

**ONE THING IS TESTIMONIAL INJUSTICE AND ANOTHER IS CONCEPTUAL COMPETENCE  
INJUSTICE. REPLY TO PODOSKY AND TUCKWELL**

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**1. Introduction**

Derek E. Anderson's (2017) identification and characterisation of conceptual competence injustice has recently met some resistance from Podosky and Tuckwell (2017). They have denied the existence of this new type of epistemic injustice on the grounds that the wronging it denotes may be subsumed by testimonial injustice: "[...] instances of conceptual competence injustice can be accurately characterised as instances of testimonial injustices" (Podosky and Tuckwell 2017: 26). Additionally, they have questioned the reasons that led Anderson (2017) to distinguish this epistemic injustice from testimonial, hermeneutical and contributory injustices (Podosky and Tuckwell 2017: 26-30).

Criticising the methodology followed by Podosky and Tuckwell (2017) in their attempt to prove that conceptual competence injustice falls within testimonial injustice, Anderson (2018) has underlined that conceptual competence injustice is a structural injustice and a form of *competence injustice* –i.e. an unfair misappraisal of skills– which should be retained as a distinct type of epistemic injustice because of its theoretical significance and usefulness. Causal etiology is not a necessary condition on conceptual competence injustice, he explains, and conceptual competence injustice, as opposed to testimonial injustice, need not be perpetrated by social groups that are negatively biased against a particular identity. The unjust judgements giving rise to it do not necessarily have to be connected with testimony, even though some of them may originate in lexical problems and mistakes in the linguistic expressions a speaker resorts to when dispensing it. Accordingly, testimonial injustice and conceptual competence injustice may be said to be different kinds of injustice and have diverse effects: "It is not necessary that a person's testimony be disbelieved, ignored, or pre-empted in an episode of CC [conceptual competence] injustice. CC injustice involves only an unjust judgment about a person's ability to think well using certain concepts" (Anderson 2018: 31).

Welcoming the notion of conceptual competence injustice, I suggested in a previous contribution (Padilla Cruz 2017a) that it could be borrowed by the field of linguistic pragmatics in order to conceptualise an undesired perlocutionary effect of verbal interaction: misappraisals of a speaker's actual conceptual and lexical abilities as a result of lack or misuse of vocabulary. Relying on Sperber and Wilson's (1986/1995) description of intentional-input processing as a relevance-driven activity and of comprehension as a process of mutual parallel adjustment, where the mind carries out a series of incredibly fast simultaneous tasks that depend on decoding, inference, mindreading and emotion-reading, I also showed that those misappraisals result from deductions. A speaker's alleged unsatisfactory performance makes manifest assumptions regarding her<sup>1</sup> problems with words, which are fed as weakly implicated premises to inferential processes and related to other detrimental assumptions that are made salient by prejudice. In so doing, I did not purport to show, as Podosky and Tuckwell wrongly think, "[...] how epistemic injustice manifests in the field of relevance theory [...]" (2017: 23) or that "[...] conceptual competence injustice is particularly useful in a relevance theoretical model of linguistic pragmatics" (2017: 30). Rather, my intention was to propose introducing the notion of conceptual competence injustice into general linguistic pragmatics as a mere way of labelling a type of prejudicial implicature, as they themselves rightly put it (Podosky and Tuckwell 2017: 30). The derivation of that sort of implicature, however, can be accounted for –and this is where relevance theory comes into the picture– on the basis of the cognitive processes that Sperber and Wilson's (1986/1995) framework describes and of its conceptual apparatus.

