="center">Taking Subjectivity into Account</div>

In "Being Knowingly, Lovingly Ignorant: White Feminism and Women of Color" Mariana Ortega argues that even when attempting to practice loving perception white feminists (such as myself) often fall into a form of arrogant perception called loving, knowing ignorance. Ortega explains this concept with the following example: at a feminist conference, a committee of white feminists kept earnestly discussing the issue of how their organization and conference could draw on the voices and experiences of women of color. Finally, a light-skinned woman of color states to the committee from the audience "you keep talking about us as if we aren't even here."[xx] Ortega claims that this may have been the result of the white feminists' not knowing that this woman and other women in the audience were women of color due to stereotypes of appearance and skin tone or it could have been because the idea to talk directly with women of color in the audience did not occur to the committee members as a possibility or priority. In either case the good intentions, even if they are loving intentions, result in white feminists making dangerous assumptions about the identities of women of color.

Ortega's account highlights that even when those with social privilege attempt to maintain loving perception, their good intentions are not enough to maintain open and

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honest inquiry across structures of power. For this reason, feminist inquiry must take subjectivity into account. In other words, feminist inquirers must leave space for the subjects with whom they create relationships to exercise their own agencies. While at first this attribute may appear both self-evident and easily heeded, it creates hazards that even the best intentioned inquirer may prefer to ignore. In order to avoid reinforcing existing hierarchies and, thereby, promote the goals of feminist inquiry, feminist inquirers must promote relationships in which everyone is empowered to account for their own oppression. In accordance with Royce's warnings against two-party relationships, sometimes dubbed "the dangerous pair," feminist inquirers should see it as their responsibility to attempt to triangulate these forms of relationships.

In this regard, feminist inquirers may act as the kinds of advocates that Code describes. Rather than using their privilege to tell others about their oppression and what to do about it, feminist inquirers must work with others to build a joint understanding of the situation at hand. In her description of advocacy, Code focuses on how individuals with institutionally privileged professional knowledge, such as nurses and legal aides, can help those on the periphery of power negotiate oppressive power structures and institutional expectations while developing better knowing through this process; however, the fundamental elements of Code's theory extend beyond the realm of professional expertise and demonstrate how anyone can participate in the process of inquiry while being mindful of others' subjectivities. Code suggests that advocacy involves recognizing that someone else's perspective is valuable even if that person cannot articulate it according to an established standard, acknowledging the obstacles confronting that person, working with that person to navigate those obstacles, and finally entering that

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person's perspective into a larger communal conversation. Professionally certified skills may facilitate this process, but the most important part for feminist inquirers is the emphasis on helping someone else contribute her perspective to the conversation.

Advocacy is just one of the relationships that feminist inquirers may develop when they understand their inquiry as part of loyalty to a cause. Shared loyalty to a cause helps people build relationships while accounting for each other's subjectivity because, when people see their fates entwined, it is easier for them to recognize one another as full subjects. Royce explains how the shared past and shared future that loyalty to a cause can create for a community helps individuals recognize one another as subjects:

> When love of the community, nourished by common memories, and common hope, both exists and expresses itself in devoted individual lives, it can constantly tend, despite the complexity of the present social order, to keep the consciousness of the community alive. And when this takes place, the identification of the loyal individual self with the life of the community will tend, both in ideal and in feeling, to identify each self not only with the distant past and future of the community, but with the present activities of the whole social body.[xxi]

We live in complex communities where structures of power can establish rigid definitions of relationships, and these definitions can limit our abilities to recognize other people's subjectivities. When individuals become our grocery clerks, our custodians, our doctors, and our local legislators, we focus on their usefulness to us. Their existence becomes either a convenience or an annoyance for us, and we miss the opportunity to recognize them as fully embodied subjects. This problem is exacerbated by asymmetrical relationships between genders, races, and classes.

In the above passage, Royce suggests that forming communities from shared loyalties can help us see past these definitions, "the complexity of the present social order," and recognize "each self" in the community as a "loyal individual" with a past and a future. In order to reduce people to their use values, we must see them as interchangeable; one grocery clerk is the same as another if all we want is a carton of eggs. However, when a shared loyalty leads us to recognize that our grocery clerks, custodians, doctors, and legislators have sufficiently deep internal lives to engage with their histories and form hopes for their futures, then they cease to be interchangeable. The doctor who shares our loyalty to the cause of resisting gendered oppression, who shares our memories of sexual harassment and our hopes of ending sexual violence, does more than provide us with useful diagnostic services; she broadens our perspectives. In this regard, unless we recognize their internal lives, we can never practice genuine loyalty because we will only be able draw upon our own memories and our own hopes.

