Non-Instrumental Value of Epistemic Democracy: A Republican Argument

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Thesis submitted in partial fulfillment of the requirements for the degree of Master of Arts in the Department of Political Science in the Graduate School of Duke University

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Abstract

Proponents of epistemic democracy defend democracy’s capacity to harness people’s wisdom and produce better results than its rivals (Cohen 1986; Goodin and Spiekermann 2018; Landemore 2012). Yet contemporary democracies are non-ideal systems, marked by exclusion and epistemic marginalization (Anderson 2006; Fricker 2007; Shklar 1990). By implication, certain groups’ ideas and values might be systematically misunderstood and denied acknowledgment by the political process. In the long run, epistemic injustice might undermine the system’s legitimacy, fostering discontent even against a competent epistemic authority (Estlund 2008). Addressing this problem, this paper outlines a non-instrumental defense of epistemic democracy, as a complement to now-established instrumental accounts. Exploring the relation of what one knows to individuals’ freedom and dignity, the paper draws on the neo-republican conception of liberty and offers a theory of epistemic nondomination. The paper has two aims. First, strengthening the argument for epistemic democracy by focusing on the intrinsic value of knowledge sharing and its value beyond the realm of electoral politics. Second, demonstrating that a neo-republican approach to political epistemology offers better tools to address epistemic injustice and helps pick out institutional remedies.
# Contents

Abstract ........................................................................................................................................... iv

1. Introduction .................................................................................................................................. 1

2. The Insufficiency of the Instrumental Conception of the Epistemic Democracy ............... 5

3. Epistemic Domination and Republican Liberty ........................................................................ 14

4. Epistemic Resistance, Judgment, and Deliberative Inclusion .................................................. 23

5. Legitimate Epistemic Resistance and Institutional Remedies .................................................... 31

6. Conclusion .................................................................................................................................... 37

References ....................................................................................................................................... 40
1. Introduction

Over the last few decades, there has been an increasing interest in what is now called epistemic democracy. Proponents of epistemic democracy claim that democracies are justified by virtue of their capacity to choose better policies over worse ones.

Inspired by Condorcet's jury theorem (Goodin and List 2001), epistemic democrats argue that the aggregation of choices almost guarantees the probability of a right decision, provided that individuals can choose the right options with at least 51 percent probability (Cohen 1986; Goodin and Spiekermann 2018; Landemore 2012). This power to discover the truth enables epistemic democrats to criticize both proceduralists' and deliberative democrats’ abstinence from making epistemic claims (Rawls 1985). Against the latter scholars' inability to give any instrumental defense, epistemic democrats put forth an ostensibly more robust theory that defends democracy based on its better epistemic performance than other systems (Landemore 2012; Ober 2008).

While epistemic democrats successfully demonstrate the instrumental value of preference aggregation, their conception is limited to elections and representation. This makes it difficult to address the epistemic issues in the wider political, social, and

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1 In addition to assuming that a voter’s probability of choosing the better option over the worse one is at least 0.51, Condorcet’s jury theorem includes two more conditions. One is that the voters should vote independently—i.e., without influencing each other. The second is that they should vote sincerely—i.e., no strategic voting. See Condorcet (1976).

2 David Estlund gives a clear critique of proceduralism: “If fairness is the main basis of democracy’s importance, then why not flip a coin instead? It is much cheaper and easier in so many ways. We would not need to expend resources on campaigns, televised debates, public political discussion, or all the time and work involved in holding a vote” (Estlund 2008, 6).
private spheres. Though democratic elections can be efficient in answering technical questions (Dietrich and Spiekermann 2013) such as in macroeconomic policy or climate change regulation, they might not be the best device to decide on political questions that do not have yes-or-no answers (Anderson 2006; Knight and Johnson 2011; Rancière 2010; Schwartzberg 2015). Further, high epistemic performance in technical political matters can coexist with epistemic injustice in social issues. For instance, there might be a democracy that successfully harnesses people’s wisdom pertaining to technical questions. It might, further, guarantee formal equality for all, including expressing one’s ideas and sharing one’s knowledge. Yet, in such a society, the identities and values of some individuals and groups might not enjoy acknowledgment by their fellow citizens or political institutions. Beyond the minimally conceptualized realm of electoral politics and representatives, the system might not be epistemically democratic and inclusive (Bohman 2006, 181-82). There might be what I would like to call epistemic domination, which would undermine the legitimacy of the system in the long run, at least in the eyes of the dominated. Challenged by such a possibility, epistemic democracy cannot rely solely on an instrumental conception that focuses on technical electoral

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3 As Melissa Schwartzberg puts it, “in most political disputes there is no ‘fact of the matter waiting to be discovered’ (p. 154) or procedure-independent standard—as epistemic democrats assume” (Schwartzberg 2015, 194).

4 Here I rely on two distinct conceptions of truth, the rational and the factual as they are theorized by Arendt. By “technical” I refer to the rational and mathematical understanding of truth. See Arendt, Between Past and Future and The Human Condition.

5 Goodin and Spiekermann (2018) and Estlund (2008) bring forth this possibility as they claim that better epistemic performance does not guarantee legitimacy.
questions. The paper starts from this problem, and argues that epistemic democracy would be strengthened if it acknowledged the intrinsic value of sharing our socially situated knowledge.

My main argument is that besides the strictly instrumental conception, an epistemic theory of democracy should focus on the intrinsic value of sharing our knowledge and enjoying acknowledgment in a democratic society. Seen from the perspective of social justice, what people know and express has a crucial importance for the freedom and dignity of the individual. Including diverse ideas and identities in the deliberative processes would sustain the system’s legitimacy even in the presence of permanent epistemic minorities (Kolodny 2014). The second argument I will make is that a non-instrumental conception of epistemic democracy requires us to pay attention to how power affects knowledge in society (Althaus et al. 2014). The emphasis will be on the dependence of epistemic equality and epistemic freedom on freedom from the arbitrary will of another person, a view developed by contemporary neo-republican theory (Pettit 1997, 2012; Gourevitch 2013). In the same vein, I will focus on the institutional remedies that would render possible a deliberative inclusion of different epistemologies by limiting the domination of powerful groups.