In another contribution (Padilla Cruz 2017b), I clarified that, as a cognitive pragmatic framework, relevance theory (Sperber and Wilson 1986/1995) is concerned with the processing and comprehension of the verbal and non-verbal intentional stimuli produced in human communication. It very satisfactorily explains how hearers forge interpretative hypotheses and why they select only one of them as the plausibly intended interpretation. Relevance theorists are also interested in the generation of a variety of effects –e.g. poetic (Pilkington 2000), humorous (Yus Ramos 2016), etc.– and successfully account for them. Therefore, the notion of conceptual competence injustice can only be useful to relevance-theoretic pragmatics as a label to refer to one of the (pernicious) effects that may originate as

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<sup>1</sup> Reference to the speaker will be made by means of the feminine third person singular personal pronoun.

a consequence of the constant search for optimal relevance of intentional stimuli. I will not return to these issues here, as I consider them duly addressed in my previous contribution (Padilla Cruz 2017b).

My aim in this reply is to lend support to Anderson's (2017) differentiation of conceptual competence injustice as a distinct type of epistemic injustice. I seek to argue that, ontologically and phenomenologically, conceptual competence injustice must be retained in the field of social epistemology as a helpful category of injustice because it refers to a wronging whose origin and scope, so to say, differ from those of testimonial injustice. Testimonial injustice stems from (mis)judgements pertaining to the output of an action or epistemic practice wherein epistemic agents may participate or be engaged. The action in question is giving testimony and its output is the very testimony given. The scope of testimonial injustice, therefore, is the product, the result of that action or epistemic practice. In other words, testimonial injustice targets the ability to generate an acceptable product as a consequence of finding it not to satisfy certain expectations or requirements, or to be defective in some dimensions. In contrast, conceptual competence injustice denotes an unfairness that is committed not because of the output of what is done with words –i.e. informing and the dispensed information– but because of the very linguistic tools wherewith an individual performs that action –i.e. the very words that she makes use of– and supposed underlying knowledge. To put it differently, the scope of conceptual competence injustice is the lexical items wherewith testimony is dispensed, which lead prejudiced individuals to doubt the conceptual and lexical capacities of unprivileged individuals.

In order to show that the scopes of testimonial and conceptual competence injustices vary, I will be drawing from the seminal and most influential work on communication by philosopher Herbert P. Grice (1957, 1975).<sup>2</sup> This will also encourage me to suggest that the notion of testimonial injustice (Fricker 2003, 2007) could even be refined and elaborated on. I will argue that this injustice may also be perpetrated when a disadvantaged individual is perceived not to meet requirements pertaining to testimony other than truthfulness.

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<sup>2</sup> The fact that the following discussion heavily relies on Grice's (1957, 1975) *Cooperative Principle* and its maxims should not imply that such 'principle' is an adequate formalisation of how the human cognitive systems work while processing information. It should rather be seen as some sort of overarching (cultural) norm or rule subsuming more specific norms or rules, which are internalised by some social groups whose members unconsciously obey without noticing that they comply with it (Escandell Vidal 2004: 349). For extensive criticism on Grice's (1957/1975) ideas, see Sperber and Wilson (1986/1995).

## 2. Content characteristics or requirements of (good) testimony

As an epistemic practice, dispensing testimony, or information, could be characterised, along Grice's (1959, 1975) lines, as a *cooperative* activity. Testimony is given because an individual may be interested in imparting it for a variety of reasons –e.g. influencing others, appearing knowledgeable, contradicting previous ideas, etc.– and/or because it may benefit (an)other individual(s), who might (have) solicit(ed) it for another variety of reasons –e.g. learning about something, strengthening ideas, changing his worldview, etc. As an activity that brings together various individuals in joint action, providing testimony is subject to certain constraints or requirements for testimony to be properly or adequately dispensed. Let us call those constraints or requirements, using philosopher John L. Austin's (1962) terminology, *felicity conditions*.

Some of those felicity conditions pertain to the individuals or interlocutors engaged in the epistemic practice. The dispenser of testimony –i.e. the speaker or informer– must obviously possess certain (true) information to dispense, have the ability to impart it and pursue some goal when giving it. In turn, the receiver of testimony should, but need not, be interested in it and make this manifest by explicit mention or elicitation of the testimony.

