

Republicanism Without Guarantees:

A Corporeal Conception of Epistemic Democracy

Introduction

One of the prominent features of democracy as a regime type is its power to enable individuals to seek knowledge and truth in the political sphere and come up with better collective epistemic performance. Because of its commitment to transparency, free speech and institutions protecting rights of expression and association, proponents of an “epistemic” conception of democracy¹ praise it as a regime which would produce epistemically better outcomes, if not the “Truth”. The fundamental assumption of epistemic democrats indicates that if the majority of citizens are “smart” enough to choose right over wrong in most cases, then, having an all-inclusive democracy would increase the number of “better” decisions, and more so in the long run². Ideal theoretical conceptions of epistemic democracy assume that citizens, despite their differing cognitive capacities and cultural backgrounds, all have equal rights and liberties. The only problem for those conceptions is to find out theoretically how everyone can be motivated to participate so that the sum of the epistemic inputs will guarantee a “right” epistemic outcome. In this vein, criticizing proceduralist accounts, theorists like Helene Landemore posit a “procedure independent standard of correctness”³ normatively desirable and theoretically possible to be “discovered” by citizens.

¹ See H el ene Landemore, *Democratic Reason: Politics, Collective Intelligence and the Rule of the Many*, (Princeton University Press, 2013); Joshua Cohen, “An Epistemic Conception of Democracy,” *Ethics* 97(1) (October 1986): 26-38.; David Estlund, *Democratic Authority: A Philosophical Framework*, (Princeton University Press, 2008)

² Landemore, *Democratic Reason: Politics, Collective Intelligence and the Rule of the Many*

³ Ibid.

Yet when it comes to a realist assessment of the ideal theories of epistemic democracy, it is seen that real conditions of politics are so constituted that people do not stand as epistemic equals to each other. There are asymmetries of political rights and power relations both in formal and informal social institutions reflecting higher epistemic presence of certain groups and individuals over less visible and epistemically less “relevant” groups and individuals. As Miranda Fricker argues⁴, “epistemic injustice” is a real problem which needs to be dealt with before constructing any ideal theory of epistemic democracy.

Following Fricker’s argument, this paper tackles with the problem of domination and injustice in political epistemology. Starting from real examples of epistemic injustice and paying attention to context and historical contingencies of different cultures and identities, my aim is to understand the functioning of “political judgement”⁵ against relations of domination in non-ideal settings. When we think about political speech and the problem of domination, we usually think the former as an instrument to address the latter. For instance, if an individual feels that she is discriminated at a public office, she can “voice” her concern and demand that her problem be solved. Or for example, if peaceful religious practices of a certain group is prohibited by law, they can engage in political activity and try to persuade others that the law should be changed.

Though this might work in most cases politically addressed, there are certain cases of domination and injustice where domination is directed against an individual’s status as an equal epistemic subject with rights to political expression. This problem points out an impasse at the heart of theories of epistemic democracy: speech and judgement as epistemic tools to be used

⁴ Miranda Fricker, *Epistemic Injustice: Power and the Ethics of Knowing*, (Oxford University Press, 2007)

⁵ Linda Zerilli, *A Democratic Theory of Judgement*, (Chicago: The University of Chicago Press, 2016), <http://chicago.universitypressscholarship.com.proxy.lib.duke.edu/view/10.7208/chicago/9780226398037.001.0001/upso-9780226397849>

against domination can be denied to individuals, creating epistemic injustice and domination. In such cases knowledge and judgement of certain individuals and groups cease to be counted as political even though they continue to have *de jure* rights, although such domination might also include disenfranchisement and abrogation of rights⁶.

The question then is, when faced with such injustice, how can people stand up as epistemic subjects and demand their re-cognition as epistemic equals? Ideal theory cannot help us to address this crucial problem for it presumes that political speech and epistemic expression of judgment take place in a political sphere devoid of power asymmetries where every person's voice counts equally. It assumes that political speech and judgement are above and immune to any power relation, whereas in reality they are intertwined in complex ways as I shall demonstrate.

On Method

I would like to proceed realistically, providing historical examples which would concretize the theoretical problem we face with. Yet this does not mean that a realist approach will not have theoretical consequences. My aim is to provide a more plausible theory of epistemic democracy by criticizing some assumptions of current literature and also by introducing a different conception which can fill in the gaps of the existing theory. Drawing upon Linda Zerilli's theory of judgment and Philip Pettit's contemporary neo-republican theory, I would like to theorize about the ways in which political judgement —instead of a political

⁶ Such as Jim Crow laws in the American South or as an example from my home country Turkey; repealing and banning of Kurdish opposition parties on the basis of a discriminatory state ideology and practices.

cognitivism— takes place as a means to address epistemic injustices and relations of domination. By doing that, I would analyze the embodied, corporeal aspect of judgement rather than its intellectualized abstract versions.