In the first section, I will give a summary of contemporary accounts of epistemic democracy and demonstrate the necessity to think beyond the instrumental understanding of truth in politics. In the second section, I will elaborate on the concept
of epistemic domination by focusing on the MeToo movement. This example will
demonstrate that epistemic domination can persist despite de jure epistemic equality in
the political realm. I will claim that this type of injustice resembles the problematic
phenomenon of domination without intervention, which, according to the republican
principle of freedom as nondomination, is a wrong to be addressed (Pettit 1997, 2002).
This will help us understand the intrinsic value of expressing one’s ideas, and will
demonstrate the necessity for epistemic resistance. In the third section, with the insight
taken from the MeToo movement, I will argue that relations of domination do not
change until the excluded stand up and demand rights and acknowledgment (Hamilton
2014, Green 2016). I will claim that epistemic domination can be overcome by a certain
performance of judgment (Zerilli 2017, Schwartzberg 2015) that asserts the identities and
values of the oppressed in the name of epistemic inclusion. The fourth section addresses
the problem of epistemic resistance by oppressive or backward ideologies such as
racism. Relying on the ideal of freedom as nondomination and the Arendtian concept of
the common world, I will argue for a difference between legitimate and illegitimate
forms of judgment in politics. Turning back to the non-instrumental need for including
identities and values as epistemic assets, the paper then suggests some institutional
remedies.
2. The Insufficiency of the Instrumental Conception of Epistemic Democracy

Proponents of an epistemic conception of democracy defend democracy based on its ability to produce truth or better knowledge compared to nondemocracies (Cohen 1986; Goodin and Spiekermann 2018; Landemore 2012; Ober 2008). Unlike proceduralists’ reluctance to posit any truth or higher value as the outcome of a fair deliberation, epistemic democrats claim that there are rights and wrongs in politics. They rely on the power of fair procedures and the “wisdom of the multitude” as means to discover truths. This is possible in the first instance because “there is a standard of correctness by which one can assess the result of the decision procedure used to answer that [political] question. The standard is thus independent from the decision procedure” (Landemore 2012, 210). Based on Condorcet’s jury theorem, Hélène Landemore claims that this procedure-independent truth can be discovered by democratic procedures, which harness people’s cognitive capacities. For Condorcet’s jury theorem shows that if people choose right over wrong with better-than-random probability—that is, at least 51 percent—then counting everyone’s vote will give us the truth. Landemore calls this political cognitivism “the combination of the assumption that there exists such a standard and the belief that it can be approximated in some way by a political decision mechanism” (208). If there is a procedure-independent truth, and if it can only be

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discovered through the inclusion of everyone’s cognitive capacity, then an epistemic democracy would look like “an inclusive collective decision procedure, that is, a procedure for collective decisions characterized by the fact that it is inclusive, more or less directly, of all the members of the group for whom decisions need to be made” (Landemore 2012, 10). Let us summarize the arguments and give the conclusion of this conception:

1) There is a procedure-independent truth to be discovered in politics. That is, there are right and wrong decisions.

2) Provided that people are better than random at discovering this truth, aggregating everybody’s choices would give us the truth.⁷

3) Democracy is the system that aggregates everybody’s choice fairly by guaranteeing equal votes and fair procedures.⁸

4) Hence, democracy is justified by virtue of its ability to arrive at truth.⁹

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⁷ On the nature of the truth that will emerge, she says that “an epistemic argument for democracy at least makes sense for factual questions, proposing that democracy is good, and possibly better than alternative regimes, at processing information about facts and reaching an overall correct or true picture of reality as it can be known” (Landemore 2012, 215).

⁸ Epistemic democracy in this picture, is “primarily, an inclusive collective decision procedure, that is, a procedure for collective decisions characterized by the fact that it is inclusive, more or less directly, of all the members of the group for whom decisions need to be made” (Landemore 2012, 10).

⁹ One crucial aspect to be underlined in this argument is that epistemic democrats described as such are not against deliberation or proceduralism, but they invoke “formal properties of deliberation and aggregation to show how democracy would tend to produce wise policies given the assumptions of the models [such as Condorcet’s jury theorem]” (Friedman 2014, viii). Samuel Bagg identifies the same characteristic: “Unlike many intrinsic accounts, epistemic views acknowledge that the quality of the outcomes produced by democratic procedures is central to their justification. Unlike their instrumentalist rivals, however, epistemic accounts promise a coherent explanation of why we should expect democratic
Let us examine a possible critique of this argument. Assuming people are better than random in choosing better policies over worse ones, deliberation is not necessary to reach a better decision. People can simply cast their votes and discover the better options. This is indeed what Condorcet himself was suggesting. However, almost no epistemic theory rejects deliberation; instead, such theories emphasize its necessity.

Further, elections and political participation might not be the most efficient ways to harness people’s wisdom: “The idea of procedure-independent standards of political decisions may seem to lead inexorably, then, to the legitimacy of rule by the genuine experts, whomever they may be” (Estlund 2008, 29). Based on their superior knowledge, experts can simply capture the state and abrogate elections (Bagg 2018, 4). Alternatively, even if people are better than experts, it is by no means necessary to rely on elections to collect the people’s wisdom. As Samuel Bagg puts it, “Even if the multitude possesses some special wisdom that no team of experts could match, that is, competitive elections with universal suffrage are not obviously the most efficient way of harnessing it” (2018, 4). A totalitarian regime with an efficient apparatus of coercion can aggregate what people know, diminishing the transaction costs associated with both electoral and procedures to produce better outcomes than non-democratic alternatives: only democratic procedures, they claim, can harness the collective wisdom of the people” (Bagg 2018, 3).
deliberative processes. Accordingly, epistemic democrats do not have a compelling argument against a benevolent dictator of an epistemic kind.\footnote{Such a ruler might be close to Machiavelli’s prince, who should know how to choose the most intelligent to sustain his rule. For a similar case of a despotic ruler that is good at harnessing the wisdom of the people, see Erasmus (1997).}

In the face of such a critique, I argue that one should either give up the conclusion that democracy is epistemically the most efficient system or moderate the premise of procedure-independent truth. Postulating a procedure-independent truth creates a dilemma like Meno’s paradox. Applying Meno’s question to the independence requirement, we can ask: “If we know there is an independent truth, why do we seek it via deliberation? If a truth will appear only at the end of the deliberative process, how can we speak of such a truth in the first instance?” James Bohman puts this problem forth with different words: “what is the single right answer according to some independent standard is relative to the available pool of reasons; if the right answer is not available in this pool, then deliberation is either inherently biased or completely unintelligible” (2006, 185). If the right answer does not precede the deliberative exchange among the citizens, how can they know what they are looking for? And if the right answer does already exist before the deliberative process, why do we need deliberation at all?

