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On Judging Epistemic Credibility: Is Social Identity Relevant?

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At the 1998 World Congress of Philosophy hosted by Boston University, John Silber, asked to welcome the participants in the opening ceremonies, provided a very unwelcoming message for feminist philosophers. His complaint, which grouped feminist, Marxists, and postmodernists together, centered on their overtly political agendas. On the one hand, the number of sessions at the World Congress devoted to feminist philosophy indicated this body's recognition of the importance of feminist work in philosophy as a century of historic women's struggles for liberation comes to a close. And conferences like the *EnGendering Rationalities* one held in Eugene, Oregon that attracted scores of feminist scholars from across the country testify to the vitality of feminist philosophy, and feminist epistemology in particular, as a field of study. On the other hand, feminist philosophy continues to be regularly derided in the profession as inappropriately political in setting its philosophical goals. But this criticism is itself based in a political opposition to feminism rather than in a philosophical argument informed by the history of philosophy.

In a recent work on the history of epistemology, Mary and Jim Tiles provide a useful correction to the revisionist histories of modern epistemology which forget its open political motivations.¹ One will find here that in Silber's grouping of feminists, Marxists, and postmodernists also has to be included such figures as Kant, Locke, Russell, and the Vienna Circle, who unashamedly declared and defended the political motivations of their work. Locke's attack on innate ideas in the seventeenth century was motivated by the concern to stem a religious development known as Enthusiasm, which actually gave women a voice in public spaces on the basis of their claim to spiritual insight. And Kant argued that his critique of reason was necessary in order to defeat a dogmatism that he defined as based in "a conception of objective knowledge as knowledge of objects that exist independently of human beings."² Kant believed that such a dogmatism would commit the human species to a Hobbesian state of nature, that is, an incessant state of war, in which "assertions and claims" can only be established "through war." (A 752 B780) He argued that transcendental idealism, in linking knowledge of objects with practices of human reason, affords rational procedures of disputation the *epistemic* ability to decide the truth. Kant then goes on to defend the revolutionaries' demands for free speech on the grounds that a public agreement achieved through open discussion is a "criterion by which we distinguish knowledge from belief."³ In the midst of philosophical argument Kant thus takes an interested stand in the ongoing cultural and political revolutionary ferment of his era, and even offered these political considerations as providing reasons in favor of a certain epistemic

account. This must surely discredit the claim that philosophies that wear their politics on their sleeve are by that act discredited.

The Tiles show this case in more detail than I can recount here, and in regard to other leading modernist philosophers alongside Kant. Most recently, Russell and the members of the Vienna Circle unashamedly explained that their emphasis on logic and empirical verifiability was motivated by a desire to defeat fascism. They put forth logical positivism as a means to discredit totalitarian ideologies that were based in emotive appeals to empirically unsupported claims about racial superiority and the destinies of specific cultures.

Somehow, later in this century these political agendas were erased from the official histories taught to graduate students, and we now have a generation of philosophers who believe philosophy to be properly apolitical, which is one of the reasons for feminist philosophy's disapprobation. In his underappreciated work *The American Evasion of Philosophy*, Cornel West explains this selective amnesia as the partial result of "cold-war accommodationism" during the 1950's, in which philosophy departments sought refuge from suspicion by immersing themselves in professionalization and apolitical approaches to the study of language and knowledge.⁴ Retreating from cultural engagement, philosophy (in the Anglo-American tradition) was rearticulated as a form of logical analysis aided by empirical based linguistic theory. This might also help to explain the rift between continental philosophy and analytic philosophy, since continental philosophies were associated with the political agendas of both left and right in Europe. In any case, the cold war in the United States created an ideological clampdown that surely explains, at least in part, the sudden uneasiness philosophers felt toward a mix of philosophy and politics. I remember my favorite Marxist professor recounting how he managed to make it into the discipline in the early 50's by writing a dissertation on manners.

In my mind, the conclusions to be drawn from both West's and the Tiles' corrected histories of philosophy is not that philosophical truth has been compromised by political motivation, but that the philosophical enterprises we choose to undertake are determined within historically situated contexts of cultural, ideological, and political contestation. Feminist philosophy and feminist epistemology represent a continuation of the tradition in which philosophers openly avow their political aspirations. Like Kant, feminist philosophers are committed to using philosophical methods to clarify and resolve the current dogmatism that inhibit political advance.

The argument that I will develop in this paper fits within this rubric by addressing a current political controversy which has epistemic implications. Despite the fact that the issue I will address is seen as a *political* controversy, I would say it is more properly understood as an *epistemological* controversy that has been played out in the political arena. The issue is this: in assessing a claim or judgement, is it relevant to take into account the social identity of the person who has made the claim? Does a claim or judgement gain or lose credibility in virtue of the claimants' social identity?

The political debate over this issue has primarily focused on jury diversity: if social identity is epistemically relevant, then it makes sense to require racial and gender diversity in juries. If social identity is not epistemically relevant, then diversity is not an issue of concern for jury selection. There may be other reasons given, of course, for diversity in jury selection, such as those involving the *perceived* legitimacy of the jury by diverse communities, or the argument that a jury of one's peers must include a representative sample of one's specific ethnic or racial community, especially if the society has had a history of prejudice against this particular group, but I want to set those sorts of arguments aside in order to focus on what is arguably a more defensible reason for jury diversity: that it will increase the likelihood of an epistemically better judgment. In the U.S. court system, jury selection is driven by the concerns of competing attorneys to win their case, concerns that may only coincidentally conform with establishing the truth. But in the arena of legal theory, debates have ensued over whether random selection of jurors from among registered voters, for example, or from among homeowners, excludes populations that could be important in reaching the best decision of a case given the evidence. In particular, if the poor are systematically excluded by these methods, and yet it is the poor who make up a significant portion of defendants in criminal trials, might it be the case that the adequacy of jury decisions is adversely effected?