As an exercise in *political* political theory⁷ I would like to analyze cases where political judgement of the dominated has a “world-giving”⁸ power by redefining what counts as political and by redistributing the “senses”⁹ in politics. In line with a neo-republican attention to institutions and to the ramifications of judging politically, I will make use of Jack Knight and James Johnston’s idea of institutional experimentation based on a principle of tempered consequentialism¹⁰. Despite focusing on social movements and collectives, my theory will have methodological individualism as an inductive starting point, for I believe that individuality and collectivity are not at odds with each other but can only be conceived together.

I will approach the problem of epistemic domination and judgement by focusing on their negative function. Unlike ideal theory’s “absolute conception”¹¹ which treats knowledge in a totalizing manner and tries to come up with blueprints for the problem of epistemology of politics, I believe that political judgement needs to be theorized primarily as a “reaction” and a

⁷ Jeremy Waldron, “*Political* Political Theory: An Inaugural Lecture,” *The Journal of Political Philosophy* 21(1) (2013): 1-23.

⁸ Zerilli, *A Democratic Theory of Judgement*

⁹ Jacques Rancière, *Dissensus: On Politics and Aesthetics*, (Continuum, 2010)

¹⁰ Jack Knight and James Johnston, *The Priority of Democracy: Political Consequences of Pragmatism*, (Princeton University Press, 2011).

¹¹ Zerilli, *A Democratic Theory of Judgement*, Chapter 1, 8, <http://chicago.universitypressscholarship.com.proxy.lib.duke.edu/view/10.7208/chicago/9780226398037.001.0001/upso-9780226397849>

demand for “reform”¹², stemming from the “limited” and “perspectival” knowledge of a situated individual¹³. Because of its problem-based nature, my account of epistemic non-domination will necessarily focus on the piecemeal, fragmentary and gradual functioning of political judgement for the sake of institutional change and political recognition.

One of the disadvantages of contemporary neo-republican theory —as in Philip Pettit’s account for instance¹⁴— is its reliance on a vigilant and active citizenry where individuals have to have a republican virtue and an informed alertness to defend their rights and institutions. Given an endemic indifference and widespread apathy towards politics in contemporary democracies¹⁵, this ideal of civic virtue seems to be at best a wishful thinking, very similar to neo-Kantians’ ideal of “public use of autonomous reason”. To circumvent this problem, I will rely on an image of the individual who does not have to get informed about every detail of politics, nor have to participate in politics and express her stance all the time. Building up on Ian Shapiro’s piecemeal and gradual theory of non-domination, I will rather try to understand struggles against domination as contextual, limited, fragmentary and gradual political processes which come to being by the “temporary politicization” of individuals and groups on an issue-based manner. For instance, Person H, who has been apolitical all his life, can become an ardent environmental activist after having experienced Hurricane Harvey in his hometown Houston; but

¹² Eric Beerbohm points to a similar function of political theory when elaborating on his account: “It is precisely our experience of distress of living under laws that are morally unacceptable and yet linked to our agency that it is urgent for us to explain.” See Eric Beerbohm, *In Our Name: The Ethics of Democracy*, (Princeton University Press, 2012), 29.

¹³ *Ibid.*, 19.

¹⁴ Philip Pettit, *On the People’s Terms: A Republican Theory and Model of Democracy*, (Cambridge University Press, 2012)

¹⁵ Jason Brennan, *Against Democracy*, (Princeton University Press, 2016)

can become apolitical again if he thinks that his political demands are fulfilled by necessary legal and institutional changes.

By the end of the paper, I hope to elaborate a case for the epistemic use of political judgement against domination, which goes beyond the strictly cognitivist approach of epistemic justifications of democracy. Based on the real life examples of political judgement, I will claim that “knowledge” in politics cannot be thought apart from the *body* of the knowing subject with its affects, desires and interests, without giving up reason.

The Problem of Epistemic Domination

In 2006, Tarana Burke, a survivor of sexual assault, founded “me too”, a civil initiative to help 'survivors of sexual violence, particularly young women of color from low wealth communities, find pathways to healing. Using the idea of “empowerment through empathy,” the movement was ultimately created to ensure survivors know they're not alone in their journey'¹⁶. Not until October 5th, 2017 was the phrase “me too” known by the wider public, when actress Ashley Judd gave an interview to New York Times disclosing she was sexually abused by the movie producer Harvey Weinstein. After her courageous move, other women in movie industry who have been through similar experiences of abuse joined her, followed by more women from

¹⁶ <https://metoomvmt.org>

different sectors¹⁷ and strata of society before finally the movement became worldwide. Following the path opened by celebrities and women holding high-rank positions in society, ordinary women started to express their rage and frustration against sexual harassment and discrimination under the hashtag MeToo on social media, engaged in demonstrations such as women's day marches and built solidarity networks. Moreover, beyond being a mere expression of ideas, testimonies of women against their abusers made the latter lose their positions and damaged their esteem in the eyes of society. The term coined by Tarana Burke 11 years ago suddenly gained a new, wider and stronger meaning going beyond its initial coinage.

