# Cultural Hegemony, Political Movements, and the Problem of Publicity

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# Cultural Hegemony, Political Movements, and the Problem of

# Publicity

A dissertation presented
by
Darien R. Pollock

to

The Department of Philosophy in partial fulfillment of the requirements for the degree of
Doctor of Philosophy in the subject of Philosophy

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# Abstract

## Cultural Hegemony, Political Movements, and the Problem of Publicity

How does social change happen in a political arrangement? My dissertation argues that societies are transformed by the acceptance of "hidden scripts" that challenge the legitimacy of the dominant narratives accepted by the status quo. This "street domain," as I term it, is important for not only understanding the nature of a public sphere but also for predicting the evolution of the "mainstream" discourse in a political arrangement.

Finally, I argue that in Western culture there is a historical set of norms and incentives that prevent actors from recognizing the value of the "street knowledge" that constitute the content of the hidden scripts in a society. I call this set of norms and incentives the problem of white-mindedness.

# Contents

# Acknowledgements

# Introduction

This dissertation is about the relationship between public discourse, social groups, and political movements. The primary questions that I address in this thesis are: (1) how does social change happen in a political arrangement colored by cultural differences? And (2) why do members of a society's status quo fail to recognize certain non-institutional knowledge (i.e., "street knowledge") as legitimate epistemic resources?

A public sphere is a composite of various speaker communities who share different interests, values, and practices. Not surprisingly, this kind of diversity inevitably leads to the establishment of epistemic and linguistic hierarchies that dictate what kind of information and whose kind of experiences are "worthy" of being represented in mainstream discourse. No doubt, within a public sphere, things are *always* changing. The purpose of "Social Ontology and the Public Sphere" is to diagnose the reason for change in a pubic sphere. On my view, the power dynamics of a particular public evolve because its mainstream discourse is constantly being contested by the hidden scripts that are derived from members of that public who have been marginalized by the status quo. Here, I depart from traditional accounts that conceive of publicity as primarily a relationship to the State (Habermas, 1989), mass communication (Lippman, 1922), and literary texts (Warner, 2002).

In "Semantic Power Structures and the Problem of Publicity," I deal with a conceptual tension that I believe obtains between linguistic hierarchies—what I call "semantic power structures"—and local linguistic authority, or the ability of a speaker community to encode a particular term, expression, or practice with meaning. My argument is that, for most non-scientific and non-moral terms, meanings are determined by the kind of usages that members of a speaker community see as important to their lived experiences. The main goal of this chapter is to challenge a prominent view in philosophy

of language called "semantic deference" (Putnam, 1975) that claims that the meaning of a concept is determined by an individual or set of "expert" speakers that have linguistic authority within a speaker community.

What prevents us from acknowledging the hidden scripts of a social arrangement? This is the question that is at the heart of "Social Ontology and the Problem of White-mindedness." I argue that, due to chattel slavery and colonization, a practical orientation emerged in most Westernized societies that structure the way we value any information, practices, and appearances that are not in accord with the European status quo. Beginning roughly around the late 16th century, the problem of white-mindedness, as I call it, becomes a way to label a set of issues surrounding the norms and incentives that contribute to anti-Black inclinations worldwide.

The paper "Political Action and Epistemic Detachment" sheds light on how a particular node within the white-minded problem-space played a role in subverting the goals of a real-world social justice movement. Florida's 2018 Felon Voting Rights movement was structured to enact social change from the "bottom-up." Despite involving members of the felon community in the promotion of their activism, I argue that the political opposition was able to undermine the felon voting rights legislation through "loophole capture." The organizations that spearheaded this movement developed a misleading account of the lived experience of felons in the state of Florida. I call this phenomenon "epistemic detachment."

# Social Ontology and the Public Sphere

One of the primary goals of social ontology is to identify and describe elements constitutive of sociality. For example, many theorists argue that practices, roles, and institutions are essential to the make-up of the social world (Lessig, 1995; Searle, 1995; Hacking, 2002; Haslanger, 2018). Like these scholars, I agree that there is no questioning the fact that our cultural software[1] is deeply shaped by the kinds of things we do, the kinds of relations we share, and the kinds of structures that we navigate. However, despite the immense variation that obtains across social milieus, a shared *political* arrangement depends on a kind of collective *epistemic* domain that enables ordinary people from different cultural backgrounds to establish and contest common knowledge. This epistemic domain is important because it is the conduit by which members of a society have the potential to influence the values and normative frameworks of others. In the history of social theory, this set of issues may be appropriately labeled "the problem of publicity."

Arguably the most well known framework of the problem publicity is the account that Jürgen Habermas provides in *The Structural Transformation of the Public Sphere*. Drawing from a wide array of research programs, Habermas interrogates the historical origins of the concept of publicity and the societal formations that played a role in the evolution of what he describes as the "public sphere." Habermas' analysis is primarily concerned with a kind of *political* relationship. Namely, the relationship that obtains between what he terms as "civil society," the part of a political arrangement regulated by citizens, and the State.[2]

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[1](Balkin, 2003)

[2](Habermas, 1989) [20]

Excavating the foundations of the concept of a public sphere, he emphasizes that, in ancient Greece, its original application was to signal a tacit association that seemed to connect free citizens to the marketplace (*agora*). Throughout his account, however, he insists that we inherit our *contemporary* notion of a public sphere from what he views as the emergence of the bourgeoisie class in Western Europe beginning at the time of the Renaissance.[3] This class factor, along with his emphasis that free citizens bear some kind of political relationship to the State, is the distinguishing feature of Habermas' publicity account and is considered foundational to most theories of publicity that proceed it.

The goal of this essay is to show how the notion of a public sphere can be employed as an analytic tool to understand the structure of *communication* in a political arrangement that is colored with cultural differences. It is divided into two parts. First, I will show how literary theorist, Michael Warner, deals with what may be understood as a kind of compositional worry. Are public spheres unified social structures? If so, what binds them together? I call this set of issues the *problem of regionality*.[4] This leads me to my second point. Unlike Habermas, I don't think that we should posit a public sphere as a static, unchanging political arrangement. Instead, I argue that a public sphere is an evolving epistemic entity that admits of an indeterminate number of cultural scripts vying for *conventional authority* over a body of information.[5]

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[3] (Habermas, 1989) [25]

[4] Thank you to James Haile for providing me with the language to articulate this problem.

[5] I.e., a class of expressions, symbols, or practices.

## The Nature of Public Spheres

### Information Channels and Speaker Communities

Before I begin my analysis of Warner, I need to provide some operative definitions that are crucial for my framework. I define a public sphere as a socially constructed domain that serves as an information channel for various speaker communities. An information channel, on my view, is any type of medium where content can be represented. A speaker community, on the other hand, is any group of speakers who share a set of linguistic and non-linguistic cultural practices. I will elaborate more on this point later.

### Texts, Strangers, and Transcendent Discourse

Michael Warner describes a public sphere as "a space of discourse organized by nothing other than discourse itself" (Warner, 2002). This definition may strike many as ambiguous. Later, I will try to provide some clarity on what he means by a public being a form of discourse that is "self-organized." For now, I think it's best to see this description as essential for him because it captures an important material element that he thinks is constitutive of publicity; namely, *text*. Being defined by texts is a feature that makes the notion of a public sphere different from neighboring notions, such as 'crowd,' 'audience,' 'people,' or 'group.' Warner doesn't just mean literary texts, either. He emphasizes that sonic and visual mediums, such as songs, movies, and television shows, as well as interpersonal spaces, such as concerts, conferences, and political forums, all count as "texts," on his view. But what are some of his reasons for arguing in favor of this tight connection between texts and public deliberation?

It's important for any account of publicity that the domain of discourse be capable of transcending different cultural contexts. This is a feature that Warner emphasizes is missing from a Habermasian account. Habermas' analysis is chiefly genealogical. This is to say that, because Habermas is

concerned with how the term "public sphere" *has been used* in the history of European civilization, this means that much of his view on publics is based on (his interpretation of) historical facts about the societal progression of Western Europe. One of these facts is the idea that public spheres have mostly been employed to highlight the set of relational obligations that actors who are *already* part of a particular political arrangement have to certain normative forces internal to their society, such as domestic markets, local media, and most importantly the State. Calling out the Habermasian inclination to frame public spheres as playing a functional for nation-states exclusively, Warner writes:

> The strangeness of … public(s) is often hidden from view because the assumptions that enable the bourgeois public sphere allow us to think of a discourse public as people and therefore as a really existing set of potentially numerable humans. A public, in practice, appears as *the* public. It is easy to be misled by this appearance. Even in the blurred usage of the public sphere, a public is never just a congeries of people, never just the sum of persons who happen to exist. It must first of all have some way of organizing itself as a body and being addressed in discourse. And not just any way of defining the totality will do. It must be organized by something other than the State.[6]

As Warner makes clear here, he believes that Habermas' obsession with state governments ultimately causes his perspective on publics to be too narrow, shortsighted, and simply incapable of dealing with the complex issues of multicultural global society that is mediated more by non-state actors, such as private corporations, social movements, and internet silos. These social spaces connect diverse cultural groups that may or may not be under the dominion of the same national government.

Discourse about hip-hop music, for example, must have the transcendent feature that Warner mentions in order for the listeners who deliberate about this information in different times and places to count as belonging to a unified public sphere. Most would agree that this musical form and

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[6] (Warner, 2002) [68]

its artistic relatives (i.e., rap music, trap music, EMO music, etc.) originated as a (Black) American cultural artifact in the South Bronx in the early 80s. Given globalization and the universal exchange of cultural commodities like music through the Internet and private corporations, however, in certain pockets of the hip-hop community, it is common knowledge that there is now a critical mass of hip-hop music connoisseurs in, for example, South Korea. The relevant question for the publicity theorist, then, becomes this: in what sense can a hip-hop enthusiast in South Korea be understood as deliberating about the same domain of discourse as a hip-hop fan in the U.S.? One thing is quite obvious, from the start: it seems impossible to explain the unity of this public discourse, as Habermas does, in terms of the relationship that these strangers bear to their respective governments. This shines light on the virtue of Warner's suggestion of thinking about publicity in terms of speakers' relationship to particular texts, or *mediums*, that host a body of cross-cultural discourse. He writes, for example, that, "without the idea of texts that can be picked up at different times and places, we would not imagine a public as an entity that embraces all the users of that text, whoever they may be."[7] Put simply, cashing out publicity in terms of texts that mediate discourse for ordinary speakers preserves the intuition that a public sphere is both a synchronic *and* diachronic form of communication.

Regional Speaker Communities and Cultural Contestation

Warner's account provides good reasons to frame a public as a (self-organized) body of diachronic and synchronic discourse constituted by texts.   But there is a problem which Warner and other publicity theorists wrestle with in their work, what I call *the problem of regionality*:  within a particular public sphere, factions emerge in opposition to the dominant speaker community in that public. These oppositional publics, as they are often called, are supposed to provide a space of dialectical refuge for these marginalized speakers that make it possible for them to carve out value and

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[7](Warner, 2002) [68]

meaning apart from the dominant discourse that dictates the overall public sphere. It's unclear if Warner sees the problem of regionality as problem or simply a feature of his account. For him, what I'm calling "regionality" may just turn out to be a consequence of a group of persons who share identities, interests, and needs joining together to construct a form of discourse that is "structured by different dispositions or protocols from those that obtain elsewhere in the culture, making different assumptions about what can be said or what goes without saying."[8]

I will elaborate more on this point in what follows. I see the fact that oppositional publics can form in any culture as motivating a separate set of questions concerning the ways that power relations can and do change over time when members from different publics interact with each other. Though he doesn't see this as a problem, I do read Warner as anticipating this worry (however narrowly) when he says that "when alternative publics are said to be social movements, they acquire agency in relation to the state." He even closes this section by admitting that many alternative publics "enter the temporality of politics and adapt themselves to the performatives of rational-critical discourse" and that "for many counter-publics, to do so is to cede the original hope of transforming not just policy but the space of public life itself."[9]

Nancy Fraser, who Warner draws on a great deal to make his case about oppositional publics, describes them as a domains of discourses where "members of marginalized groups come to formulate oppositional interpretations of their identities, interests, and needs" (Fraser, 1990).[10] Her

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[8] (Warner, 2002) [119]

[9] (Warner, 2002) [124]

[10] (Fraser, 1990) [60]

main argument is that, when public discourse is only conceived as a "single comprehensive overarching public," members of traditionally marginalized groups—e.g., women, workers, people of color, etc.— "have no arenas for themselves for deliberation among themselves about their needs, objectives, and strategies." She also argues that members of these subordinate groups have found it "advantageous to constitute alternative publics" in order to resolve this communicative gap. On her view, the purpose of these oppositional publics is to enable these marginalized speakers to "invent and circulate counter-discourses" that challenge and potentially transform the dominant narratives about their identities, interests, and needs. Because Fraser's framework is committed so deeply to connecting the concept of an 'oppositional public' to subordinate groups, she calls these counter-discourses *subaltern publics*.

I read Evelyn Higginbotham as offering a historical example of the kind of subaltern public Fraser describes in her account of the role of women in the Black church (Higginbotham, 1993). She begins by explaining the role that the Baptist church, in particular, played in providing the Black masses in the United States with an institutional space to deliberate about their experiences as a marginalized group in American society. "By law, Blacks were denied access to public space, such as parks, libraries, restaurants, meeting halls, and other public accommodations" Higginbotham writes. "In time, the Black church—open to both secular and religious groups in the community—came to signify public space."[11] A part from the material sanctuary that the church represented for Black Americans, like Warner, Higginbotham also frames the church as a discursive space, or text, that made it possible for Black people to develop cultural interpretations in opposition to the racial injustices that colored the broader American public sphere. She writes:

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[11](Higginbotham, 1993) [7]

The church also functioned as a discursive, critical arena— a public sphere in which values and issues were aired, debated, and disseminated throughout the larger Black community. The Black Baptist convention movement facilitated the sharing and distribution of information through periodic state and national meetings where thousands gathered and discussed issues of civic concern.[12]

Centering the Baptist church as a facilitator of critical discourse for ordinary Black people allows Higginbotham to interpret how Black women, as a collective, were integral in shaping public discourse for the entire Black community. "Since Black women constituted two thirds of the this movement," she explains, "they had a crucial role in the formation of public sentiment and in the expression of the Black collective will."[13] Because Higginbotham is writing as a historian, she doesn't make any strong theoretical interpretations about what kind of public Black women within the Baptist Church constitute. As architects of an independent form of discourse, the label "regional public" captures the fact that this particular speaker community and the broader public of the Black Baptist church that it is striving to address, negotiate and change are categorically distinct.

What I find most insightful about Higginbotham's account is that it reinforces Fraser's intuition that public spheres are multi-faceted and layered. Though her main goal is to document the various ways that women challenged patriarchal discourse and practices in the Black Baptist church, Higginbotham also shows that, within *any* public sphere, there will always be the possibility for oppositional or "regional" publics to emerge to contest the conventional authority of the dominant speaker community.

