



Testimony of Oppression and the Limits of Empathy

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Abstract

Testimony of oppression is testimony that something constitutes or contributes to a form of oppression, such as, for example, “The stranger’s comment was *sexist*.” Testimony of oppression that is given by members of the relevant oppressed group has the potential to play an important role in fostering a shared understanding of oppression. Yet, it is frequently dismissed out of hand. Against the background of a recent debate on moral testimony, this paper discusses the following question: How should privileged hearers approach testimony of oppression if they aim to do so in an ethically and epistemically sound way? Should they defer or try to understand? Both strategies constitute ways of learning from testimony of oppression. However, they differ in important respects and exclude each other. Because testimony of oppression is often based on personal experience, empathizing with the speaker can play an important role in trying to understand testimony of oppression. While the fact that empathy can change your mind and the advantages of understanding over knowledge support trying to understand as the right approach to testimony of oppression, considerations of the “limits of empathy” and the value of deference support deferring. I argue that, on balance, these contrasting arguments allow for a limited defense of the role of empathy in learning from testimony of oppression. We should try to understand testimony of oppression by empathizing with the speaker, but not treat our ability to understand as a condition on accepting a speaker’s claim.

Keywords Testimony · Moral testimony · Oppression · Epistemic injustice · Empathy · Understanding

1 Introduction

The practice of giving and receiving testimony raises myriad epistemic and ethical challenges, which can take different forms according to the kind of testimony in question. In recent years, many have voiced the intuition that there is something problematic about deference to moral testimony. According to one influential type of view, the “understanding explanation”, deferring to moral testimony is at least suboptimal because while doing so

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can lead one to acquire knowledge, it does not typically lead to understanding, and we should aim for understanding in the moral domain (see e.g., Nickel 2001; Hills 2009; Crisp 2014; Callahan 2018). Following an influential distinction introduced by Hopkins (2007), the understanding explanation can be classified as a form of “pessimism” about moral testimony. While “pessimists” argue that there is in fact something problematic or at least suboptimal about deferring to moral testimony, “optimists” argue that deferring to moral testimony is not in itself problematic and the contrary intuition that is elicited by some cases of moral testimony can be explained in other ways (see e.g., Jones 1999; Sliwa 2012; Enoch 2014). Against the background of this debate, I want to raise a related question for a different kind of testimony: testimony of oppression.

Testimony of oppression is testimony that something constitutes or contributes to a form of oppression, such as, for example, “The stranger’s comment was *sexist*”. I focus on testimony of oppression that is given by members of oppressed groups and received by non-members, who are “privileged” with respect to the relevant kind of oppression, as this kind of testimony raises distinctive epistemic and ethical challenges.¹ Testimony of oppression is a familiar phenomenon that has the potential to play an important role in generating understanding of oppression. Yet it is frequently dismissed out of hand even by those who recognize the existence of oppression and are motivated to learn about it. The question I want to raise is: How should privileged hearers approach testimony of oppression if they aim to do so in an ethically and epistemically sound way? Should they defer or try to understand? Because testimony of oppression is often based on personal experience, empathy can play an important role in trying to understand testimony of oppression. I will therefore focus on attempts to understand testimony of oppression by empathizing with the speaker. My discussion will be restricted to cases of testimony of oppression in which the hearer has a basic understanding of the relevant form of oppression and is motivated to learn about it yet does not immediately understand why it is as the speaker says.

I will begin by discussing the notion of testimony of oppression in more detail and highlighting the role personal experience can play in cases where testimony of oppression is given by members of oppressed groups (Section 2). Then, I will characterize deference and trying to understand as distinct and mutually exclusive ways to receive testimony of oppression. I will argue that, because testimony of oppression is often based on personal experience, *empathizing* with the speaker is a particularly promising way of trying to understand testimony of oppression (Section 3). Next, I will discuss two arguments in favor of trying to understand that draw on the idea that empathy can change your mind and the advantages of understanding over knowledge (Section 4). Then, I will discuss two arguments in favor of deference that draw on the “limits of empathy”, that is, the ways in which our attempts to understand others through empathy can fail, and the value of deference (Section 5). Finally, I will argue that, on balance, these contrasting arguments allow for a limited defense of the role of empathy in learning from testimony of oppression (Section 6). While the advantages of understanding testimony of oppression by empathizing with the speaker give us reason to try to achieve it, we should not treat our ability to understand as a condition on accepting a speaker’s claim.

¹ In what follows, when I use the term “testimony of oppression”, I will often assume that it is provided by members of oppressed groups and received by non-members, unless otherwise stated.

2 Testimony of Oppression

2.1 Oppression

Oppression is a form of persistent and systematic injustice or disadvantage that afflicts individuals *qua* members of different social groups. Paradigmatic examples include racism and sexism, but there are many other forms of oppression, such as classism, ableism, homophobia, transphobia, etc., which raise distinctive issues. Because an individual can be a member of more than one group, different constellations of multiple oppression or oppression and privilege can arise, which do not simply add on or cancel out. Oppression is *systematic* in that it consists of clusters of patterns of injustices that affect individuals in different areas of their lives, and work together in limiting their options (see Martín A “Explaining Oppression: An Argument Against Individualism” (unpublished manuscript)). While a given instance of injustice might seem trivial, it gains its significance from being part of the overall cluster of patterns of injustices. To capture this feature of oppression, Frye (1983b) influentially invokes the metaphor of a cage, which cannot come into view if one focuses only on one of its wires. This structural notion of oppression implies that not all grievances that might be lamented as oppression – even in cases where they are related to group membership and the effects of oppressive norms – are in fact instances of oppression. Rather, for an incident to constitute a case of oppression, the subject experiencing it must be part of an oppressed group and a cluster of patterns of injustices must exist that is faced by members of this group. Conceiving oppression along structural lines also has an important implication for what it takes to understand instances of oppression. To understand an incident as constituting or contributing to a form of oppression, it must be recognized as part of a network of injustices affecting a certain social group.