Royce explains the relationship between recognizing the agency of other subjects and broadening our own perspectives in *The World and the Individual*:

> Our fellows are known to be real and have their own inner life, because they are for each of us, the endless treasury of *more ideas*. They answer our questions, they tell us news, they make comments, they pass judgments, they express novel combinations of feelings, they relate to us stories, they argue with us, and take counsel with us. [. . .] *Our fellows furnish us the constantly needed supplement to our own fragmentary meanings.*[xxii]

Here, Royce indicates that taking subjectivity into account is about more than respecting the agency of others; it is also about acknowledging and compensating for our own

finitude, "our own fragmentary meanings." When we turn others into components of our lives instead of the subjects of their own, we inextricably cast ourselves as components too. We become consumers, litterers, patients, and voters, and we play each of these fragmented roles one at a time from interaction to interaction. In order to move beyond these roles, we must be able to engage with other subjects whose answers, news, comments, judgments, feelings, stories, arguments and counsel can both address our own need for meaning, not just information, and surprise us. A grocery clerk without agency can only give us information about the price of milk, but a woman who shares our commitment to seeking justice for wrongfully imprisoned African Americans and happens to be a grocery clerk can broaden our limited perspectives by supplementing our fragmented understanding of the issues involved with her own.

Recognizing the Limits of Our Understandings

The connections that Royce draws between shared loyalty to a cause and knowers' abilities to account for one another's subjectivities relies on some degree of interchangeability between subjectivity and agency. In order for us to acknowledge one another as fully realized subjects, we must share loyalty to a cause, but in order for us to share loyalty to a cause, we must have sufficient agency to adopt the cause in the first place. Because Royce does not address the influence that structures of power can exercise over our decisions, he does not consider whether or not it is possible for knowers to adopt causes voluntarily. As I suggested in chapter two, some post-structuralist feminists have objected to communitarian models in philosophy as a foundation for overcoming social ills because, they argue, communitarian solutions will always reproduce oppressive structures of power.

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In particular, Iris Marion Young argues in "The Ideal of Community and the Politics of Difference" that Western dualistic logic inevitably taints communitarian efforts by casting individuals as the inferior counterparts to communities. Judith Green succinctly summarizes Young's argument in her 1999 *deep democracy*: "Community, [Young] claims, is frequently posed as the polar opposite of the inferior ideal of the individualism, understood as the modern problem to be overcome. Moreover, she claims, the ideal of community 'exhibits a totalizing impulse' and 'denies difference' in privileging face-to-face relations unmediated by time and distance, and in contrasting the problematic present with a utopian future without specifying a transformational process that links them."[xxiii] For Young, communitarian philosophies deny individuals agency because any system that relies on unmediated, "face-to-face relations" fails to acknowledge that, despite the symmetrical phrasing, such relations are skewed in favor of the parties with the most preexisting privilege. In other words, communitarian philosophies that espouse idealized concepts of interpersonal relations only really grant agency to the most powerful subjects in the community. Furthermore, Young's criticism of the utopian dreams that inspire communitarian philosophies underscores the possibility that communal hope for the future could be the basis for suppressing individual agency in the present.

At first glance, Young's criticisms, which were originally aimed at theorists like Sandel, appear damning to Royce's philosophies as well. Royce promotes the ongoing community as a mechanism for the salvation of the finite individual. He emphasizes the importance of relationships within the community, and he describes a utopic Beloved Community, for which individuals and communities must always strive but never attain.

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However, as Green suggests, a deeper look at Royce's philosophies reveals that they provide a model of the community that is more complex than the concept addressed by these criticisms. First, Royce's model of communities requires that communities never establish fixed identities. Communities must always expand and reevaluate, and sometimes even die. Far from subverting individual agency in the name of communal unity, Roycean communities require individuals to exercise their own agencies in order to avoid deathly stagnation.

Second, while power structures will inevitably enter into communities and will having limiting effects, Royce's stipulation that all genuine communities need to be motivated by ever expanding loyalty to loyalty requires that communities readjust their interpretations of the past and, thereby, undercut existing privileges in favor of a broader perspective. Moreover, as noted in the previous chapter, for Royce, the ultimate loyalty to a community is the loyalty to interpretation. Royce's triadic model of interpretation not only avoids the harms that Young identifies in asymmetrical face-to-face relations by involving a third party but also seeks to highlight the ways in which the current perspectives in a community are limiting. Structures of power are extraordinarily limiting; they restrict who can be considered full community members; they restrict relationships with other communities; and most importantly for Royce's model of interpretation, they restrict the possible insights available to inquiry. While Royce never claims that communities cannot go astray—in fact he claims that they often do—the fact that they are motivated by the call to encourage the loyalties of all others means that interpreters within Roycean communities ought to take note of the role structures of

power place on their own communities and communally reflect on ways to overcome these structures of power.

In addition to avoiding the harms that Young ascribes to face-to-face relations, Royce's model of triadic interpretation creates a unique space in which individuals can exercise their own agencies. In the previous chapter, I drew upon Bardwell-Jones's account of the relationship between Royce's triadic model of interpretation and theories of *mestiza* identity in order to establish the ways that the concepts of incommensurability and intersectionality could benefit Royce's philosophies about interpretation. The same connection between a triadic model of interpretation and *mestiza* identities also presents a foundation for understanding how individuals can retain agency within the process of communal inquiry, despite the overwhelming influence of existing structures of power.

When we view inquiry as happening in pairs, such as knower and known, then we are likely to fall into the same "S knows p" relationship that Code rejects for its potential to mask subjectivity. What Royce refers to as the "dangerous pair" marks these relationships. If left to their own devices, the knower and known will always maintain an adversarial relationship. This same binary issue arises when we only view structures of power as institutions that establish the oppressors and the oppressed. In the same way that Bardwell-Jones claims that Royce's triadic model of interpretation creates a space for borderland identities, the triadic model can also create a space between the oppressors and the oppressed in which individuals can exercise agency.