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[12](Higginbotham, 1993) [7]

[13](Higginbotham, 1993) [8]

While Michael Warner agrees that Fraser's concept picks out a legitimate feature of public spheres, he doesn't think that it should be so deeply wedded to the subaltern, or historically marginalized speaker communities. For him, "counter-publics," as he calls them, are a lot more general than Fraser admits. "Why would counter-publics be limited to "subalterns?" asks Warner. "How are they different from the publics of U.S. Christian fundamentalism, or youth culture?" These questions lead him to argue that counter-publics, whether originating from the experiences of the subaltern or simply emerging from a unique cultural expression, are a necessary feature of the *function* of a public sphere. Warner explains:

> Each [counter-public] is a similarly complex metatopical space for the circulation of discourse; each is a scene for developing oppositional interpretations of its members' identities, interests, and needs. They are structured by different dispositions or protocols from those that obtain elsewhere in culture, making different assumptions about what can be said or what goes without saying.[14]

I'm in agreement with Warner that his notion of counter-publics captures the essential features of Fraser's subaltern concept, without anchoring this oppositional feature exclusively to traditionally marginalized groups in Western society. Nevertheless, I think Warner's account also mischaracterizes the function of a public sphere insofar as he understands counter-publics as *static* oppositional entities. For Warner, if a cultural group emerges in opposition to the dominant speaker community, this cultural group will *always* maintain, consciously or not, "an awareness of its subordinate status."[15] Call this the *static account of publicity*.

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[14] (Warner, 2002) [119]

[15] (Warner, 2002) [119]

The remainder of this paper will consist of my showing why the static account is false. Specifically, I want to show why regional publics should not be understood as being perpetually subordinate and how cultural contestation is "built into" the character of any public sphere, making these socially constructed entities dynamic and evolutionary.

## **Ideological Power, Dominant Speaker Communities, and Hidden Scripts**

### The Static Account of Publicity and Political Participation

Warner's suggestion that counter-publics should extend to more than just traditionally marginalized race, gender, and class groups is a critical contribution for our understanding of publicity, mostly because it doesn't limit our imagination about what kind of groups develop an oppositional stance within a public. On Warner's view, women, racial minorities, and the impoverished, for example, are not the only kinds of groups that face the possibility of running up against conflict with a more dominant speaker community or even factions that emerge from their own community. However, although the dynamic nature of his account is less static than Fraser's, it still doesn't address a worry that is implicit in Habermas' conception of publicity and political participation. By "political participation," I mean the practices that persons use to advocate for their interests, identities, and grievances within a broader public.

Again, for Habermas, the key to understanding publicity is recognizing the political relationship that obtains between "free citizens" and certain normative forces internal to society, such as economic markets and the State. At this point, there are a couple of questions that we can pose. What is the relationship between a member of a public being free and their being recognized as a citizen? Is the concept of citizenship even relevant to the notion of public membership? For example, would a Black slave in early 19th century America be considered part of the "American public," even if they

are not recognized as a person, let alone a citizen? And what about women? Were they participants in the American public sphere *before* they were granted the right to vote in the early 20th century? What I am trying to emphasize here is that even Warner's account doesn't move us pass a deep-seated problem that originates in Habermas. Put simply, neither theorist considers arguably one of the most important queries of publicity. Can a group politically participate in a public where they are not recognized by the dominant normative forces, e.g., the State, mass media, scientific institutions, etc.? It seems like Fraser would answer this question positively; but recall that her account is impacted by her narrow view of oppositional groups. What we need is an ontological framework that allows us to think about contestation and evolution in a public sphere, while also not endorsing *fixed conceptions* of oppositionality and political participation.

The Bourdieu-Haslanger Model of Ideological Power

In order to understand the nature of contestation within a public sphere, we need a framework for thinking about what it means for dominant speaker communities to control a particular discourse for other speaker communities. I think Sally Haslanger offers such an account in her work on oppression (Haslanger, 2017). Drawing from a variety of resources in critical theory, Haslanger begins by distinguishing between oppression that is *repressive* from oppression that is *ideological*. She defines repressive injustice as a kind of oppression that is "forced on individuals through direct coercive measures," and ideological injustice as a kind of oppression "that is [enacted] unthinkingly and/or unwillingly by the subordinate and/or privileged."

While I do think that, within a public sphere, it's possible for the dominant speaker community to employ repressive *and* ideological tactics, for the purpose of analyzing contestation within a public sphere, I want to focus on ideological oppression, given that, for many public spheres, the dominant narrative goes unquestioned.

While Haslanger doesn't talk explicitly about public spheres, she does talk about a "universe of discourse."[16] Within a universe of discourse, she thinks that there are certain defined power relations that obtain between social groups, namely, (i) doxa, (ii) orthodoxy, and (iii) heterodoxy. Technically, the doxa is all the available social meanings that go "unquestioned" in a universe of discourse; however, Haslanger also explains that the content that defines doxa often works in tandem with the goals and intentions of an orthodox ideology. Ironically, this relationship is best revealed through the challenges that the heterodox raises against these social scripts. She writes, for example, that "we can disrupt the system by making doxa explicit and available for contestation, by challenging orthodoxy, and making what was mere heterodox opinion the new orthodoxy of an entrenched part of doxa." Haslanger also emphasizes that the line between doxa and the "field of opinion" (orthodoxy and heterodoxy) is a "crucial site for social struggle," given that "one step toward liberation is challenging the status quo" (i.e., doxa/orthodoxy).

Though Haslanger accepts Bourdieu's original doxa-orthodoxy-heterodoxy model, she also thinks that it fails to make sense of what she calls cases of cultural intelligibility. Her basic idea is that, in order for contestation to even be *possible*, the content must be intelligible or comprehensible within the field of opinion. But, *as a matter of fact*, in many universes of discourse, claims made by subordinate groups are not intelligible to the orthodox *or* heterodox speaker communities. Let's return to our hip-hop example. When K-pop first ignited, some rap listeners in the U.S. not only rejected this as an authentic hip-hop form; many even charged its practitioners with appropriating (Black) American music culture. There is much that could be said about the charge of cultural appropriation and concerns about the authenticity of the K-pop music genre. I will not take a stand

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[16](Haslanger, 2017) [11]

on these moral and aesthetic issues in this paper. What's important for our purposes is the idea that, for Haslanger, K-pop music would count as what she and James Scott call a *hidden transcript*, given how suppressed this cultural group is within the broader universe of discourse about hip-hop music. I use the term 'suppressed' intentionally, mostly to emphasize that K-pop connoisseurs *are not* "oppressed" by the multiple orthodox and heterodox ideologies that dominate hip-hop discourse. The point is simply that the cultural software specific to this speaker community would not be intelligible to the "mainstream" hip-hop public.
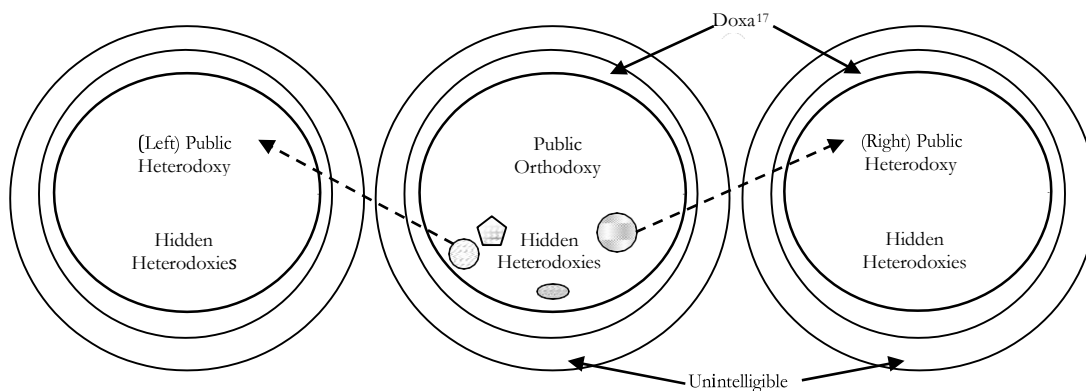


Figure 1

Social meaning and Semantic Evolution

Now that we have a way of understanding the kind of contestation that oppositional publics direct at dominant speaker communities in a public sphere, I want to use this framework to develop an alternative response to the problem of regionality. Specifically, I want to demonstrate why static accounts of publicity are false, by showing how contestation between speaker communities is the foundation for the evolution of public sphere's *problem-space*.

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[17](Haslanger, 2019)

Earlier, I defined a public sphere as a socially constructed domain that serves as an information channel for various speaker communities. For purposes of clarity, let's say that this definition is equivalent to claiming that a public sphere is a particular *form of discourse*. Drawing from the Bourdieu-Haslanger model, let's also stipulate that a speaker community has *conventional authority* when it operates as the dominant speaker community or orthodox ideology in a form of discourse. Let's also agree that, when a speaker community challenges the conventional authority of a dominant speaker community in a public sphere, it is operating as the heterodox ideology or oppositional speaker community in that form of discourse.

I want to dive deeper into the relationship between the dominant and oppositional speaker communities that constitute the field of opinion and the doxatic or "unquestioned" social scripts that serve as the epistemic backdrop for a given form of discourse. Recall that Haslanger reminds us that it is often the case that whatever content operates as the doxatic ideology in a public sphere is serving the "goals and intentions" of the dominant speaker community. I think this remark encourages us to think about how fragile the boundary is between the social scripts we earmark as incontestable and the scripts that we deem eligible for contestation, if only for their explicit association with a dominant speaker community.

Consider the belief that Columbus was the first person to discover America. At a certain point within the general American public (as well as others), this belief would have been a pretty well established social script. In other words, it would have been just as much "common sense" in this form of discourse that a white man from Italy discovered North America on behalf of Spain as it

would have been to believe in the succession of the days of the week.[18] On the basis of this comparison, I view the former belief (as well as the latter) as a doxatic ideology within the American public. Notice the usage of the past perfect verb tense here. It's true that the belief that Columbus discovered America *would have been* the dominant narrative operating in the American public. However, if we were to take an epistemic snapshot of the *current* state of public opinion about this proposition, we're likely to discover that this belief no longer operates as a dominant script for Americans. But what justifies this intuition? It seems that the best explanation for this change in public opinion is that speaker communities that were *formerly* subordinate *challenged* the conventional authority of the dominant speaker communit(ies) in the American public sphere. In other words, the "repositioning" of the proposition <that Columbus was the first person to discover America> from the status of an uncontested public script to a (conservative) public heterodoxy *depended on* the opposition that certain non-dominant speaking communities levied against the American status quo.

One implication to draw from this analysis is that regional publics *become* oppositional publics only when they lobby against the scripts that dominate their form of discourse. Another take-way is that it doesn't matter from what "region" within a form of discourse a speaker community begins. Contestation is the locomotive behind the evolution of a problem-space that defines a public sphere. As the Columbus ideology demonstrates, regional speaker communities who have a stake in a particular form of public discourse can, over a period of time, call a dominant script into question, reforming the conventional authority of that public sphere.

Speaker Communities, Cultural Technēs, and the Street Domain

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[18] I.e., Monday >> Tuesday >> Wednesday >> Thursday etc.

Before I close, I want to elaborate on the functional role that hidden scripts play in steering the evolution of a public sphere. In several passages, Haslanger stresses that hidden scripts do more than operate as modes of resistance in response to the narratives that dominate a particular form of a discourse. According to her, hidden scripts also arise because members of a speaker community simply embrace different *cultural practices*. "I suggest we understand (doxa, orthodoxy, heterodoxy) as relative to a community within a social context," she writes. I interpret this claim by Haslanger as suggesting that, *even within* a particular speaker community, an oppositional culture can emerge with autonomous hidden scripts that challenge the conventional norms that serve as the ontological basis of that social group.