Secondly, an ideal of procedure-independent truth simply disregards the ideas that constitute \textit{reflective equilibria} (Rawls 1999 [1971]) during the process of deliberation.
Any knowledge that cannot rise to the level of truth gets lost in the name of aggregation—which, as we shall see, lies at the heart of epistemic domination.

Against these, one might object: “What is wrong with disregarding anything less than truth? After all, the rejection of certain ideas and preferences is justified by the rational capacity of the citizens.” Faced with such an objection, it should be underlined that not everything in politics is about yes-or-no questions. Most of the time there are more than two possible answers to a problem; moreover, the answers to be chosen do not preexist, but have to be constructed during the political process itself, be it by citizens or by political parties (Disch 2015; Laclau 2001, 2005; Saward 2010; Zerilli 2017).

In this vein, against a measure of correctness such as Condorcet’s jury theorem, one can say that “the political choices people face are typically too complex, and too dependent on such contingencies as the unpredictable actions of others, to be evaluated by that test” (Shapiro 2012, 7). And “when we go to vote, we take with ourselves many things, our visions, our idiosyncratic beliefs, our desires, so the vote is a kind of registration of many, many things, belonging to situated citizens, which are never an abstraction” (Knight et al. 2016, 160) People have diverse ideas and interests, and “the most important implication of this diversity is that disagreement and conflict are unavoidable” (Knight and Johnson 2011, 1).

Furthermore, as I shall elaborate in the following sections, proponents of an instrumental account of epistemic democracy take it for granted that citizens would be
unanimous in identifying a certain idea as “better” than others, ostensibly because of their prior shared values. In such a conception, having as many ideas as possible, including the false one’s, helps us have a more robust truth, a truth that is stronger thanks to having withstood many objections. Because each participant in the deliberative process is committed to similar values, the argument follows, they would all—or at least a substantive majority—would agree upon the power of ideas that would solve the problems at hand in the best way. This kind of deliberative diversity that was once proposed by John Stuart Mill sounds plausible only if one can successfully demonstrate that in searching for better ideas, people are already committed to a shared set of values. Yet as mentioned previously, politics is fundamentally about competing values. Where a cultural identity group A sees a good idea that would be for the good of all, the identity group B might see an outrageous mistake, because of the different values and perspectives they hold. In that sense, “epistemic diversity also has a negative side that produces potential conflicts when it overlaps with other aspects of the fact of pluralism, such as the plurality of values” (Bohman 2006, 178).

But if epistemic democrats can claim that a plural society can successfully identify better ideas and policies despite the reality of diversity values and perspectives, then, at least implicitly, they conceive certain values as incompatible with an epistemic conception of democracy. If group A and group B do not share any fundamental values about political and social life, it would be almost impossible for them to agree on which
idea is a better one. In other words, a society would only be able to agree on the truth of certain ideas and arguments, if their values and perspectives already enable them to identify an idea as truth, when provided with sufficient evidence. Consider the following example. Assume there is a society where females have less access to primary education than males for whatever reason. Also assume that there are two distinct social groups that make up this society. One defines itself as white Christians committed to liberal values, open society, and equality between genders. The other defines itself as Muslims that are committed to more communitarian values, traditions and hierarchies, believing that girls belong to the domestic sphere. In such a society, even a powerful the argument in favor of improving girls’ access to education would not make it more likely that the Muslims would accept any improvement. Faced with such a problem, the polity would first have to discriminate between values, favoring the one that makes the emergence of a consensus more likely. But such a discrimination between values would render an epistemic democracy not inclusive, but rather based on the exclusion of some values, and ideas and opinions that come with those values.

That is why elections based on a standard of procedure-independent truth might ignore the ideas and interests of at least a substantial minority, undermining the latter’s sense of inclusion and dignity. On this point, David Estlund (2008, 15–16) says Condorcet’s jury theorem and an accompanying standard of procedure-independent correctness would not empower, but might even undermine, the viability and perhaps
more importantly the legitimacy of a democratic system. A decision, despite being true, might seriously undermine the legitimacy of the government by simply denying acknowledgment of the ideas and identities that cannot get the support of the majority. Consider the following example. The government might force an indigenous population to migrate from its homeland to open its fertile land to agriculture. While this might be a wise decision for many reasons, it might not be just, at least in the eyes of the indigenous population, which might undermine the legitimacy of the decision: “A substantial minority might deny the correctness of a majority decision and argue that they are not obliged to comply with it. There might be reasonable disagreement about what constitutes justice or about whether a particular decision conforms to a shared principle of justice” (Schwartzberg 2015, 198). Such discontent would seriously undermine the legitimacy of epistemic authority. That is why even though epistemic democracy successfully defends the wisdom of the many in yes-or-no questions of a technical nature, it should reject a procedure-independent standard of correctness.