This question also taps into a much larger issue of concern within epistemology, that is, the issue of testimonial knowledge. Testimonial knowledge is, in fact, the primary form of knowledge in everyday life, far exceeding its relevance to the courtroom, and there seems to be a small but increasing recognition in epistemology of the important role testimonial knowledge plays in actual belief-forming practices.⁵ Most of our knowledge is achieved on the basis of testimony from others, whether we hear them give eyewitness reports, make other sorts of claims, or we read knowledge claims in a less direct encounter. We obtain most of our knowledge by reading or hearing what other persons tell us to be the case in a variety of personal, direct and indirect media. Despite this obvious fact, for too long it has been the case that epistemology has based its analyses of knowledge on atypical scenarios of direct perception by an individual; whereas if one is aiming for a *general* account of knowledge one would think the more typical case of belief generation should be taken as the paradigm, that is, knowledge based in one form or another on the testimony of others.⁶

Feminist epistemologists like Lorraine Code and Lynn Hankinson Nelson have argued that the importance of testimonial knowledge has implications for the stock issues epistemologists focus upon. Such knowledge raises different sorts of epistemological questions than direct perception, questions not about perceptual reliability or perceptual memory but about trust and the basis of interpersonal judgement, credibility and epistemic reliability. We cannot often directly assess the processes by which the other upon whom we are relying has obtained their knowledge; we cannot know with certainty *how* they obtained their knowledge nor do we necessarily have the expertise to know *what a reliable*

procedure would be for obtaining certain kinds of knowledge. Therefore, we must assess the other person in a more general way before we can afford them an authority in any epistemic matters.

Thus, knowledge based on the testimony of others requires assessing the epistemic reliability of those offering the testimony. Keith Lehrer argues that epistemic reliability requires epistemic justification:

When Ms. Oblate tells me that the sun is not round, then I must evaluate...whether Ms. Oblate is trustworthy in what she thus conveys. As a result, I am completely justified in believing that the sun is not round only if I am completely justified in accepting that Ms. Oblate is completely trustworthy in what she conveyed. The latter is true only if Ms. Oblate is completely justified in accepting that the sun is not round. The knowledge we acquire by the transfer of information from others is, therefore, intrinsically dependent on the others being completely justified in accepting what they convey.⁷

Sosa argues, in my view rightly, that this requirement is too strong:

The informant can be trustworthy in the way that a child or a recording device can be trustworthy, which suffices to make the informant a possible source of our own justification.⁸

And I would add that Lehrer's account actually gives no guidance about how to assess Ms. Oblate's trustworthiness. If I am required to assess every informant's own justification, then am I not simply achieving direct justification on my own?

I agree that I cannot be said to be justified in a belief simply because it came to me from another person's direct report: my own justification requires that I assess the reliability of the person or source from whom I hear the claim—just as I would distinguish between perceptions in the dark and perceptions in full light—even if it is merely to make a distinction between the *National Enquirer* and the *Washington Post*. I can only rarely assess with any adequacy my source's own epistemic justification. And, as Sosa, argues, this is not even a necessary requirement for my own justification in believing the claim. Far more commonly, we make "ball-park" estimates of our source's trustworthiness: my uncle tells me the family can be traced directly back to Charlemagne, but given the fact that he previously claimed that we were related to Jimmy Carter based on a single name in common—"Smith"—I take this new claim with a grain of salt. My neighbor gives me pruning advice and based on her rosebushes, I take it. But what about the case where one of my students comes to report to me a case of sexual harassment, a case where there are no external witnesses, how am I to assess her trustworthiness?

In cases where my source is direct rather than indirect, that is, from the testimony of an individual rather than some form of news media, special forms of evaluation must be used. One is in effect assessing the person. But how does one make such an assessment, and how does one determine what aspects of persons are relevant to take into account?

Gadamer argues that one can make a rational assessment of authority. Against the mistaken Enlightenment belief that giving someone else epistemic authority is “diametrically opposed to reason and freedom,” Gadamer argues that authority “properly understood, has nothing to do with blind obedience...Indeed, authority has to do not with obedience but with knowledge.” One *grants* authority to another not arbitrarily but because one believes that he or she “has a wider view of things or is better informed...Thus acknowledging authority is always connected with the idea that what the authority says is not irrational and arbitrary but can, in principle, be discovered to be true.”⁹ In other words, conferring authority is not in contradiction with rational behavior but one form of it.

Lorraine Code argues further that an account of testimonial knowledge will have two specific effects in epistemology: the first is to motivate a reevaluation of the traditional fallacy of the *ad hominem* argument. Considering the messenger of a claim and not just the claim itself is often epistemically necessary in order to judge the claim.¹⁰ But this suggests, secondly, that interpersonal assessments need to be reflective about the moral implications of their assumptions. And this means that epistemological deliberations must be coupled with ethical deliberations. A project of what Code calls “‘everyday’ or ‘practical’ epistemology”—that is, a development and evaluation of normative epistemic principles based not on ideal knowers but on “what real, variously situated knowers actually do”—makes ethical deliberation “*integral* to epistemic discussion.”¹¹ Like virtue epistemologists, Code holds that a fully developed account of epistemic responsibility must consider the moral issues involved in the production and dissemination of knowledge.

But my focus is this: on what basis should we make an *epistemic* assessment of another’s authority to impart knowledge? What features of the other are relevant for such an epistemic assessment? Some obvious and uncontroversial features would be: whether we have known this person in the past to be reliable and trustworthy; whether this person has the necessary perceptual capacities or relevant expertise in regard to the knowledge claim; whether we have any reason to believe that in this particular instance, whatever the past performance has been, this person may be unreliable. In some cases we have no prior experience on which to base our judgement and only the most rudimentary knowledge of the person’s cognitive capacities. In cases where we lack any knowledge of these *obviously* relevant features, the question arises as to whether in some cases other features might be legitimate to take into account, such as appearance. Surely this is innocuous and straightforward some of the time. When someone young and muscular assures me that rollerblading is easy to learn, I respond, as we often do, “easy for you to say.” Their appearance warns me that their judgements in physical matters may be skewed, at least in so far as my body type is concerned. Other times, assessing appearance might be more problematic. I was confused by the use of the term “F.L.K.’s” by a staff member of a campus rape crisis center some years ago, and I was disturbed to discover that the term meant “funny-looking kids” and was used as a shorthand among some

members of the staff to distinguish credible students from those they thought lacked credibility (based on number of body piercings and the like). Judgements of appearance introduce social practises of interpretations, cultural meanings, and so forth, and may also operate as a covert means to take into account social identity, such as race or sex.