Traditional models of an oppressor and an oppressed are harmful, in part, because neither party has an ability to see past their own perspectives of the other. However, when a third party enters into this relationship, all parties gain an opportunity to widen

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their views beyond the dualistic relationship and to construct another kind of identity. Of course, it would be difficult for any oppressor to willingly decide to give up the privilege that maintains their status as an oppressor, but the hope of a wider view is that it will reveal how the reality of the oppressor and oppressed's relationships harms both parties. Instances of when those with privilege were able to see the harm of their own privileges and create a new identity include examples of so called "race traitors," male feminists, and straight allies whose work and existence highlights both the possibility of seeking an identity outside of the binary relationship of oppressor and oppressed and the potentially transformative power of these identities. Under Royce's model of interpretation, those who have given up their own social privileges for transformative identities can serve valuable roles as mediators and as elements that move their communities towards more just ends. Additionally, this triadic model of interpretation provides a clearer space for making sense of identities that are both oppressed and privileged. White women, African-American men, wealthy lesbians, and Christian laborers all have identities that cannot be fully understood within dyadic models of interpretation. The space between that inspires Bardwell-Jones can also be useful in providing a space for these identities.

Practicing Error-Sensitive Interpretation within the Lived Experiences of Those on the Peripheries

Love as a source of motivation, taking subjectivity into account, and ensuring space for agency within structures of power are essential attributes of feminist inquiry because without them, it is impossible to perform acts of error-sensitive interpretation. Harding, Collins, and Code all argue that good knowing requires locating inquiry in the lived experiences of those on the peripheries of power. Those on the peripheries have an

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understanding of the effects of power that are unavailable to those with social privilege; they have developed methods of inquiry that have been largely ignored by formal epistemology, and in order to create a more just society, inquiry that is aimed at creating better communities must start with the desires of those on the peripheries for improving their own lives.

However, when taken too innocently, looking to the lives of those on the peripheries can often mean that those in power take an uncomplicated and patronizing view that assimilates diverse cultures and experiences. Looking towards the real lives of those on the peripheries of power requires the recognition that all real lives are lived through complex structures, framed by often conflicting loyalties, and filled with the potential for experiencing intense hope and tragic loss. No real lives can be fully embodied within abstract and fixed principles. This reality requires, first, that the scope of inquiry be based on individual situations and the individual communities involved. Doctrines like "always look towards the view from below" will not always fit into situations where it is impossible to determine "the view from below" and cannot account for when that view from below is itself restrictive. Looking towards real lives also requires a method of inquiry that can account for the inevitable conflicts that arise when multiple views from below conflict.

In short, as I have argued throughout this work, looking at real life for inquiry requires a method of error sensitivity, a way to decide between conflicting accounts, a way to recognize the limitations of even the best intentioned views and views from the peripheries. However, this method of error sensitivity cannot be a ridged set of requirements that inquirers take from one situation to the next. Rather, feminist inquiry

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requires a way to recognize the unique errors that arise within the particular conflicts of lived experience. As described in chapters three and four, Royce's conception of error as mistaking a partial view for a whole view, combined with his triadic model of interpretation, gives us a model for conducting this kind of inquiry without ignoring the subjectivity of those on the peripheries of power

Yet, the error-sensitive process of interpretation, as Royce would have imagined it, does not provide a satisfactory method of feminist inquiry on its own. The attributes outlined above will ensure that the interpreters called upon to resolve the conflicts that inevitably arise during the ongoing process of inquiry will guard against the ways that contemporary power structures promote error. Everyone who participates in the process of feminist inquiry must expect that these attributes will inform the results, and everyone who joins a community of interpretation in order to examine conflicting responses to inquiries must incorporate these attributes into their deliberations.

As outlined above, each of these attributes promotes the widening of a view. When we understand error as a partial view that is mistaken for a whole view, then communities of interpretation must maintain these attributes as means of enriching error sensitivity. When we motivate inquiry by love, we can open our communities to empathy, care, and patience. Without these aspects, we run the risk of mistaking the partial thoughts that someone articulates for the whole of her understanding and experiences. Lugones claims that we practice loving perception by entering each other's "worlds." An inability to lovingly perceive prevents us from knowing another's world and "without knowing the other's 'world,' one does not know the other, and without knowing the other one is really alone in the other's presence because the other is only dimly present to

one."[xxiv] Without locating inquiry in love, we are left with only partial views of each other and an inability to recognize when others are promoting partial views.

Interpreters must take subjectivity into account to enrich error sensitivity because it is the only way to recognize the other members of our relationships as human agents. If we fail to recognize the subjectivity of our community members, we mistake our partial views of their usefulness in our lives for a complete understanding of their own rich, internal lives. In this situation, we can neither develop relationships with them that promote genuine interpretation nor understand the consequences and obligations of those relationships. Moreover, recognizing the subjectivity of others is what compels us to seek their perspectives in inquiry. In order to expand the view of the community, we need to ensure that as many perspectives as possible are welcomed, and this requires understanding those with whom and about whom we inquire as human beings.