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┌─────────────────────────────────────────┐
│          Speaker Community A              │
└─────────────────────────────────────────┘
       │
       │      ┌──────────────┐
       ├──────│ Hidden       │
       │      │ Script₁      │
       │      └──────────────┘
       │      ┌──────────────┐
       ├──────│ Hidden       │
       │      │ Script₂      │
       │      └──────────────┘
       │      ┌──────────────┐
       ├──────│ Hidden       │
       │      │ Script₃      │
       │      └──────────────┘
       │      ┌──────────────┐
       └──────│ Hidden       │
              │ Scriptₓ      │
              └──────────────┘
```
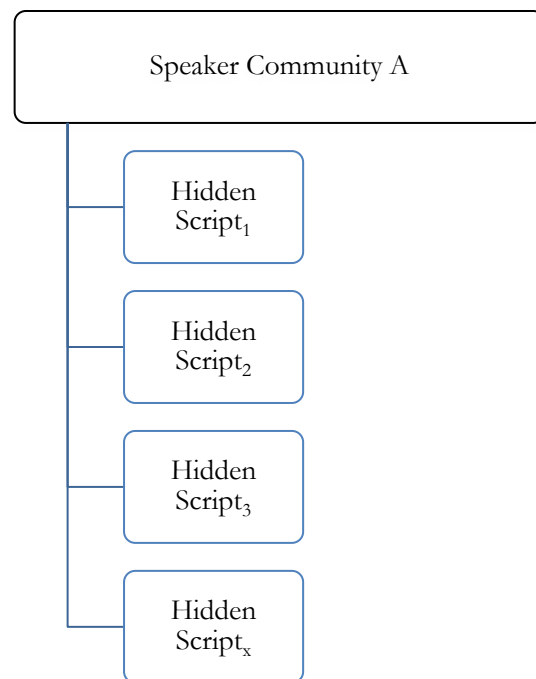
Figure 2

I think what this more robust description of hidden scripts reveals is that publicity is ultimately not defined by the discourse that enters the "mainstream" regions of a public. This "fine-grained"

interpretation of hidden scripts shows that these discursive elements not only drive contestation within the entire form of discourse but they also constitute the *basis* of a speaker community; and as speakers who share a set of linguistic and non-linguistic cultural practices, similar to publics, speaker communities also evolve in response to submerged scripts that contest their dominant pragmatic norms. But what is the source of the *content* of this hidden discourse? Again, Haslanger's model offers some insight. What motivates contestation in any context, on her view, is the different cultural technēs or "set(s) of social meanings" that speakers draw on in a particular milieu in order to "participate in the local practice."[19]

Speaker Community A
- Hidden Script$_1$ ← {Cultural Technē$_1$}
- Hidden Script$_2$ ← {Cultural Technē$_2$}
- Hidden Script$_3$ ← {Cultural Technē$_3$}
- Hidden Script$_x$ ← {Cultural Technē$_x$}
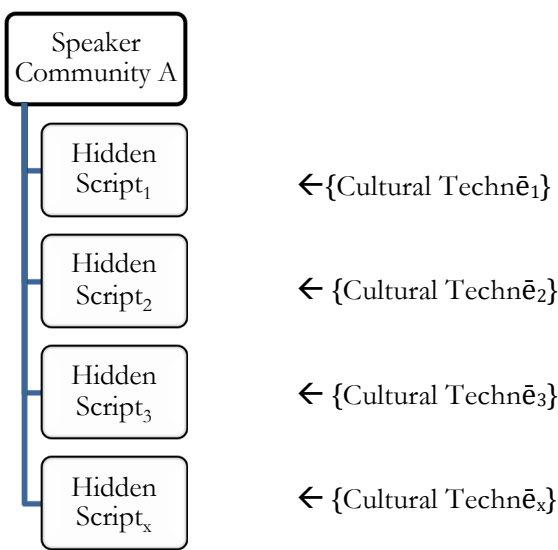
Figure 3

This is what I think Warner means when he describes public spheres as "self-organized bodies of discourse." The hidden scripts that drive contestation in a public are products of the countless cultural technēs that supply their content. The semantic evolution of a public is, therefore, spurred only by practices *internal* to that form of discourse. This extended analysis of hidden scripts also offers a cautionary tale for publicity theorists. Unlike static accounts like Warner's suggest, the

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[19](Haslanger, 2017) [16]

semantic trajectory of a form of discourse does not depend on the dominant speaker communities

or "mainstream" regions of a public. The most optimal method for projecting the horizon of a form

of discourse is by examining the emerging hidden scripts—what I call the *street domain*—that

introduce *raw cultural technēs*[20] to the speaker communities that constitute a public sphere.

**Formal domain**

Speaker Community A

Hidden Script$_1$   **Street Domain**

←{Raw Cultural Technē$_1$}

Hidden Script$_2$

←{Raw Cultural Technē$_2$}

Hidden Script$_3$

←{Raw Cultural Technē$_3$}

Hidden Script$_x$

←{Raw Cultural Technē$_x$}
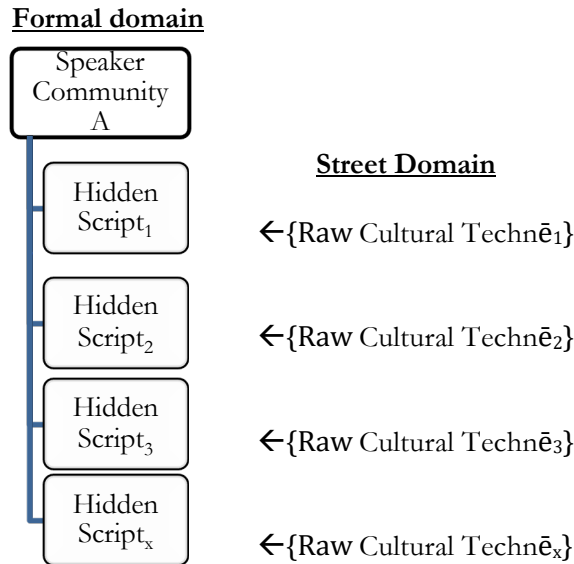
Figure 4

Sociolinguist Penelope Eckert highlights the value of having a framework of ideological power in

her research on social identity formation in American high schools.[21] Below, Kareem Itani describes

the nature of the power relations Eckert identifies in her work that define what group serves as the

dominant or "privileged" speaker community in that public setting. He writes:

> Eckert uses students who are considered to be the "jocks" and "burnouts." The jocks are
> described as being the students who care for their future, dress very regularly, usually go to
> study, complete some work for the school like go to football games, and talk with other

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[20] Essentially, I think of raw cultural technēs as the sets of social meanings that constitute the *informal* discourse of a speaker community.

[21](Eckert, 1989)

jocks. Students who are deemed as 'burnouts' tend to dress, talk, act differently compared to the jocks they; do more of what they want and don't speak the same as jocks or have the same goals as them.

He continues.

The jocks are students who pay attention in school, want to do well in classes, and end up applying to go to college. Burnouts are people who don't care much for school and will end up working at a small job after they graduate high school and don't mind that. Furthermore, whether the students are jocks or burnouts through their own social choice, affects what kind of friends or people they associate themselves with. The type of person you are becoming now leads to you forming your friend groups and socioeconomic group in the future. ... Choosing their future based on who they are really as a person directs them to engage and talk to other people who are seeking the same kind of future as them. Many people connect with others based on their personality as well. People who are determined enough and work hard will end up going where they want to and pursue the path they want, and their socioeconomic class can support their journey.

I think what this real-world example illustrates is that a framework of ideological power is helpful for thinking about the various ways that jocks hold a privileged position in American public high schools.

However, what Itani fails to mention is that, as athletes, this material privilege also provides them with the *discursive power* to control what counts as "legitimate," "acceptable," or "cool" within that public setting. Like most dominant speaker communities, jocks not only have a conception of what counts as a "promising" or "successful" future, they actively *construct* this reality for themselves and the rest of the high school public through their practices and normative commitments.

The burnouts, on the other hand, operate at the margins of the speaker community. While being at the margins of this public discourse excludes them from certain social relations with not only the jocks but other possible speaker communities (or kinship networks),[22] they, nevertheless, forge new

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[22] (Pollock, forthcoming)

(hidden) scripts grounded in the problem-spaces *they* face as high school students alienated from the mainstream region dominated by the jocks. What's important to note here is that it would be difficult to understand *why* some burnouts might be(come) deviant actors or contest certain practices, expectations, and symbols in this space. By making sense of their position within the broader public, we gain a more accurate representation of their attempting to carve out an independent group identity distinct from the established status quo.

## Conclusion

Much of who we are is shaped by the customs, beliefs, and values that we share with other people. In ordinary language, we tend to refer to these collective epistemic domains as public spheres. Because the term "public" is introduced to be explanatory in most fields (e.g., philosophy, law, education, etc.), many researchers take for granted the unique set of ontological problems that are generated by this socially constructed entity. The main of goal of this paper was to provide an alternative response to one of these problems of publicity—what I call the problem of regionality—in order to develop a more complete picture of how public discourse evolves over time.

# Semantic Power Structures and the Problem of Publicity

Social meaning is a slice of social ontology that presents a problem for traditional frameworks used to think about the nature of linguistic expressions. Particularly, this phenomenon seems to put pressure on a firmly held assumption in philosophy of language and linguistics, namely, the semantics/pragmatics distinction. This distinction places a sharp divide between the descriptive conditions of an expression and the meaning it has in virtue of the conversational role it plays in a particular context and speaker community (Stojanovic, 2007). What the domain of social meaning reveals, however, is that, for some expressions, it's difficult to know exactly where to draw the line between what is said and what is meant.

In this paper, I want to provide a framework for thinking about a special domain of expressions— what I call *non-public concepts*—and show how some social structures play a functional role in regimenting and contesting what these terms *name* in the world. First, I analyze the relationship between social construction and social meaning by examining three popular accounts in social ontology. I then describe how certain institutions have what I call *conventional authority* over a body of information. Finally, I show how these institutions are responsible for generating certain deferential norms for a speaker community in relation to a particular class of expressions.

## What's "Social" about Social Meaning?

One meta-semantic element that current theories about social meaning all have in common with mid-20[th] century semanticists, such as Hilary Putnam and Saul Kripke, is the tendency to cash out the naming capacity of an expression in terms of its reference, or, in other words, in terms of what it "picks out" in the world (Putnam, 1975; Kripke, 1980). A sensible assumption, one can see this kind of externalist intuition operating as the foundational premise for a number of theoretical

frameworks in (analytic) philosophy of language, as well as various other academic research programs. What unites all of these theorists is one simple goal: to explain the relationship between expressions that have pragmatic significance for a public and the socially constructed phenomena that generate and regiment the extensions that emerge from these linguistic practices.

In the literature, more attention has been paid to how social meanings are *constructed*. This inquiry is primarily motivated by a concern about the nature of this semantic category. What is the origin of meanings with social significance, and what causes them to come into existence in the first place?

### Lessig on Social Construction

A well-known example of a constructionist account of social meaning is a framework developed by Lawerence Lessig (Lessig, 1995). A legal theorist, the main target of Lessig's analysis is state government. He makes this explicit in his introduction by centering a case about an ordinance that was overruled by a federal judge concerning the suppression of pornography in the city of Indianapolis. A particular instance of a broader wave of local legislation that swept across the United States in the early eighties, the "Dworkin-MacKinnon ordinance," as this statute came to be known, was struck down on grounds that it violated the First Amendment of the U.S. Constitution. What Lessig finds most interesting about this case is *not the fact* that it was overturned. He is interested in the *reason* this law was shot down. According to Lessig, the judge's decision was grounded on reasoning from a Supreme Court ruling that was decided almost forty years earlier—namely, *West Virginia State v. Barnette*.

*Barnette* was a monumental ruling mostly because it served as an example in constitutional law where the Supreme Court found it appropriate to interpret the First Amendment as extending the notion of free speech to practices that go beyond mere linguistic expression. The particular practice of concern in this case was the refusal of some public school students to salute the American flag and recite the pledge of allegiance. Relying on the *Barnette* ruling as a precedent, it was argued in the Indianapolis anti-pornography ordinance case that the use of state power as a mechanism to control the expression of any kind of idea, no matter how demeaning that idea may be perceived by a majority of the public, violates the constitutional right that an individual or group has to express and be exposed to such an idea in private. In his final message to the court, the judge who presided over this case emphasized, for example, that "under the First Amendment, the government must leave to the people the evaluation of ideas."[23]

Lessig thinks that the reasoning that undergirds both of the cases is the belief that legal government should not play a role in legislating and officiating norms to the public. Under this interpretation, the only function of a legal government is to protect the rights that are guaranteed to citizens in virtue of whatever document serves as the blueprint for civic relations in that state—in the case of *Barnette* and its legal descendants, that document is the U.S. Constitution. Lessig takes issue with this conception of the purpose of legal government for two reasons.

First, he thinks that, as *a matter of fact*, this is not an accurate description of the role that legal governments play vis-à-vis a public sphere. If we examine political history, argues Lessig, it's clear

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[23] (Lessig, 1995) [945]

that legal government has *always* been in the business of prescribing and officiating cultural norms.[24]

It pays to keep in mind that this kind of influence need not be explicit. The government doesn't

need citizens to "confess by word … their faith," as Lessig emphasizes. Inherent in the institutional

make-up of governments is the capacity to "advance the orthodox by rewarding the believers and

segregating or punishing the heretics."[25]


The second reason why Lessig finds the *Barnette* interpretation troubling is because it is grounded on

a kind of oversight—what he describes as a kind of "blindness"—that is common in not only

constitutional law but legal theory, in general. This blindness amounts to a failure to recognize and

take seriously a presupposition that Lessig thinks is common in social theory: the notion that

institutions like legal government have the power to generate social *constructions*.

      Hacking on Naming and Institutional Control

While Lessig focuses mainly on the hand that government has in constructing human reality, Ian

Hacking offers an account that highlights the role that other non-state institutions have in social

construction (Hacking, 2002). Drawing from the work of various critical theorists, Hacking's

primary goal is to develop a framework of social constructs that is not only rich enough to make

sense of abstract objects, like cultural norms and laws, but also certain practical classifications that

ordinary speakers use to talk about a certain *kind of person*. Though he doesn't specifically use the

term 'institution', Hacking does believe that "making up people," as he describes the phenomenon,

is "intimately connected" to mechanisms of "control."[26] Two examples that he uses to demonstrate

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[24]In his article, Lessig uses the example of the U.S. government being traditionally conservative about social matters, such as abortion, unsafe sex, and family values.

[25](Lessig, 1995) [946]

[26](Hacking, 2002) [104]

the "constructing feature" of these institutions are the classification of a person as mentally ill and the labeling of a person as homosexual.[27]

In regard to mental illness, Hacking focuses his analysis particularly on multiple personality disorder. Defending a view that he calls "dynamic nominalism," he thinks, contrary to an ontological realist, that no psychological disease that our English-speaking society presently calls "multiple personality disorder" existed before the 19th century, and specifically, before 1875—the year that the phenomenon was first documented as a disorder by professional practitioners in Western Europe.[28] Another way of making this point is to say that multiple personality disorder "as an idea *and* as a clinical phenomenon was *invented* in 1875."[29][30]

Hacking thinks that the same kind of line can be pushed for the category homosexual—a thesis first defended by Michel Foucault.[31] Like multiple personality disorder, Hacking seems to think that naming drives a large part of social construction. Many social theorists refer to this phenomenon as labeling theory. A strong version of nominalism, labeling theory offers resources for understanding how using a term like "homosexual" to identify a certain group of people who deviate from the traditional sexual norms of our society is, *ipso facto*, causing this kind of person to come into existence. I think Hacking makes this point clear when he writes:

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[27](Hacking, 2002) [101-7]

[28] For a longer discussion, see "A Brief History of Multiple Personality Disorder" (Putnam, 1996)

[29](Hacking, 2002) [100-1]

[30]my italics

[31](Plummer, 1981)

> The homosexual and heterosexual as kinds of persons (as ways to be persons, or conditions of personhood) came into being only at the end of the 19th century. There has been plenty of same-sex activity in all ages but not, it is argued, same-sex people and different sex people. … The sheer proliferation of labels that began in the 19th century (has) engendered vastly more kinds of people than the world had ever known before.[32]

The main take-way from his analysis of the mental illness case, as well as "deviant" sexuality, seems to be this: there is a deep connection between the names that we use and the kinds of things, including the kinds of people, that we encounter in the external world. As John Marshall remarks in his work, social constructions are not "'real' entities, which await scientific "discovery." "These distinctions [were] made," he argues, and "new realities effectively came into being."[33]

But naming isn't the only instrument by which things are socially constructed. Before transitioning from his commentary on homosexuality, Hacking reminds us that Foucault sees labeling as a part of a larger process of social construction. Most importantly, Foucault thinks that, in order to develop an exhaustive explanation of this phenomenon, we must also consider the various *non-linguistic* ways the human condition functions to construct external reality. "We should try to discover," writes Foucault, "how it is that subjects are gradually, progressively, really, and materially made, constituted through a multiplicity of organisms, forces, energies, materials, desires [and] thoughts."

Haslanger on Social Practices and Social Relations

Sally Haslanger seems to be in agreement with this Foucaultian interpretation of social construction. For Haslanger, to merely focus on individual expression, or even macro-level institutional structure, is to gloss over arguably the main impetus behind the construction of human reality. The main goal

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[32] (Hacking, 2002) [103-4]

[33] (Marshall, 1981)[249]

of her analysis is to understand the social world through the cultural mode—a mode that is constituted by two elements: social relations and social practices (Haslanger, 2014).

On Haslanger's view, social constructions, or social structures, emerge from a "network of social relations."[34] What's unique about her account of social relations is that it goes against an orthodox view in social ontology that social construction is necessarily an output of intentional action.[35] "On the account I favor," writes Haslanger, "social relations need not be intentional or conscious." It's possible for a person to "stand in complex kinship relations to persons one has never heard of." This includes certain civic relationships, like our relationship to certain members of the "city, state, and federal government."[36]

If social relations are the basis for social structures, then social practices are the elements that function to sustain them. Understanding that the term "practice" is ambiguous, Haslanger offers two ways of cashing out this meaning—what she calls the "thin" and "thick" conception of social practices.

On a thin interpretation, social practices are simply "patterns of interactions or regularities in behavior."[37] Driving on the right side of the road, facing the front when you step onto an elevator, whispering when you're in a library, on this proposal, all count as instances of social practices.

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[34] (Haslanger, 2014) [21]

[35] (Searle, 1995)

[36] (Haslanger, 2014) [21]

[37] (Haslanger, 2014) [21]

Thicker conceptions of social practice require that a social practice carry with it a kind of normative element. Typically, this normative element consists in the person having common knowledge[38] of the norms of a social space or, in other words, their being aware of certain "shared expectations."

To illustrate this more vividly, imagine sneezing and hearing the person next to you say, "Bless you." Sure, it is commonplace, or, perhaps, even a "regularity," in American culture for a person to utter this expression after someone close to them sneezes. Now imagine hopping on a bus, sneezing again, and the person next to you simply continues to sit quietly in their seat. Did this person do something wrong? In other words, are they blameworthy for their failure to respect this cultural norm? Or does their potential ignorance of this social practice explain *why* this norm is supererogatory?