There are three sorts of questions that social identity raises for epistemological judgement: first, whether it is ever relevant to epistemic assessment, and second, if it is ever relevant, under what conditions is it relevant, and third, how much weight or significance should any such factors be given. These issues can be addressed separately; if the answer to the first question is yes, this does not entail any given answer to the third, and in fact there may be other considerations that are more critical in answering the third question. I will focus only on the first of these issues.

Clearly, social identity is not a legitimate feature to take into account in every case of assessing epistemic reliability; it would not be germane to a simple perceptual report, for example (unless one is giving a simple perceptual report of a kicking fetus or some other forms of experience specific to certain body types such as mentioned above). However, there *are* instances where social identity might be deemed relevant, such as in determinations of criminal culpability where a relatively small amount of evidence is the only basis for the decision and where social prejudices can play a role in inductive reasoning. In this sort of case, social identities may be taken into account out of a desire to eliminate bias. Even here, the issue is controversial: biases may occur from all quarters and it cannot be assumed that any given group will be free from prejudicial reasoning. But the further question I want to raise is whether social identities are only ever relevant for the purposes of eliminating bias. Is there a more positive epistemic role that social identity can play in assessing epistemic reliability?

The case against taking social identity into account is strong. There are at least three main lines of objection. Why should socially prescribed identity categories—often having an arbitrary, culturally variable nature, especially in the case of racial identity—have a bearing on one's epistemic reliability? Social identities like race and sex are not in one's control; they make no reference to agency or subjectivity. Except perhaps for one's status as an adult, what can social identity have to do with perceptual ability, judgement, trustworthiness? These capacities are distributed throughout the population without correlation to social identity. Intellectual capacities of cognition and reasoning are universal across the species and thus not connected in any meaningful way to specific identities.

Moreover, the claim that epistemic reliability is correlated to social identity has been a key feature of discrimination. Particular groups have been held to have intrinsic tendencies and limited capacities with epistemic relevance, and have been excluded from juries and many other positions of judgement on that basis. In *Blyew vs. U.S.*, the courts forbid testimony by a black witness against a white defendant. Through the first part of this century,

black testimony in courts required independent corroboration from white witnesses, much as we often require today in the case of children's testimony.¹² Stephen Shapin has provided detailed historical accounts of ways in which epistemic credibility was correlated with rank and privilege in Europe.¹³ Peasants, slaves, women, children, Jews and many other non-elites were said to be liars or simply incapable of distinguishing justified beliefs from falsehoods. Women were too irrational, peasants too ignorant, children too immature, and Jews too cunning. And slaves, as Aristotle famously argued, were so naturally prone to deceit that they had to be tortured to tell the truth. Surely now we must realize that social identity carries no intrinsic epistemic proclivities or necessary limitations on cognitive practice. Such a claim is tantamount to racism and sexism in whatever form it takes.

A third objection targets the very concept of identity itself, arguing that social identities based on racial and ethnic categories and concepts of gender mistakenly homogenize disparate experience. We neither can nor should assume a similarity of experience, outlook, or perspective among those who share only a socially recognized identity category, and in fact to do so is to continue rather than ameliorate oppression. It is true that individuals must interpret and respond to their interpellation within identity categories, and thus that the ways they are identified and grouped are always important features of an individual's life, but there are too many variable responses that individuals can make to their identities for these to serve as useful predictors of individual outlook. Therefore, social identities cannot be taken as relevant aspects for judging epistemic reliability.

Against this last objection, I would concede that identities group together individuals without a common essence or uniform outlook. Even a shared experience is likely to be interpreted in very different ways. Identities are always social constructions of one form or another, attempts to organize the diversity of human experience into categories with some practical relevance. Sociologist Manuel Castells' explains identity as a generative source of meaning, necessarily collective rather than wholly individual, and useful not only as a source of agency but also as a meaningful narrative¹⁴ And Satya Mohanty makes strong arguments that identity constructions provide narratives that explain the links between group historical memory and individual contemporary experience, that they create unifying frames for rendering experience intelligible, and thus they help to map the social world.¹⁵ To the extent that identities involve *meaning-making*, there will always be alternative interpretations of that meaning.

Of course, identities can be imposed on people from the outside. But that is more of a brand than a true identity, or more of an ascription than a meaningful characterization of self. Identities must resonate with and unify lived experience, and they must provide a meaning that has some purchase, however partial, on the subject's own daily reality. Anuradha Dingwaney and Lawrence Needham explain that lived experience "signifies affective, even intuitive, ways of being in, or inhabiting, specific cultures....it is perceived as

experience that proceeds from identity that is given or inherited...but it is also, and more significantly, mediated by what Satya Mohanty calls 'social narratives, paradigms, even ideologies.'"¹⁶ In other words, although experience is sometimes group-related (and thus identity-related), its meaning is not unambiguous. Dingwaney and Needham go on to say, following Stuart Hall, that:

What we have are events, interactions, political and other identifications, made available at certain historical conjunctures, that are then *worked through* in the process of constructing, and/or affiliating with, an identity. However, to say that identity is constructed is not to say that it is available to any and every person or group who wishes to inhabit it. The voluntarism that inheres in certain elaborations of the constructedness of identity ignores, as Hall also notes... 'certain conditions of existence, real histories in the contemporary world, which are not exclusively psychical, not simply journeys of the mind'; thus it is incumbent upon us to recognize that 'every identity is placed, positioned, in a culture, a language, a history.' It is for this reason that claims about 'lived experience' resonate with such force in conflicts over what does or does not constitute an appropriate interpretation of culturally different phenomena.¹⁷ (Emphasis in original)