Along with taking subjectivity into account, communities of interpretation need to sustain the agency of individuals and groups within power structures or they will mistake their partial group for the whole community. Living in a place of privilege limits a person's account of the prevalence and effect of structures of power. Feeling lost without agency within structures of power prevents people from vocalizing their view points and needs. Both of these conditions severely limit the perspective of communities. Moreover, it is important that those with understandings from situations of oppression are the ones who have the opportunity to represent themselves in interpretation. In "The Project of Feminist Epistemology: Perspecitves from a Nonwestern Feminist," Uma Narayan warns against relying on sympathetic individuals who have social power to speak for those in positions of oppression, for example, "it is common place that even sympathetic men will

often fail to perceive subtle instances of sexist behavior or discourse."[xxv] When interpretation does not actively try to subvert existing power structures, only those who already enjoy social privilege will be able to participate; this severely limits potential views, especially since those with privilege will never fully be able to understand and represent the unique perspectives of specific groups on the peripheries of social privilege.

Using Feminist Inquiry to Fulfill the Commitments of Feminist Epistemology in a Sexual

Assault Case

The recent trial of New York Police officers Ken Moreno and Franklin Mata enlivened discussions about the roles that social power plays in sexual assault. In this case, a white, twenty-seven year-old woman claimed that she was sexually assaulted by Officer Moreno after he and his partner, Officer Mata, escorted her home while she was intoxicated. Throughout the trial, the alleged victim endured accusations that she was out for money and the prosecution's comparison of her genitals to a Venus flytrap. The media questioned her character due to her intoxication and sexualized her through salacious references to her underwear. Questions arose about whether or not an intoxicated women could be trusted to remember being raped, or even be raped at all. Stories circulated about the apparent epidemic of men who were accused of rape after consensual sex, especially when alcohol was involved.[xxvi]

At the same time, sexual assault survivor support groups came to her defense. Feminist media sites, such as *Feministing.com*, highlighted the ways in which her story was an allegory for the mistreatment of rape victims in the court system. Moreover, several organizations argued that this was another example of New York City police officers abusing their power and that this woman's account fit into a system of police

brutality. From the beginning, many people mistrusted Moreno and Mata because they had called in a fabricated emergency to return to the alleged victim's home.

Eventually, the jury acquitted both Moreno and Mata. Some saw this as a triumph for police officers who consistently put themselves in harm's way to protect others. Some saw this as a triumph for a justice system that requires clear and distinct proof of a crime before putting someone in jail. However, many saw this acquittal as a stunning display of how imbedded patriarchy is in the justice system and how sexual assault survivors must demonstrate an inhumanly virtuous character in order to have their bodies protected by the law.

Ultimately, the divisions between the responses exemplifies the ways in which the adversarial system within U.S. courts functions as a dangerous dyad, even though multiple groups (the accuser, the accused, the judge, the jury, the witnesses, etc.) seem to be involved. Parker elaborates on this situation: "[t]he court will ultimately resolve the dispute by rejecting one or both of the conflicting positions. This forensic community is at bottom nothing more than two primary opponents (plaintiff and defendant) who happen to be buffered from one another by an intermediate mutual opponent (the judge)."[xxvii] Because dyadic relationships are bound to be antagonistic, a court system that maintains this dyadic relationship will not be able to develop a creative action that can overcome antagonism. Since the growth of the community at large depends upon the creative action of triadic inquiry, maintaining these dyadic relationships prevents communities from being able develop more error sensitivity.

Hence, the discussion of sexual assault cases, police authority, and the requirements and demands of the existing legal system that stemmed from the trial of

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Moreno and Mata highlights the ways in which the existing legal system fails to uphold the commitments of feminist epistemology. Thus, regardless of the guilt or innocence of Moreno and Mata, as well as the likely possibility that the defendants, the accuser, or both may have actively lied during their testimonies, the reaction to this trial nonetheless demonstrated that sexual assault cases are about more than two parties, the accuser and the accused; rather, they play out social expectations of gender, power dynamics, and often institutional racism. Although thousands of people blogged, analyzed, and protested about these issues in relationship to this case, the justice system maintained through its representatives and pundits that the jury must not take these factors into account. In an interview with *The Associated Press*, John Finck, one of the jurors, said, "the jury's job is very precisely and narrowly defined, and it's not anything about sending an ideological message to the cops or to women's groups or to life in the city, to bar culture. ... Our job wasn't to go to the macro issues at all." The article continued:

> No DNA evidence tied the officers to the scene, and experts debated whether an internal mark on the woman could be seen as evidence of rape. 'It would have been so much easier had there been physical evidence, but in the absence of that, you had to go into the more subjective realms of credibility, of witnesses, of corroborating testimony,' Finck said. 'I think the general feeling was both parties acted very irresponsibly,' but the woman's compromised memory created enough questions to acquit the officers of the most serious charges, he said. 'The reasonable-doubt standard carried the day,' he said.[xxviii]

While the larger implications for this case played out in the media, the jury seemed to have focused only on narrow concerns and standards of evidence.

Fink's description of the jury's process in the Moreno and Mata case reflects the common expectations for American juries. Good evidence is standard, corroborated, and objective. Good evidence is "scientific evidence," such as DNA samples. Good evidence requires experts to explain and judge. Ideally then, the most fair verdicts are reached by the most myopic view of the case possible. All that matters in a decision is "the facts" of the incident, and the only things that are worthy of "fact" status fit within strict parameters.