2.2 Testimony of Oppression

Testimony of oppression is testimony that something constitutes or contributes to a form of oppression. It can be about individual incidents, such as, for example, “The stranger’s comment was *sexist*”, or about (elements of) social structures that are implicated in many instances of injustice, such as, “The practice of policing is *racist*”. Depending on the conversational context, testimony of oppression can take different forms. I will focus on testimony employing thick terms that have been developed to pick out different forms of oppression, such as “*sexist*”, “*racist*”, etc. Testimony of oppression, as I understand it, is testimony about how to evaluate something. It thus differs from closely related forms of testimony, such as testimony about what in fact happened, where what happened constitutes or contributes to a form of oppression, or less explicit forms of testimony that might indicate the presence of oppression, such as testimony about how a certain incident has made one feel. While these forms of testimony are also important and raise similar issues, they are not my primary focus in this paper.

Whether testimony of oppression is seen as a subclass of moral testimony that has distinctive features or as a distinct but closely related kind of testimony depends on how moral testimony is understood. While some authors discuss cases of what I call testimony of oppression as examples of moral testimony (Jones 1999; Callahan 2018), others explicitly focus on testimony with a more narrowly construed moral content employing “thin” rather than “thick” terms (Fletcher 2016; see also McGrath 2009). This is because testimony employing thick terms complicates the question of whether the information communicated is “purely” moral or at least in part empirical. Even if

moral testimony is understood as encompassing testimony employing thick terms, whether testimony of oppression is seen as moral testimony might depend on whether the evaluative content implicit in terms such as “racist” is seen as specifically moral evaluation (Garcia 1996; Shelby 2014). While I take terms like “racist” to have negative evaluative content, I will not take a stance on whether that content is specifically moral. However, because testimony of oppression has evaluative content, it raises issues that are similar to those discussed in the debate on moral testimony. In what follows, I will leave open how best to think about the relation between testimony of oppression and moral testimony but draw on the debate on moral testimony to elucidate some of the epistemic and ethical challenges surrounding testimony of oppression.²

2.3 Epistemic Advantage and the Role of Personal Experience

Testimony of oppression that is given by members of the relevant oppressed group and received by privileged hearers has the potential to play an important role in generating a shared understanding of oppression. This is because members of oppressed groups have an “epistemic advantage” when it comes to understanding the form of oppression, they are subject to (see e.g., Wylie 2012; Ashton 2020). Members of oppressed groups will often have more evidence that this form of oppression is taking place. In addition, they will be motivated to develop an understanding of the relevant form of oppression as doing so is of practical importance for them. As standpoint theorists emphasize, this kind of epistemic advantage is not automatic, but achieved through critical and often collective reflection on one’s experience that can involve the development of new concepts (Toole 2019). This understanding of the epistemic advantage of the oppressed as local (concerning the domain of their own oppression), contingent (subject to an achievement), and indirect (as a function of differences in evidence and motivation rather than social identity as such) is compatible with individual variation. Therefore, not all members of an oppressed group will have developed an understanding of oppression to the same degree. It is also compatible with the important point that the privileged are in principle able to understand oppression and are thus responsible for their ignorance as well as the insight that the oppressed are often subject to epistemic injustice, false consciousness, and exclusion from education (Dror 2023; Tilton *forthcoming*). However, it is likely that those members of oppressed groups who provide testimony of oppression with respect to a given incident will have achieved a sufficient degree of understanding, even if they had to overcome specific obstacles to do so.

At least in everyday contexts, testimony of oppression is often based on personal experience. This kind of experience has an affective dimension. There is something it is like to be the target of an instance of oppression and this complex experiential state will often have a negative affective quality. Which emotion or combination of emotions one feels when encountering oppression might be a matter of context, but likely candidates include anger, fear, hurt, frustration, annoyance, etc. Having these affective reactions can contribute to developing an understanding of the evaluative features of one’s situation. This is because emotions suggest an evaluation of a situation. For example, anger suggests that something about the situation is offensive. In addition, emotions motivate us to reflect on whether the features of our situation in fact justify this evaluation. They further support this inquiry by drawing our attention to salient features of our situation, fixating it on these features, and

² Alternatively, testimony of oppression could be seen as a kind of political testimony. While most authors understand political testimony more narrowly as concerning which candidates or policies to support in an election procedure (van Wietmarschen 2019; Peter 2023), others employ a wider notion of political testimony, on which testimony of oppression might qualify (Brinkmann 2022).

bringing up memories of similar situations (Brady 2013).³ To illustrate how emotions can play this role, consider the following case:

Alice is at a bar waiting for her friends. While she is waiting, a man she has never met before approaches her, looks her up and down and says “Nice dress” in a suggestive tone, then walks past to sit down at his table. This comment makes Alice feel self-conscious and uneasy, but also angry. Her emotional reaction suggests that there is something offensive about the situation. In addition, it motivates her to reflect on whether the features of her situation in fact justify this evaluation. Her emotions facilitate this reappraisal by drawing her attention to salient features and fixating it on these features, and by bringing up memories of similar situations. Through the course of this reflection, she comes to understand the stranger’s comment as sexist and to endorse her emotional reaction as appropriate to the situation.⁴

Reflecting on whether the evaluation suggested by her emotion is appropriate to her situation allows Alice to understand the remark as sexist. Her anger is appropriate because the stranger’s comment is offensive. The stranger’s comment is offensive because it is part of the systematic injustices that constitute sexism. It has its significance against the background of sexual harassment, objectification, and violence that women are subject to as members of their social group. Because oppression is systematic, to understand the stranger’s comment as sexist, Alice must recognize it as part of a cluster of patterns of injustices that women face. Her emotions facilitate recognizing this connection because they guide attention not only by drawing it to and fixating it on salient features of the situation but also by bringing up memories of similar situations.⁵

Because of their epistemic advantage, which is in part due to personal experience, privileged hearers often stand to gain a lot from listening to testimony of oppression that is given by members of oppressed groups.⁶ Yet, testimony of oppression is frequently ignored or dismissed even by those who recognize the existence of oppression and are motivated to learn about it. This is in part because members of oppressed groups are often subject

³ Emotions can be especially important for understanding instances of oppression because they can constitute what Jaggar (1989, 166) calls “outlaw emotions”, that is, emotions that are incompatible with “dominant perceptions and values” and that can precede an explicit understanding of what is obscured by these dominant ways of seeing the world (see also Silva 2021). In particular, anger – because of its connection to offense and respect – is often taken to have a role to play under conditions of oppression (Frye 1983a; Cherry 2021).

⁴ An emotion is *appropriate* if its object has the evaluative properties the emotion suggests it has. While reflection on inappropriate emotions can at least potentially improve our understanding, typically, the emotions that promote our understanding of the evaluative aspects of our situation will be appropriate to this situation. I will thus focus on cases in which the emotional reaction that promotes understanding an instance of oppression is appropriate.

⁵ In the case given, the subject who can provide testimony thus gains at least a partial understanding of sexism as a form of oppression and thus as a structural phenomenon. But what if the subject does not believe that sexism is a form of oppression? While a hearer can still learn from such cases of testimony, the testifier’s own understanding will, on my view, be very limited at best. I thank an anonymous reviewer for inviting me to clarify this.

⁶ Of course, personal experience is not the only factor that contributes to understanding oppression nor is it likely that members of oppressed groups will always rely on emotional reactions in recognizing instances of oppression. However, I take it to be likely that those who have developed a firm understanding of oppression will have done so at least in part by reflecting on their emotional experience. For discussion of the role of personal experience for the epistemic advantage of the oppressed and the role of emotions in this see e.g., Narayan 1988; Dror 2023.

to “testimonial injustice”. Testimonial injustice occurs when a hearer assigns unduly low credibility to a speaker’s word because they are under the influence of prejudices against the speaker’s social group (Fricker 2007). How should privileged hearers approach testimony of oppression to overcome these obstacles? I will consider two prominent options: deferring and trying to understand. Both go beyond other possibilities, such as taking testimony seriously or suspending judgment, in that they allow the hearer to learn from testimony of oppression by acquiring a new justified belief.⁷ In the next section, I will discuss these options in more detail.

3 Deference and Trying to Understand

3.1 Deference

A hearer *H* *defers* to a speaker *S*’s testimony that *p* if and only if, upon receiving *S*’s testimony that *p*, *H* forms the belief (or at least accepts) that *p* on the basis of *S*’s word. That *S* (who is reliable with respect to the matter) has said so is *H*’s reason for belief.

When does a hearer have reason to believe that a speaker’s testimony of oppression is reliable?⁸ If they know each other well, the hearer might be able to rely on the speaker’s track-record of providing reliable testimony. However, testimony of oppression can be provided in different forms and contexts. While some instances of testimony of oppression will be provided in the course of a personal conversation, others will be given in much more anonymous contexts, such as when a written statement is published in a medium accessible to a wide audience. In such contexts, the person receiving testimony will often have very limited information about the person providing it. However, because members of oppressed groups have an epistemic advantage regarding the form of oppression that they are subject to, that the testifier is a member of the relevant oppressed group provides at least some reason to take their testimony to be reliable. While I cannot here provide a detailed analysis of when exactly membership in an oppressed group is sufficient for justifying trust in a speaker’s testimony and how to weigh this factor against other considerations (including considerations regarding the potential harms accompanying credibility excess (Davis 2016)), that members of oppressed groups tend to have an epistemic advantage with respect to their own oppression suggests that trust in their testimony is often justified. It is in these cases that the question whether to defer or try to understand arises.⁹

Deferring to testimony of oppression will thus often allow the hearer to form a justified belief. However, forming a belief is not usually taken to be something that is under

⁷ They also go beyond raising one’s credence, which can sometimes lead to the formation of new beliefs.