These are the kind of hard cases that I think Haslanger keeps in mind when constructing her theory of social practices. She writes, for example:

> I take it as a broadly shared background assumption that social structures don't exist apart from our collective behavior. Their existence depends on our actions and interactions. However, because the notions of social structure and social relations are introduced to be explanatory, we should not take them to be just any regularities in behavior. … Moreover, as suggested above, we also want to allow that we participate in structures and, in doing so, partly constitute them, without an awareness of what we are doing, and without intending to. … It seems promising, then, to develop a notion of practice— falling somewhere between the thickest and thinnest—according to which they give rise to social relations and structures, but need not be intentionally loaded.[39]

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[38](Lewis, 1969)

[39](Haslanger, 2014) [22]

Like Haslanger and others, I do think that social construction requires a more theoretically rich conception of social practice. However, while there is still much work to be done in this domain of ontology, in order to have more robust account of social meaning, we also need an account of the *regimentation* and *contestation* of social phenomena once they are baptized[40] through the institutions and practices that a political arrangement accepts as legitimate.

## **Regimentation and Contestation**

Before I continue, I should note that the issue of regimentation and contestation does draw some spotlight in the accounts that I have been considering.

### Lessig on Text and Context

Lessig thinks about regimentation in terms of what he calls the "force" of social meanings. "If meanings exist, where do they get their force?" he wonders. Recognizing that one of the difficulties is finding language to talk about Meaning, he employs two metaphor-like terms to capture what he means by the "force" of social meanings, namely, text and context.[41]

Texts, for Lessig, are any kind of act or practice. The context, on the other hand, is what "gives the act meaning." The example he uses is the act of raising one's hand. This act *becomes* a salute based on whatever context it is performed. In this case, it's plausible that the context is a military or government ceremony, for example. Social meaning and the maintenance of this meaning, Lessig argues, "is a product of both."

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[40](Kripke, 1980) [96]

[41](Lessig, 1995) [958]

While Lessig does not to use the term "contestation," he does talk about what he calls "intervention." This is an important term for him because he thinks it helps distinguish between cases where social meanings simply change because of happenstance from cases where these meanings change due to intentional action by human actors. Again, Lessig thinks that we can understand at least part of how meanings are changed by looking at how contexts are socially constructed. Borrowing language from Jack Balkin, he wants his account to say something about how the contestation of social meaning happens via changes in the "cultural software" of individuals.[42]

Haslanger's Ameliorative Analysis

I also read Haslanger as tackling the problem of contestation (Haslanger, 2000). In her work on race and gender, for example, she advocates for what she calls an "ameliorative analysis" of terms like 'woman' and 'white'. Her argument is that, because these terms operate as a part of oppressive social structures, it is up to the persons on whom these identities are imposed to decide how these terms should be used and what they should come to mean. She writes:

> By appropriating the everyday terminology of race and gender, the analyses I've offered invite us to acknowledge the force of oppressive systems in framing our personal and political identities. Each of us has some investment in our race and gender. I am a White woman. On my accounts, this claim locates me within social systems that in some respects privilege and in others subordinate me. Because gender and racial inequality are not simply a matter of public policy but implicate each of us at the heart of our self-understandings, the terminological shift calls us to reconsider who we think we are.[43]

David Chalmers sees this kind of ameliorative analysis as an instance of conceptual engineering (Chalmers, forthcoming).[44] While I do agree with Chalmers that conceptual change is a part of the

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[42](Lessig, 1995) [962]

[43](Haslanger, 2000) [47]

[44](Chalmers, forthcoming) [4]

picture, I also think that what Haslanger's account is chiefly trying to provide is a framework for thinking about how it's possible for *certain* semantic features of words used to name objects and experiences in the world, like race and gender terms, *to be contested* in different contexts given whatever political aims are salient in that milieu.

      <u>Social Construction and Publicity</u>

If we want a general account of social meaning, however, we need a *categorical* way of marking the boundaries between the various ways expressions can be regimented in a political arrangement and the idiosyncratic and cultural meanings they can take on in a speaker community. This dilemma is the main factor that motivates a larger set of ontological issues that I call *the problem of publicity*. Essentially, publicity complicates a deeply held intuition in (analytic) philosophy of language that certain institutions (e.g., scientific institutions) have conventional authority over a body of information or problem-space. The remainder of this paper will be dedicated to sketching a framework that can offer conceptual tools for identifying the properties that constitute the conventional authority that certain social structures have in a political arrangement.

**Semantic Deference and the Division of Linguistic Labor**

In his work on proper names and natural kind terms, Saul Kripke makes an interesting observation about the relationship between scientific discovery and semantic contestation. "Scientific discoveries," claims Kripke, "do not constitute a change in meaning." "The *possibility* of such discoveries was a part of the original enterprise." Even though his framework is particularly an account about *reference*, I think that, here, Kripke is nudging semanticists to recognize that the meanings of expressions that are governed by scientific inquiry depend exclusively on *this* institutional structure for their extension, despite new information being acquired by members of the scientific community *or* ordinary speakers being ignorant about this information. Kripke writes:

> We need not even assume that the biologist's denial that whales are fish shows his 'concept of fishood' to be different from that of the layman; he simply corrects the layman, discovering that 'whales are mammals, not fish' is a necessary truth. Neither 'whales are mammals' nor 'whales are fish' was supposed to be a priori or analytic in any case.[45]

Tacitly acknowledging the problem of publicity, I think that Kripke is picking up on a kind of division of inquiry that obtains between problem-spaces that are regimented by certain kinds of institutions, like biology, and other problem-spaces that either resist or completely lack this structure.

Hilary Putman also explores the role that scientific institutions play in regimenting the extension of certain terms. Similar to Kripke, he recognizes publicity as the reason for *why* these social structures are necessary for regimentation. He begins:

> Unclear as it is, the traditional doctrine that the notion "meaning" possesses the extension/intension ambiguity has certain typical consequences. Most traditional philosophers thought of concepts as something mental. Thus the doctrine that the meaning of a term (the meaning "in the sense of intension," that is) is a concept carried the implication that meanings are mental entities.

He continues:

> Frege and more recently Carnap and his followers, however, rebelled against this "psychologism," as they termed it. Feeling that meanings are *public property*—that the same meaning can be "grasped" by more than one person and by persons at different times—they identified concepts (and hence "intensions" or meanings) with abstract entities rather than mental entities.[46]

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[45] (Kripke, 1980) [138]

[46] (Putnam, 1975) [35]

I think this aspect of Putnam's analysis highlights a basic fact about all sorts of names in a natural language (e.g., proper names, singular terms, mass terms, natural kind terms, etc.). Left up to the public, the meaning of a name is subject to the cultural whims of ordinary speakers. At this point, however, it's up to externalists to develop a framework for addressing the following worry: what structures in the world establish the *denotation* of a name, despite ordinary speakers having the authority to use this name with different intentions and practices?

To make sense of this question, Putnam proposes a theoretical notion that he calls "a division of linguistic labor." The spirit of this idea is simple. He wants semanticists to recognize that, *as a matter of fact*, speaker communities designate certain institutions with a special kind of epistemic authority to establish and manage the meanings of an entire domain of expressions. Consider the following two statements:

  i.    Gold has the atomic number 79.
  ii.   Brisket is meat cut from the breast of a cow.[47]

If we accept Putnam's division of linguistic labor thesis, then it simply doesn't matter how ordinary speakers use the term 'gold' or 'brisket'. These usages do not change the fact that the predicates "has the atomic number 79" and "is meat cut from the breast of a cow" are invariably part of what these names pick out. But what is the basis for *this* intuition? Many who read this section of Putnam fail to mention arguably the most important element of his externalism, namely, a division of *non*-linguistic labor. The main point of this technical term is to demonstrate that the reason that the extension of terms like gold and brisket are recalcitrant to the idiosyncratic usages of ordinary speakers is because,

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[47] I borrow this example from Tyler Burge. (Burge, 1979) [80]

using Putnam's language, as a "collective body," our speaker community "divides the labor of knowing and employing these various parts of meanings" for these terms.[48] In the literature, both the divisions are understood as constituting a prominent view in the philosophy of language called *semantic deference*.

I think Putnam would agree that, practically speaking, the division of non-linguistic labor feature of his analysis roughly maps onto different kinds of *scientific* institutions. While I agree with him that this socio-linguistic hypothesis seems correct, I take issue with the *scope* of his analysis. For Putnam, the sole *type* of institution that is capable of performing this "labor of knowing" role is science. On his view, the extension of gold, for example, is regimented by a special class of speakers we call "chemists" (division of linguistic labor) who function as a part of a larger inquiry domain that we call "chemistry" (division of non-linguistic labor). But what about a term like brisket? At present, most theorists would not see this term as picking out a scientific kind.[49] Nevertheless, it also seems wrong to say that the extension of this word is not subject to some kind of division of linguistic labor. Most people would agree that, if a speaker wants to know what the name brisket picks out, they could simply ask a butcher or a chef, for example. In other words, there seems to be some names about which some speakers have specialized knowledge and to which other speakers ought to defer without this knowledge strictly counting as "scientific."

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[48] (Putnam, 1975)

[49] Quayshawn Spencer defines a scientific kind as a valid kind in a well-ordered scientific research program. (Spencer, 2012)

What's lacking in Putnam's picture is a way to talk about the properties that constitute the deferential feature that obtains for both a scientific kind like gold and a culturally specific culinary category like brisket. In what follows, my goal will be to develop a general framework of this kind.

**Semantic Power Structures and Contestation**

Before I begin, I need to establish operative definitions for some basic terms that are foundational to my analysis. First, on my account, an 'institution' is any social structure that has *political authority*. I define 'political authority' as the power or capacity of a social structure to impose norms on individuals *external* to its system.

For example, imagine the spontaneous organization of a card-playing club among friends. On most orthodox accounts, this group of friends would constitute a social structure. A Searleian might argue, for example, that the *collective intensionality* involved in their declaring themselves a "card-playing club" is sufficient for establishing the fact that there *actually is* such a group-entity (Searle, 1995).[50] Despite the social reality of this club, however, it fails to count as an *institution*. In other words, it doesn't have the power or capacity to impose norms on persons who are not members of it.

Much could be said about the relationship between political authority, institutions, and social construction. For our purposes, however, the reason that I want to focus on social structures that *do*

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[50](Searle, 1995) [23-6]

have political authority is because I think that they perform an important kind of ontological role: specifically, they have the authority to regiment the extension of certain names for a public.

Finally, let's call an institution a *semantic power structure* if it serves as an extra-linguistic "difference-maker" for one or more names. The fundamental issue that the problem of publicity raises for semantics is the insight that disagreement is an *essential* part of the process of determining the extension for names used to mark the boundaries of sociality. Another way to put this is to say that any framework of social meaning must account for *contestation.* As Putnam acknowledges, part of what the linguistic division of labor presupposes is the fact that the majority of the members who use an expression will employ it in accordance with *their* social role in the speaker community.[51] He writes:

> Consider our community as a "factory": in this "factory," some people have the "job" of wearing gold wedding rings, other people have the "job" of selling gold wedding rings, still other people have the job of telling whether or not something really is gold. It is not at all necessary or efficient that everyone who wears a gold ring (or a gold cuff link, etc.), or discusses the "gold standard" etc., engage in buying and selling gold. Nor is it necessary or efficient that everyone who buys and sells gold be able to tell whether or not something is really gold in a society where this form of dishonesty is common (selling fake gold) and *in which one can easily consult an expert in case of doubt*[52].[53]

In the final part of this paper, I want to clarify the institutional features of this inquiry-driven role of semantic power structures, like chemistry. My hope is that, if we can elucidate the characteristics that all semantic power structures have in common, we inch closer to a general theory of semantic deference—one that vindicates the intuition that butchers and chefs play a similar kind of epistemic

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[51](Putnam, 1975) [144]

[52] [my italics]

[53] (Putnam, 1975) [144]

role in regimenting (and contesting) the extension for a term like brisket as chemists have in regimenting (and contesting) the extension for a scientific kind like gold.

## Strong Semantic Power Structures and Non-public Concepts

I've already established that the purpose of semantic power structures is to regiment the extension of certain expressions. But what *is* regimentation exactly? On my view, regimentation is the ontological role that institutions play in establishing or revising the *relevance conditions* for names that pick out socially constructed items and experiences. I want to say a little bit about why I particularly use the phrase "relevance conditions." There are two reasons.

First, as Lessig emphasizes in this work on social meaning, it's possible for ordinary speakers to attach various associations to a given expression. Borrowing Putnam's language, speakers occupy different roles vis-à-vis certain expressions within a speaker community. One consequence of this associative inclination is that ordinary speakers tend to take these *cultural* connotations as *dictating* what a term *denotes*. Therefore, one of the purposes for my arguing that semantic power structures specifically regiment the relevance conditions is because it makes clear that these institutions are concerned only with regimenting the semantic elements that a name *picks out*.

This brings me to my second reason. If social construction reveals anything to semanticists, it's the insight that Meaning has a number of different moving parts. With this variation in mind, my claim that the function of semantic power structures is to establish or revise the relevance conditions of certain expression is a technical way of saying that the aspect of Meaning with which these institutions are concerned is *prescriptive* meaning. The virtue of this kind of semantic framework is

that it provides a basis for explaining why some institutions[54] have the authority to impose certain epistemic norms, thereby regulating *what* a speaker is talking about when they use a name. However, this picture also respects the various idiosyncratic and cultural meanings that may matter for an ordinary speaker on the street. For example, no matter how much a speaker uttered "Gold has the atomic number 55," this practice is incapable of changing the fact that part of the prescriptive meaning of the term 'gold' is that it has the atomic number 79—not 55. Of course, this speaker can continue to believe and express this false proposition.[55] But given that they do not have the conventional authority to modify this term's extension, i.e., it's *official* meaning, competent speakers of our English speaking public are entitled to correct him.

Though semantic power structures function to regiment extensions for a public, this does not mean that *inner-contestation* doesn't occur within the institutions responsible for this linguistic labor. Whether it is a groundbreaking discovery made in some scientific field or a social movement that causes a cultural shift in government, the opinions of "experts" change. This is just a fact about the social world. Given this reality, a theory of semantic deference, and particularly a framework of semantic power structures, must say something about the character of this inner-contestation and explain why some semantic power structures have more influence than others. This part of the analysis will be grounded on three claims.

My first claim is that all semantic power structures have what I call a method of adjudication or *protocol*. I define a protocol as a normative system that governs the kind of propositions that

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[54] E,g, legal governments, biology, butchers

[55] (Nietzsche, 2001) [4]

members of an institution[56] are justified in asserting. It helps to think of this normative system as the "checks and balances"[57] within an institution that determines how *epistemically reliable* that particular semantic power structure is. My second claim is that this epistemic reliability feature of semantic power structures corresponds to the *normative strength* of these institutions. If a semantic power structure has a high level of epistemic reliability, it is what I call a *strong semantic power structure*. Lastly, I claim that strong semantic power structures define a class of expressions that I call *non-public concepts*.