Dingwaney and Needham (and Hall) emphasize the non-voluntary character of location and experience because they want to insist that identity makes a difference specifically for knowledges, especially those knowledges involved in cultural interpretation. I agree with this claim, and will argue for it further on, but here I have introduced this account as an example of an account of identity that holds *both* that identity makes an epistemic difference *and* that identity is the product of a complex mediation involving individual agency in which its meaning is produced rather than merely perceived or experienced. In other words, identity is not merely that which is given to an individual or group, but is also a way of inhabiting, interpreting, and working through, both collectively and individually, how it is to be lived. There are many ways in which the identity "woman" can be lived, many interpretations of it as intersected by other types of identity. Yet every woman must construct for herself an identity that grapples with this culturally mediated concept, and even if that grappling is an attempt at complete opposition, this is a struggle those identified as "men" don't need to make. This account, then, answers the third objection in so far as it takes identity to be epistemically salient even while it would reject a notion of identity as a fully determined meaning uniform across all the individuals of a given identity category.

On a hermeneutic account, identity is understood as constituted by a horizon of foreknowledges within which experience is made meaningful and from which we perceive the world and act within it. Identities are thus not opposed but incorporate individual agency. Foreknowledges, or horizons are not, however, so easily interchangeable, nor are they completely different for

every individual. Horizons can be usefully grouped. For example, there is the horizon from which some individuals perceive the United States primarily as a nation that was created through stealing the lands of one's ancestors. There is the horizon from which one's ancestors came here for freedom and economic opportunity. I am picking out historical narratives as key to these horizons, as containing collective memories that provide contexts within which individuals make their lives meaningful.

Thus, I would agree that identities cannot be taken as indications of a uniform outlook or any shared set of beliefs. Rather, identities mark the background for one's outlook, and these backgrounds themselves can be usefully grouped. This should afford at least *prima facie* grounds for holding that social identities may have epistemic relevance. I have not established that identities produce homogeneous views or outlooks, but that there is something homogeneous between specified identities nonetheless: a relation to a historical narrative, a location on the map of cultural symbols, a figuration in dominant representations as purported threat, and so on.

In regard to the second objection, that holding social identities to be epistemically relevant carries the danger of discrimination, I will not argue that such danger does not exist. But I do maintain that this possibility in itself cannot determine the answer to the question of epistemic relevance. That is, if social identities can be used against individuals, as a means to discriminate or repress, this in itself does not establish whether or not social identity is a relevant consideration in assessing epistemic credibility. It may certainly affect what we decide to do with this information, or with the moral implications of considering social identity in epistemic judgements, but it does not determine the epistemic relevance in and of itself.

My main argument will be against the first objection I raised above, that social identity cannot be relevant to epistemic judgements because epistemic reliability should be equally distributed throughout the population. I will argue that, at least in some cases, social identity is a relevant feature to take into account in assessing a person's credibility. It has long been accepted that perception is an interpretive exercise; whenever a human being sees something as some thing, delimited and identified, that person is bringing specific (and alterable) ontological commitments to bear. Both Kant and Nietzsche believed such commitments to be universal to the human species as such, though Nietzsche believed them to be alterable and Kant did not. The world is a giant Rorschach test, we might imagine, with multiple frames of intelligibility by which a picture can come into relief.

The hypothesis being considered here, however, is that such perceptual framing occurs not only at the species level but also at the level of social identity. The difference between frames in this latter case need not be as drastic as the difference between the epochs that mark human cognitive transformations, and there is likely to be vast agreement with only a small disagreement. Moreover, there is nothing in this hypothesis that commits me to hold that the different perceptions associated with social identity cannot change, or be

learned by others, or even disintegrate. These possibilities should, in fact, be considered necessarily the case given that what we are discussing here are *social* identities, subject to all the plasticity and dynamism of the social domain. However, any difference between what we will for now call frames of intelligibility will count, as long as it is correlated to social identity and it is relevant to knowledge. But anything having to do with perception is, of course, relevant to knowledge.

This must raise the spectre of standpoint epistemologies. Am I then defending a version of a standpoint theory which holds that group identity acts as a standpoint from which knowledge claims are made?

Sandra Harding, the most influential standpoint epistemologist, has held at different times two versions of the standpoint theory. In her early version, standpoints were conceptualized as something like perspectives, yielding fully formed articulations of experience and judgement.¹⁸ This is too easily defeasible by the objection that no such social group is homogeneous enough to have such a shared perspective. The notion of a “woman’s standpoint” was either so thin as to be epistemically irrelevant or it was implausibly thick.

Harding then modified her position to hold, following Dorothy Smith, that standpoints yield questions rather than answers. In particular, she argued that the social positions of marginalized people give rise to new questions concerning dominant points of view that members of dominant groups are not likely to consider otherwise. If a scientific research community, for example, is homogeneous enough to share common assumptions and methodological approaches, these shared assumptions and approaches may well be invisible, since there are no contrary assumptions present by which they come into relief. Marginalized social groups, then, entering this community, may well not share all of these assumptions, and may find some of them implausible thus yielding new and potentially fruitful questions for research.¹⁹

This notion of social identity leading to new questions is a feasible account, in my view, but it leads to fairly narrow conclusions. It counsels us to work for diversity in research communities, but it does not establish any correlation between social identity and epistemic credibility.