But the question is: why did it take 11 years for the phrase MeToo to become an empowering symbol for women who have experienced sexual assault, abuse or discrimination? Why did those women not express their feelings and form a political collective in its current form before Ashley Judd stood up and spoke? Despite the social reality of widespread sexual abuse¹⁸, why were women unable to address this injustice publicly? The answer to this question, I believe, seems to be related to the phenomenon of domination, and specifically an epistemic domination in that case. A form of domination which primarily limits and controls women's

¹⁷ A similar case was disclosed regarding the USA gymnastics team. After Rachael Denhollander filed a police report against Larry Nassar, the then physiotherapist of US National gymnastics team, alleging that he sexually abused her and other athletes, the case became larger, eventually involving testimonies of 265 women and resulting in Nassar's conviction for 100 to 235 years of prison. See <https://www.nytimes.com/2018/02/05/sports/larry-nassar-sentencing-hearing.html>. What is noteworthy in this case is that it coincided with the Weinstein case and MeToo movement. After MeToo movement's success and growing power, it can be said that Nassar's case gained more media coverage and visibility encouraging other athletes to file lawsuits and testify against him. As I shall elaborate, this example demonstrates several characteristics of judgement against domination: 1) it is partial and limited yet open to solidarity and alliances with other movements (MeToo). 2) It involves political judgement as a corporeal and affectual activity rather than purely cognitive and intellectualist. 3) It is a demand for retributive justice and institutional change by redefining what is "political" and what counts as "true".

¹⁸ According to the results of a nationwide investigation, 51% of women say that they have experienced some kind of a sexual assault in their lives. See <https://www.nytimes.com/2018/02/21/upshot/pervasive-sexual-harassment-why-me-too-took-off-poll.html>

opportunities and venues to express their political judgements. It was not that women did not *know* they were abused and harassed, nor that they did not know sexual assault to be something *wrong*. Beyond even knowing it, they were first and foremost *feeling*¹⁹ the wrong done. But both because of structural relations of domination and because of informal cultural norms and values around the issue of gender relations, they were not able to demand change and correction of the harm done let alone voice their opinions and express what they know. Thus, if we stick to John Sturt Mill's idea of proverbial marketplace of ideas, it can be said that we have a situation where certain vendors are not allowed in the market let alone the absence of a fair competition.

But what does the term "domination" signify here? What is its difference from exploitation, injustice or interference? By the term domination, I understand a capacity for arbitrary control of a certain group or individual over the will and freedom of another group or individual, as it is theorized by Philip Pettit's account of republicanism. According to his account,

Domination... is exemplified by the relationship of master to slave or master to servant. Such a relationship means, at the limit, that the dominating party can interfere on an arbitrary basis with the choices of the dominated: can interfere, in particular, on the basis of an interest or an opinion that need not be shared by the person affected. The dominating party can practice interference, then, at will and with impunity: they do not have to seek anyone's leave and they do not have to incur any scrutiny or penalty.²⁰

The crucial difference between domination and interference is former's emphasis on institutions and structures of power which render interference possible. While a liberal principle of non-interference conceives the individuals free whose choices can potentially be interfered with but

¹⁹ Linda Zerilli, "We Feel Our Freedom": Imagination and Judgement in the Thought of Hannah Arendt,' *Political Theory* 33(2) (April 2005): 158-188.

²⁰ Pettit, *Republicanism: A Theory of Freedom and Government*, (Oxford University Press, 1997): 22.

are not interfered through goodwill; a republican conception of non-domination as non-interference requires the extinguishing of any opportunity for interference. Thus, republican ideal of freedom as non-domination tries to foreclose domination by focusing on structural and institutional arrangements instead of relying on people who hold power. It tries to prevent “being subject to arbitrary sway: being subject to the potentially capricious will or the potentially idiosyncratic judgement of another”²¹, which was the case for women who were abused by Harvey Weinstein and Larry Nassar.