Other felicity conditions concern the testimony to be provided. For instance, it must be well supported, reliable and trustworthy. This is the sort of testimony that *benevolent* and *competent* informers dispense (Wilson 1999; Sperber et al. 2010), and the one on which the notion of testimonial injustice focuses (Fricker 2003, 2007). Making use again of Grice's (1957, 1975) ideas, let us say that, for testimony to be appropriately imparted, it must satisfy a requirement of truthfulness or *quality*. Indeed, the *maxim of quality* of his *Cooperative Principle* prompts individuals to give information that is true and to refrain from saying falsehoods or things for which they lack adequate evidence.

But not only must testimony be truthful; for it to be properly dispensed, the information must also be both sufficient and relevant. Imagine, for instance, that someone was requested to tell the story of Little Red Riding Hood. For the narration to be complete, it should not only include details about who such a character was, where she lived, the fact that she had a grandmother who lived at some distance in the countryside, her grandmother's conditions or their relationship, but also about what had happened to Little Red Riding Hood's grandmother one day before receiving her visit and what happened to Little Red Riding Hood upon finding

the wolf lying on the bed, disguised as the grandmother. If the narrator mentioned the former details but omitted the latter, her narration, regardless of the fact that what she said about the characters' identity and residence was undeniably true, would not be fully satisfactory, as it would not contain enough, necessary or expected information. Her testimony about Little Red Riding Hood would not be considered sufficient; something –maybe a key fragment– was missing for the whole story to be known, correctly understood and appraised.

Imagine now that all the details about the characters, their residence and relationship were present in the narration, but, upon introducing the wolf, the narrator started to ramble and talked about the animal species wolves belong to, their most remarkable features, the fact that these animals are in danger of extinction in certain regions of Europe or that they were considered to have magical powers in a particular mythology. Although what the narrator said about the three characters is unquestioningly true and the story itself is told in its entirety, it would not have been told in the best way possible, as it includes excessive, unnecessary and unrelated information. Again, along Gricean (1957, 1975) lines, it may be said that testimony must meet certain requirements or satisfy certain expectations about its *quantity* and *relation*. Actually, while his *maxim of quantity* incites individuals to give the expected amount of information depending on the purpose of a communicative exchange and prevents them from retaining or omitting expected or indispensable information, his *maxim of relation* causes them to supply information that is relevant or connected with the purpose of the exchange. Even if the provided information is true, failure to satisfy those requirements would render it inadequately given.

To the best of my knowledge, the notion of testimonial injustice as originally formulated by Fricker (2003, 2007) overlooks these requirements of quantity and relation, which solely pertain to the content of what is said. Accordingly, this injustice could also be argued to be amenable to be inflicted whenever an informer imparts unreliable or not well-evidenced information, and also when she fails to add necessary information or mentions irrelevant details or issues. If she did so, her ability to appropriately dispense information could be questioned and she could subsequently be downgraded as an informer.

### **3. Manner characteristics or requirements of (good) testimony**

Testimony may be claimed to be adequately given when it is true, sufficient and relevant, but there are additional requirements that testimony should meet for it to be adequately

imparted. Namely, the information must be presented in an orderly, clear and unambiguous way. How would you react if, when being told the story of Little Red Riding Hood, your interlocutor gave you all the necessary, relevant and true details –and nothing more– but she changed the order of the events, did not make it clear whom the wolf attacked firstly or what Little Red Riding Hood put in her basket, or resorted to unusual, difficult or imprecise lexical terms? Probably, you would say that the story was told, but many issues would not be crystal clear to you, so you would have difficulties in having a clear picture of how, when and why the events in the story happened.

Testimony may also be considered to be well dispensed when it is given in a good manner by correctly ordering events and avoiding both obscurity and ambiguity of expression. Order, clarity and ambiguity are parameters that do not have to do with what is said –i.e. the content– but with how what is said is said –i.e. its linguistic form. Accordingly, testimony may be asserted to be correctly imparted when it meets certain standards or expectations that only concern the *manner* in which it is given.<sup>3</sup> Some of those standards or expectations are connected with the properties of the linguistic choices that the speaker makes when wording or phrasing testimony, and others are determined by cultural factors.