Instead of a metaphysical truth that forecloses dissent, the truth that would emerge out of an epistemically just procedure must be an agreeable and legitimate truth. In other words, truths can confer authority only when they are normatively acceptable as well. This requires what Estlund calls a general-acceptability criterion, which “brackets the

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11 Assume that the citizens deliberated through a fair process before the decision and the decision was made by a majority through a referendum.
use of true standards” without giving up the claim to superior epistemic performance (2008, 33–34). We can concretize this general-acceptability criterion by going back to the example of indigenous population. Assume there are two criteria of correctness in any political decision: one is a technical kind of correctness, the second one is a moral kind of correctness. A general-acceptability criterion deems a decision legitimate only if it fulfills both criteria. As hinted earlier, epistemic democracy’s disregard for the general-acceptability criterion creates the problem of epistemic domination and undermines democratic legitimacy by not acknowledging the intrinsic connection between knowledge and freedom. Let us examine in the following what epistemic domination is.
3. Epistemic Domination and Republican Liberty

In 2006, Tarana Burke, a survivor of sexual assault, founded a civil initiative called “me too” “to help survivors of sexual violence, particularly Black women and girls, and other young women of color from low wealth communities, find pathways to healing.” Using the idea of “empowerment through empathy and community-based action,” the movement was created to ensure survivors know they’re not alone in their journey. Not until October 5, 2017, did the phrase “me too” come to be known by the wider public, when actress Ashley Judd gave an interview to the New York Times disclosing she was sexually abused by the movie producer Harvey Weinstein. After her courageous move, other women in the movie industry who have been through similar experiences joined her, followed by more women from different sectors and strata of society, before finally the movement became worldwide. Following the path trailblazed by celebrities and women holding high-ranking positions in society, ordinary women started to express their rage and frustration about sexual harassment and discrimination. They organized themselves 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

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12 https://metoomvmt.org/about/
Tarana Burke eleven years earlier suddenly gained a new, wider, and stronger meaning going beyond its initial coinage.

But one can pause and ask: Why did it take eleven years for the phrase “me too” to become an empowering symbol for women who have experienced sexual assault, abuse, or discrimination? Why could those women not express their feelings and form a political collective in its current form before Ashley Judd rose to speak? Despite the social reality of widespread sexual abuse, why were women unable to address this injustice publicly and enjoy acknowledgment in return? The answer to these questions, I argue, is related to the phenomenon of domination, and specifically domination of an epistemic kind—a form of domination that primarily limits and controls women’s opportunities and venues to express their political judgements. Consequently, for this domination to end, there had to be an event such as Ashley Judd’s inspirational move so that other women could break their silence, thanks to their shared experience. Returning to the aforementioned possibility of epistemic exclusion and disregard even in the presence of formal political rights, let us examine the reasons for the eleven-year lag.

Insofar as being a rational agent worthy of credibility is a fundamental aspect of one’s sense of being a free and dignified person, we can speak of an injustice directed against individuals’ status as honest interlocutors with a capacity to reason. Miranda Fricker calls the injustice against one’s status as a knower an epistemic injustice and detects two types of it. When individuals deny credibility to others because of an
identity prejudice, there is *testimonial injustice*. When a society lacks necessary terms and concepts to understand an individual or a group, there is *hermeneutical injustice* that deems the latter less credible and thus worthy of less respect. Fricker defines testimonial injustice as the following:

the injustice that a speaker suffers in receiving deflated credibility from

the hearer owing to identity prejudice on the hearer’s part, as in the case where

the police don’t believe someone because he is black. Thus the central case of

testimonial injustice can be defined … as *identity-prejudicial credibility deficit*.

(2007, 4)

As Fricker puts it, in the case of a woman who speaks up after being sexually assaulted, other men or women might not believe her because of the lower credibility they attribute to women in general.

But testimonial injustice of individuals is never the result of socially isolated behavior, independent from the norms of a society. Individuals can deny credibility to others because of larger cultural and structural mechanisms that treat certain identities as less credible. This is possible because of what Fricker calls *hermeneutical injustice*: “the injustice of having some significant area of one’s social experience obscured from collective understanding owing to a structural identity prejudice in the collective hermeneutical resource” (155). According to this view, collective hermeneutical sources might lack norms to give meaning to the experience of the people who are denied
credibility. In the case of the MeToo movement, the eleven-year gap then seems to have been a time of hermeneutical injustice for women—the lack of a “collective consciousness” in the larger society that sexual harassment is an evil—that sustained the ongoing testimonial injustice. Such a lack enabled the perpetrators of the injustice to continue their active ignorance (Medina 2013) and testimonial injustice, even if individual women tried to speak up and demand acknowledgment for their claims. Thus, it was not that women did not know they were abused and harassed, nor that they did not know sexual assault to be wrong. They were first and foremost feeling the wrong done (Zerilli 2005). But the testimonial injustice of the larger society denied the truth of their knowledge as well as the respectful status of knowers. We have now discovered that epistemic injustice may appear even in the presence of the right to free speech, exemplified by the case of sexual harassment and the ensuing denial of women’s credibility. Let us consider a possible objection in the following.

Against Fricker’s understanding of epistemic injustice, one can claim that not believing a person cannot constitute a political problem, but at most an ethical one. After all, no one can be obligated to believe other people in their daily lives. If a speaker feels epistemically marginalized, others cannot be blamed for not accepting the speaker’s claims. Indeed, from a liberal perspective of negative liberty (in the sense of being free from others’ intervention), not being believed might hardly constitute any violation of the speaker’s rights. With reference to Mill’s proverbial metaphor of the marketplace of
ideas (Mill 1985), not enjoying high sales would be the vendor’s fault. In the face of such an objection, one can concede that epistemic marginalization might not be a political problem at all. Indeed, this is Fricker’s conclusion as well when she addresses the injustice from a virtue-ethical perspective (169–76). Fricker argues that “testimonial and hermeneutical injustice must first be explored as ethical problems” (8), while she expects individuals with a “reflective critical sensitivity” (7) to correct the injustice. But we cannot count on individuals to correct epistemic injustice, which has structural and political aspects as well. Instead of the individualism of virtue ethics, we should turn our gaze to “the larger systems by which we organize the training of inquirers and the circulation, uptake, and incorporation of individuals’ epistemic contributions to the construction of knowledge” (Anderson 2015, 165).

Therefore, we need to explore the possibility of a rights violation in the form of epistemic domination even if no one actively attacks a speaker. There can be domination even before an actual injustice takes place. To see this more clearly, we should have a clear definition of domination. In Philip Pettit’s generic definition of the concept, 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 (1997, 22).