Yet, my mentioning of specific individuals such as Weinstein and Nassar should not give the impression that the injustice of sexual abuse were merely the result of individual acts. Their acts were enabled and legitimized in and through formal and informal institutional norms and practices. In order to understand the larger institutional and cultural power behind those acts, it can be useful to try to understand the domination in those cases as a *hermeneutical injustice*. Fricker uses the term to define relations where the speech of certain people are misinterpreted to the advantage of the misinterpreter denying the speaker the uptake she expects. By overlooking, misinterpreting and simply ignoring certain forms of speech and judgement, dominators epistemically and hermeneutically marginalize the speaker. “Hermeneutical marginalization is always socially coerced... [and it is] is always a form of powerlessness, whether structural or one-off.”²²

Just as language needs a community who speaks it and circulates meanings, practices of hermeneutical injustice need institutions as loci of power enabling individuals who have access

²¹ Ibid., 5.

²² Fricker, *Epistemic Injustice: Power and the Ethics of Knowing*, 153.

to that power. There are specific “epistemic cultures”²³ which sustain particular cultural norms and meanings in and through institutionalized practices. In the case of Weinstein it was an unequal epistemic culture practiced in movie industry —though by no means limited to it— where abuse of women by men could become acceptable. In such settings, faced with the rejection or resistance of the dominated, “powerful have no interest in achieving a proper interpretation, perhaps indeed where they have a positive interest in sustaining the extant misinterpretation (such as that repeated sexual propositions in the workplace are never anything more than a form of ‘flirting’, and their uneasy rejection by the recipient only ever a matter of her ‘lacking a sense of humour’). But then in such a hotspot as this, the unequal hermeneutical participation remains positively disguised by the existing meaning attributed to the behaviour (‘flirting’), and so it is all the more difficult to detect.”²⁴

This means that the injustice experienced by women in those cases are not only directed against their bodily integrity and freedom but at the same to the means by which they can address and speak against those very injustices. What they “know” and what they have to “do” gets separated. Linda Zerilli underlines this character of domination when she quotes Arendt and says that ‘separation of knowing and doing obliterates freedom and plurality; it is “at the root of

²³ I use term as it is defined by Knorr-Cetina. She says: “One of the more consequential moves of the new sociology of science was to switch from an understanding of knowledge as the representational and technological product of research to an understanding of knowledge as process, or in other words, to knowledge as practice. The epistemic culture approach also emphasizes practices. Culture, from the present viewpoint, includes practice, though I want to understand epistemic cultures as a nexus of lifeworlds (contexts of existence that include material objects) and lifeworld processes rather than as practice per se.” See Karin Knorr-Cetina, “Culture in Global Knowledge Societies: Knowledge Cultures and Epistemic Cultures,” *Interdisciplinary Science Reviews* 32(4) (2007): 364.

²⁴ Fricker, 152.

all theories of domination,”... and a conception of politics as Herrschaft, or rule.²⁵ And this, despite women in Hollywood and US gymnastics team who are seemingly independent and equal with men. “The net result is that while a hermeneutically marginalized subject is prevented from generating meanings pertaining to some areas of the social world, she might well maintain a fuller participation as regards others.”²⁶ As *de jure* equals of a democracy such as USA, domination was experienced by women in Hollywood in a particular domain of their lives, or athletes in national team (professional sports as a *part* but not the *whole* of their lives) for that matter. Thus, in Shapiro’s words “domination is rooted in the particular”²⁷. Consequently, it is not unexpected that their judgments had “limited” and “particular” concerns²⁸ when directed against the hermeneutical injustice and domination they suffered. When women like Ashley Judd and Rachael Denholleander spoke up against abuse and joined by thousands of others, they had to overcome this epistemic exclusion by reclaiming what they know and assert their common political existence by relying on their own “embodied” forms of knowledge. The experience they already knew had to be made public and turned into a politically significant fact by their judgements. As we shall see, this form of epistemic judgement is different from a political cognitivism which tries to come up with more and better knowledge. Instead, in cases like these,

²⁵ Zerilli, *A Democratic Theory of Judgement*, Chapter 4, 4, <http://chicago.universitypressscholarship.com.proxy.lib.duke.edu/view/10.7208/chicago/9780226398037.001.0001/upso-9780226397849>

²⁶ Fricker, 153-4.

²⁷ Shapiro 22

²⁸ I focus on the particular character of political judgement in order to demonstrate its practical value and power of applicability. This should not suggest that I rule out or devalue any form of political judgement with universalist aims.

the political question is how to make a denied and repressed truth politically valid. At that point, the question of political judgement needs to be elaborated.

But before going on to the next section, I would like to stress that an investigation of the conditions in which the dominated say “enough” and stand up against domination is beyond the aims of this paper. I take judgement against domination as given, and then try to understand the theoretical implications of it for epistemic conceptions of democracy. Namely, the normative ramifications of judgement against domination for a conception of democracy as free as possible from relations of domination.