⁸ According to “non-reductionists” about testimony, for a belief based on testimony to be justified, as long as there are no “defeaters”, a hearer does not need any positive reason to believe that the speaker is reliable (see e.g., Lackey 2006, 4f). However, I will not rely on this view here. Rather, I will assume that for a belief based on testimony of oppression to be justified, the hearer must have some reason to believe that the speaker’s testimony is reliable. My discussion will be neutral with respect to the question of reductionism in the sense that both non-reductionists and reductionists can agree that a belief based on testimony is justified when a hearer has reason to believe that the speaker’s testimony is reliable (see also Hills 2009, 94).

⁹ This parallels the debate on moral testimony. While the intuition that there is something problematic about deference to moral testimony could be explained by the claim that trust in moral testimony is never justified, this is not a prominent line of argument. By contrast, most authors concede that trust in moral tes-

our intentional control. Therefore, I understand deference more widely, as encompassing acceptance in addition to belief. To “accept” *p* is to adopt a policy of premising *p* for purposes of reasoning and deliberation (Cohen 1989). In contrast to believing, accepting is a mental action we can perform intentionally whenever we decide to do so. Therefore, if we find ourselves unable to believe a proposition on the basis of someone’s testimony, we can still decide to accept it. This is of special interest in the context of testimony of oppression because hearers might be unable to believe a speaker’s testimony due to the influence of unconsciously operating prejudices even if they have reason to think it is reliable. In what follows, I will focus on the case where deference leads to belief, but acceptance will remain a fallback option, guarding against the objection that, while deference might turn out to be the epistemically and ethically best approach to testimony of oppression, it might not be feasible (cf. Mapps M “Believing Women” (unpublished manuscript)).

3.2 Trying to Understand

While deferring can lead a hearer to believe or at least accept a speaker’s testimony that *p*, it will not typically lead them to understand why *p* is the case. An alternative strategy to approach testimony of oppression is thus to try to understand, that is, to see for oneself, whether and why *p* is true. Understanding in general is often characterized as an ability to grasp the connections between the various elements of a system and thus to be able to anticipate what would change in the overall system if one of the elements were different (see e.g., Grimm 2011). Philosophers distinguish different kinds of understanding. The relevant kind of understanding in the context of testimony of oppression is “explanatory understanding” or “understanding why *p*”, that is, grasping the reasons for *p*.¹⁰

If, upon receiving a speaker *S*’s testimony that *p*, a hearer *H* *understands why* *p*, then they will also form the belief that *p* (as in the case of deferring), but now *H*’s reason for belief will be the reasons for *p* (rather than that *S* has said so).

Because testimony of oppression is often based on personal experience, *empathizing* with the speaker is an important way of trying to understand testimony of oppression.¹¹ “Empathy”, as I am using the term here, denotes the capacity to imagine a target person’s situation from their point of view and come to experience emotions in reaction to this situation. For this sort of reaction to constitute an empathetic emotion, the empathizer

Footnote 9 (continued)

timony can be justified but the puzzle of whether it is right to defer arises, nevertheless. For discussion see e.g., Hopkins 2007; Driver 2006.

¹⁰ According to reductionists about understanding, understanding-why can be reduced to knowledge-why (see e.g., Sliwa 2015); non-reductionists deny this (see e.g., Hills 2016). My discussion will be neutral with respect to this issue because reductionists can agree that there is a difference between the knowledge that *p* that we can gain by deferring to testimony and the understanding why *p* that we can gain by trying to understand why *p* (even if this understanding ultimately reduces to knowledge). I will not consider the case of testimony of the form “*p* because of *q*”, with respect to which it is more difficult to distinguish between understanding and the knowledge that can be transmitted by deference to testimony.

¹¹ Paul (2021) argues for the related claim that in order to assess testimony that is “grounded in lived experience” one must rely on empathy.

must further take it to represent the target person's emotional reaction.¹² As I will illustrate in the next section, empathy with a speaker can lead to explanatory understanding of their testimony because empathetic experience can play a role that is analogous to the role of personal experience. In what follows, I will focus on explanatory understanding that is achieved by empathizing with the speaker. Empathy can be automatic or intentional. Because I am interested in empathy as a strategy to achieve understanding, I am interested in empathizing as a motivated and regulated activity. I will thus be concerned with empathy as a skill rather than a habit (Spaulding 2023).

A perhaps obvious alternative way to try to understand testimony of oppression is to ask the speaker to justify their claim. Depending on context, this can, of course, contribute to understanding. However, this strategy has its own limits. For one, a speaker might not always be available to provide justification. They might simply be absent or lack the time and resources. They might further not always be willing to provide justification. Putting members of an oppressed group in a position to lecture the privileged about their oppression places an additional burden on them and having one's testimony challenged and often ultimately rejected can be hurtful.¹³ Finally, because oppression is a complex phenomenon, they might be unable to provide a fully comprehensive explanation. While their own understanding of the relevant instance of oppression might be genuine, their grasp of its place in the overall network of injustices might be partial and/or difficult to articulate. By contrast, empathizing with the absent is possible and requires no effort on their part. While, in contexts where speaker and hearer are engaged in a conversation, trying to empathize with the speaker can also require a specific form of dialogue (which might not always be welcome), the questions asked in this context will be different (see Betzler 2019).¹⁴

3.3 Deference and Trying to Understand as Distinct and Mutually Exclusive

Both deferring and trying to understand constitute ways of learning from testimony of oppression, in that they allow a hearer to acquire a justified belief that *p* and, if *p* is true, knowledge.¹⁵ However, only trying to understand typically leads to understanding why *p* in addition to knowledge that *p*. Moreover, they differ with respect to the kind of justification provided. If a hearer defers to a speaker's testimony that *p*, their reasons for believing *p* will be that the speaker has said so as well as the reasons for why they take the speaker's testimony to be reliable.¹⁶ By contrast, if a hearer tries to understand why *p* and succeeds,

¹² For further discussion of this notion of empathy see Sodoma 2022.