For example, in modern societies, we generally accept the legitimacy of scientific knowledge. This faith seems to be grounded on the assumption that scientific inquiry and our scientific institutions are relatively secure and reliable epistemic resources. We trust the judgments of scientists and scientifically competent speakers about certain subject matter precisely because their claims are grounded on empirical evidence that is constantly being challenged by qualified members of a particular scientific community. For most phenomena, this deferential attitude toward scientific knowledge has not only been appropriate but necessary for societal progress. We trust the physicist's conception of 'heat' or the biologist's conception of 'sub-species' because, despite *inner-disciplinary* contestation[58] about the extension of these terms, they nevertheless play integral roles in theoretical projects that enable us to discover meaningful propositions about the external world.

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[56] I.e., the "experts"

[57] One can also think of a protocol or method of adjudication as the "peer-review practices" within an institution.

[58] (Hardimon, 2017) [108]

Notwithstanding the general epistemic reliability of scientific inquiry, a quick survey of the history of science reveals that not all scientific research programs (SRPs) generate kind-terms[59] that contribute to long-term scientific progress. *If* a kind-term does satisfy this criterion, it becomes what Nelson Goodman refers to as a *genuine kind*. On Quayshawn Spencer's view, one can determine if a particular kind-term is a genuine kind by assessing whether or not it is a *valid kind* in a *well-ordered* scientific research program

Returning back to the cases that I've been examining, I think that the category 'strong semantic power structure' provides an accurate representation of a scientific institution like chemistry. As a field of inquiry, for certain subject matter, the reason why ordinary speakers *should* defer to information generated by this field is because it has a significant number of epistemic checks and balances that constitute its method of adjudication, establishing it as a reliable source of knowledge. This is why handling contestation about the prescriptive properties of a term like 'gold' is relatively easy. There is an entire institutional structure whose linguistic "job" is to establish and revise these facts for the English speaking public.

But what about a term like brisket? It doesn't seem correct to say that a butcher or a chef, or even a group of such persons, qualify as strong semantic power structures. Some may even question whether or not we should say that these social roles are sufficient enough to constitute institutions. While I do think that butchers and chefs have political authority,[60] and therefore count as

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[59] Spencer uses the term 'scientific kind' to talk about concepts that are valid within a particular scientific research program. Since this paper is more focused on assessing how these concepts operate in natural language, I will use the term 'kind-term' to talk about scientific kinds (as Spencer understands the term), as well as natural kinds and social kinds, in general.

[60] Particularly concerning expressions within in the domain of culinary arts.

institutions on my view, I also think that it would be inaccurate to say that they meet the adjudicatory threshold of a strong semantic power structure. But what makes a profession like being a butcher a weaker semantic power structure than an institution like chemistry?

The main difference between these two kinds of epistemic sources is that, *even if* a particular butcher or chef has political authority in a certain speaker community, it isn't necessarily true that their *conventional* authority carries over into other cultural contexts. We could easily imagine, for example, an English speaking public where the butchers or chefs use the utterance "brisket" to talk about "meat cut from the breast of a cow *or* pig." Inevitably, this kind of cultural variation contributes to a less reliable method of adjudication, and thus, a weaker semantic power structure. Unlike gold, then, the term brisket is a public concept—where a public concept is any name that is not regimented by a strong semantic power structure, making it open to cultural contestation.

## **Conclusion**

One element of natural language that is often ignored in semantics is the fact that ordinary speakers tacitly defer to certain institutions to determine what a speaker is talking about when they use a name or expression. The purpose of this social practice is to help a speaking community distinguish a term's extension from the various cultural connotations that become wedded to them in our public discourse. I call the set of issues generated from this social practice *the problem of publicity*.

In this paper, I hope to have shown how some institutions serve as extra-linguistic difference-makers by regimenting the extension of particular names—what I call non-public concepts. I also hope this account offers an adequate description of the nature of the deferential norms that are grounded in this hierarchy of linguistic labor.

# Social Ontology and the Problem of White-Mindedness

In *Black Power: The Politics of Liberation in America*, Stokely Carmichael and Charles Hamilton

emphasize that "racism is both overt and covert." "It takes two closely related forms," they argue.

"Individual whites acting against individual Blacks, and acts by the total white community against the

Black community." They call these two forms "individual" and "institutional" racism.[61]

These conceptual tools have not only been used by race theorists to explain the countless types of

practices and attitudes that obtain in a historically racist political arrangement, but, more

importantly, they are normative terms that have permeated our ordinary discourse about racial

oppression globally. Realizing that the term 'racism' is ambiguous, Carmichael and Hamilton provide

an operative definition. Racism, for them is: "the predication of decisions and policies on

considerations of race for the purpose of subordinating a racial group and maintaining control over

that group."[62] What's powerful about this description is that it is "thin" enough to provide a

framework of racist practices throughout human history, while also being "thick" enough to

characterize the form of racial domination that obtains in our contemporary global milieu—what

Carmichael and Hamilton call the "white power structure,"[63] or what Charles Mills calls "global

white supremacy."[64]

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[61] (Carmichael; Hamilton, 1967) [4]

[62] (Carmichael; Hamilton, 1967) [3]

[63] (Carmichael; Hamilton, 1967) [7]

[64] (Mills, 1997) [3]

We accept the individual/institutional paradigm because it has done and continues to do a lot of explanatory work. If a Black person in the U.S., for example, wants to know why another non-Black person calls them the N-word when they walk by, one quick and easy way of making sense of their usage of this racial slur is by thinking of this person as a racist individual. What's more, if this same Black person is curious about why Black people have the lowest life prospects out of all racial groups, they can appeal to the racist impact that is characteristic of the entire U.S. institutional structure.

But rather white supremacy is "in the heart," as Jorge Garcia[65] believes, or is better thought of as a structural phenomenon, the individual/institutional racism dichotomy fails to capture the complex shades of racism and anti-Blackness that exists today. What makes this generation of racist practices different from the era of Carmichael, Hamilton, and even Mills, is that it would be empirically inaccurate to suggest that white supremacy is only something that is done by white *bodies*. In the shadows of the "diversity era," the American and global public has recognized that, despite having a critical mass of successful people of color in business, academia, entertainment, and even the U.S. presidency, this country, and for that matter, the entire Western milieu expresses and generates the *same kind* of racist attitudes and practices as the white male bodies who chartered these institutions.

Ultimately, the individual/institutional racism model leaves us with what some social theorists call a "macro-micro problem." In terms of the structure of white supremacy, this social ontological problem emerges in the form of two inquiries: (i) how is it possible for non-white bodies to enact attitudes characteristic of the white supremacist power structure? And (ii) how is it possible for

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[65] (Garcia, 1996)

institutions that are primarily constituted by non-white bodies to still exhibit racist practices? I call this issue the *problem of white-mindedness*.

In other words, what this problem highlights for race theory is that we need a story for how white supremacist mental states can persist through any*body*, as well as an explanation for why immense harm and oppression still envelopes Black bodies, particularly—notwithstanding a major wave of diversity in the past 30 years by our mainstream social and political institutions.

The purpose of this essay is to provide an account of three characteristics of the white hegemonic power structure[66] that cannot be captured by the classical individual/institutional framework for thinking about global racism. Specifically, I want to shed light on how the white supremacist doctrine is (i) cognitively formative, (ii) cognitively transferable, and *because of* these two features can (iii) evolve ontologically. The main goal is to demonstrate how switching to a model of white-mindedness when reflecting on the function of white supremacy will help solve the "macro-micro" tension we inherit from the individual/institutional conception of racism. My hope is that, by defining the white hegemonic power structure *in terms of* white-mindedness, we will be able to (i) develop explanations about nuanced racist practices[67] and (ii) identify racist phenomena that operate

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[66] Throughout this essay, I use the terms 'whitenesss', 'white supremacist hegemonic structure', 'white supremacist power structure', 'white gaze', 'white supremacist doctrine', and 'global white supremacy' interchangeably.

[67] E.g., the phenomenon of a person of color oppressing another person of color

independently of traditional perceptions of the racialized body.[68] I will begin with the first property: the property of whiteness being *cognitively formative*.

## **Whiteness and Cognitive Formation**

There is one core feature that Carmichael and Hamilton's account shares with Mills' conception of global white supremacy. Both of these frameworks acknowledge that this hegemonic power structure has what may be called a "colonizing function." Carmichael and Hamilton write, for example, that "Black people in the United States have a colonial relationship to the larger society."[69] This colonizing effect, according to them, *just is* the aim of the white supremacist power structure.

But what does it mean for this power structure to have a "colonizing effect"? Here, Charles Mills' diagnosis of the hegemonic influence of Social Contract ideology on Western political philosophy is useful. Mills writes, for example, that:

> The "ideal social contract" has been an ideal concept in Western political theory for understanding and evaluating the social world. And concepts are crucial to cognition: cognitive scientists point out that they help us to categorize, learn, remember, infer, explain, problem solve, generalize, and analogize.[70]

While Mills' account is targeted at a particular, albeit significant, node of the white supremacist structure, as he notes himself, this is only "one possible way" of making the connection that "global

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[68] E.g., the common assumption that *only* "white" bodies can enact white supremacist attitudes and practices.

[69] (Carmichael; Hamilton, 1967) [6]

[70] (Mills, 1997) [6-7]

white supremacy *itself* is a political system"—i.e., a "particular power structure of formal or informal rule, socioeconomic privilege, and norms for the differential distribution of material wealth opportunities, benefits and burdens, rights and duties." The term 'political system' is critical here. This way of defining white supremacy is compatible with claiming that, in a given era, it's not *necessary* that the attitudes and practices that this structure generates is tied to any particular *kind of body*.

Throughout their work, Mills, as well as Carmichael and Hamilton, explicitly cite "white people" as the legislators and actors of this political arrangement. But this position presupposes an important metaphysical question: i.e., What does it mean *to be* a white person? For these Black theorists, <whiteness> is a property that attaches to bodies. What I want to show is that this assumption conflates a critical conceptual distinction: namely, the phenomenon of a subject *being racialized as white* and (ii) and the phenomenon of a subject *being informed by the doctrine of white supremacy*.

According to Sally Haslanger, a subject is racialized as white insofar as "whites" is a racialized group in some context C and this subject is a member of this group. 'Racialization', for her, is persons who are categorized together by "the geographical associations accompanying perceived body-type, when these associations take on evaluative significance concerning how members of the group should be viewed and treated."[71]

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[71] (Haslanger, 2000) [44-5]

While the property of being racialized as white is pretty cut and dry, a subject being informed by the doctrine of white supremacy is much more nuanced. The reason for this is that, returning back to Mills' point, the white supremacist structure envelops our *entire* political arrangement.

I interpret this to mean that, given that we all inhabit this system, every person's mental space has been informed by the *content*[72] of the white supremacist doctrine. Call this open-ended set of mental states: *white-minded dispositions*.

For purposes of clarity, I want to note two further points about the differences between being racialized as white and being informed by the white supremacist power structure.

First, it should be quite clear that neither of these phenomena is, as it were, "up to us." Similarly to how a person who fits the perceptual criteria of a "white person" in a given context counts as white no matter how much they protest this label, people who live within the scope of white supremacy (at this point in history, we're talking about pretty much the entire world!) have no way of rejecting the cognitive content forced upon them by this political establishment.

Nevertheless, this ideological capture comes in different degrees. While society completely fixes the rules of racialization, this is not completely the case for racial *formation*. Sure, we must be aware the schema of white supremacy and understand how these mental states dictate the trajectory of society. Nevertheless, it is not necessary or required that we *internalize* this content, which provides room for agency and resistance against white supremacist ideology. In other words, while being racialized as

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[72] E.g., beliefs, attitudes, intentions, values, and perceptions

white is about social perception, being informed by the white supremacist power structure simply means that one is aware of what is "reasonable" to do, according to the *normative demands* of this political system.

Secondly, I want to emphasize that drawing the distinction between being racialized as white and being informed by white supremacy provides an often ignored explanatory element in the kind of frameworks of racialization that Haslanger describes. Racialized perceptions and the values and associations that come tied along with them do not pop out of thin air. A subject *comes to know* how to apply and recognize these phenomenological schemas *because* they have been informed by the white supremacist political arrangement. What this shows is that, in a deep sense, white-minded dispositions are *necessary* for the practice of racialization. We come to "see" others as Black, white, Asian, Latino, etc., precisely because we are informed by content from the doctrine of white supremacy that structures our cognitive lives.[73]

## **The Transferability of Whiteness**

This brings me to the second property of whiteness. If we accept that racial subjugation is just as prevalent today as any other time-slice of Western history, then it's important to provide reasoning for how the initial white-minded dispositions (IWDs)[74] (i) persisted over time and (ii) penetrated different body types. I call this property the *transferability of whiteness*.

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[73] The description is compatible with what philosopher of perception, Susanna Siegel, calls the "mind of the world." See *Rationality of Perception*, Chapter 8.

[74] I.e., the dispositions of the original "white" bodies that charted the institutions that constitute our current political arrangement.

Within the Black liberation tradition, Frantz Fanon is the theorist who describes the function of this property most accurately. In *Black Skin, White Mask*, Fanon is interested in the project of understanding the ways in which French dominance of Black folk in Martinique alienates them from essential elements of their inherited culture. For example, he argues that "the more the Black Antillean assimilates the French language, the whiter he gets."[75]

Although Fanon begins his analysis by focusing on Antillean subjects' acquisition of the colonizer's language, throughout this study, he is deeply committed to highlighting the *various* psychological ways the white supremacist power structure is (1) learned, (2) internalized, and (3) reproduced. The latter two elements are arguably the most relevant for grasping the function of the <hegemonic> property of whiteness. Consider, for example, if you were to talk to ordinary Americans on the street. Most (regardless of their racial designation) would believe pretty easily that private, public, and civic education is grounded on and structured by pedagogical frameworks we inherit from Western Europe.[76] However, these same people would probably deny that this knowledge has the capacity to *genuinely* shape their identities, or that, *as subjects*, they play an *enabling* role in indoctrinating others[77] with this mode of cognition.

Perhaps this kind of orientation is why Fanon focuses most thoroughly on the latter two properties that I mention. I think he best represents this concern when he writes:

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[75] (Fanon, 1952) [2]

[76] I.e., facts, norms, and values

[77] Or at least *attempting* to indoctrinate others

Among a group of young Antilleans, he who can express himself, who masters the language, is the one to look out for: be wary of him; he's almost white. In France, they say "to speak like a book." In Martinique, they say "to speak like a white man." … The Black man entering France changes because for him the *métropole* is the holy of holies: he changes not only because that's where his knowledge of Montesquieu, Rousseau, and Voltaire comes from, but also because that's where his doctors, his department supervisors, and innumerable little potentates come from.[78]

What Fanon demonstrates in this passage is that there's a noticeable *transition* concerning a subject that begins life outside of the white gaze to the condition of their cognitive space being informed by this power structure. This narrative is a key example of how the content of the IWDs is transferred to *more than* just bodies that are racialized as white.

Before we move onto the evolutionary feature of whiteness, I want to emphasize an important point about IWDs, as they relate to the transferability property. It's crucial that we keep in mind that it's not the case that the bodies that we now "see" as white were always racialized in this way. Upon further research, whatever point in Western history we agree that the IWDs were established, my claim is that there will be some bodies who *would be* racialized as "white" in our contemporary milieu but who would not have met the criteria for whiteness in this particular time period.

This demonstrates that persons with racialized white bodies are not *essentially* white-minded. However, this is not to say that these body types don't have a *practical incentive* to affirm white-minded dispositions—even the basic, false belief that they *are* a white person. The high probability of racialized white bodies endorsing white-minded dispositions may be framed as what feminist theorist Marilyn Frye calls *whiteliness.*

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[78] (Fanon, 1952) [4-7]