Judgement and Politics

Judgement, as it is used by Zerilli, can be understood as an activity which performatively constructs the meaning of the object on which it is passed. Genuine judgement enables objects to be seen from a different perspective and with a different sense. Just like women’s circulation of the term MeToo²⁹ (both discursively but also corporeally, by wearing symbols of the movement and actively demonstrating and standing up against similar cases) in order to make visible the reality of sexual abuse, judgement “is a use of concepts as part of a larger strategy to light up an

²⁹ The meaning of the phrase MeToo itself has a performative and illocutionary character as it is theorized by J. L. Austin. Before the utterance of the phrase MeToo accompanied of the physical presence of a speaker, the speaker is not a member of the communality shared by all the “me”s who have been through that experience “too”. “Me”, unlike the objective and distanced meaning of the “I”, underlines the affectual state of the subject who performatively (“too”) declares her belonging to a so far “neglected”, thus, epistemically marginalized and dominated group. See J.L. Austin, *How to Do things With Words* (Cambridge: Harvard University Press, 1975) and Leslie Green, “Pornographizing, Subordinating and Silencing,” in *Censorship and Silencing Practices of Cultural Regulation* (Los Angeles: Getty Research Institute for the History of Art and the Humanities, 1998) for a discussing of illocutionary acts and performativity in relation to feminist politics and speech.

aspect of an object previously unseen.”³⁰ Because judgement brings objects under new light and creates “common senses”, Zerilli finds a properly political operation at work in every judgement. Quoting Arendt, she “reject[s] the idea that there is a “distinct faculty that we might identify, characteristically, as political judgment; there is only the ordinary capacity of judgment, now addressing itself to political events”³¹. As such it differs subtly but also radically from *knowing* something. Beyond knowing, it is a form of practice which creates the conditions in which a fact can get acknowledged collectively. “To make a fact publicly acceptable... differs from proving or being called upon to prove that a fact is true. It is to make the truth of a fact meaningful in a politically significant way.”³²

This is where judgement as an epistemic intervention to the ongoing relations of domination becomes something different from *cognizing* a truth or signification of a certain object which is pre-given with a fixed meaning. For example, Landemore’s theory of collective intelligence claims that democracies, by virtue of their all-inclusiveness and epistemic diversity, perform “better than a random decision procedure and also better than alternative nondemocratic procedures”³³. This is possible thanks to society’s capacity of “harnessing the intelligence and cognitive diversity of the other members, often against their own passions and prejudice”, where they “ultimately reach the truth”³⁴. Accordingly, it is assumed that political cognitivism enables

³⁰ Zerilli *A Democratic Theory of Judgement*, Chapter 2, 20, <http://chicago.universitypressscholarship.com.proxy.lib.duke.edu/view/10.7208/chicago/9780226398037.001.0001/upso-9780226397849>

³¹ *Ibid.*, Chapter 1, 5.

³² *Ibid.*, Chapter 2, 17.

³³ Landemore, 9.

³⁴ *Ibid.*, 98.

societies to discover truths and perform better than non-democracies. Landemore ‘label[s] “political cognitivism” [as] the combination of the assumption that there exists such a standard [of truth] and the belief that it can be approximated in some way by a political decision mechanism.’³⁵ Yet nowhere does she substantiate what “better” epistemic performance or for that matter “truth” means. It seems that it is a metaphysical attribute of objects in the external world waiting to be discovered by our reason. In Landemore’s account “political” is that about which a judgment is made —that is, about an external and priorly given object that is independent of the judgment itself³⁶ whereas in Zerilli’s understanding of the judgement, ‘the “political” arises as something internal to the process of judging itself. Just as we can think of the first case in terms of an existing political object (e.g., the office of mayor), we might think of the second case as one in which something that was not already considered political (e.g., housework, sexuality, and reproduction, as feminists claim) can come to be seen and judged as such.’³⁷ While Landemore’s understanding of *cognition* can be useful in ideal conditions where no *de facto* or *de jure* political exclusion and disenfranchisement exist, it seems that it cannot help us understand the struggle for *re-cognition*³⁸ at work in situations where individuals and groups have to perform their judgement and reclaim their existence as political beings.

Furthermore, even if it is assumed that there is a procedure independent standard of correctness waiting to be cognized by individuals, an ideal theoretical account such as

³⁵ *Ibid.*, 208.

³⁶ Zerilli, Chapter 1, 6.

³⁷ *Ibid.*, 6.

³⁸ Use of “struggle for recognition” should not imply that I am using it in Axel Honneth’s sense. His account of “recognition” is still a more or less deliberative model in line with Habermas. See Axel Honneth, *The Struggle for Recognition: The Moral Grammar of Social Conflicts* (MIT Press, 1996) and Jürgen Habermas, *The Theory of Communicative Action* (Beacon Press, 1984).

Landemore's would hardly provide any answer to a challenge like Meno's paradox³⁹: if there is a truth independent of procedures, how would we know that we have discovered it, if we discover it? If we would know of such a truth at the beginning, why do we look for it in the first place? If we don't know anything about this procedure-independent truth, again, it wouldn't make sense to look for it, for we would be searching in vain for something of which have no idea.