Mohanty suggests just such a correlation: “...social locations facilitate or inhibit knowledge by predisposing us to register and interpret information in certain ways. Our relation to social power produces forms of blindness just as it enables degrees of lucidity.”²⁰ On this account, identity does not determine one’s interpretation of the facts, nor does it constitute fully formed perspectives, but it yields more than mere questions. Mohanty’s idea strikes me as something like this: identities operate as horizons from which certain aspects or layers of reality can be made visible. In stratified societies, differently identified individuals do not always have the same access to points of view or perceptual planes of observation. Two individuals may participate in the same event, but they may have access to different aspects of that event. Social identity operates then as a rough and fallible but useful indicator of differences in perceptual

This argument does not rely on a uniformity of opinion within an identity group but on a claim about what aspects of reality are accessible to an identity group. As such, it does rely on a certain amount of uniformity of experience within an identity group, though only in regard to a more or less small sector of their experience, for example, that sector involving being treated in the society as a certain identity, or having a common relationship to social power. On this account, social identity is relevant to epistemic judgement not because identity determines judgement but because identity can in some instances yield access to perceptual facts that themselves may be relevant to the formulation of various knowledge claims. As Mohanty and others have also argued, social location can be correlated with certain highly specific forms of blindness as well as lucidity. This would make sense if we interpret his account as correlating social identity to a kind of access to perceptual facts: to claim that some perceptual facts are visible from some locations is correlatively to claim that they are invisible to others.

Such an account of the relevance of social identity to epistemic judgement needs to be supported by a theory of perception within which such an account would make sense. Two such accounts of perception present themselves as providing such support, the accounts of perception given by Merleau-Ponty and Foucault, which are accounts not about simple immediate perception but about perception as a historically and culturally variable learned practice and as the foundation of consciousness.

Merleau-Ponty says of perception:

Perception is not a science of the world, it is not even an act, a deliberate taking up of a position; it is the background from which all acts stand out, and is presupposed by them. The world is not an object such that I have in my possession the law of its making; it is the natural setting of, and field for, all my thoughts and all my explicit perceptions....²¹

Merleau-Ponty follows Husserlian phenomenology not in its focus on the immediacy of perception, or in the belief in a reduction whereby meanings can be bracketed off from perceptual experience, but in according a centrality to perceptual experience as the key constitutive feature of human existence. The centrality that Merleau-Ponty accords to perceptual experience in no way leads him toward positivist conclusions. Because the cogito is founded on the percipio, it is both undetachable from bodily experience and *incapable* of achieving absoluteness or permanence. In other words, because knowledge is based in bodily perceptual experience, cognition is incapable of total closure or complete comprehensiveness precisely because of our concrete, situated, and dynamic embodiment. It is only because being is always being in the world, and not apart or over the world, that we can know the world. But it is also because being is always being in the world that our knowledge is forever partial, revisable, incomplete.²² On Merleau-Ponty's view, bringing bodily experience into the center of epistemology has the precise effect of dislodging any hope of certainty or an indubitable foundation.

For Merleau-Ponty, the meaning of an experience is produced within an embodied synthesis of consciousness in the world. Meaning exists in the interworld of history, and thus refers to a world which is always already there before me and yet a world whose meaning is always a meaning-for-me (and thus whose meaning necessarily includes values).

We therefore recognize, around our initiatives and around that strictly individual project which is oneself, a zone of generalized existence and of projects already formed, significances which trail between ourselves and things and which confer upon us the quality of man, bourgeois or worker. Already generality intervenes, already our presence to ourselves is mediated by it and we cease to be pure consciousness, as soon as the natural or social constellation ceases to be an unformulated *this* and crystallizes into a situation, as soon as it has a meaning—in short, as soon as we exist.²³

The world is not an object at a distance from me nor is it that which I construct or form; “it is the background from which all acts stand out...the natural setting of, and field for, all my thoughts and all my explicit perceptions.”²⁴ As Iris Young explains, for Merleau-Ponty:

Consciousness has a foundation in perception, the lived body’s feeling and moving among things, with an active purposive orientation. Unlike a Cartesian materialist body, the lived body has culture and meaning inscribed in its habits, in its specific forms of perception and comportment. Description of this embodied existence is important because, while laden with culture and significance, the meaning embodied in habit, feeling, and perceptual orientation is usually nondiscursive.²⁵

Thus, experience is never capable of being understood or represented as if prior to specific cultural and historical locations. It is clear today that Merleau-Ponty did not fully grasp all of the implications of this analysis, particularly as these impacted his own “generic” descriptions of bodily comportment, as if such descriptions could be given without taking into account gender and other differences. Nonetheless, his most general characterizations of experience reiterate their constitutive relationship to the specificity of social location.

If racial and gendered identities, among others, help to structure our contemporary perception, then they help constitute the necessary background from which I know the world. Racial and sexual difference is manifest precisely in bodily comportment, in habit, feeling and perceptual orientation. These then make up a part of what appears to me as the natural setting of all my thoughts. Perceptual practices are tacit, almost hidden from view, and thus almost immune from critical reflection. Merleau-Ponty says that: “...perception is, not presumed true, but defined as access to truth.”²⁶ Inside such a system, the specificity of perceptual practices disappears. And more over, because they

are nondiscursive, perceptual backgrounds are incapable of easy description or justification.

Although perception is embodied, it is also learned and capable of variation. The realm of the visible, or what is taken as self-evidently visible (which is how the ideology of social identities naturalizes their specific designations), is argued by Foucault to be the product of a specific form of perceptual practice, rather than the natural result of human sight.

Thus he claimed that:

...the object [of discourse] does not await in limbo the order that will free it and enable it to become embodied in a visible and prolix objectivity; it does not preexist itself, held back by some obstacle at the first edges of light. It exists under the positive conditions of a complex group of relations.²⁷

His central thesis in *The Birth of the Clinic* is that the gaze, though hailed as pure and pre-conceptual, can only function successfully as a source of cognition when it is connected to a system of understanding which dictates its use and interprets its results.

What defines the act of medical knowledge in its concrete form is not...the encounter between doctor and patient, nor is it the confrontation between a body of knowledge and a perception; it is the systematic intersection of two series of information...whose intersection reveals, in its isolable dependence, the *individual fact*.²⁸

On this account, which is hardly unique to Foucault, visibility itself cannot serve as the explanatory cause of perceptual outcomes. Thus Foucault shares the view now commonly held by philosophers of science that a “pure” observation is not an observation at all, in the sense that to count as an observation it must be able to serve as a support for a theory or diagnosis. It will not become an observation until and unless it can be deployed within a relevant theoretical context.