The approach to good knowing that is expected of juries as Fink described it is vastly different than the approach that this model of feminist inquiry advocates. Chapter two outlined four basic commitments of feminist epistemology: First, these epistemologies maintain that conventional epistemology and knowledge-making has depended upon myths that maintain and reproduce social structures of power. Second, better knowing will not just look beyond or question harmful structures of power but actually destabilize them, and in doing so, good knowing will be part of a liberatory social project. Third, better knowing requires that knowledge-making institutions look to the lived experiences of those on the peripheries of power. Finally, in order to maintain the liberatory social effects of feminist epistemology, a new account of feminist inquiry must be able to distinguish between and judge between conflicting accounts within communities.

The jury's approach as described by Fink fails under the first commitment. Maintaining a faith in only certain kinds of supposedly more objective evidence sustains the myth that subjective evidence, emotion, and personal testimony are all insufficient because they cannot be codified the way physical entities, such as DNA evidence can be.

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The fact that physical evidence can be manipulated, planted, removed, or tampered with does not register as a reason for viewing it as inadequate as more subjective forms of evidence. Moreover, the idea that it is possible for jurors to remove themselves from the larger issues of police power, gender dynamics, and "bar culture" encourages them to see their own views as views from nowhere.

In contrast, feminist inquiry would require an interpretation of the event that would look very different from the approach of the jury. Royce's model of interpretation would certainly require that the community of interpretation look intensely at the specific instance in question. However, since interpretation remains sensitive to error by establishing a perspective, limiting the view of the interpreter, in this case the jury, to only certain kinds of evidence would be counterproductive. Moreover, since developing a view from nowhere limits one's own ability to recognize the limits of her own perspective, this model of interpretation would discourage such thinking. Rather than limiting the scope of the interpretation to the narrow view that only the facts of one evening and the actions of three people matter, Roycean interpretation would require taking into account much more in order to achieve the widest view possible. This would include taking into account the social structures at work in the case.

The second commitment of feminist epistemology is that good knowing ought to destabilize systems of power. While the jury upheld an important edict that the benefit of the doubt should go to the accused, the trial itself reinforced harmful social practices. When the prosecution focused their case on calling into question the character of the alleged victim, they perpetuated the social norm where sexual victims are disregarded, ignored, or blamed for their own attacks. Assuming that the alleged victim was lying or

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in error about the encounter does nothing to keep her treatment by the prosecution and certain media sources from having horrific effects on all sexual assault survivors, who will now have a clear image of what fate might befall them if they attempt to prosecute their abusers.

A Roycean inspired feminist approach to interpretation could not rely on such a harmful action. In order to operate in a real world where people do sometimes lie and people are often in error, interpreters must rigorously discuss the accounts of both the alleged victim and the alleged perpetrator. However, since the goal of this account of feminist inquiry is to create more expansive and just communities, communities of interpretation would have an obligation to empathize with both sides and carefully ensure that other survivors will seek out interpretation rather than silencing themselves.

By refusing to look at any larger issues of power, the jury was unable to fulfill the third commitment of feminist epistemology, to take adequate account of the ways in which these structures work into the lived experience of those on the peripheries. If the jury accounted for the realities of women's lived experiences, such as the double bind of femininity both encourages women to display themselves as sexually available while also maintaining sexual purity, it would understand an encounter like the one described by the alleged victim in vastly differently terms. Moreover, when power has such an influence over the way someone lives her gender or how a police officer sees his duty, it is impossible to understand the lived experience without taking these ideas into account.

In contrast, communities of interpretation would take the lived experience of those on the periphery into account. For example, one could imagine bringing in other sexual assault survivors to explain their stories and community activists to explain the

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ways women's lives are structured through their sexuality. Moreover, fellow police officers could be invited into the conversation to explain the unique challenges of protecting citizens in situations like the one Moreno described. Taking the lives of those on the periphery into account may often require looking at the experiences of others besides just the individuals involved in the event in question. This method of interpretation would welcome this, but there seems to be little space for it in the current American court system.

The final commitment of feminist epistemology is that it must maintain an ability to distinguish between conflicting accounts and note ways in which various accounts can be in error. The outcome of the Moreno and Mata case clearly accomplished the first part of this commitment according to the terms of the American legal system. The jury made a firm decision that the evidence against Moreno and Mata was not sufficient to warrant criminal charges. However, with its strict "yes" or "no" approach to standards of evidence, the jury did not have to account for aspects of Moreno's and Mata's testimonies that may still have been in error. Furthermore, the jury's acquittal did not produce an interpretation of the alleged victim's testimony that accounted for why she may have been in error about her own recollections. Although this approach was able to decide between conflicting accounts, it failed to uphold the first three commitments of feminist epistemology, and it failed to provide a satisfying account of where testimonies erred. Without this account, the jury's verdict does not improve our understanding of sexual assault. Instead, it forces existing knowledge about sexual assault, as well as gender dynamics, police ethics, and bar culture, onto a unique situation.