Notice that domination takes place even when one can “potentially” restrict the choices
of another person. One dominates the other if one can limit the choices of the dominated
by ignoring the latter’s “interest” or “opinion.” A dominator does not have to actively
silence and punish others to commit an injustice. In this light, a sociopolitical culture
that lacks the necessary hermeneutical tools to give meaning to the dominated’s voices
would be problematical even if no individual actively harms others by limiting their
speech (Fricker 2007, 10) for such a culture would enable the power holders to ignore the
speakers’ experience. Such ignoring shows us that “whenever another person or body
imposes their will on you, allowing you to choose only within limits that they dictate or
only on conditions that they decide,” even though it is a negative will (i.e., a will not to
give credibility to someone), “their hindrance certainly targets your ability to satisfy
your will and constitutes an inherently inimical assault” (Pettit 2012, 38). Accordingly,
individuals and groups can be silenced because of this negative will of a dominator who
denies the status of knower to the former by limiting what counts as an acceptable idea
or value in the public sphere. Such silencing does not have to be based on the
dominator’s active intervention, for instance by threatening someone or by firing an
employee who challenges a dominating boss. Domination can be due to the absence of
uptake, or what Fricker calls a *credibility deficit* (Fricker 2007, 20). The insight here is that
despite legal guarantees, “not every member of a community of competent language
users is as able as every other member of such a community to do things with her
words” (Grünberg 2014, 174), even though they have more or less the same rational
capacities. Such domination is “the usurpation of the equal freedom of judging even or
especially under the cover of duly constituted laws and institutions” (Skeaff 2013, 151),
which means that “de jure equality need not generate de facto equality” (Laborde 2005,
314). Recall the example of indigenous people in the first section. A political culture that
does not acknowledge the judgments of a community that values its own ancestral
heritage over economic gain would be a dominating culture, “not in the sense of
rendering … spoken words inaudible or written marks illegible, but in the sense of …
preventing those utterances from counting as the actions they were intended to be”
(Langton 1993, 316). We might then conclude that even though the epistemically
dominated do not face coercion or their speech is not restricted, they are unfree. “Being
unfree consists rather in being subject to arbitrary sway: being subject to the potentially
capricious will or the potentially idiosyncratic judgement of another” (Pettit 1997, 5),
even if it is an arbitrariness of not believing someone.

In contrast, “freedom involves emancipation from any such subordination,
liberation from any such dependency” (Pettit 1997, 5). That is why epistemic

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13 For a discussion of feminism and silencing, see MacKinnon (1987). For a similar discussion of
silence and denial in the postcolonial context, see Spivak (1995).
domination, rather than epistemic injustice, would be a politically thicker concept that would enable us to detect the breaches—beyond the scope of individual relations—against individual and collective liberties. This last point should not be taken to mean that epistemic injustice does not exist, nor that it is an unhelpful concept to understand the politics of epistemology. Rather, as when Fricker mentions the importance of nondomination as a condition of epistemic freedom, the insight here is that domination includes the possibility of any epistemic injustice and hence requires structural remedies. In James Bohman’s words, “There can be no systematic forms of epistemic injustice, testimonial or hermeneutical, that do not also involve domination” (2012, 180), and in cases such as the MeToo movement, “there is no epistemic injustice without a more basic and more extensive form of injustice, the injustice of domination” (183), which stems from limiting the entrance of ideas and values into the public discussion and deliberation.

If, in accordance with the preceding argument, one cannot count on the dominators to have a “reflective critical sensitivity” and correct the injustice, then the burden of epistemic “emancipation” falls on the shoulders of the dominated. Because the dominators benefit from their own ignorance, it is the resistance of the oppressed that would bring about the necessary acknowledgment and epistemic inclusion. Taken together, the structural aspect and the need to resist the epistemic domination mean that

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14 See Fricker (2012).
for things to change, there needs to be political resistance. And even though epistemic struggle depends on individual acts of civic virtue, epistemic struggle has to be of a collective nature\(^\text{15}\) and has to seek equal status rather than hegemony or epistemic privilege.\(^\text{16}\) This was indeed the lesson of the MeToo movement.

\(^{15}\) As Pettit notes, “there may be no way, for example, whereby a woman or a worker can achieve an improvement in their freedom as non-domination short of achieving something for women or workers in general, or at least for women or workers in their particular situation” (1997, 145). With regard to the remedies for epistemic injustices, Anderson says we cannot “count on the practice of individual epistemic justice to correct for all of these global effects. Rather, the larger systems by which we organize the training of inquirers and the circulation, uptake, and incorporation of individuals’ epistemic contributions to the construction of knowledge may need to be reformed to ensure that justice is done to each knower, and to groups of inquirers” (2012, 165).

\(^{16}\) See Laclau and Mouffe (2001 [1985]).
4. Epistemic Resistance, Judgment, and Deliberative Inclusion

We have seen that there might be a problem of epistemic domination even in well-functioning epistemic democracies that can successfully harness people’s wisdom in technical questions. Such domination might undermine the legitimacy of the political order in the eyes of the epistemically oppressed and force them to undertake epistemic resistance. Epistemic domination entails denying credibility and acceptance of ideas and values in the public space. We have noted that there need not be an explicit ban or attack, that active ignorance and denial are enough to generate epistemic domination. Epistemic domination amounts to denying the freedom and dignity of individuals as rational subjects capable of knowing and sharing certain truths—for instance, the situated knowledge of women who claim they were sexually abused yet are not believed. Against this type of injustice, we cannot expect the dominators to change their active ignorance. This is so for two reasons.

First, the problem itself might prevent the dominators from seeing the wrong they are committing against their fellow citizens. That is, the dominators’ ignoring of the experience of the dominated would prevent the former from understanding the indignation and discontent of the latter. For the dominators “are typically not conscious of their epistemic attitudes, dispositions, and sensibilities. That is, they are not critically aware of their own epistemic character and how it affects their epistemic transactions” (Medina 2013, chap. 1, 32). Pettit makes the same point: “It is possible for those who do
the dominating, for example, to take their superiority so far for granted that it does not ever strike them that the parties they dominate may bristle under the yoke” (2012, 60).