The smallest possible observable segment...is the singular impression one receives of a patient, or, rather, of a symptom of that patient; it signifies nothing in itself, but assumes meaning and value and begins to speak if it blends with other elements...²⁹

What Merleau-Ponty and Foucault’s work helps us to understand is that perception is not the mere reportage of objects and their features, but serves as an orientation to the world, a background of experience that constitutes one’s capacities of discernment and observation.³⁰ Moreover, it is itself historically situated within particular discursive formations—as Foucault would have it—that structure the possibilities for delimiting objects, concepts and subject-positions or legitimate viewpoints to be taken up by knowing subjects. Foucault famously makes knowing practices—that is, justificatory practices—internal to a discourse, or discursive formation, rather than essentially (or potentially) unchanged across historical and cultural difference.

These accounts do not provide standard sorts of empirical evidence for their claims, although both Merleau-Ponty and Foucault had direct clinical experience out of which they formulated their views. Providing such evidence would seem to be necessary for establishing the validity of such views, although these views will have an impact on how “evidence” is understood and evaluated. But this is certainly beyond the scope of this paper as well as beyond what philosophy can contribute. What I have tried to contribute is a coherent story about how this claim—that social identity is sometimes epistemically salient—might make sense, to unpack its presuppositions and to assess its intuitive plausibility. The only remaining thing needed to be done is to show the link between such accounts of perception and social identity.

Identity’s epistemic relevance follows primarily from its relation to experience, since identity serves as a shorthand marker for experience. We assume that identities are correlated with particular experiences, of oppression, of privilege, a particular history, etc., and though this correlation is often more complicated in reality than a shorthand can express, and sometimes in fact the correlation is non-existent, there persists a utility, however fallible and sometimes misleading, in making a connection between identity and experience. Thus, the utility of identity categories significantly hinges on the issue of the cognitive significance of experience.³¹

In his essay “Identity, Multiculturalism, Justice,” Satya Mohanty argues that experience refers to a process in which human beings make sense of information, or stimuli, and that it is through this process that a substantive self is developed.³² This process always involves a kind of mediation or interpretation. That is, an event of which I am a part conveys meaning to me through a mediation I perform. In the phenomenological tradition, starting with Dilthey experience [erlebnis] is an event involving simultaneously the immediacy of perception *and* a meaning attribution. The meaningfulness of an experience is not understood as attached to the event, after the fact, but as emerging in the event itself. Thus, the conceptual separation between “raw stimuli” and the attributions of meaning are only a useful cognitive division we as theorists make to understand the nature of experience: the separation is not a part of the phenomenology of the experience itself. Hans-Georg Gadamer explains this view as follows:

...units of experience are themselves units of meaning... The unit of experience is not understood as a piece of the actual flow of experience of an “I,” but as an intentional relation... Everything that is experienced is experienced by oneself, and part of its meaning is that it belongs to the unity of this self and thus contains an unmistakable and irreplaceable relation to the whole of this one life.³³

The intrinsic intentionality of experience is key to understanding its cognitive content. Because experience is an event involving intentionality—the “whole of this one life”—a similar event may be experienced very differently by different persons. The interpretive process itself is both individual and

social: the effort to establish meaning is performed by the individual, and subject to modification upon her critical reflectiveness, but it is always also conditioned by the concepts, narratives, values, and meanings that are available in her social and discursive context.

Social identities are relevant variables by which available interpretive processes are grouped and distinguished. This is not of course to say that differently identified individuals live in different worlds, or experience globally different perceptions, but that prevalent narratives and concepts are often correlated to specific social identities.

Charles Mills argues in his essay "Non-Cartesian Sums: Philosophy and the African American Experience" that the concept of "sub-personhood," or *Untermensch*, is a central way to understand "the defining feature of the African-American experience under conditions of white supremacy (both slavery and its aftermath)."³⁴ By this concept, which he develops through a contrast drawn between the Cartesian sum and Ralph Ellison's invisible man, Mills elucidates the comprehensive ramifications that white racism had on "every sphere of black life—juridical standing, moral status, personal/racial identity, epistemic reliability, existential plight, political inclusion, social metaphysics, sexual relations, aesthetic worth."³⁵

To be a sub-person is not to be a non-person, or an object without any moral status whatsoever. Rather, Mills explains,

the peculiar status of a sub-person is that it is an entity which, because of phenotype, seems (from, of course, the perspective of the categorizer) human in some respects but not in others. It is a human (or, if this seems normatively loaded, a humanoid) who, though adult, is not fully a person... [and] whose moral status was tugged in different directions by the dehumanizing requirements of slavery on the one hand and the (grudging and sporadic) white recognition of the objective properties blacks possessed on the other, generating an insidious array of cognitive and moral schizophrenias in both blacks and whites.³⁶

On the basis of this, Mills suggests that the racial identity of philosophers affects the "array of concepts found useful, the set of paradigmatic dilemmas, the range of concerns" with which they each must grapple. He also suggests that the perspective one takes on specific theories and positions will be affected by one's identity, as in the following passage:

The impatience, or indifference, that I have sometimes detected in black students [taking an ethics course] derives in part, I suggest, from their sense that there is something strange, for example, in spending a whole course describing the logic of different moral ideals without ever talking about how *all of them* were systematically violated for blacks.³⁷

This results from an understanding that black lived experience "is not subsumed under these philosophical abstractions, despite their putative gener-

ality.”³⁸ It seems eminently plausible that such a point of view taken in regard to the general ethics curriculum has a strong correlation to social identity. From the perspective of those at the “underside of history” and the underside of European modernism in particular, the modernist debates over moral systems may well appear unintelligibly silent about the simultaneous and systematic patterns of colonialism and enslavement.³⁹