By seeking a larger view of the situation and tracing the limitations of the views presented, a Roycean model of interpretation would be able to point the community to instances where testimony may be in error because a partial view is being confused with a whole view. In a situation like this one, communal interpretation would have to rest at some point. Neither party could delay their lives indefinitely; the community itself would need to reflect on the incident, and steps would need to be taken to ensure that risks of future sexual assaults were addressed. However, this decision would never be treated as a fixed declaration. Rather, the purpose of being able to detect error would be to ensure that the community could move forward from the incident and grow more unified with new knowledge and new understandings about sexual assault and the myriad of circumstances that surround it.

Conclusion

Throughout this work, I have argued that the concept of epistemic privilege remains valuable for promoting more inclusive knowledge-making communities, which can resist the oppressive power structures that restrict knowers' views. In order to maximize the usefulness of epistemic privilege within real, pluralistic, and often internally conflicted communities, I have proposed that feminist epistemologists supplement the concept of epistemic privilege with a method of error sensitivity that would help communities evaluate conflicting knowledge claims from differently oppressed individuals. My primary example, a sexual assault case involving an African American man and a white woman, not only illustrates how existing power structures limit the views available to communities by perpetuating oppressive myths and essentializing individuals' sexualities but also demonstrates why a method of error

sensitivity is necessary for resolving conflicts that involve different interpretations of what an action signifies, not just whether or not an action took place. Hence, I have concluded that Royce's account of error, with its emphasis on Communities of Interpretation working toward a shared purpose, provides a reasonable basis for a method of error sensitivity consistent with the commitments of feminist epistemology.

To this point, my primary example has served to highlight the deficiencies within the existing legal system and its adherence to ostensibly power-blind interpretations of the law and justify a theoretical need for a method of error sensitivity that accounts for unique situations. Thus, it remains for me to consider how a legal system influenced by the commitments of feminist epistemology and Royce's accounts of error, Communities of Interpretation, and loyalty may respond to a sexual assault case that involves conflicting claims from differently oppressed individuals. While it would be impossible for any number of reasons for me to outline all of the ramifications that this kind of reprioritization could have on the existing legal system, I will conclude this project with a discussion of the Navajo court system, which has demonstrated that it is possible to address legal concerns without relying upon an adversarial structure. Although the Navajo courts do not fully engage all of the concerns outlined by this project, they embrace a justice system based on a horizontal model of power and recognize that responding to legal cases involves more than two parties (the plaintiff and the defendant); instead, it involves and affects an entire network of relationships. Moreover, without an adversarial structure, the Navajo courts direct their attention toward healing the community and reestablishing relationships, rather than doling out punishments.

The Navajo peacemaking courts continue to operate in the Navajo Nation, which shares territory with parts of Utah, New Mexico, and Arizona. The current Navajo Nation Court System was established in 1958 by the Navajo Tribal Council, but its blending of traditional Navajo law and non-Indian legal methods takes its precedent from the Navajo Court of Indian Offenses for the Navajo Nation established by the Bureau for Indian Affairs in 1892, and its guiding precepts extend much farther back in history.[xxix] The Navajo Peacemaker Courts, in particular, were established in the 1980s as part of a wide-ranging reform of the Navajo Nation's judicial and political system, and they were designed to emphasize Navajo common law much more than the tribal courts established in 1958.[xxx] Raymond Austin describes the values that inform Navajo common law in *Navajo Courts and Navajo Common Law*. He refers in particular to three intertwined fundamental concepts: "*hózhó* (glossed as harmony, balance, and peace); *k'é*, (glossed as kinship unity through positive values); and *k'éí* (Navajo kinship or clan system)."[xxxi] He explains that, in accord with these concepts, the Peacemaker Courts enact "a horizontal system of justice" that uses "the traditional procedures of persuasion, 'talking things out,' and consensus to find solutions" in contrast to the Western courts that enact a "vertical system of justice," which relies on powerful authority and forceful coercion.[xxxii] Implicitly, the Western courts' vertical system reflects a separate set of values—the same values that have been critiqued throughout the previous chapters—including disinterested impartiality and adherence to precedent. Although the values and methods of the Navajo Peacemaker Courts do not perfectly match the form of inquiry proposed in the previous chapter, they do offer a comparable example of how a legal system can account for unique situations and continue to function.

In "Navajo Conceptions of Justice in the Peacemaker Court," Barbara Wall outlines the process of the peacemaking courts:

1. prayer

2. a community peacemaker

3. willingness of disputants to seek the Peacemaker Court for resolution

4. reestablishing communication lines

5. a decision by the disputing parties to resolve the dispute through a process of consensus

6. a signed contract of solidarity that is legally binding in the tribal court[xxxiii]

Wall's outline overlaps with the method of feminist inquiry that I sketched in the previous chapter in several ways.[2] First, the peacemaker's role as both a legal expert and an acknowledged member of the same community as the disputants resists the faulty ideal of the judge as a disinterested arbiter of the law. Wall provides an example of a Peacemaker Court session involving a mother who brings her son to court for substance abuse and domestic violence in which the peacemaker used her own experiences with substance abuse to guide the proceedings. It is difficult to imagine a system that goes into an uproar when a Supreme Court nominee simply suggests that her experiences as both a woman and a Latina may help her promote a wider view on issues than, implicitly, another white man could promote would accept this kind of personal intervention from its judiciaries.