For example, for a narration to count as a fairy tale, it would have to begin with the traditional and recurrent formula “Once upon a time” and then proceed by setting a background that enables identification of characters and situates the events. Similarly, for an essay to be regarded as a good, publishable research paper, it must contain, in terms of structure, an abstract, an introductory section where the state of the art of the issue to be discussed is summarised, the goals of the paper are stated, the thesis is alluded to and, maybe, the structure of the paper is explained. Then, the essay must unfold in a clear and logically connected way, through division of the contents in various sections, each of which must deal with what is referred to in its heading, etc. In terms of expression, the paper must contain technical or specialised terminology and be sufficiently understandable. Many of these expectations are motivated by specific conventions about discourse or text *genres*.

Inability or failure to present information in the appropriate manner or to comply with operative conventions may also incite individuals to challenge an informer’s capacity to

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<sup>3</sup> Grice’s (1957, 1975) maxim of *manner* is articulated into four sub-maxims, which cause individuals to be (i) orderly, (ii) brief or concise, and to avoid (iii) ambiguity of expression and (iv) obscurity of expression. In my discussion, however, I have omitted considerations about brevity or conciseness because I think that these are the byproduct of the maxim of quality, with whose effects those of the manner sub-maxim of briefness overlap.

dispense it. Although the informer may be credited with being knowledgeable about a series of issues, she may be assessed as a bad informer because her performance is not satisfactory in terms of the linguistic means she resorts to in order to address them or her abidance by governing conventions. However, since such an assessment is motivated not by the quality, quantity or relation of the content of testimony, but by the tools with and the way in which the informer produces her product, its scope or target is obviously different.

#### **4. Different scopes, distinct types of epistemic injustice**

The current notion of testimonial injustice only takes into account one of the three features of (well dispensed) testimony alluded to above: namely, quality or truthfulness. A more fine-grained conceptualisation of it should also consider two other properties: quantity and relation, as long as informers' capacity to provide testimony may be doubted if they failed to give expected information and/or said irrelevant things or added unnecessary details. Indeed, quality, quantity and relation are dimensions that are connected with the content of the very information dispensed –i.e. what is said– or the product of the epistemic practice of informing. Testimonial injustice, therefore, should be characterised as the epistemic injustice amenable to be inflicted whenever testimony is found deficient or unsatisfactory on the grounds of these three dimensions pertaining to its content.

What happens, then, with the other requirement of good testimony, namely, manner? Again, to the best of my knowledge, Fricker's (2003, 2007) description of testimonial injustice does not refer to its likely perpetration when an individual is judged not to impart testimony in an allegedly right manner. And, certainly, this characteristic of good testimony may affect considerations about how suitably it is given. Dispensing information in a messy, obscure and/or ambiguous way could be enough for degrading an individual as informer. She could sufficiently talk about true and relevant things, yes, but she could say them in an inappropriate way, thus hindering or impeding understanding. Should, then, the manner in which testimony is provided be used as grounds to wrong an informer or to question a person's capacities as such? Although the manner in which testimony is imparted may certainly influence assessments thereof, there is a substantial difference.

Failure to meet requirements of quality, quantity and relation, and failure to meet requirements of manner are certainly not the same phenomenon. The former has to do with the content of what is said, with the product or result of an activity; the latter, in contrast, as

the name indicates, has to do with the way in which what is said is actually said, with the tools deployed to accomplish the activity. Testimony may be incorrectly dispensed because of its falsity, insufficiency or irrelevance, but it may also be inappropriately imparted because of how it is given –this is undeniable, I would say. The difference between quality, quantity and relation, on the one hand, and manner, on the other hand, is a difference of product and content of that product, on the one hand, and tools to create it, on the other hand. Accordingly, testimonial injustice and conceptual competence injustice should be kept apart as two distinct types of epistemic injustice because the respective scopes of the judgements where each injustice originates differ. While in the former the issue is the content of testimony, in the latter what is at stake is the means to dispense it, which unveil or suggest conceptual deficits or lack of mastery of certain concepts.