Mills develops this argument further in *The Racial Contract*, in which he claims that racist social systems must develop corresponding moral epistemologies and norms of epistemic judgement. “There is agreement about what counts as a correct, objective interpretation of the world, and for agreeing to this view, one is...granted full cognitive standing in the polity, the official epistemic community.”⁴⁰ This merely describes normal science, or any discursive community, but Mills further argues that

on matters related to race, the Racial Contract prescribed for its signatories an inverted epistemology, an epistemology of ignorance, a particular pattern of localized and global cognitive dysfunctions (which are psychologically and socially functional), producing the ironic outcome that whites will in general be unable to understand the world they themselves have made....One could say then, as a general rule, that white misunderstanding, misrepresentation, evasion, and self-deception on matters related to race are among the most pervasive mental phenomena of the past few hundred years, a cognitive and moral economy psychically required for conquest, colonization, and enslavement.⁴¹

These are strong claims. Mills neither naturalizes nor universalizes them; that is, he neither sees these cognitive dysfunctions as natural to whites nor universal among whites, and he sees whiteness itself with its concomitant perspective as socially constructed. Nonetheless, if his description of cognition at least with respect to racial matters holds true, then there is indeed a strong correlation between social identity and epistemic ability at least in regard to certain kinds of issues.

My argument, then is that basic level perception of events and of people, perception which surmises identity, credibility, salient evidence, probable causal relations, plausible explanations, and other important epistemic judgements, can vary across social identities. This variability pertains not only to factual description but also to evaluation and moral assessment. Thus like Code, I would argue that we need to reevaluate the status of ad hominem arguments. Code says that “Prohibitions against appeals to ad hominem evidence derive their persuasiveness from a tacit endorsement of the interchangeability model of epistemic agency... These prohibitions assume that the truth merely passes...through the cognitive (= observational) processes of the knowingsubject.”⁴² I have tried to offer accounts of perception that would show that identity differences can effect interchangeability. Social identities are differentiated by perceptual orientations, which involves bodily comportments

that serve as the background for knowledge, learned practices of perception, and narratives of meaning within which new observations become incorporated.

If this account is right, what follows for jury selection or for the judgement of epistemic credibility generally? A mechanistic quota system on juries would seem inadequate to the complexities and constructedness of social identity. But the substantial difficulties in formulating responsible epistemic procedures given the non-interchangeability of knowers does not justify simply ignoring the epistemic salience of social identity. The correlation between social identity and some types of knowledge does not confer absolute status on anyone's knowledge claims, to authorize or disauthorize merely on the basis of identity. It does not establish a uniformity of knowledge within a specified group, given the active, mediated nature of experience. And it certainly does not establish that social identity is always epistemically relevant in judging credibility (or even most of the time). Identity and experience remain dynamic, complex, never transparent. And yet, to retreat to an epistemic individualism in the face of these complexities is to negate the patterns that can be seen over the long haul, from a wide lens. It is no accident that new forms of scholarship have emerged from the academy since its democratization with the G.I. Bill, the passing of Civil Rights legislation, and affirmative action. All I have argued for is that it is not irrational to consider social identity as a contributing factor in some cases toward establishing the credibility of others testimony.

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NOTES

1... Mary Tiles and Jim Tiles, *An Introduction to Historical Epistemology: The Authority of Knowledge* (Cambridge: Blackwell, 1993).

2... Mary Tiles, "Coherence and the Jurisdictions of the Tribunal of Reason," *Social Epistemology*, Volume 12, No. 3: July-September 1998, p. 233.

3... Ibid.

4... Cornel West, *The American Evasion of Philosophy: A Genealogy of Pragmatism* (Madison, Wisconsin: University of Wisconsin Press, 1989).

5... See e.g. Keith Lehrer, "Personal and Social Knowledge," *Synthese* 73 (1987): 87-107; Ernest Sosa, *Knowledge in Perspective: Selected Essays in Epistemology* (New York: Cambridge University Press, 1991), chapter 12; James Ross, "Testimonial Evidence," in Keith Lehrer, ed., *Analysis and Metaphysics: Essays in Honor of R.M. Chisholm* (Dordrecht: Reidel, 1975); H.H. Price, *Belief* (New York: Humanities Press, 1969); John Hardwig, "Epistemic Dependence," *Journal of Philosophy* 82 (1985): 335-50; Catherine Elgin, *Considered Judgement* (Princeton: Princeton University Press, 1996); Frederick Schmitt, "Justification, Sociality, and Autonomy," *Synthese* 73 (1987): 43-86.

6... In the history of philosophy, there is surprisingly scant discussion of this issue. Sosa cites the following: Gottfried Wilhelm Leibniz, *New Essays on Human Understanding* trans. and ed. by P. Remnant and J. Bennett (New York: Cambridge University Press, 1981), Bk. IV, Ch. xv, sec. 4; David Hume, *An Inquiry Concerning Human Understanding*, ed. Charles W. Hendel (Indianapolis: The Library of Liberal Arts Press, 1955); and Thomas Reid, *Inquiry and Essays*, ed. R.E. Beanblossom and K. Lehrer (Indianapolis: Hackett, 1983). But in each of these works, there are only a few pages on questions of testimony. Introductory textbooks on epistemology have little if any discussion of this issue, and none that I have seen devote an entire chapter to it as they do to perception, memory, induction, a priori knowledge, and so on. The burgeoning field of social epistemology is beginning to consider issues involved in testimony, though much of social epistemology works instead on questions related to collective knowing, such as in scientific research teams. The questions involved in assessing testimony are different in important respects from epistemic questions concerning collective processes of knowledge acquisition, which concern, for example, rule-governedness, the justifiability of paradigms, and problems around consensus. Frederick Schmitt provides an overview of possible positions on testimony in the introduction of his edited collection *Socializing Epistemology: The Social Dimensions of Knowledge* (Lanham, Maryland: Rowman and Littlefield, 1994) but he admits that "we" (meaning Anglo-American philosophers) "do not even have a detailed version of weak indi-

vidualism, even though it is the historically dominant view of testimony.”(17) And it is telling that the view he claims to be dominant, what he names “weak individualism,” itself works to reduce the importance of testimony from others, by holding that the only source that can justify testimonial beliefs will be non-testimonial beliefs.(5)

7... Keith Lehrer, op. cit., p. 96-7; quoted in Ernest Sosa, op. cit., p. 216.