Second, in addition to encouraging the Peacemaker to act as a member of the community as well as a legal expert, the Peacemaker Courts prioritize communal

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[2] Wall also notes that individuals can decline using the Peacemaker Courts in favor of the more Western-inspired tribal courts and that individuals who fail to abide by previous peacemaking agreements may be denied the option of utilizing the courts again.

knowledge-making by inviting other members of the disputants' communities to participate in the process of resolving the dispute. By drawing a wider community into the process, the courts can reestablish "communication lines" without promoting potentially detrimental acts of reconciliation between the disputants. Drawing in a wider community is also a way of recognizing that sexual assault cases, especially sexual assault cases involving acquaintances, affect more than just the disputants; they hurt the entire community, fracturing relationships and heightening political tensions. Encouraging members of the community to share their insights about the incident and make suggestions about the appropriate course of action, rather than restricting their comments before the court to their first-hand, empirical experiences or expertly certified conclusions, simultaneously creates a wider perspective on the event and promotes greater unity among the effected communities.

Third, the notion that disputants would willingly seek resolution in court is entirely foreign to a system that has made "settling out of court" a common practice. Yet, in sexual assault cases involving acquaintances and issues of consent, settling out of court can undermine a community's purpose of developing a wider view. In order for a sexual assault victim's suffering or an accused man's innocence to be validated, all related parties must share as much knowledge as they can pertaining to the incident. However, when a system prioritizes finding concrete reasons to dismiss someone's claims (she was drinking, he has a history of violence, drugs were involved), it discourages individuals from contributing their knowledge. Furthermore, a trial system that involves definitive "wins" and "losses" through its adversarial structure encourages individuals to withhold any information that may be detrimental to their cases. Hence, a system that abandons

standardized punishments in favor of heeding the full details of everyone's claims may be appealing to disputants and communities seeking validation and not just retribution.

Finally, the Peacemaker Courts conclude by having participants sign a contract that has been composed in light of the concerns of everyone who contributed to the process. Unlike a formal sentence in a U.S. court, such a contract does not exist prior to the convening of the peacemaking court. Instead, the courts develop such contracts in response to the unique situations that each new case presents. In this regard, the courts have the ability to take into account the specific experiences of both parties. This may include accounting for the ways in which race and gender influence the situations in question. Furthermore, the contracts enable the courts to involve more than just the accuser and the defendant in the resolution of the case. Depending on how the terms of the contract are arranged, other members of the community may take some responsibility for the future behavior or protection of either party. Hence, through the contracts, the courts are not only able to acknowledge that communities are affected by such cases but also give communities the ability to respond to them in positive ways.

All of these strategies—employing a mediator from within the community instead of a disinterested arbitrator, promoting communication between parties within the community instead of requiring witnesses to make unilateral claims to an unresponsive judge or jury, encouraging disputants to share all of their knowledge willingly rather than just disclosing the information that best supports their "cases," and developing a unique, contractual response that involves all of the parties rather than just sentencing or releasing the accused party—could help communities of interpretation develop a wider view of the events. By developing a wider view of the events, a community of

interpretation could become more sensitive to error. In particular, concluding the court proceedings by signing a contract that was prepared by, and make demands of, an entire community is a way to avoid allowing a single claim—the accuser's, the defendant's, or the judge's—to represent the view of the entire group. In this way, these strategies may not only help communities of interpretation detect errors in testimony but also help them avoid making new errors through judgment.

While the Peacemaker Court model could provide a basis for an alternative to the adversarial model of conventional U.S. courts, Sarah Deer's article "Decolonizing Rape Law: A Native Feminist Synthesis for Safety and Sovereignty" implies that there are ways in which, as they exist now, the Peacemaker Courts could undercut epistemic privilege. Although she does not explicitly address the concept of epistemic privilege, Deer criticizes both conventional U.S. courts, which cannot respond to the history of colonialism that is linked to rape in Native American communities, and the Peacemaker Courts, which could put pressure on sexual assault victims to create unwanted relationships with their attackers. In particular, she notes that the Peacemaker Courts deemphasize personal responsibility and favor restorative justice, which assumes that there is some degree of preexisting equality between the parties. Yet, as Deer notes, a rape survivor and her attacker are not on equal footing.

Deer's response to this problem resembles Code's arguments about the importance of advocacy. She recommends training female elders, particularly those who have survived sexual assaults, to respond to the unique needs and perspectives of the women involved in sexual assault cases, and she contends, "Native women who have survived rape and who have advocated on behalf of rape victims should be at the center

of the response to sexual violence. Our voices will guide communities in developing appropriate response that take into account both safety and dignity for survivors."[xxxiv] Like Code, Deer suggests that informed advocates could not only help individual victims but also promote better knowledge within the community.

With regards to the possibility of error-sensitive feminist inquiry and its relationship with Royce's Beloved Community, Deer's arguments serve as reminders that when we take the concept of error seriously, there can never be a complete, final model for legal inquiry. Royce's concept of error requires us to challenge and revise models of inquiry, such as the court system, constantly. Deer's critique also indicates the importance of identifying third parties that will be both willing and able to take broader concepts like colonialism and the political force of sexual assault into account when interpreting claims. Furthermore, her claims reiterate the importance of never allowing any particular view to become the final interpretation for an entire community.