Secondly, the dominators might not give up their denial because they have an interest at stake. Even if they know the wrong they are committing against the epistemically dominated, “being committed to maintain their privilege” (Medina 2013, 10) they might not give up their position. Under such conditions, the epistemically dominated might find themselves in a position in which they have to take political action and assert their judgment in a less-than-civil manner in order to counter the denial of the powerful group. Green discusses this possibility. To the epistemically oppressed, who have to get in a “deliberative exchange with the powerful, only three discursive options customarily are available: silent onlooking, circumscribed speech … or disruption in the form of heckling, shouting down, or otherwise making a scene” (2016, 20). As we have noted earlier, because of the dominator’s denial the dominated’s speech would not contribute to an ideal deliberative exchange, but would constitute “circumscribed speech” at best. Thus, the only option for the dominated to assert their knowledge seems to be the “willful disturbance of a conversation guided by norms of civility” (20–21). Such vulgar speech disrupts the order structured by what is unacceptable and insignificant in the eyes of the powerful. Yet such disruption is civil in its aims by virtue of demanding respect and inclusion instead of unconditional acceptance and hegemony. When women were marching and protesting, sending open
letters, and using social media to demand credibility for their experience, they were calling “for a redrawing of conceptual boundaries, for a rearticulation of epistemic norms” (Medina 2013, 25). For they could make the larger society acknowledge their status as knowers only by protesting and challenging the dominant norms. In that sense, epistemic resistance against domination is not so much about persuading others of the truth of a certain idea as it is about performing certain ideas and values so that they become visible, more powerful, and not ignorable. In William James’s words, epistemic resistance makes it possible that “truth happens to an idea” (1995, 77). It also makes a certain perspective visible and understandable to others, who were previously ignorant of, or, in denial of such a perspective. Bringing change into “minds collectively is often simply the result of having a new perspective available to us distributively in such a way as to change what is salient and what is not” (Bohman 2006, 181). Only after the acknowledgment of the salience of different perspectives one speak about the truth of an idea or opinion and assess them according to their capability to solve problems.

Epistemology, in that sense, has an aesthetic and performative aspect. In cases of epistemic domination, an idea, a choice, or a value might have to be performed and appear in public as a life form in order to assert its power.17 Faced with denial and

17 Livingston underlines this performative aspect: “Making reasons resonate, however, is the task of activists and social movements who introduce new concerns to the public sphere and redescribe acceptable existing practices as oppressive and harmful. To this end, an egalitarian and inclusive public sphere requires the insurgent work of its voluntary associations in the form of ‘deliberative enclaves’ (Mansbridge 1999) or ‘counterpublics’ (Fraser 1992) where dissidents, interests groups, social movements, and the oppressed
exclusion, people who undertake epistemic resistance demonstrate their values and norms as concrete possibilities (Iqueza and Vazquez 2013). When women narrate their stories, listen to each other, and disrupt the discursive order that neglects their stories, this “performance addressed to a public … characterizes the world in which it attempts to circulate, projecting for that world a concrete and livable shape, and attempting to realize that world through address” (Warner 2002, 89). Accordingly, epistemic resistance and the assertion of judgment calls for attention to the political knowledge that is not yet an established truth such that it can be chosen through elections. Rather, the performance of an act of epistemic resistance brings a truth into others’ view. The epistemically dominated demonstrate their values and ideas as “part of a larger strategy to light up an aspect of an object previously unseen” (Zerilli 2017, 20). This strategy is based on the affective and experiential aspect of political norms people hold and share in the public space. Because the dominating hermeneutical culture denies credibility to the ideas of the dominated, “embodied sociability is too important to them; they might not be organized by the hierarchy of faculties that elevates rational-critical reflection as the self-image of humanity; they might depend more heavily on performance spaces than on print” (Warner 2002, 89). Yet such performance and resistance against the

experiment with novel discourses and redescriptions of the status quo to introduce into the public sphere’s circulation” (2012, 287).
dominant epistemic attitude is not the refusal of claims to rationality, but a necessity dictated by the power relations that deny rationality to the agent. In cases such as MeToo, when women protest and shout, narrating their personal experiences, it does not mean that their speech lacks rationality (Young 2003). It means that the “talk value has an affective quality. You don’t just mechanically repeat signature catchphrases. You perform through them your social placement” (Warner 2002, 73).

That is why, even though epistemic resistance is less than civil, it is not antidemocratic. It is a democratic attempt to enlarge the terms of deliberation and enable more people to have access. In Rancière’s words, when people assert their judgment in the name of acknowledgement, their “political argumentation is at one and the same time the demonstration of a possible world in which the argument could count as an argument” (2010 [1995], 39). The judgment of the dominated “is addressed by a subject qualified to argue, over an identified object, to an addressee who required to see the object and to hear the argument that he ‘normally’ has no reason either to see or to hear” (39). Thus, the resort to bodily experience and the situatedness of the agent does not imply an antirationalist politics that refuses deliberation, but it “affirm[s] a rational

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18 Fricker underlines this nondeliberative root of rational ideas in epistemic resistance: “If we look at the history of the women’s movement, we see that the method of consciousness raising through ‘speak-outs’ and the sharing of scantily understood, barely articulate experiences was a direct response to the fact that so much of women’s experience was obscure, even unspeakable, for the isolated individual, whereas the process of sharing these half-formed understandings awakened hitherto dormant resources for social meaning that brought clarity, cognitive confidence, and increased communicative facility” (2007, 148).

19 This is an understanding shared not only by many scholars of contemporary feminist theory, critical theory, and critical race theory, but also by democratic theorists. See Harding (1992), Hirschmann (1989), Hooker (2016), and MacKinnon (1987). Also see Cordelli (2016, 2018).
practice of judgment that brings the world view through the use of our affective sensibilities” (Zerilli 2017, 30). Such a practice asserts the difference of perspectives through whose lens certain ideas and opinions are deemed to be true or just.

Individuals’ claims to rationality have meaning only in a shared context and through shared perspectives. As James Bohman puts it, “while reasons are items to be considered in deliberation such as opinions or values, perspectives are cognitive properties of deliberators. To have a perspective is, in Rawls’ terms, to be ‘a self-originating source of claims,’ whose contributions also supply potential deliberative contexts in which such claims are meaningful” (Bohman 2006, 179). Which means the public assertion of a perspective creates the context and conditions in which ideas and opinions can circulate in deliberation. As such, epistemic resistance “is to make the truth of a fact meaningful in a politically significant way” because the experience of domination shows that “from knowing something to be the case, it does not follow that I acknowledge that something is the case” (Zerilli 2017, 17).