¹³ For discussion of this point see e.g., Dotson (2011) on "testimonial smothering" and Berenstain (2016) as well as Dunne and Kotsonis (2023) on "epistemic exploitation".

¹⁴ In addition to engaging in a conversation with the speaker, attempts at understanding (whether through empathy or not) will often also involve seeking out relevant information about the domain of testimony.

¹⁵ While my discussion is focused on cases in which the hearer has reason to trust the speaker's testimony (and my discussion of the epistemic advantage of the oppressed above suggests that this will often be the case), I am not assuming that a speaker's testimony is true. In cases where the speaker's testimony is false, trying to understand might have an advantage over deferring, as it is less likely to lead to a new justified, yet false, belief. However, my argument will not rely on this sort of consideration. I thank an anonymous reviewer for inviting me to clarify this.

¹⁶ This is why deference gives rise to "epistemic buck-passing" (Goldberg 2006). If a hearer is later asked to justify *p*, after they have exhausted their reasons for belief (that the speaker has said so plus the reasons why their testimony is reliable), they can refer the challenger back to the speaker.

then their belief will be based on the reasons for p (q, r, s, \dots). If asked to justify their belief later on, they can provide explanatory reasons.¹⁷

In addition to these differences, there is reason to think that, as approaches to testimony, deferring and trying to understand are mutually exclusive. Trying to understand is a way of seeing for oneself whether and why p , which is incompatible with basing one's belief on the speaker's word (Bailey 2018, 141f; Hills 2020). While it might thus be possible to defer and then try to understand or try to understand and then defer, it is at least not possible to do both at the same time. Moreover, deferring and trying to understand can undermine each other. If a hearer already understands why p , deferring becomes obsolete and basing their belief on the speaker's word instead would seem inappropriate (Jäger 2016). Further, if we try to understand by empathizing with the speaker and fail to do so, this can incline us to disbelieve their testimony (Bailey 2018).¹⁸ Conversely, deferring dis-incentivizes trying to understand. This is because, given that inquiry is costly, it is less rational for someone who already has a settled belief as to whether p to engage in inquiry as to whether and why p than for someone who has no such belief (Callahan 2018, 454f).¹⁹ It is thus not obvious what the right approach to testimony of oppression is. In the next section, I will start examining the reasons to prefer either of these options by discussing two arguments that support trying to understand over deference.

4 Why We Should Try to Understand

4.1 Empathy Can Change Your Mind

One reason to favor trying to understand by empathizing with the speaker as the right approach to testimony of oppression is that empathy can change your mind, in the sense that it can lead you to accept claims that you would have initially been inclined to reject. To illustrate how empathy can play this role, consider the following case:

Shortly after Alice receives the stranger's sexist comment, her friend Ben arrives at the bar. Immediately she starts complaining to him about what happened, but, at first, he cannot see why the stranger's comment should be sexist. He then tries to empathize with Alice by imagining what the situation must have been like from her point of view and thereby comes to feel empathetic anger. His empathetic emotional reaction suggests that there is something offensive about the situation. It also motivates him to reflect on whether the features of the situation in fact justify this evaluation. Through the course of this reflection, he comes to understand the stranger's comment as sexist and to endorse their shared emotional reaction as appropriate to Alice's situation.

¹⁷ Mixed cases, in which a hearer has some explanatory understanding of a speaker's testimony yet takes the fact that the speaker, who is reliable with respect to the matter, has said so as additional reason for belief are possible. In this kind of case, a hearer would have reasons for belief that relate to the speaker as well as reasons for belief that relate to the subject matter of the speaker's testimony. I am leaving these cases out of consideration to bring out the contrast between deference and trying to understand as approaches to testimony more clearly.

¹⁸ I will discuss this further in Section 5.1.

¹⁹ Due to this tension between deferring and trying to understand, a mixed strategy, like the one I am going to defend, faces the challenge to address these difficulties. I will attempt to do so below.