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"I think of whiteliness as a way of being which extends across ethnic, cultural, and class categories," describes Frye—"varieties which may tend to blend toward a norm set by elite groups within that race."[79] It's important to pause and reflect on this "way of being" locution. This way of describing whiteliness shows that, *because of* the norms established by the white supremacist power structure, a general form of behavior emerges for bodies who, relative to the time period, are racialized as white. She explains in more detail, when she writes:

> White people actively legislate race membership and if asserting their right to do so requires making decisions that override physical criteria, they ignore physical criteria (without, of course, ever abandoning the ideological strategy of insisting the categories are given in nature). This sort of behavior clearly demonstrates that … people who think they are unquestionably white generally think the criteria of what it is to be of this race … are theirs to manipulate.[80]

This passage shows that, while compatible, the concept of white-mindedness and the notion of whiteliness are completely distinct. The former is meant to capture a *kind of disposition* that dictates what is "reasonable" for any*body* to adopt within the scope of the white supremacist power structure. However, Frye's concept of whiteliness has a different purpose. The function of this concept is to point out that there is a *type of behavior common to bodies racialized as white* that is, borrowing her language, "wielded" to "exercise a power of defining who is white and who is not."[81]


**The Evolution of Whiteness**

The final property that I think explanatorily exhausts the nature of whiteness is what I call its *evolutionary function*. Here again, a Fanonian framework is helpful for thinking through what this characteristic of the white supremacist power structure looks like. Describing the tension that

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[79] (Frye, 1992) [159]

[80] (Frye, 1992) [149]

[81] (Frye, 1984) [115]

obtains between the typical Antillean colonial subject and subjects from French possessions that were colonized at a later stage, Fanon illustrates why exactly the Black subjects of the latter category feel inferior to the Black Antillean. He writes:

> We have known, and unfortunately still know, comrades from Dahomey or the Congo who say they are Antillean; we have known and still know, Antilleans who get annoyed at being taken for Senegalese. It's because the Antillean is more "*évolué*" than the African—meaning he is closer to the white man—and this difference exists not only on the street or along the boulevard, but also in the administration and the army.

This sketch by Fanon connects the dots between the formative property of whiteness and its transferability. What I mean by this is that *because* whiteness can inform the mental space of any subject, causing the content of the doctrine of white supremacy to be transferred to more than just bodies racialized as white, this culminates to the phenomenon of whiteness evolving in ways that were not anticipated by the racialized white bodies who employed the initial white-minded dispositions. This conjunction of properties opens up the door for providing insight on three further factors about the relationship between the white supremacist power structure and the phenomenon of white-mindedness.

First, the evolution property provides reason to think that white-mindedness is actually *constitutive* of the phenomenon of whiteness. Take Fanon's illustration, for example. It's not merely that the Black Antillean has been informed by the French cultural milieu. More importantly, due to this transfer of cognitive content, in relation to that time period, the Black Antillean represented a new *form* of whiteness that "changes the face" of this phenomenon. This indoctrinated colonial subject is not simply an extension of the white supremacist power structure; they are, more precisely, what this form of dominance has evolved *into*.

Relatedly, the property of evolution suggests that the concept of white-mindedness alerts us to an important empirical virtue. Consider a researcher who desires to know what whiteness "looks like" at a given temporal stage. Because white-minded dispositions are constitutive of this phenomenon, this person's analysis must take into account those individuals in which these mental states are embodied—even if these people are not racialized as white. In other words, the *concept* of white-mindedness serves as a *proxy* for investigating the scope and vivacity of the white supremacist power structure at a given time.

Lastly, the evolutionary property presents a cautionary tale about the relationship between whiteness and inference. Due to the fact that this hegemonic structure envelops our entire global political structure, we cannot *predict* what kind of body-types will be dominant in the employment and preservation of this phenomenon in the future. For example, given the rising power of non-Western countries[82], it could turn out that the main purveyors of whiteness in the not-so-distant future are "people of color," or more accurately, bodies that *are not* racialized as white. One way of accounting for this possibility is accepting that there is a critical mass of persons in these countries, especially at the level of leadership, who have learned, internalized, and reproduced the cognitive content they inherited from their interactions with the white supremacist power structure. Stated more plainly, a plausible explanation for this evolution of dominance is that these governments and cultures are becoming more and more white-minded.

**Ideology, Social Cognition, and Power**

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[82] E.g., China, India, Japan, etc.

One final question that may be raised about the concept of white-mindedness is this: how is this theory compatible with a general *social ontological* framework? Another way this question might be formed is by asking whether or not white-mindedness is a fundamental social ontological *element*. Responding to these questions requires one to situate the phenomena of whiteness and white-mindedness alongside pre-existing, vetted concepts in social theory that have been used to make sense of not only the phenomenon of white supremacy but any kind of social structure that informs the lives of the public.

In her paper "Cognition as a Social Skill," Sally Haslanger offers such a view. Consistent with the aims of Carmichael, Hamilton, and Mills, Haslanger's intention is to develop a social ontological framework that helps theorists "make progress in understanding the demands of social justice."[83] She wants her account to particularly address forms of oppression that are "ideological" as opposed to "repressive." According to Haslanger, a phenomenon is ideological insofar as it is "enacted unknowingly or even willingly by the subordinate and/or privileged."

I want to take a moment here to suggest that, for the purpose of understanding white-mindedness in relation to other dominant social structures,[84] we ought to understand whiteness or the white supremacist power structure as a *specific kind* of ideology. Packaging the phenomenon in these terms allows us to explain how exactly the three ontological properties of whiteness that I describe above are compatible with the function of any kind of dominant ideological structure. What's more is that cashing out the white supremacist power structure in this way might even give us reason to believe

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[83] (Haslanger, 2018) [1]

[84] E.g., patriarchy, capitalism, cis-gendered normativity, etc.

that this phenomenon is the fundamental *form of domination* on which all other dominant ideological

structures are grounded, or at least, informed by. But first, let's return to Haslanger's framework of

ideological domination.

There are a number of key features that shape the Haslagarian model of ideological domination. The

first is the notion of *social practices*. The best way to interpret this concept is by connecting it to two

more primitive concepts that she calls *social meanings* and *resources*. On her view, social practices obtain

*because* they are "constituted by interdependent cultural schemas" (i.e., social meanings) and "things

taken to have (+/-) value."[85]  Haslanger elaborates:

> On this conception, practices are not necessarily governed by rules and they need not be
> consciously or intentionally performed … Situating practices in a coordinated network of
> *learned dispositions[86]*—what Bourdieu calls *habitus* allows us to broaden the social world beyond
> human interaction.[87]

Collectively, these social practices, social meanings, material resources, and learned dispositions

constitute *culture*. Emerging from culture is what Haslanger and social theorist William Sewell calls a

*semiotic net*. The function of this semiotic net is to "highlight some features of the world and obscure

others." This network of phenomena also "links some items with others conceptually, or through

narratives and default inferences." The most crucial bit to take away from this part of Haslanger's

analysis is understanding that, "as we are socialized, we learn to 'read' social meanings fluently, and

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[85] (Haslanger, 2018) [3]

[86] my italics

[87] Haslanger, 2018) [4]

our attention, perception, and memory filters and shapes what is *available*[88] for higher level cognition and attitudes."[89]

One consequence of this kind of cultural entrenchment is a subject developing what Haslanger calls "psychological schemas." Though she employs this term as a "place holder for a broad range of mental phenomena," specifically, this concept is meant to account for any "non-propositional[90] … mechanisms and dispositions that shape our experience." The ultimate upshot of this bundle of features is that they are meant to demonstrate, contrary to traditional social ontological frameworks in analytic philosophy, that "mind-shaping is prior to mindreading." In other words, subjects' "intentions/commitments" are first and foremost shaped by cognitive capacities that are already sophisticated and that include a "rich supply of concepts."[91]

The last thing that I want to mention about Haslanger's social ontological framework is how "ideological capture"[92] relates to the phenomenon of power. Expanding on the social theoretical framework of Bourdieu, there are three main elements of Haslanger's conception of power, namely,

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[88] my italics

[89] (Haslanger, 2018) [4]

[90] I interpret the locution 'non-propositional' to mean (roughly) "is not *represented* in the subject's experience."

[91] (Haslanger, 2018) [6-7]

[92] I.e., the psychological schemas that operate in the mental space of a subject because of the social practices, social meanings, and learned dispositions that are available to them by semiotic net of the culture in question.

(i) doxa, (ii) orthodoxy, and (iii) heterodoxy.[93] The meaning of these three terms is pretty

straightforward. First, the concept of doxa is meant to capture features about a social milieu "that

(are) beyond question and that each agent tacitly accords by the mere fact of acting in accord with

social convention."[94] A more attractive way to make this point is by describing doxa as the things

"that go without saying because [they] come without saying."[95] Included in this category are

phenomena such as moral principles, prevailing scientific explanations, and, most importantly,

"dominant systems of classification."

Understanding the concept of doxa opens the door for comprehending the other two counterpart

notions. While doxa is the cognitive content that is "taken for granted," by all subjects in the milieu,

establishing certain "matters of fact," the concept of orthodoxy transitions us to a fundamentally

different epistemic mode: i.e., the "field of opinion."

Though dominant and pervasive, this field of opinion does not come without contestation. These

"contesting parties" constitute what Bourdieu calls "heterodoxy." Tying these two domains together,

i.e., the domain of "facts" and the domain of "opinion," he details how the concepts of doxa,

orthodoxy, and heterodoxy *functionally* relate to each other.  He writes:

> In class societies, where the definition of the social world is at stake, the drawing of the line
> between the field of opinion … and the field of doxa … it itself is a fundamental objective at

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[93] In her paper, Haslanger actually goes beyond these core features in her assessment of power. However, for our purposes, it suffices only to discuss the three basic elements that one finds in Bourdieu's original formulation of this framework.

[94] (Bourdieu, 1977) [169]

[95] (Bourdieu, 1977) [167]

stake in that form of class struggle which is the struggle of the imposition of dominant systems of classification. The dominated classes have an interest in pushing back the limits of the doxa and exposing the arbitrariness of the taken for granted; the dominant classes have an interest in defending the integrity of the doxa, or short of this, of establishing it its place the necessary important substitute, *orthodoxy.*[96]

Overall, Bourdieu's framework highlights what we *mean* by the locution "dominant culture." Sure, there are some semiotic webs that are anchored locally, making the psychological schemas available only to the subjects who are acquainted with the respective (sub)-culture. However, there are some semiotic webs that obtain *universally*. What this means is that, when reflecting on how a structure of domination informs subjects' dispositional states, it might pay off *explanatorily* to isolate the *set* of properties that constitute this ideological capture as an object worthy of study itself. This is the explanatory role that the concept of white-mindedness plays in relation to the white supremacist power structure.

## **White-mindedness as a Form of Domination**

More can be said, however, about how exactly the theory of white-mindedness "lines up" with Haslanger and Bourdieu's critical social ontology. Let's begin with the properties of cognitive formation and transferability.

The power of whiteness to inform a subject's mental space seems best understood in terms of this subject being acquainted with the culture that is generated by this social structure. Consistent with Haslanger's view, this "white supremacist culture" can be further defined in terms of the kinds of social practices that operate in contexts where this culture has permeated. The social meanings and resources that obtain in these milieus, of course, constitute these social practices. With this in mind,

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[96] (Bourdieu, 1977) [169]

one might say that the culture stemming from the white supremacist power structure engenders a dominant kind of semiotic net. A subject, therefore, is "cognitively formed" by this ideology when they acquire the psychological schemas that arise from this network of phenomena. What makes this ideology "transferable" is that any subject has the capacity to "learn" these "dispositions."

What about the evolution of whiteness? Recall that this ideology can inform any kind of body. Because it is a hegemonic ideological structure, it's reasonable to assume that it informs the cognitive lives of most subjects in our contemporary global milieu. Although white supremacy is dominant, given that it informs bodies of persons with unique biographical histories that are anchored in particular temporal and geographical spaces, this ideology intersects with countless kinds of (sub)-cultures.

Think of Fanon's characterization of the Black person who returns home to Martinique. It's not that this person is no longer Antillean. This cultural orientation still constitutes a significant part of their identity. The point that I think Fanon is trying to make is that, despite this person being reared in the cultural milieu of the island of Martinique, the *psychological schema* that they have acquired during their time in France has *disposed them* to certain practices, meanings, and resources that are definitive of the white supremacist power structure as manifested by the French. In other words, what this person represents is how the ideology of whiteness has evolved in such a way that a person can be racialized as a "person of color," but still, nonetheless, *function as* a "white person."

I want to close this essay by returning to a question that I posed in the previous section, i.e.: is whiteness the fundamental form of domination? This is a difficult question to answer, mostly

because (i) we don't know how many forms of domination there are[97] and (ii) we don't know which forms of domination are historically primitive.[98] Given that this is an under-researched area of social ontology, I want to provide an argument for why we should think that white supremacy is the fundamental form of domination on which other hegemonic forms function on the basis of today.

If we adopt a practical interpretation of Bourdieu's doxa-orthodoxy-heterodoxy framework, it might be reasonable to think that, when applied to real-world situations, this framework always functions as a particular "snapshot" of a point in time in history.[99] On these terms, if we fix the doxa-orthodoxy-heterodoxy framework to the present, we must accept that the ideology of white supremacy has not only been dominant in the West but has now infected the entire global political arrangement. Because it has intersected with different (sub)-cultures, this ideology, to some degree, now colors the practices, meanings, resources *and* forms of domination in these social spaces— *even if* these other forms of domination existed before the introduction of white supremacy.

It may be completely true that, for example, patriarchy predates the white supremacist power structure. Nevertheless, even if this is the case, I think what's equally true is that the *particular kind* of patriarchy that functions today is grounded on the initial white-minded dispositions held by the racialized white bodies who charted the institutions that constitute what we now call the "white supremacist power structure." This is not to say that each form of domination should not be

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[97] I.e., it's possible that we could discover a form of domination tomorrow that cannot be understood in terms of any other form of domination we currently acknowledge (e.g., capitalism, patriarchy, cis-gender normativity, etc.)

[98] I.e., questions like, "Did capitalism exist before patriarchy?," "Did patriarchy obtain before white supremacy?" etc.

[99] Thank you to Sally Haslanger for helping me think about Bourdieu's framework in this way.

analyzed and protested on its own terms. My only proposal is that, because the ideology of white supremacy is ubiquitous, we must think of any form of domination that either obtains currently or will obtain in the future as representing a *white-minded version* of this phenomenon. This is why whiteness should be understood as the fundamental form of domination that structures social ontology today.

## Conclusion

For most of the 20[th] century, social theorists and ordinary folk understood racial oppression in terms of a structure of domination called "white supremacy." The adjective 'white', of course, is meant to accent the role that white people play in proliferating harm against people of color. While it's clear, in a given context, how racialized white bodies are determined, what is less clear is the criteria for legitimately being labeled a "white person." The goal of this paper is to show how an adequate account of white supremacy must provide an explanation of what it means *to be*[100] a white person distinct from public conceptions of racialized white bodies.

The purpose of the theory of white-mindedness is to supply a social ontological account of this form. Specifically, this explanatory framework shows is that there is a *synthetic relationship* between the macro-level institutions and the micro-level attitudes that together constitute the white supremacist power structure. As an ideology, many race theorists argue that this dominant structure has what may be called a "colonizing function." I argue that this colonizing function has three metaphysical properties, namely: (i) the property of cognitive formation, (ii) the property of transferability, and (iii) the property of evolution. The manifestation of these properties is the ontological basis for what I'm calling the *phenomenon* of white-mindedness. In addition to resolving a macro-micro tension

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[100] I.e., "exist as"

latent in the traditional frameworks of racial oppression we inherit, we also gain ways to think about

the ideology of white supremacy in a way that exhausts its scope *and* captures all of its nuances.