Therefore, we can argue that the question at stake is not what is true, but rather whether we are free to argue for our truth—that is, whether we enjoy the freedom of being equally respected members of the deliberative process. In epistemic resistance, “it is not the truth that sets you free.... Rather, it is a love and practice of freedom that saves truth” (Zerilli 2017, 15). It is a crucial difference that sheds light on the intrinsic value of knowledge. To go back to the beginning of the paper, the love and practice of freedom
that is a part of sharing our ideas and values pertain to the moral truth that we have mentioned. The insight here is that a general-acceptability criterion (Estlund 2008) that bestows legitimacy upon the epistemic authority is fulfilled only when a polity attests to the intrinsic value of knowledge sharing, not merely its instrumental benefit. It is also the reason why we have argued in the preceding section that a domination/-nondomination dichotomy is a better heuristic tool than a justice/injustice dichotomy. While a sense of justice can be about our interests and instrumental concerns, nondomination comprises the intrinsic value of being free: “When one is wrongfully mistrusted, regardless of whether it is one’s competence or one’s sincerity that is being impugned, one is dishonoured” (Fricker 2007, 46). Epistemic domination constitutes a “serious form of unfreedom in our collective speech situation—and on a Kantian conception, the freedom of our speech situation is fundamental to the authority of the polity, even to the authority of reason itself” (43). Against such a breach of the sense of freedom and dignity, whether of individuals or groups, epistemic nondomination means the guarantee that one will enjoy equal respect and acknowledgment when one speaks. In that view, “to be a person is to be a voice that cannot properly be ignored, a voice which speaks to issues raised in common with others and which speaks with a certain

20 Referring to anthropological field research, Anderson argues for the same: “Agarwal’s study shows how universal inclusion plays a non-instrumental role in legitimizing outcomes: when women were excluded from any voice in formulating and ratifying rules restricting foraging, they perceived these rules as unfair and were more likely to break them” (2006, 20).
authority: enough authority … to give others reason to pause and think” (Pettit 1997, 91).

Thus epistemic freedom demonstrates a certain intrinsic, non-instrumental value that is inseparable from the act of speech and from sharing one’s ideas and values as part of an identity. Therefore, as hinted earlier, epistemic democracy should take into account the intrinsic dimension of knowledge in the form of identities and values. Our understanding of epistemology in democracy ought to expand to the areas in which the knowledge and speech of situated individuals should contribute ideas to our common world, even if they might not become dominant ideas at the end of the day. In that sense, deliberative inclusion through institutional guarantees would ensure a protection for values and ideas that are otherwise neglected by the larger society. But before elaborating on the deliberation and the institutional consequences of an intrinsic account, let me address an objection against an ostensibly naive understanding of epistemic resistance.

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21 In Pettit’s words, “Freedom as non-domination is not just an instrumental good, then; it also enjoys the status, at least in relevant circumstances, of a primary good” (1997, 91).
5. Legitimate Epistemic Resistance and Institutional Remedies

To attribute an emancipatory role to any expression and performance of ideas would be overly optimistic. Not every social group that demands acknowledgment and tries to break its powerlessness asserts benign ideas and values. Consider a group of white supremacists who identify with far-right ideologies and practice their own peculiar values and ideas in their daily lives. If the larger society ignores their ideas and demands such as having racially segregated schools, denying the Holocaust, or deporting legal immigrants from the country, this might constitute a sense of exclusion and indignation in their eyes. Influenced by such sentiments, these white supremacists might rally on the streets, display the symbols of their ideology in other neighborhoods, and even interrupt the speech of other groups they deem to be the dominators. Just because they sincerely express their dissent and demand acknowledgment, would their activism automatically count as legitimate? Probably not. Then the question is how to discriminate between legitimate and illegitimate epistemic resistance. While a detailed discussion of the matter is beyond the scope of this paper, let me briefly examine the problem in the following.

I have noted that in certain cases groups feel obliged to undertake epistemic resistance in order to claim freedom and inclusion. However, we have also seen that extremists, who might constitute a threat to others’ rights and liberties, might demand the same acknowledgment based on similar arguments. Therefore, we have to be able to
discriminate between the normative value of the two. Relying on the neo-republican theory’s aim to maximize undominated choice (Pettit 2012) and Hannah Arendt’s idea of an *enlarged common world* as an intersubjective principle of freedom (1998 [1958]), one might discriminate between legitimate and illegitimate epistemic resistance.

First, according to Arendt, “the very essence of freedom … meant to be free from the inequality present in rulership and to move in a sphere where neither rule nor being ruled existed” (1998, 33). For this freedom to exist, there has to be a common world where citizens would exist as equals to each other. The public space we share becomes a concrete entity only when citizens share a common world that is accessible to every member of the society. This common character, insofar as it is about a shared *sense* of public things, a res publica, is an epistemic condition of equality. Truth and objectivity can become public matters only if they have a public appearance that is open to the contribution of all. Thus, “the only character of the world by which to gauge its reality is its being common to us all, and common sense occupies such a high rank in the hierarchy of political qualities” (208). Consequently the freedom one enjoys in being epistemically nondominated is the “joy of inhabiting together with others a world whose reality is guaranteed for each by the presence of all” (244). In short, epistemic freedom as nondomination requires the presence of others as equal members of the community. Let us call this the *common-world principle*. We can claim that whenever an epistemic resistance causes an *enlargement* of the common world, it has legitimacy from
an egalitarian perspective. In contrast, to the extent that freedom and epistemic equality are primary goods, whenever a movement denies the appearance of others and causes a *narrowing* of the common world, it does not have legitimacy.