Testimony is dispensed by means of linguistic elements that somehow capture –or *metarepresent*, in the specialised cognitive-pragmatic terminology (Wilson 1999; Sperber 2000)– the thoughts that a speaker entertains, or the information that she possesses, and is interested in making known to an audience. Such elements are words, which are meaningful units made of strings of recognisable sounds –i.e. *allophones*, or contextual realisations of *phonemes*, in the terminology of phonetics and phonology– which make up stems and various types of *morphemes* –*prefixes*, *infixes* and *suffixes*– conveying lexical and grammatical information. More importantly, words are arranged in more complex meaningful units – namely, phrases– and these, in turn, give rise to larger, and still more meaningful, units – namely, clauses and sentences. Manner is connected with the lexical units chosen and their syntactic arrangements when communicating and, for the sake of this paper, when providing testimony.

Speakers need to constantly monitor their production and their interlocutors' reactions, which often cause them to revise what they have just said, reformulate what they are saying or are about to say, expand or elaborate on it, etc. As complex an activity as speaking is, it is not exempt of problems. At a lexical level, the speaker may fail to use the adequate words because she misses them or has trouble to find them at a particular time for a variety of factors –e.g. tiredness, absentmindedness, etc. (Mustajoki 2012). The chosen words may also diverge from those normally used by other language users in order to refer to particular concepts. This happens when speakers have mapped those concepts onto different lexical items or when they have mapped those concepts not onto single words, but onto more complex units like

phrases or even whole sentences (Sperber and Wilson 1997). The selected terms may alternatively be too general, so the audience somehow has to inferentially adjust or fine-tune their denotation because of its broadness. Consider, for example, *placeholders* like “that thing”, “the stuff”, etc. used to refer to something for which there is a more specific term, or *hypernyms* like ‘animal’ instead of the more precise term ‘duck-billed platypus’. Or, the other way round, the selected terms may be too specific, so the audience somehow has to inferentially loosen their denotation because of its restrictiveness (Carston 2002; Wilson and Carston 2007). Think, for instance, of *hyponyms* like ‘doggie’ when used to refer not only to dogs, but also to other four-legged animals because of perceptual similarity –they have four legs– and conceptual contiguity –they are all animals– or ‘kitten’ when used to refer to other felines for the same reasons;<sup>4</sup> or imagine that terms like ‘wheel’ or ‘cookie’ were metaphorically applied to entities belonging to different, unrelated conceptual domains –e.g. the Moon– because of perceptual similarity –i.e. roundness.<sup>5</sup>

At a syntactic level, the linguistic structures that the speaker generates may turn out ambiguous and misleading, even though they may be perfectly clear and understandable to her. Consider, for instance, sentences like “I saw your brother with glasses”, where the ambiguity resides in the polysemy of the word ‘glasses’ (“pair of lenses” or “drinking containers”?) and the distinct readings of the fragment “your brother with glasses” (who wears/holds/carries the glasses, the hearer’s brother or the speaker?), or “Flying planes may be dangerous”, where the ambiguity stems from the competing values of the *-ing* form (what is dangerous, the action of piloting planes or the planes that are flying?). At a discourse or pragmatic level, finally, speakers may be unaware of conventions governing the usage and meaning of specific structures –i.e. *pragmalinguistic* structures (Leech 1983)– such as “Can/Could you + verb”, whose pragmatic import is requestive and not a question about the hearer’s physical abilities, or unfamiliar with sociocultural norms and rules –i.e. *sociopragmatic* norms (Leech 1983)– which establish what is expectable or permitted, so to say, in certain contexts, or when, where, how and with whom certain actions may or should be accomplished or avoided.