Knowledge as Practice

We know that Socrates answers Meno's paradox by introducing the idea of innate ideas waiting to be unveiled by the method of questioning. The concept of Platonic innate ideas waiting to be discovered by rational investigation still seems too externalist of an epistemological understanding to empower individuals with limited knowledge and time to spend for political causes. Given people's limited knowledge about the world—yet valuable and emancipating for its insider's perspective expressing the unique embodied experience of an individual—reaching a Truth or a universal norm like Kantian moral imperative would be impractical and even undesirable in the absence of any foreseeable advantage. Furthermore, this emphasis on Truth as an extra-personal objective value which transcends any particularism moralizes politics and attributes it an intrinsic value. In my account, there is no reason for politics to be conceived as the most important realm of activity in human life. Similar to Beerbohm, “the citizen who neither holds a theory of justice nor aspires to is not failing to honor the demands of her authority position. It can be very bad advice to encourage citizens to be in

³⁹ Plato, *Five Dialogues: Euthyphro, Apology, Crito, Meno, Phaedo*, (Hackett Publishing, 2002).

command of a theory of justice.”⁴⁰ Politics can be assigned a “second-order priority”⁴¹, which is only valuable and desirable so long as it solves practical problems in our lives and enables freedom. This is where knowledge, and especially knowledge as a political entity, has to be conceived as a form of practice. For from a pragmatist point of view oriented towards practical outcomes, knowledge and ideas which are restricted to an abstract cognitivism, cannot have any value. According to this understanding, political knowledge as a set of embodied habits and practices has only value and validity as long as it bespeaks to our practical needs in socio-political life.

This is where we can start to conceive knowledge as emanating from the limited, “situated”, yet practical epistemic capacities of individuals, just as it was in MeToo movement and women athletes’ activism. “Rather than looking to the neutral, objective, unknowing, and ahistorical reasonable person, we should look to the victim-group members to tell us whether the harm is real harm to real people.”⁴² It is pragmatically more valuable and desired, for such a perspective provides us individuals who always already *know* through their affective experiences and forms of reason determined by relations of domination they face with. From such a perspective neither Meno’s question, nor ideal-theorists’ understanding of “truth” in epistemic democracy make sense in real life situations. But rather, in the language of phenomenology, “every questioning is a seeking. Every seeking takes its direction beforehand from what is

⁴⁰ Beerbohm, 93.

⁴¹ Defining democracy’s second order priority, Knight and Johnston underline that “democracy is useful so long as it checks institutions.” See Knight and Johnston, 19.

⁴² Mari J. Matsuda, “Public Response to Racist Speech: Considering the Victim’s Story,” *Michigan Law Review* 87(8) (August 1989), 2368.

sought.”⁴³ When it comes to political judgement against domination, as a struggle for freedom, ‘questioning needs previous guidance from what it seeks. The meaning of Being must therefore already be available to us in a certain way. We intimated that we are always already involved in an understanding of Being... We do not know what "Being" means. But already when we ask, "What is 'Being'?" we stand in an understanding of the "is" without being able to determine conceptually what the "is" means.”⁴⁴ Thus, there is no “answer” or judgement in politics, which is not already invited and made possible by the context and conditions of socio-political relations. This is so because in Arendt’s words,

”The impact of the world's reality upon human existence is felt and received as a conditioning force. The objectivity of the world —its object or thing-character— and the human condition supplement each other; because human existence is conditioned existence, it would be impossible without things, and things would be a heap of unrelated articles, a non-world, if they were not the conditioners of human existence.”⁴⁵

In the cases of sexual abuse, individuals and groups as epistemically marginalized subjects found themselves in institutional power relations which already provided them with “knowledge” of their domination. But when they judged against marginalization and epistemic injustice, their collective action went beyond the limits of a pre-given knowledge which was denied public acknowledgement. Such a “micro-democratic” scale of looking at political phenomena enables us to understand the situated and particular character of judgement at work in struggles for non-

⁴³ Martin Heidegger, “Introduction to Being and Time,” in *Basic Writings*, ed. David Farrell Krell (San Francisco: Harper Collins Publishers, 1993), 45.

⁴⁴ *Ibid.*, 45.