# Political Action and Epistemic Detachment

Despite its different forms[101], as well as the variety of bureaucratic mechanisms that help facilitate civic engagement[102], democracies share one essential feature: a tacit commitment to the idea that the authority to establish and dismantle laws ultimately rests in the hands of ordinary people.

The target of this essay is *representative democracy*. My goal is to demonstrate how it's possible for institutional actors to fail to properly represent the interests of a politically disenfranchised group, *even if* these institutions include certain members of the disenfranchised group as a part of their organizing efforts. Many think that it is important that the representatives chosen within representative democratic systems include members of traditionally underrepresented or relatively disenfranchised groups. But it has also been pointed out that this is at most a necessary condition of securing effective representation of members of such groups. Lani Guinier[103] and others have argued that even if members of traditionally underrepresented (e.g., political minority, traditionally disenfranchised, etc.) groups are included, there are still significant concerns about tokenism and other issues of the effectiveness of those representatives in advancing the interests of those groups. In this paper, I offer a distinct way of understanding what is going wrong in these cases: the problem of epistemic detachment. The structure of my argument will proceed as follows.

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[101] E.g., direct democracy, representational democracy, constitutional democracy, lottocracy, etc.

[102] E.g., ballot initiative, policy proposal, executive order, etc.

[103] (Guinier, 1991)

First, I argue that political movements should avoid enacting strategies that only include members of oppressed groups to which they are personally tied. Over-reliance on personal testimonies can lead to institutions designing or lobbying for legislation that overlooks crucial aspects of the lived experience of the oppressed group in question. This kind of oversight leaves the legislation open to loophole capture by the political opposition, making the policy ineffective and subverting the goals of a social movement. Moreover, I argue that institutional actors can prevent this usurpation if they seek guidance from more than members of the oppressed group with which they have personal connections. Lastly, I argue that adopting a more on-the ground communal strategy helps organizers adopt the proper cultural standpoint, providing insight to avert certain legislative blind spots in their political action.

To help motivate my argument, I will provide a sketch of a social justice movement whose institutional actors were epistemically detached from the cultural standpoint of the oppressed group they were representing. The purpose of Florida's Voting Rights for Felon's movement was to enfranchise Florida's felon population. I want show how the advocacy groups that spearheaded the legislation for the bill that would eventually be known by the Florida public as *Amendment IV* had their efforts usurped by their political opposition because they failed to take into account a crucial feature to what it means to live as a felon in the state of Florida.

## Amendment IV, Institutional Actors, and the Problem of Political Representation

<u>Amendment IV: A Cautionary Tale</u>

Felon voting rights has been a hot topic in Florida politics for almost 20 years. Session after session, lawmakers volleyed back and forth about the possibility of restoring voting rights to Florida's felon population, with most of these policy efforts culminating in concessions to "table" the issue for a later day.

Like all political issues in a democracy, when the public becomes dissatisfied or impatient with the leadership of its lawmakers, citizens become motivated to take matters into their own hands. This was the case with Florida's Voting Rights for Felons movement. Passionate citizens, namely Desmond Meade and Neil Volz, decided to raise their voices and spearhead a ballot initiative to allow the Florida public to bypass an uncompromising Florida legislature and vote directly to restore voting rights to those who had been formerly incarcerated but had completed their sentence.

Meade, Volz, and other concerned political stakeholders started an organization called the Florida Rights Restoration Coalition (FRRC) to help appropriately secure the number of signatures necessary for petitioning the FEC to allow the felon voting rights issue to be listed on the 2018 ballot.

Supported by the American Civil Liberties Union (ACLU), Christian Coalition of America, the Freedom Partners, as well as other reputable advocacy organizations, the FRRC led a statewide signature petition drive. Part of the FRRC's branding as an organization involved marketing Meade and Volz, both convicted felons, as the poster boys of the felon voting rights movement. In what follows, I will provide more detail on one aspect of Meade and Volz that I think mattered immensely to how the felon voting rights movement was marketed to the Florida public; namely,

*race.* Given the state of Florida's robust history of racial discrimination and party politics, it's not unreasonable to suggest that, for Floridians, Desmond Meade, a Black man and registered Democrat, and Neil Volz, a white man and registered Republican, represented that mass incarceration, and for that matter, the felon voting rights movement, is not exclusive to a single racial or political group.

These interracial and nonpartisan features of the movement arguably paved the way for the ballot initiative being advertised by the FRRC leadership as a bi-partisan legislative act. According to Article XI, Section 3-4 of the Florida Constitution, to place a constitutional amendment on the ballot, proponents must collect signatures equal to *8%* of the total number of votes cast in the preceding presidential election (2020).[104] With this constitutional requirement in mind, the first phase of the Amendment IV movement involved members of FRRC and other advocacy organizations to lead the petition to secure the proper number of signatures required by Florida law to get the voting rights amendment listed on the 2018 ballot. Not only are petitioners required to meet this numerical threshold, but they must acquire the signatures by a particular deadline in relation to the election cycle that they wish to have the ballot listed (2020). The signatures must also be collected from all 27 congressional districts, 16 of which are represented by conservative Republicans.

From the jump, the felon voting rights movement was politicized as a "liberal movement." What this meant is that many Republicans immediately came out against the ballot initiative, arguing that it would "unfairly benefit" and galvanize the Democratic Party (Lemongello, 2018). Ironically,

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[104](Ballotpedia, 2020)

however, this conservative line encountered internal pushback from organizations like the Heritage

Foundation. For example, during an interview with the *Orlando Sentinel,* Darryl Paulson, a Heritage

Foundation member and emeritus professor of government at the University of South Florida, was

saying:

> It runs both ways. … Democrats clearly support the issue because they believe they will benefit, and Republicans tend to oppose it because they believe it will hurt. My position is that it's not a good way to make public policy based on how it might impact an election sometime down the road. … Voting rights restoration is economically right, morally right, and just the right thing to do (Lemongello, 2018).[105]

This initial political fragmentation of conservatives ultimately gave way to Party consensus—the

final outcome of which led to not only FRRC et. al securing the approximately 766,000 signatures

but also the requisite number of *votes* to get what in the public media had been simply referred to as

"Amendment IV."[106]

Civically, this supermajority is emblematic of the bi-partisan turn that had imbued felon voting rights

movement thanks to the lobbying efforts of *non-partisan* organizations, like FRRC and the Heritage

Foundation, that represent both extremities of the political spectrum. As a matter of fact, just

months before the election, the University of North Florida published a paper finding that over 70%

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[105] *Sun Sentinel* "Floridians will vote this fall on restoring voting rights to former felons."

[106] Article XI, Section 5(e) of the Florida Constitution requires a *60%* supermajority in order for a ballot initiative to be approved as a constitutional amendment. In 2018, approximately *7,977,265* Floridians cast a vote. Out of this total number, *5,148,926* voted *"yes"* on Amendment IV, which is about *64.55%* of all 2018 voters—well over the required 60% threshold.

of likely voters supported the amendment; and 62% of Republican voters said they would vote to pass the amendment (UNF - COAS: Public Opinion Research Laboratory – 2018 FL Fall, 2018).[107]

Presumably, the main engine behind the bi-partisan pact that Amendment IV ushered into Florida politics is the marketing method that the felon voting rights movement use to weave in testimonies from citizens who had been victimized by the criminal justice system. I interpret this advocacy strategy as a way to demonstrate to Floridians on both sides of the political aisle what the *lived experience* of someone forced to walk around with the stigma of a felony conviction *is like*.

Consider Demetrius Jifunza, who was featured in a PBS NewsHour documentary about the felon voting rights movement leading up to the 2018 election. In I997, at age 17, Demetrius was convicted of armed robbery. The documentary provides a brief chronicle of many of the difficulties that he faced while driving to carve out a decent life as a law-abiding citizen. Employment adversity, as well as being barred from running for political office and serving on a jury, were all challenges *in addition to* disenfranchisement that were discussed in the short film for the purpose of shedding light on the extraordinary ways that a felon conviction can hinder someone's life-prospects—even after completing their sentence and reforming their life (PBS News Hour, 2018). Now in his role as a pastor and community organizer[108], Demetrius has evolved into a passionate advocate about felon voting rights by appealing to the everyday civic duties that his felony conviction politically disables him from exercising (2018). In the PBS interview, he admits, for example:

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[107] (UNF, 2018)
[108] Mr. Jifunza also founded the Sarasota chapter of the Florida Rights Restoration Coalition (FRRC) and serves as the Vice President of the Sarasota chapter of the NAACP.

When I walk through [the] front door and I look at my three kids, I can't fight for them using my voice. I can't cast a vote on anything. The school board election, where my children go. I can't decide who is going to be on their school board. I made mistake when I was 17 years old. I'm home now. I've accomplished many, many things. I have a loving family. I'm doing everything that's required of me (2018).[109]

It's impossible to precisely quantify the role that these kinds of testimonies played in transforming public opinion, especially among conservative Republicans. People like Demetrius supplied not only a face for the felon voting rights movement but also a relatable narrative that touched on some of the common trials that people face after completing their prison sentence.[110] While I do think that this method was necessary insofar as it helped deconstruct many conservative reservations, I also think that FRRC et. al was wrong to assume that employing this public outreach strategy was *sufficient*. Moreover, I want to show how this flawed assumption is a major reason why Amendment IV ballot initiative was unsuccessful; and, ultimately, led to the total subversion of the felon voting rights movement in Florida.

Senate Bill 7066, Political Will, and Legislative Subversion

As I mentioned before, in Florida, there has always been strong Republican opposition against felon voting rights. As time passed, however, given the sizable number of conservative institutions that began to endorse felon voting for moral, economic, and democratic reasons, Republican disapproval of felon enfranchisement became less defensible on grounds of principle. What this evolution of

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[109] PBS News Hour, 2018

[110] It should be noted that there were several *types* of arguments for felon voting rights operating in the Florida public sphere. For example, there were a number of conservative organizations (e.g., Americans for Prosperity) that argued for felon voting rights for economic reasons. According to a survey by the Southern Poverty Law Center (SPLC; 2015 report on high cost of incarceration in FLA), in 2009, the year with the highest recorded corrections expenditures, the state of Florida spent almost 2.5 billion dollars on incarceration, probation, or parole. Another popular argument, which was championed by many evangelical Christian organizations, proposed a quasi-moral claim: the Florida public should restore felon voting rights simply because it is the "*right*" or "*Christian*" thing to do.

public perception among conservatives did not transform, however, is how conservative *politicians* saw the issue of felon voting rights. For most Republicans, felon voting still symbolized an effort by Democrats to expand the pool of eligible voters who are likely to support liberal policies and politicians. As a matter of fact, two months before Governor Desantis officially signed SB 7066 into law, mainstream American media outlets framed the lobbying efforts as a hijacking of the democratic process. "While Republicans say that fees are part of an ex-felon's sentence and are thus obligatory," writes a journalist from CNN, "Democrats and opponents of the bill argue that the measure disenfranchises felons from voting and ignores the will of over 5 million Floridians who supported the statewide referendum" (Stracqualursi, 2019).[111] This was the narrative that was marketed to the American public—anti-democratic Republicans devised a legislative strategy to undermine the political desire of an already fragile bi-partisan Florida electorate. Despite the kernel of truth that nestled in this journalistic frame, it does not capture the entire *set of reasons* that SB 7066 was capable of subverting the social justice goal of Amendment IV. So why did SB 7066 succeed in making the Amendment IV ballot initiative ineffective? Like most political issues, the answer here lies in understanding the political *process* that caused this statutory law to pass as a joint resolution in Florida's Republican-dominated bicameral legislature.

SB 7066 was first submitted for consideration to the Senate Ethics and Elections committee on February 28, 2019. It should be noted that, in the original bill proposal, there was *no* mention of felon voting. What's more is that *none* of the amendments made to this bill in the Senate pertained to implementation of the Amendment IV ballot. For the most part, the three Senate versions of the bill were intended to clarify general election administration. For example, it covered issues such as mail-in voting, canvassing guidelines, as well as regulations for Florida's 67 county-level supervisors of

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[111] "Florida House passes bill that would require ex-felons pay all fees before exercising their rights"

elections. Nevertheless, notwithstanding the fact that there was no explicit language in SB 7066 about felon voting rights, on March 20th 2019, another bill related to election administration was submitted for review by the Senate Criminal Justice committee, namely Senate Bill 7086 (SB 7086). What's interesting about this bill proposal is that, for the most part, it addresses issues that would have arguably made Amendment IV *more* effective. For example, the original version of this bill called for various state agencies, such as the Florida Department of Corrections (FDOC), to inform inmates *before* they were physically released from state prison of their enfranchisement. This bill also required that: "the supervisor of elections of the county in which the ineligible voter is registered notify the voter of instructions for seeking restoration of voting rights."[112]

My main reason for framing SB 7086 as being an amicable piece of legislation for the felon voting rights community is because I think it is important to demonstrate, for polemical reasons, two things about Florida's Voting Rights for Felons movement: (i) the Amendment IV ballot initiative was *never* "self-executing" and (ii) contrary to public opinion, the fact that Amendment IV required implementation legislation is not the *reason* why it was ineffective.

In the section that follows, I will explain how the "self-executing" fallacy was accepted by organizers because they failed to think carefully about the role that linguistic vagueness plays in empowering political subversion: call this *loophole capture*.[113][114] I also want to show how a particular locution in the ballot initiative is the sole reason why the movement was unable to realize it's political goal of

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[112] (version S 7086 pb)

[113]Thanks to Danielle Allen for helping me think about the problem in this way.

[114] In this paper, I define "loophole capture" as a piece language that undermines the original intentions, goals, or (social) meaning of a form of legislation.

restoring voting rights to *all* felons in the state of Florida. However, before I transition to my

analysis, I need to say more about the role that the lower house of Florida's bicameral legislature,

namely the House of Representatives, played in *instituting* the subversive language of SB 7066 that

was responsible for interfering with this grassroots political goal.

Statutory laws are usually an amalgamation of independent *companion bills*.[115] Essentially, companion

bills are bills that are proposed in the same legislative session and that either (i) share the same

political aim or (ii) include similar (if not identical) linguistic content. It's important to keep in mind

that companion bills are not exclusive to any particular domain of the legislature. For example, SB

7066 and SB 7086 were considered companion bills because they shared a general legislative goal,

namely, election administration. Accompanying these two pieces of legislation was House Bill 7089

(HB 7089), a piece of legislation targeted specifically at felon voting rights restoration. At first

glance, HB 7089 seems to be an attempt by Florida's House of Representatives to propose an

implementation scheme for Amendment IV that is compatible with the legislative blueprint laid out

in SB 7086. Despite this reasonable presumption, HB 7089 introduced a key characteristic that was

not included in the two counterpart bills in the Senate. Instead of augmenting the goal of

Amendment IV by making it easier for the felon community to not only become aware of their

voting rights restoration but also to initiate the process to officially secure their enfranchisement

status, HB 7089 featured an explicit locution that directly undermined the efficacy of this new

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[115]According to the Florida House of Representatives legislative glossary, a companion bill is a bill introduced in the House or the Senate that are identical or substantially similar in wording. The use of companion bills allows bills in both bodies to move through the committee process at the same time.

amendment to the Florida constitution, namely, requiring the repayment of "all legal financial

obligations (LFOs)" by felons before their voting rights are reinstated.

On March 20, 2019, members of the Florida House of Representatives first filed HB 7089 for

consideration by the Criminal Justice sub-committee. The purpose of this bill was clear from the

outset. Many legislators in the Republican dominated lower-house wanted to ensure that there were

clear administrative markers not only to identify and keep track of the number of felons who were

attempting to register to vote but also to provide clear definitions for many of the concepts

operating in the language of the Amendment IV ballot initiative. For example, HB 7089 required

that voter registration forms display a box where an applicant can "mark in the checkbox affirming

that [they] have not been convicted of a felony *or* that, if convicted, has had his or her voting rights

restored."[116][117] In addition to this bureaucratic targeting of felon voters, this bill also included the