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<sup>4</sup> This would be a type of *overextension* labelled *over-inclusion*, *categorical overextension* or *classic overextension* (Clark 1973, 1993; Rescorla 1980), where a word “[...] is applied to instances of other categories within the same or adjacent conceptual domain” (Wałaszewska 2011: 321).

<sup>5</sup> This would be a case of *analogical extension* or *analogical overextension* (Rescorla 1980; Clark 1993).

Would we, then, say that testimony is to be doubted or discredited because of mistakes or infelicities at a lexical, syntactic or pragmatic level? Not necessarily. The information *per se* may be true, reliable, accurate, relevant and sufficient, but the problem resides precisely in how it is presented. Testimony would have been given, no doubt, but it would not have been imparted in the most efficient way, as the most appropriate tools are not used. When lexical selection appears poor or inadequate; words are incorrectly and ambiguously arranged into phrases, clauses or sentences; (expected) conventionalised formulae are not conveniently deployed, or norms constraining how, when, where or whom to say things are not respected or are ignored, what is at stake is not an informer's knowledge of the issues testimony may be about, but her knowledge of the very rudiments and conventions to satisfactorily articulate testimony and to successfully dispense it. The objects of this knowledge are the elements making up the linguistic system used to communicate –i.e. vocabulary– their possible combinations –i.e. syntax– and their usage in order to achieve specific goals –i.e. pragmatics– so such knowledge is evidently different from knowledge of the substance of testimony –i.e. its 'aboutness'.

Real or seeming lexical problems may evidence conceptual gaps, concept-word mismatches or (highly) idiosyncratic concept-word mappings, but they may lead privileged individuals to question disadvantaged individuals' richness of vocabulary and, ultimately, the concepts connected with it and denoted by words. If this happens, what those individuals attack is one of the sets of tools to generate an acceptable product, but not the content or essence of such a product. Conceptual competence injustice, therefore, must be seen as targeting the tools with which testimony is created, not its content, so its scope differs from that of testimonial injustice. The scope of testimonial injustice is the truthfulness of a series of events in a narration is, as well as the amount of details that are given about those events and the relevance of those details. The scope of conceptual competence, in contrast, is knowledge and correct usage of vocabulary, and possession of the corresponding concepts.

Conceptual competence injustice focuses on a specific type of knowledge making up the broader knowledge of a language and facilitating performance in various practices, which includes informing others or dispensing testimony. Such specific knowledge is a sub-competence on which the more general, overarching competence enabling communicative performance is contingent. For this reason, conceptual competence injustice is a competence injustice, or an unfairness about a type of knowledge and specific abilities –conceptual and

lexical abilities, in this case. And just as unprivileged individuals may be wronged because of their lack or misuse of words and may be attributed conceptual lacunae, occasional or constant syntactic problems and pragmatic infelicities may induce powerful individuals to misjudge those individuals as regards the respective types of knowledge enabling their performance in these areas of language.

## **5. Conclusion**

Phenomenologically, testimonial injustice and conceptual competence injustice are perpetrated as a consequence of perceptions and appraisals whose respective scopes differ. In testimonial injustice, it is information that is deemed to be unsatisfactory because of its alleged veracity, quantity and relevance, so the informer is not considered a good knower of the issues pertaining to that testimony. In conceptual competence injustice, in contrast, it is the tools by means of which information is dispensed that are regarded as inappropriate, and such inappropriateness induces individuals to doubt possession and knowledge of the adequate lexical items and of their corresponding, supporting conceptual knowledge. While testimonial injustice is inflicted as a result of what is said, conceptual competence injustice is perpetrated as a consequence of the manner whereby what is said is actually said. Consequently, at a theoretical level, testimonial injustice and conceptual competence injustice should definitely be kept apart in the field of social epistemology. The latter, moreover, should be retained as a valid and useful notion, as long as it denotes an unfairness amenable to be sustained on the grounds of the linguistic tools employed to dispense testimony and not on the grounds of the characteristics of the product generated.

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