To successfully empathize with Alice, Ben must pay sufficient attention to the details of Alice's situation, be aware of relevant differences between himself and her, and bring relevant background information to bear on his imaginative effort. To understand that the comment was sexist through empathy, he must further experience the relevant emotional reaction empathetically and come to endorse it as appropriate to Alice's situation through reflection. As in the case of Alice, Ben comes to see the comment as offensive because it is part of the cluster of patterns of injustices that make up sexism. His empathetic emotions facilitate this reflection by making salient certain features of the imagined situation and bringing up memories of similar incidents. Empathetic experience can thus play an epistemic role that is analogous to the role of personal experience. By generating new emotional experiences, empathy can further counteract an inclination to reject a speaker's claim that is based on subconsciously held prejudices.²⁰

4.2 The Advantages of Understanding Over Knowledge

Another reason to favor trying to understand (by empathizing with the speaker) as the right approach to testimony of oppression is that *understanding why p* has advantages over *knowing that p* (which is typically attained by deferring). One of these advantages is that someone who understands why p (but not necessarily someone who knows that p) will be able to justify p or explain why it is the case and make the right judgment in similar cases (Hills 2009). Because Ben understands Alice's testimony that the stranger's comment is sexist, he will be able to justify and explain this belief to others and to recognize sexist behavior in similar cases without having to ask about it. This will enable him to share the burden of explanation and justification.

In addition, it is likely that someone who understands why p will believe p in a way that is integrated with other cognitive and non-cognitive attitudes, such as emotions and motivational states. That is, they will be more likely to, for example, feel anger at instances of oppression and be motivated to fight it.²¹ Understanding is especially likely to lead to this kind of "subjective integration" (Howell 2014) of different attitudes if it is achieved via affective empathy. After coming to understand that the stranger's comment was sexist through empathizing with Alice, Ben's belief will be integrated with his emotional reactions and motivational states. This will make it more likely that he will act in ways appropriate to this belief, such as, for example, speaking up when he encounters men making similar comments on future occasions. A belief acquired via deference, by contrast, might end up being "cognitively isolated" (Howell 2014; see also Fletcher 2016), that is, not connected to other beliefs and non-cognitive attitudes in the right way. This, in turn, will make it more likely that the belief will be revised or forgotten over time and less likely that it will be motivationally efficacious.

²⁰ The potential of empathy to change one's mind has recently been discussed by different authors. Bailey (2018) argues that successful empathy can lead a hearer to accept a speaker's testimony even in cases where the hearer is initially inclined to reject the testimony. Betzler and Keller (2021) as well as Paul (2021) point out that having one's mind changed through empathy can be epistemically beneficial but also corrupt one's own perspective.

²¹ Hills (2020) argues that the cognitive processes that lead to understanding make it more likely that we will develop corresponding non-cognitive attitudes. Callahan (2018) defends the stronger claim that understanding itself requires non-cognitive (as well as cognitive) engagement with the reasons for a claim. The weaker version of the claim suffices for my argument.

In light of these considerations, it seems that we should try to understand testimony of oppression by empathizing with the speaker. However, these arguments rely on the implicit assumption that our attempts to empathize with others are successful. But what if they fail? In the next section, I will discuss two arguments that support deference as the right approach to testimony of oppression, the first of which draws on this possibility of failure.

5 But Shouldn't We Defer?

5.1 The Limits of Empathy

One reason to favor deference over trying to understand by empathizing with the speaker as the right approach to testimony of oppression is that empathy has limits. Our attempts to empathize with others can fail and this can have problematic consequences. To successfully empathize with another person, an empathizer must imaginatively recreate the target person's situation sufficiently accurately and with sufficient attention to detail and experience an emotional reaction that is sufficiently similar to the target person's initial emotional reaction. While the degree of "empathic accuracy" needed to achieve one's aims depends on context, in a given context, an attempt at empathizing with another person can be more or less successful. The problem is that, in contexts of testimony of oppression where the speaker is a member of an oppressed group and the hearer is not a member of this group, empathy is especially likely to fail.

A consideration that might seem relevant in this context is that empathy is subject to various biases. We are, for example, more likely to empathize with members of our own group.²² Because privileged hearers are not part of the relevant oppressed social group, this makes it unlikely that they will empathize with members of oppressed groups. However, because I am concerned with empathy as a skill rather than a habit, this kind of bias is less relevant to my argument. Because they are motivated to understand oppression, the hearers I am concerned with will make an intentional effort to empathize with members of oppressed groups who provide testimony of oppression, and thereby overcome any initial bias. The trouble is, rather, that even if privileged hearers can overcome this bias, their attempts to empathize are unlikely to succeed. This is because those who are privileged will have different overall experiences than members of the relevant oppressed group, in particular with respect to the form of oppression in question. This can become an obstacle to successful empathy because our experience shapes both our ability to imagine a situation accurately and in sufficient detail as well as our tendency to react emotionally. Even if we can in principle learn about unfamiliar experiences by means of "imaginative scaffolding" (Kind 2020), and it is thus not impossible to empathize with experiences one has not had, in the case at hand, doing so might be too difficult.²³

²² Group membership can align with axes of oppression, as it does, for example, in the case of differential empathy for racial groups, which has been corroborated by empirical studies (see e.g. Han 2018). Moreover, we are sometimes more likely to empathize with privileged individuals independently of group membership. Manne (2018, 196–205) has coined the term "himpathy" for the general tendency towards excessive empathy with men who commit sexual violence and discusses examples of the phenomenon.

²³ Thomas (1998, 368–71) argues that members of oppressed groups are "socially constituted" in a way that also leads to a differential "emotional configuration". Bailey (2018, 152–55) explores the related idea that privilege can cause specific forms of emotional insensitivity.