⁴⁵ Hannah Arendt, *The Human Condition* (The University of Chicago Press, 1958).

domination⁴⁶. It “aims to offer guidance to agents acting under institutions that themselves may be marked by disagreement about political justice.”⁴⁷

As I mentioned earlier, when people judge politically against domination, they try to bring into light a fact, which was veiled or ignored by power relations. Using Arendt’s distinction of “rational truth” and “factual truth”⁴⁸, it can be said that, they are situations where “rational truth” is already there but denied and dominated by a certain articulation of the factual truth. Political judgement is an intervention to the latter by means of an affective rationality which constructively imbues its object with new “senses” (both as sense perception and as “meaning”) rather than simply “cognizing” its properties. “For Arendt, it is not the quest for objective knowledge or even truth as such that is the problem for democratic politics. This quest must in any case be part of more general practices of human flourishing. Rather, it is the mode and space in which this quest takes place.”⁴⁹

In William James’s words, in instances of political judgement “truth happens to an idea”⁵⁰. Truth must be practiced by a collectivity so that its ideas and its perspective can become

⁴⁶ Beerbohm summarizes this approach: “A microdemocratic approach takes institutional arrangements as pre-theoretically given and asks how the individual should act within them. The idea is to provide decision guidance for how individual agents should act, not directly how institutions should be designed. There is heuristic value in taking up questions of this ilk — which raise problems of political theory from a first-personal perspective of the democratic participant — that have not received the same systematic treatment as those with an institutional bent. [Yet,] it would be a mistake to conclude that this approach has no implications for institutional design and reform.” See Beerbohm, 19.

⁴⁷ Beerbohm, 97.

⁴⁸ Rational truth refers to mathematical and scientific explanations of the world which are open to observation and experimentation, whereas factual truths are about interpretative and only subjectively objective. Without the perception and judgement of human beings, such truth does not come into being, nor does it have any value.

⁴⁹ Zerilli, Chapter 1, 23.

⁵⁰ William James, *Pragmatism*, (Dover Publications, 1995), 77.

visible, can become a fact⁵¹. By the world-giving judgement of the dominated, an idea “becomes true, is *made* true by events. Its verity *is* in fact an event, a process: the process namely of its verifying itself, its *verification*. Its validity is the process of its *valid-ation*.”⁵² As I mentioned earlier, when women who previously did not know about their common problems built that commonality by sharing their affects and experiences. Those collective practices created concepts and ideas which caused Weinstein to leave his career as a film producer and Nassar to get convicted to 235 years of jail. Further, women who judged against domination went beyond demands for retributive justice asking for institutional change. McKayla Maroney, who was the first athlete to file a lawsuit against Nassar, says after his conviction that “within the gymnastics world, there's no question we need to rebuild from the ground up so this never happens again.”⁵³ And she underlines the positive gains and empowerment created by their activism: “I definitely see a future where athletes are safe and succeeding. This next generation is going to be even stronger with everything that we're doing because they don't need to continue to struggle with the repercussions of sexual abuse.”⁵⁴ Yet it is not a finished process. Unlike an idealist epistemic operation where truth is grasped once and for all, knowledge as an activity goes on as long as the struggle for freedom goes on. For instance, underlining the continuous and gradual character of institutional change against domination, one of the athletes, Jessica Howard says that

“the USA Gymnastics board should be forced to resign, particularly the executive committee.

Although to some extent members were kept in the dark by USAG officials... the board has allowed a

⁵¹ The Latin word *factum*, from which “fact” passed into other European languages means simply “the thing done”. See <https://www.etymonline.com/word/fact>.

⁵² James, 77-8.

⁵³ <https://www.nytimes.com/aponline/2018/04/17/sports/ap-gym-maroney-speaks.html>

⁵⁴ <https://www.nytimes.com/aponline/2018/04/17/sports/ap-gym-maroney-speaks.html>

system to exist that victimizes athletes. Howard says the new board should dismantle the culture of abuse and remove any penalty for gymnasts who speak up — a fear she felt when competing.”⁵⁵

Such struggles were able to succeed thanks to their specific form of knowing and judging, which goes beyond understanding the properties of things in the world. Because of their desire to be free, based on their affects constructing common concepts and reason through individuals’ solidarity, women were able to *become* political. This is possible thanks to the productive and imaginative potential of our reason which is always also rooted in the particular and affectual. In Arendt’s words ‘the conditions of human existence —life itself, natality and mortality, worldliness, plurality, and the earth— can never "explain" what we are or answer the question of who we are for the simple reason that they never condition us absolutely.’⁵⁶ As illustrated by the examples I discussed here, despite oppression, plurality and difference can provide us our means to judge and become free, even without grand theories about Truth and cognition.