Second, we should go back to the problem of structural domination that restricts the choices one has in the epistemic domain. I have previously noted that there might be epistemic domination if certain ideas do not enjoy acknowledgment. This would push people to abandon those ideas if they want to enter into deliberation with others, which would mean the limitation of choices in the realm of ideas. Against this, the republican ideal of freedom as nondomination requires increasing *undominated choice*. In this view, the state’s duty should be to “promote people’s enjoyment of undominated choice under the constraint that it treats them as equals, displaying an equal concern for each” (Pettit 2012, 89). And in accordance with the aforementioned *common-world principle*, such undominated choice should be an intersubjective matter known by all the equal members of the society. People “should have an undominated status both in the objective and the subjective or inter-subjective sense of status” (83). Let us call this the *principle of choice maximization*. We can claim that whenever an epistemic resistance increases the total undominated choice in the realm of ideas it has a legitimate claim. Conversely, whenever a movement restricts the undominated choice of others by promoting its own, it cannot be legitimate.
To combine the two principles as necessary components of freedom as nondomination, we can say that an act of epistemic resistance has a legitimate egalitarian claim if it fulfills both the common-world principle and the principle of choice maximization. The premise here is that there is an indispensable intersubjective moment in legitimate resistance against domination, which gives an equal status to others by promoting its own. In a manner similar to Hegel’s account of “lordship” and “bondage,” the dominated liberates the dominator while liberating itself. Their mutual freedom “exists only in being acknowledged” reciprocally (Hegel 1977, 111). That is why, going back to the examples of MeToo and white supremacists, we can claim that the former fulfills the common-world principle and the principle of choice maximization, whereas the latter fails to do so by rejecting other groups’ equal status as knowers. Now that we have established the normative status of epistemic resistance, we can discuss our findings’ consequences for the institutional realm.

Acknowledgment of the intrinsic value of epistemic democracy should bring our attention to establishing fair procedures of deliberation that would enable each individual or group to express their judgment with equal potential weight (Schwartzberg 2015, 200). Accordingly, diverse ideas, values, and identities not only would promote the emergence of truth in elections, but they would also fulfill the sense of acknowledgment and inclusion in the system. When diverse groups enjoy equal respect and access to the deliberative processes, even if they do not enjoy majority
support at the end, the decision will be legitimate, based on the fairness of the procedures. Conceived in this way, expression of ideas “may be idle in the sense it does not produce legislative results, but it is not for that reason empty: at least not so long as there is performative value in having power-holders in a democratic society endure burdens on the public stage” (Green 2016, 26). Insofar as people care about their epistemic freedom, they might not care about the fact that their representatives do not hold office, so long as their values and identities are freely circulated and respected in the public sphere. Accordingly, a political decision has authority in an epistemic democracy if it is made by “a process that gives everyone subject to it equal or both equal and positive, formal or both formal and informal opportunity for informed influence either over it or over decisions that delegate the making of it” (Kolodny 2014, 197). Thus, not the actual influence, as an instrumental understanding of epistemic democracy would suggest, but the equal opportunity for influence of one’s ideas would give us a more robust theory of epistemic democracy.

Deliberative mechanisms can be enlarged to include deliberative mini-publics comprised of groups with diverse values and ideas, which would both facilitate a better understanding among citizens and promote better policies (Ingham and Levin 2018; Niemeyer 2011; Warren and Gastil 2015). Institutions with citizens holding diverse
values can be designed as in the example of citizen juries\textsuperscript{22} (Sintomer 2018) or legislative chambers whose members are selected by sortition. A mechanism like sortition would not only promote epistemic diversity, but also mitigate the “aristocratic” structure of elections by giving a say to those who are potentially dominated in epistemic terms (McCormick 2011, chap. 4). Further, even concerning questions that require expertise, there can be commissions that mix ordinary people and experts in order to create mutual understanding (Lane 2014, 115–16). Giving a veto power to non-experts in such commissions would push the experts to make themselves intelligible to the ordinary citizens, which would in turn create a sense of belonging and legitimacy in the latter. In short, given the need to focus on the intrinsic value of knowledge in society, institutions should be so designed as to promote inclusiveness and freedom. In addition to well-functioning processes of election that fulfill the condition of technical truth, such institutional measures would fulfill the moral truth of knowledge sharing in politics and give rise to legitimate epistemic authority.

\textsuperscript{22} See Bacqué and Sintomer (2010).
6. Conclusion

I began by arguing for the insufficiency of an instrumental account of epistemic democracy, claiming there can be epistemic domination of ideas and values even in the presence of high epistemic performance concerning technical questions. This might create a problem of legitimacy. Therefore, I argued that alongside a measure of technical truth, epistemic democracy needs a measure of moral truth, which would satisfy the sense of epistemic freedom and dignity of certain individuals and groups. A general-acceptability criterion as the combination of the two forms of truth would mitigate the dominance of technical questions over social and political questions pertaining to identities and values.

Following that point, I argued that a democracy might produce epistemic domination by excluding certain ideas from the deliberative process, even if no one actively attacks those ideas. I argued that a neo-republican principle of freedom as nondomination would be a more comprehensive theoretical tool to understand the wrong in cases of epistemic injustice. As a result of the structural aspect of the epistemic domination that perpetuates the social power of the dominator, it is evident that the burden of changing the relations of domination falls on the shoulders of the epistemically dominated.

That is why, in cases such as the MeToo movement, individuals and groups might feel obliged to resist the neglect of society, and demand acknowledgment
and respect by asserting their situated knowledge. Epistemic resistance can be taken as an affective process of judgment formation that produces rational and discursive claims, demanding acknowledgement. This nondiscursive root of judgments brought up the question of “oppressive” or “backwards” ideologies that demand acknowledgment along similar lines.

To answer this question, I offered two criteria of legitimate epistemic resistance. One is the principle of enlargement of the common world. According to that view, an act of epistemic resistance has an emancipatory effect if it increases the visibility of different ideas and values in the public space as a shared, common entity. The second is the principle of choice maximization. According to that criterion, epistemic resistance is justified if it increases the total amount of ideas and values one can choose without coercion. We have seen that an extreme ideology like white supremacy fails to fulfill those normative principles while a movement like MeToo increases the amount of publicly acceptable ideas and values. Based on these findings, I have argued that epistemic democracy should not only focus on the instrumental benefits of preference aggregation, but also create institutional mechanisms that can increase citizens’ epistemic freedom. Deliberative mini-publics and intermediary bodies that would give more voice to ordinary citizens would help facilitate social justice, acknowledgment, and freedom of speech, even if certain ideas cannot enjoy majority power. As a result, this paper calls for a non-instrumental conception of epistemic
democracy. The claim is that neo-republicanism should be more attentive to the epistemic dimension of liberty while epistemic democrats should apply the principle of freedom as nondomination to expand the scope of epistemology in democracies.
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