In addition, the context in which testimonial exchanges take place will often be affected by forms of epistemic injustice such as “hermeneutical” and “contributory injustice”. Hermeneutical injustice occurs when members of a social group are unable to make sense of their experience or render it communicatively intelligible due to a gap in shared hermeneutical resources (such as concepts) that is caused by an exclusion of members of this group from practices that shape these resources (such as law, journalism, and academia) (Fricker 2007). Contributory injustice occurs when members of marginalized groups come up with their own hermeneutical resources to understand and describe their experiences, but those who are privileged refuse to use these resources because it serves their interests not to do so (Dotson 2012). Because in imaginatively engaging with and interpreting another person’s situation we rely on shared hermeneutical resources, the effects of these forms of epistemic injustice can make it easier to empathize with the point of view of the privileged and more difficult to empathize with the perspective of the oppressed.²⁴

There is thus reason to believe that empathy across axes of oppression is especially likely to fail. One way in which empathy can fail is that we can imaginatively engage with someone else’s situation and think that we do so well but fail to have the same emotional reaction as the target person. This can lead us to think that we do know what it must be like to be the other in their situation yet disagree with their assessment of this situation. To illustrate, consider the following case:

While Alice and Ben are discussing the stranger’s sexist comment, they are joined by their friend Carl. Carl also cannot initially understand why the stranger’s comment should be sexist and tries to understand this by empathizing with Alice. However, when engaging with her situation in imagination, he does not experience empathetic anger, but rather feels pleased about receiving a compliment. He therefore cannot understand why the comment is sexist and cannot endorse Alice’s emotional reaction as appropriate to the situation.

Carl’s inability to empathize with Alice could either be due to a failure of “omission” or a failure of “commission” (Goldman 2011, 44). Either he lacks relevant information about Alice’s situation or fails to bring it to bear on his imaginative efforts, or he fails to account for differences between himself and Alice or lets his own expectations about the outcome influence the process of imaginative engagement (see Heal 2003, 82).²⁵ The problem is that this failed attempt at empathizing makes it even less likely that Carl will accept the claim that the stranger’s comment was sexist. This is because we trust our own ability to assess a situation. Therefore, trying to understand testimony of oppression and failing can make it much more difficult to defer (Bailey 2018). The need to understand can thus become an obstacle to learning from testimony of oppression at all. This speaks in favor of deferring right away.

²⁴ I am here interested in the cumulative effects of hermeneutical and contributory injustice on shared hermeneutical resources that can limit the hermeneutical resources a given privileged hearer has access to and facility with. This is different from the case in which an empathizer commits contributory injustice by refusing to use hermeneutical resources even though they are available to them. I thank an anonymous reviewer for inviting me to clarify this.

²⁵ We can also imagine the case of Carla who manages to empathize with Alice’s emotional reaction but fails to endorse it as appropriate to her situation upon reflection. In this case, Carla would not develop an understanding of the relevant instance of oppression either.

5.2 The Value of Deference

Another reason to favor deference as the right approach to testimony of oppression is that deference can be valuable to the speaker. A hearer defers to a speaker when they take their testimony to be reliable, that is, when they have a positive assessment of the speaker's competence to make judgments of the relevant kind as well as their sincerity. To defer to a speaker means to trust them and to assign authority to them (both at least with respect to the matter in question). When a hearer defers to a speaker, they thereby also communicate that they take the speaker's testimony to be reliable. In so far as the speaker becomes aware of this, this can be very valuable for them, in particular against the background of testimonial injustice that members of oppressed groups often face. As Fricker (2007, 47f) argues, one of the harms associated with testimonial injustice is that, in the long run, it can undermine confidence in one's own intellectual abilities. Deference can counteract this tendency by reassuring a speaker in their capacity to make a certain kind of judgment in a reliable way. If, for example, despite his inability to understand why the stranger's comment was sexist, Carl would defer to Alice, he would communicate that he takes her testimony to be reliable and thereby reassure her in her ability to make judgments about what is sexist.²⁶ Thus, while the arguments of the last section supported trying to understand as the right approach to testimony of oppression, it now looks like we should defer after all. In the next section, I will argue that, on balance, these contrasting arguments support the view that trying to understand by empathizing with the speaker can play an important role in learning from testimony of oppression, albeit within limits.

6 A Limited Defense of the Role of Empathy in Learning from Testimony of Oppression

6.1 In Defense of Empathy

Empathy has the potential to play an important role in learning from testimony of oppression. If we successfully empathize with a member of an oppressed group giving testimony of oppression, we will achieve a better grasp of their overall situation than if we defer, which can put us in a better position to support them and avoid additional harm. Moreover, if we are initially reluctant to accept a speaker's claim, perhaps under the influence of prejudice, by leading us to have an emotional experience, empathy can genuinely change our mind. Nevertheless, all of this would be of little relevance if empathy across axes of oppression was so difficult that it would only rarely lead those who are privileged to accept testimony of oppression given by members of oppressed groups, as the first argument in favor of deference that I considered above would have it. But while the point that empathy can be difficult is well taken, the worries about the limits of empathy that support an argument in favor of deference can be mitigated.

²⁶ For deference to have this effect, the speaker must be aware of the hearer's deference, and it must be part of the common ground that the hearer defers to the speaker for epistemic rather than moral reasons. This can be difficult to discern as there are both epistemic and moral reasons to defer to testimony of oppression provided by members of oppressed groups, which cannot always be clearly disentangled. I thank an anonymous reviewer for inviting me to reflect on this.