One can object and criticize my claim by saying that absent any universal criterion to decide who is right and wrong, use of identities and particular forms of judgement can easily become a means to dominate the former dominators. This would end up creating an agonistic politics without institutions to protect citizens from each other’s domination. While this is possible, I believe that societies learn through their struggles and even if groups act by aiming for retribution, the “world-giving” power of judging politically would ensure the emergence of “common sense”, giving way to reconciliation embodied in institutions. Further, I believe that in the struggle for non-domination and recognition as a democratic ideal, the excluded and

⁵⁵ <https://www.nytimes.com/2017/10/19/opinion/mckayla-maroney-nassar-abuse-gymnastics.html>

⁵⁶ Arendt, 11.

oppressed should always have the priority of any theoretical investigation by the simple fact that was mentioned by Machiavelli long ago: “the people do not wish to be commanded or oppressed by the nobles, while the nobles do desire to command and to oppress the people”⁵⁷. This is the ultimate negative and pragmatic function of people trying to be free. Conceived as such, people’s partial interest in politics and their temporary politicization might be useful and even desirable. For it prevents antagonisms in society from turning into agonistic struggles resulting in new relations of domination and hegemony⁵⁸.

Conclusion

On February 14th, 2018, seventeen people were killed in an attack at Marjory Stoneman Douglas High School at Parkland, Florida. After hours from the murdering of their friends, students of the high school started to publish enraged messages against this brutal event on social media questioning how it was possible. In the following days those students came together, accompanied by their families and growing number of supporters, to protest mass shootings and express their yearning for change. In the following months, protests and student walkouts from high schools enlarged their cause and connected them with the larger population against mass shootings. Their efforts set the terms and concepts of the political debate in US and politicized an issue which was denied by the dominant epistemic culture. High school children, most of them not yet eligible for voting, became politicized and intervened in the relations of domination by their “world-giving” practice. This could not have been possible by mere

⁵⁷ Niccolo Machiavelli, *The Prince*, (Oxford World’s Classics, 2005), 35.

⁵⁸ Here my understanding of non-domination is clearly different for instance from Mouffe’s praise of agonism and hegemony. See Chantal Mouffe *On the Political* (Routledge, 2005); Chantal Mouffe, “Deliberative Democracy or Agonistic Pluralism?” *Social Research* 66(3) (Fall 1999): 745-758.

deliberation and political speech expressing dissent. Their judgement demonstrated that ‘how we perceive that state of affairs is always already normatively charged, not with context-transcendent values but with the whole “whirl of organism” (to echo Cavell) of our shared practices, which inform our sense of what is valuable and should therefore be not only known but acknowledged.’⁵⁹

During her speech at “March for Our Lives” on 24th of March, Emma Gonzalez, one of the leaders of movement did an usual gesture. In order to demonstrate the “sense” of the duration of the shooting at her school, she stood on the stage silent for six minutes and twenty seconds as she had tears on her eyes⁶⁰. There was no “speech” involved. She was not the ideal reasoned person who brackets her “life-world” and particular knowledge for the sake of the universals. Instead, she was building and participating into a common-world in which the knowledge of a tragedy was being practiced collectively. Which means that “it should be possible to see conceptual capacities as actualized in acting itself, not just in something that is the starting-point of a transition one makes in acting.”⁶¹ There has not been enough institutional and legal change from the perspective of high-school students but their efforts politicized a previously neglected issue and shed light on a relation of domination in which students’ lives were vulnerable to the violence of others because of “unjust” laws and institutional practices.

As the three aforementioned cases show, knowledge and judgement in politics usually appear in non-ideal settings where relations of domination prevent certain individuals and groups

⁵⁹ Zerilli, Chapter 2, 18.

⁶⁰ <https://www.cnn.com/2018/03/24/us/march-for-our-lives-emma-gonzalez/index.html>

⁶¹ James McDowell, “Pragmatism and Intention-in-Action,” in *New Perspectives on Pragmatism and Analytic Philosophy*, (New York: Rodopi, 2001), 121, <https://ebookcentral-proquest-com.proxy.lib.duke.edu/lib/duke/detail.action?docID=1092279>.

the status of equal epistemic subjects. In those circumstances, when people get politicized, they have to judge politically and construct a common-world instead of entering into deliberation or trying to transmit their knowledge to others, though this does not mean that the latter are non-existent, nor unimportant. Epistemic injustice functions by obstructing this very capacity to transmit knowledge and speak. It marginalizes certain groups denying the facticity of what they know, feel or live. Political judgement provides us a key theoretical tool to understand those instances. As issue-based particular struggles, I argue that political judgement against domination is a theoretically more plausible defense of epistemic democracy rather than an ideal account for “political cognitivism”.

Further, by trying to sketch the pragmatic and processual character of those movements, I also claim that political judgement against domination can provide a tenable position against the problem of political participation in contemporary politics. Thinking in terms of affectual and embedded knowledge at the basis of political judgement, my account tries to circumvent the problem of a universalist understanding of truth in politics. In my view, as it is defended by Linda Zerilli as well, political truth is a fragmentary but common entity, collectively produced by different groups’ situated and partial ways of knowing with a practical end in view. This end is none other than freedom as non-domination.