8... Sosa, op. cit., p. 216.

9... Hans-Georg Gadamer, *Truth and Method*, second revised edition, translated by Joel Weinsheimer and Donald G. Marshall (New York: Crossroad, 1989), pp. 279-280.

10... Lorraine Code, *Rhetorical Spaces: Essays on Gendered Locations* (New York: Routledge, 1995), pp. 70-71.

11... Code, pp. xi-xii.

12... See Patricia Williams, *Seeing a Color-Blind Future: The Paradox of Race*, p. 47.

13... Steven Shapin, *A Social History of Truth: Civility and Science in Seventeenth Century England* (Chicago: University of Chicago Press, 1994).

14... Manuel Castells, *The Power of Identity* (Malden, MA: Blackwell, 1997), p. 7.

15... Satya Mohanty, *Literary Theory and the Claims of History: Postmodernism, Objectivity, Multicultural Politics* (Ithaca, NY: Cornell University Press, 1997).

16... Anuradha Dingwaney and Lawrence Needham, “The Difference that Difference Makes,” in *Socialist Review* Vol. 26, Nos. 3 & 4, 1996, p. 21.

17... Ibid, pp. 20-21. The passage quoted is from Stuart Hall, “Minimal Selves” in *Identity* ed. Lisa Appignanesi (London: ICA Document 6, 1987), pp. 44-45.

18... See e.g. *The Science Question in Feminism* (Ithaca: Cornell University Press, 1986).

19... See *Whose Science? Whose Knowledge?* (Ithaca: Cornell University Press, 1991; and “Rethinking Standpoint Epistemology” in *Feminist Epistemologies* eds. L. Alcoff and E. Potter (Ithaca: Cornell University Press, 1993). My dissatisfaction with Harding’s arguments on these specific points holds against a background of profound agreement I have with her overall epistemic claims.

Moreover, Harding more than anyone else deserves credit for creating a space for thinking about social issues in relation to epistemology, and insisting on the necessity of doing so, a credit she never gets in the mainstream social epistemology literature.

20... Satya Mohanty, *Literary Theory and the Claims of History*, p. 234.

21... Maurice Merleau-Ponty, *The Phenomenology of Perception* translated by Colin Smith (New Jersey: The Humanities Press), p. xi.

22... Merleau-Ponty, op. cit., p. xiv.

23... Merleau-Ponty, op. cit., p. 450

24... Merleau-Ponty, op. cit., p. xi.

25... Iris Young, *Throwing Like a Girl* (Bloomington: Indiana University Press, 1990), p. 14.

26... Merleau-Ponty, op. cit., p. xvi.

27... Foucault, *The Archaeology of Knowledge*, trans. A.M. Sheridan Smith (New York: Pantheon, 1982), p. 45.

28... Foucault, *The Birth of the Clinic: An Archaeology of Medical Perception*, trans. A. M. Sheridan Smith (New York: Vintage Books, 1975), p. 30.

29... Foucault, *The Birth of the Clinic* p. 118.

30... Similar accounts of perception might have been developed via Kuhn, or Nietzsche, or others, to reach the same conclusions, though I think Merleau-Ponty and Foucault offer more detailed and illuminating descriptions.

31... This explains the interest in "authenticity" especially in terms of racial and ethnic identity. I am not referring here to the existential concept of authenticity, as in accepting one's freedom, but to the more everyday meaning of the term, as in "authentic creole cooking." There have been numerous and compelling criticisms of the concern with authenticity made since the 1960's, that it is used as a test to discredit persons in a reductive manner, where someone's political position may be rejected on the grounds of their purported lack of an authentic identity from which to speak. It also assumes a homogeneity across a specified group and seems to make all-important a criterion that which should not be in assessing a person's claims. And it sets up a pecking order among the oppressed concerning who is more "street," who has suffered more, creating divisiveness instead of solidarity. While all of these criticisms

have merit, the kernel of truth in the interest in authenticity is rooted in an epistemic concern that reveals the link between identity and experience: is the person's testimony reliable e.g. about the effect that expecting to go to jail has on a boy growing up? This legitimate epistemic concern does not erase all the negative effects of the "authenticity test" as described above, but it suggests that we need to acknowledge that the grounds of the concern over authenticity is not mere opportunism or the desire for a simplified evaluative process. In other words, in critiquing the concern for authenticity as reductive, we should also avoid making a reductive characterization of authenticity itself.

32... Mohanty, op. cit., pp. 198-253.

33... Gadamer, op. cit., pp. 65-67.

34... Charles Mills, "Non-Cartesian Sums: Philosophy and the African-American Experience," *Teaching Philosophy*, 17:3, October 1994, p. 228. Also in Charles Mills *Blackness Visible: Essays on Philosophy and Race* (Ithaca: Cornell University Press, 1998).

35... Mills, op. cit., p. 228.

36... Mills, op. cit., p. 228.

37... Mill, op. cit., p. 226.

38... Mills, op. cit., p. 225.

39... On this point, see also Enrique Dussel, *The Underside of Modernity* trans. and ed. by Eduardo Mendieta (Atlantic Highlands, NJ: Humanities Press, 1996) and *The Invention of the Americas: Eclipse of "the Other" and the Myth of Modernity* trans. by Michael Barber (New York: Continuum, 1995).

40... Charles Mills, *The Racial Contract* (Ithaca: Cornell University Press, 1997), p. 18.

41... Mills, *The Racial Contract*, pp. 17-19.

42... Code, op. cit., p. 70.