In the example of a sexual assault case involving an African American man and a white woman, strategies derived from the Peacemaker Courts and Deer's critiques could help a community of interpretation avoid reproducing errors perpetuated by oppressive systems of power by promoting communally based inquiry that recognizes the value of epistemic privilege without allowing an individual view to stand in for the view of the whole. Unlike state-sponsored legal authority, a mediator's motivation is not primarily professional responsibility, but rather communal loyalty. Since the mediator is acting out of loyalty to the community, she has an investment in the resolution of the case because it will affect the well-being of the community. This investment may incite her to consider and respond to factors that are limiting the involved parties' views of the situation, such

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as racist or sexist assumptions. Furthermore, multidirectional communication between participants creates room for more information to enter the discussion than just the information explicitly asked for by legal authorities. Giving legal authorities control over the entire flow of information inevitably bolsters any inequities that exist within the legal system. When participants contribute information that does not seem to fit within a preexisting system for evaluating knowledge claims, it can expose the limitations of such a system, which gives the community an opportunity to consider why such limitations exist and possibly address them. Finally, constantly developing unique responses for each new case means that communities are in constant states of inquiry, especially when those responses require communities to take action. When a community remains in a state of inquiry, it becomes harder for the community to accept racist and sexist myths that rely upon silence and tacit consent. Instead, the process of constant inquiry will help communities erode the myths that limit their perspectives. As they develop wider perspectives, communities will be able to move closer together and progress toward Royce's Beloved Community.

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[i]Ann J. Cahill, "A Phenomenology of Fear: The Threat of Rape and Feminine Bodily Comportment," *The Feminist Philosophy Reader*, Alison Bailey and Chris Cuomo, (New York: McGraw-Hill) 812-825.

[ii] For an in-depth discussion of the connection between Royce's Beloved Community and King's see Gary Herstein "The Roycean Roots of the Beloved Community," *The Pluralist* 4, no. 2 [Summer 2009]: 91-107.

[iii] Cornel West, "On Prophetic Pragmatism," *The Cornel West Reader*, (New York: *Basic* Civitas *Books*, 1999), 149-173.

[iv] Ibid., 166.

[v] Cornel West, "Chekhov, Coltrane and Democracy," *The Cornel West Reader*, (New York: Basic Civitas Books, 1999),

[vi] Cornel West, "Pragmatism and the sense of the Tragic," *The Cornel West Reader*, (New York: *Basic* Civitas *Books*, 1999), 182.

[vii] Ibid., 174-182.

[viii] Judith M. Green, *Deep Democracy*, (Lanham, MD: Rowman & Littlefield, 1999), ix.

[ix] Ibid., 9.

[x] Ibid., 9.

[xi] Ibid., 152.

[xii] Ibid., 152.

[xiii] Jacquelyn A. K. Kegley, *Josiah Royce in Focus*, 162.

[xiv] Jacquelyn Ann K. Kegley, *Genuine Individuals and Genuine Communities: A Roycean Public Philosophy*, (Nashville: Vanderbilt University Press, 1997), 7.

[xv] Patricia Hill Collins, *Black Feminist Thought*, (New York: Routledge, 2009). 285.

[xvi] Ibid., 281.

[xvii] Ibid., 282.

[xviii] Ibid., 282.

[xix] Ibid., 282.

[xx] Mariana Ortega, "Being Lovingly, Knowingly Ignorant: What Feminism and Women of Color," *Hypatia* 21, no.3, [Summer 2006], 56-77.

[xxi] Josiah Royce, *The Problem of Christianity*, 265.

[xxii] Josiah Royce, *The World and the Individual*, 171-172.

xxiii Judith Green, *Deep Democracy*, 2.

xxiv María Lugones, "Playfulness, 'World'-Traveling, and Loving Perception," 79.

xxv Uma Narayan, "The Project of Feminist Epistemology: Perspectives from a Nonwestern Feminist," The Feminist Philosophy Reader, Alison Bailey and Chris Cuomo, (New York: McGraw-Hill, 2008), 762.

xxvi John Eligon, "Privacy Disappears at a Trial About Rape," *The New York Times*, Last Modified May 8, 2011 [http://www.nytimes.com/2011/05/09/nyregion/notebook-no-privacy-in-rape-trial-of-2-officers.htm].

xxvii Parker, "Josiah Royce on 'The Spirit of the Community'' and the Nature of Philosophy'" 182.

xxviii Jennifer Peltz, "NYC cops' rape acquittal continues to draw controversy: Cops to be sentenced for misdemeanor misconduct charges Tuesday," *Associated Press*, Last Modified June 26, 2011. [http://www.msnbc.msn.com/id/43540570/ns/us_news-crime_and_courts/t/nyc-cops-rape-acquittal-continues-draw-controversy/].

xxix Raymond Austin, *Navajo Courts and Navajo Common Law*, (Minneapolis: University of Minnesota Press, 2009), 19.

xxx Ibid. 29.

xxxi Ibid, xxi.

xxxii Ibid, 91.

xxxiii Barbara Wall, "The Navajo Conceptions of Justice and the Peacemaker Court," *Journal of Social Philosophy* (Winter 2001, Vol. 32, Issue 4), 540.

xxxiv Sarah Deer, "Decolonizing Rape Law: A Native Feminist Synthesis of Safety and Sovereignty," in *Wicazo Sa Review*, 2009 (Minneapolis: University of Minnesota Press), 164.

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