For one, failures of empathy can often be avoided if we carefully attend to the relevant features of a situation. Consider the case of Carl who cannot understand why the stranger's comment is sexist. It is plausible to assume that, in imaginatively engaging with Alice's situation, Carl did not take all of the relevant aspects of her situation into account. That these sorts of failure of empathy take place is thus not so much an argument against trying to understand others' perspectives but rather a reminder that doing so can require careful attention and, potentially, inquiry into relevant aspects of their situation.

Moreover, empathic accuracy comes in degrees, but the degree needed to gain explanatory understanding of a speaker's testimony of oppression is not always that high. We do not have to fully recreate what it is like to encounter oppression as a member of the relevant group – which might in fact be very difficult – to understand a given phenomenon as an instance of oppression. For instance, to understand why the stranger's comment is sexist, Ben and Carl do not have to know what it is like to be a woman, but only to see that, against the background of sexual harassment, objectification, and violence that women are subject to, it constitutes an offense.

A third and final reason to be optimistic about the prospects of understanding through empathy in the context of testimony of oppression is that having a negative affective reaction to oppression is not a matter of personal idiosyncrasy. Rather, most would react in this way were they in the situation of the oppressed and are thus likely to have a sufficiently similar reaction if imagining being in this sort of situation carefully enough. To understand a speaker's testimony of oppression, it is thus not normally necessary to factor in information about their specific tendencies to react emotionally (cf. Goldie 2011). These considerations show that empathy is feasible. However, to empathize successfully, an empathizer must still avoid the pitfalls discussed above.

6.2 The Value of Empathy

According to the second argument in favor of deference that I considered above, we should defer to testimony of oppression because doing so can be valuable to the speaker. However, while the point that deference can be valuable is well taken, empathy can also be valuable, and, incidentally, in a very similar way. If we successfully empathize with another person, this leads us to *acknowledge* their emotional reaction as real and intelligible. In empathizing with another person, we thus also communicate that their emotional reaction is seen as one that makes sense from their point of view. In so far as they become aware of this, this can be very valuable to the target person. This is because it provides an important form of company that prevents us from an extreme form of loneliness, which we would feel if our emotional reactions were completely alien to others (Song 2015; see also Bailey 2022). However, in cases where empathy leads a hearer to accept a speaker's claim, their empathetic engagement also leads them to *endorse* the target person's emotional reaction as appropriate to their situation. In these cases, empathy thus communicates not only that the target person's emotional reaction is intelligible, but also that it is the right one to have. This can also be very valuable to the target of empathy. Incidentally, it is valuable in a similar way as deference. It can counteract the negative effects of testimonial injustice by reassuring a speaker in their capacity to make a certain kind of judgment in a reliable way. That is, by empathizing with Alice in a way that leads him to endorse her emotional reaction to

the stranger's comment, Ben reassures her in her ability to make judgments about what is sexist based on her emotional reactions.²⁷

6.3 Limitations

Some of the considerations that support deference over trying to understand can thus be resisted. However, the point that failure to gain explanatory understanding of testimony of oppression by empathizing with the speaker can be due to our own limitations still holds. While we should aim for understanding, we should thus not treat our own ability to understand as a condition on accepting a speaker's claim. Rather, we should have the "epistemic humility" (Bailey 2018, 155f) to consider that our failure to understand might be on us. Nevertheless, as long as we try to understand testimony of oppression by empathizing with the speaker, failure to do so successfully will incline us to reject their claim. Perhaps the best we can do in such a situation is to contemplate the tension between our own inability to understand and our reason to believe that the testimony is reliable and at least accept the testimony for the time being, while continuing to strive for understanding in the long run. Understanding oppression is not a onetime achievement, but an ongoing process.²⁸

7 Conclusion

Against the background of a recent debate on moral testimony, I have raised the following question: How should privileged hearers approach testimony of oppression if they aim to do so in an epistemically and ethically sound way? Should they defer or try to understand? Because testimony of oppression is often based on personal experience, one important way of trying to understand it, which I have focused on, is by empathizing with the speaker. While the fact that empathy can change our mind and the advantages of understanding over knowledge support trying to understand by empathizing with the speaker as the right approach to testimony of oppression, considerations about the limits of empathy and the value of deferring support deference. I have argued that, on balance, these contrasting arguments allow for a limited defense of the role of empathy in learning from testimony of oppression: We should try to understand testimony of oppression by empathizing with the speaker, but not treat our ability to understand as a condition on accepting a speaker's claim.

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²⁷ I further discuss the significance of reassurance through empathy in Sodoma 2022.

²⁸ While many of the arguments provided would also support a mixed strategy of first deferring and then trying to understand, these strategies come with different potential downsides. Prioritizing deference bears the risk of foregoing understanding; prioritizing trying to understand bears the risk of foregoing new justified beliefs about oppression. Both are important goals. My decision to prioritize trying to understand reflects the importance attached to achieving understanding about oppression where it is available. However, while my argument recommends aiming for humility and understanding through empathy in the long run, deference might be the best option immediately available to individuals who know that they struggle with humility or empathy at a given time (cf. Jones 1999; Hills 2009, 125, n44). I thank an anonymous reviewer for inviting me to reflect on this.

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