explicit language that was the catalyst behind what would come to receive national attention by

organizations and media outlets dedicated to addressing voter suppression. Purposed to amend

Section 4, subsection (5e) of section 98.075 of the Florida Statutes reads:

> The voting disability arising from a conviction for a felon offense, other than related to
> murder or a felony sexual offense, terminates pursuant to s. 4, Article IV of the (Florida)
> State Constitution upon completion of all terms of sentence, including probation or parole.
> As used in this section, the term "*completion of all terms of sentence*" means: … "full payment of
> any financial obligation ordered by a court as part of the sentence, regardless of whether
> such financial obligation is continued through civil judgment under s. 55.10 or s. 775.089,

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[116] My italics

[117] See Section 2. Paragraph (a) of subsection 5 of section 97.053, Florida Statutes (HB 7089)

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including: (I) restitution, whether ordered in an amount certain or reserved by the court at sentencing. (II) costs of supervision in s. 948.09, and (III) fines, fees, and court costs.[118][119]

Almost immediately, these six words—completion of all terms of sentence—were met with public scrutiny not only by member-organizations of the Voting Rights for Felons movement but also voter suppression activists all over the country. Desmond Meade and Neil Volz, for example, called the measure "disheartening" and "disappointing" (Controversial Felons' Voting Rights Bill Goes To DeSantis, 2019). Daniel Tilley, the Legal Director of Florida's chapter of the ACLU, stated in the *Washington Examiner* that "creating roadblocks to voting based on wealth is unconstitutional, wrong, and appalling to anyone who cares about democracy" (Haughey, 2020). Many opponents, however, chose more colorful language. Like Betty Riddle, a 63-year-old woman from Sarasota Florida who was last incarcerated in 2008, many activists simply describe this proposal as a modern day "poll tax" (Levine, 2020)."[120][121]

On the contrary, proponents of the bill, such as James Grant, a state representative from Tampa and chairman of the House Criminal Justice Committee, not only fervently disagreed with this characterization of SB 7066 and the "completion of all terms of sentence" clause that was introduced by the companion bill in the lower house. He even defended it on the grounds that this intervention would actually make the implementation process for Amendment IV *fairer*. "If not

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[118] My italics

[119] See Section 4, subsection (5e) of section 98.075 of the Florida Statutes

[120] See "How Republicans gutted the biggest voting rights victory in recent history."

[121] The term "poll tax" is a word most associated with the "Jim Crow" era of American history where many state legislatures, primarily in the South, required Black people to either pay money or complete some kind of assessment to determine if they were "worthy" or "competent enough to participate in local, state, and federal elections.

defined," argues Grant, "we leave it up to the judge, the government to discriminate on a case-by-case basis and I think that's a recipe for rampant discrimination" (CBS News, 2019).

What's straightforward about this debate between voter rights activists like Riddle and conservative politicians like Grant is that they agree about one feature of the SB 7066 statute, namely, *semantic vagueness*. For advocates like Riddle, "completion of all terms of sentence" *does not* imply <repayment of all financial obligations>. On the other hand, for conservative politicians like Grant, the locution "completion of all terms of sentence" *at least* means <repayment of all financial obligations>. For the remainder of this paper, I will explain (i) why, at the level of *linguistic* content, the official formulation of the Amendment IV ballot initiative was in fact vague, (ii) why many voting rights activists didn't pick up on this vagueness, and (iii) what norms grassroots organizations should adopt to avoid this kind of loophole capture from undermining social justice-oriented legislation.

**Epistemic Distance, Vagueness, and Loophole Capture**

After SB 7066 was signed into law, public attention shifted to trying to figure out whom to blame for the subversion of a referendum that passed by a +60% supermajority in a historically polarized state. Was it as simple as blaming the Republican dominated legislature, where people like Representative James Grant seemingly went out of their way to administratively stifle the efficacy of this measure? Or is the scope of blameworthiness wider—including also the political architects of the ballot initiative?

These are the questions that Floridians wrestled with after SB 7066 passed—even throughout the series of complex state and federal lawsuits that proceeded. What's ironic is that this kind of public deliberation eventually led to a split at the leadership level of the felon voting rights movement. For

example, the Florida League of Women Voters, one of the original advocates of the Amendment IV ballot initiative, witnessed two of its members publicly disagree about the source of the blame of the loophole capture that impacted this amendment.

In an op-ed article titled "Sloppy work on Amendment IV opened the door for lawmakers' interpretation," longtime Florida League of Women Voters member Francis J. Clifford argues that lead organizers, such as the one to which he belongs, should be seen as (partly) blameworthy for subversion of Amendment IV insofar as they were responsible for designing the *language* for this piece of legislation. He writes, for example:

> The sponsors' allegedly experienced drafters did not do any favors for them. The money part of "all terms of sentence" was left completely open in both the Amendment 4 summary approved by the state Supreme Court and in the amendment language itself, so that now a hue and cry follows. The sponsors are blaming legislators of trying to frustrate the will of the people, arguing that the words of the statute are "self-executing," that is, without requiring further explanation through legislative action (2019).

In so many words, Francis seems to be suggesting that, by organizing and leading the movement, the groups that led the Amendment IV ballot initiative accepted a kind of tacit political responsibility to the Florida public, at large, and the felon community of the state, in particular. It's helpful to think of the kind of political responsibility that Francis suggests here as analogous to the fiduciary responsibility that a money manager has to its clients. Just as a person or community places their financial future in the hands of an investment firm, the Florida public entrusted its political future in the hands of these citizen organizations. This way of framing the situation provides reason to think that there should be certain norms that guide civic organizations in terms of how they pursue social justice on behalf of the people. I think Francis touches on this point when he writes:

I want any Florida organization, before it sends a proposed constitutional amendment to the Supreme Court of Florida for approval, to forward a draft of it to its local chapters to review the language and return it to the drafters with any changes and questions. The organization then will have the benefit of substantial input from across the state both on specific language and on intent and purpose. If that was done, an amendment would be well vetted before potential voters sign the petition rather than ending with broad language that forms a crack for the legislators to squeeze into (2019).

Before offering an account of what *kind* of norms would be capable of effectively structuring our social justice work, I first want to say more about *why* the lead organizers of the felon voting rights movements were unable to recognize the vagueness of the Amendment IV ballot initiative.

Epistemic Distance and Cultural Legibility

The social world consists of many different epistemic layers. One of the consequences of these layers is that that they determine what level of granularity a social situation will be interpreted. A "top-down" analysis of a social situation may provide an organizing agent important macro-level information (e.g., statistical information, general principles, etc.) but fail to deliver any understanding about the lived experiences of the actors involved. On the other hand, a "bottom-up" analysis may offer keen insight into the everyday lives of the people confronted with a social situation but blind these agents to the *superstructural* elements that play a role in determining the nature of a social context.

One might suspect (as I do) that the best organizing strategies combine elements of both epistemic starting-points. Nevertheless, my purpose of mentioning these two forms of inquiry is to explain

how these factors play a role in determining how *legible*[122] a social context is. What's more is that I

think that these elements determine how epistemically *distant* an agent is from a social situation. In

other words, if an agent only incorporates top-down methods into their analysis, they are probably

"too far" epistemically. However, if their analysis is exclusively bottom-up, it's possible that their

epistemic orientation is "too close."


I take it for granted that it's generally accepted, especially in our contemporary moment, that it is

imprudent for any agent of social change to be "too far" from a situation in the sense that I describe

above. Another way of expressing this point is by recognizing the immense value that the public

sphere now places on lived experience. Nowadays, our tacit public intuition is that the shared

experiences that unite a political community or define a political problem-space are deeply important

not only to how we understand these social phenomena; but also to how we address any unfairness

on which these experiences are predicated.


If taking lived experience into account *just is* what it means to get "closer" to a social situation, what

does it mean to get *too* close? To address this question, I want to return to the Amendment IV case

and describe how organizers, in attempting to center lived experience in their social justice efforts,

misunderstood what is required to properly track the *nature* of the felon community's lived

experience in the state of Florida.


  Epistemic Deference, Elite Capture, and Cultural Context

How *should* we interrogate a lived experience? One straightforward way is by simply listening to the

testimonies of the relevant actors for whom this experience obtains. Standpoint epistemologists

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[122] Thanks to Susanna Siegel for helping me think about the problem in this way.

typically refer to this practice as *epistemic deference*. Olúfémi Táíwò describes epistemic deference as "the norms that put standpoint epistemology into practice" (2020) and is meant to hand off "the conversational authority and attentional goods to those who most snugly fit into the social categories associated with these ills" (2020).  According to Táíwò, the *purpose* of this normative practice is to "increase the social power of marginalized people identified as sources of knowledge and rightful targets of deferential behavior" (2020).  What's interesting about Táíwò's view is that he believes that, in many cases, when political actors evoke the principle of epistemic deference, they do so in ways that are ineffective. But how is it possible for this normative practice to be void of efficacy? In service of this question, Táíwò coins the term "elite capture" (2020) to denote "the control over political agendas and resources by a group's most advantaged people" (2020).  For him, the basis for ineffective epistemic deference are political agents, be it people, organizations, or companies, appealing to political actors who *appear* to satisfy all of the conditions for membership into a group or witness to an experience but who whose personal testimonies don't align with the lived experience narrative of which they are perceived to be a part: Táíwò writes:

> It is easy, then, to see how this deferential form of standpoint epistemology contributes to elite capture at scale. The rooms of power and influence are at the end of causal chains that have selection effects. As you get higher and higher forms of education, social experiences narrow – some students are pipelined to PhDs and others to prisons. Deferential ways of dealing with identity can inherit the distortions caused by these selection processes (2020).

He continues:

Deference epistemology marks itself as a solution to an epistemic and political problem. But not only does it fail to solve these problems, it adds new ones. One might think questions of justice ought to be primarily concerned with fixing disparities around health care, working conditions, and basic material and interpersonal security. Yet conversations about justice have come to be shaped by people who have ever more specific practical advice about fixing the distribution of attention and conversational power. Deference practices that serve attention-focused campaigns (e.g. we've read too many white men, let's now read some people of colour) can fail on their own highly questionable terms: attention to spokespeople from marginalized groups could, for example, direct attention away from the need to change the social system that marginalizes them (Taiwo, 2020).

For our analysis, the two principal questions are now:

(A) Did the Voting Rights for Felons movement practice epistemic deference?

&

(B) If this social movement did practice epistemic deference, were their deferential practices effective? In other words, were they compromised by elite capture?

I think the answer to (A) is a pretty clear "yes." As convicted felons, Desmond Meade and Neil Volz, the unofficial spokespersons of the Voting Rights for Felons movement that I mentioned earlier, not only represented Florida's felon community but also represented both sides of the political *and* racial aisle of a politically and racially polarized state. In my mind, this is a textbook example of a political agent (i.e., the Voting Rights for Felons movement) deferring epistemically to political actors who've experienced the social situation being tackled.

Answering (B), however, is a bit trickier. Though both are burdened by a felony conviction, it would be unreasonable to view their redemption stories as aligning with the testimonies of the "average" felon in the state of Florida. After completing his sentence, Desmond Meade, for example, matriculated into law school, graduated with his Juris Doctorate, and became heavily involved with the civil rights community in Florida. Neil Volz, on the other hand, served as the Chief of Staff for a Republican congressman *before* becoming a convicted felon. My reason for coloring their background stories with more biographical information is to drive home one simple point: Meade and Volz, in some sense, could be said to be part of a (politically) elite echelon of Florida's felon community. With this proposal on the table, a third, more fine-grained question emerges:

(C) Was the Felon Voting Rights movement compromised by elite capture *because* its main spokespersons (Desmond Meade and Neil Volz) were a part of the (political) elite of Florida's felon community?

Despite any reluctance we might have about answering (B), I think that the answer to (C) is clearly "no." The Felon Voting Rights movement, like most social movements, didn't just appeal to two political actors to satisfy their deferential commitments. If you recall, in this essay alone, I've mentioned two felons, namely, Demetrius Jifunza and Betty Riddle, who played noticeable roles in the felon voting rights movement and who would not count as "elite," even in the sense that I'm suggesting is true of Meade and Volz.

So, if the deferential practices weren't compromised because of the elite positionality of some of its political actors, how did Republican politicians still manage to subvert the goals of the movement? On my view, answering this question requires us to think more deeply about the nature of <lived experience>— and specifically, how <lived experience> ≠ <personal testimony>.

Personal Testimony, Lived Experience, and Local Conditions

There is no question that personal testimony plays an integral role in helping the listener understand what a particular lived experience is like. Part of the value of testimony in facilitating understanding of these experiences is the phenomenological, or "privileged," access that the subject has to the perceptions, thoughts, memories, imaginations, and emotions that supply the content of their experience. Despite the necessity of testimony shaping the character of an agent's experience in the world, <lived experience> *must be* conceptually distinct from <subjective experience>, if we assume that the former concept picks out something about the human experience that the latter does not.

With this in mind, I propose that the concept of  <lived experience> is constituted of two elements, namely: (i) personal testimony and (ii) local conditions.

In our current political climate, we tend to focus most of our electoral and organizing attention on the personal testimonies of political actors. This often leads to the equivocation that personal testimony *just is* what lived experience is. On my view, this illicit reasoning stems from a misapplication of the concept of <intersectionality>. Instead of interpreting this idea as a term meant to pick out what sociologist Patricia Hill Collins (1990) calls "matrices of domination," echoing Taìwò's elite capture framework, most media pundits, politicians, and organizers employ this concept to talk about the value of the insights and testimonies of political agents who *self-identify* with various marginalized groups. Not only do I think that these personal testimonies are overvalued, I want to show how, in the case of the Felon Voting Rights movement, they served as distractions, which resulted in an oversight of the local conditions that define what it means to be a felon in Florida, *specifically*. But what *are* local conditions?

I define <local conditions> as the set of practices, doctrines, and policies that externally structure the nature of a lived experience for some group. Though this concept seems modest, it has a tremendous amount of explanatory power when considering how to make sense of cases like Florida's Felon Voting Rights movement.

Take, for example, the main impetus behind SB 7066, the statute that undermined the efficacy of the Amendment IV ballot initiative. In congressional hearings and even throughout the litigation process, the debate rested on a single locution, namely: <completion of all terms of sentence>.

Now recall the concept of epistemic distance that I mention above. I want show why striking an appropriate epistemic distance matters when interpreting a locution like <completion of all terms of sentence>. I think it's pretty obvious that being too "epistemically far," that is, analyzing this locution using only macro-level information about incarceration in the U.S. (e.g., statistics, federal policy, etc.) will never get a person the clarity they need on how this locution is applied in the legal context of Florida. Notwithstanding this, what would it mean for an agent to become too "epistemically close" when analyzing this locution? On my view, an agent is too epistemically close to a social situation when their analysis *doesn't* strike a balance between consideration of personal testimony and the interrogation of local conditions.

This is what happened to Florida's Felon Voting Rights movement. Political agents relied too heavily on the intuitions and testimonies of ordinary people—notwithstanding the fact that many of these ordinary people were felons like Desmond Meade, Neil Volz, Demetrius Jifunza, and Betty Riddle. When asked if felons should be eligible to vote, most ordinary people, even if they *were* a felon interpreted <completion of all terms of sentence> to mean <no longer incarcerated in a state or federal penitentiary>. Cloaked beneath this ordinary language, however, is Florida's bureaucratic superstructure that provides a *legal* context that serves as the semantic backdrop for determining the meaning of the locution <completion of all terms of sentence>. Before SB 7066, there was no clear definition of <completion of all terms of sentence> for formerly incarcerated persons. This gray area of Florida statutory law opened up the legislative door for conservative politicians like James Grant to legally inscribe what the phrase <completion of all terms of sentence> *would* mean when it comes to criminal justice in Florida.

One might think that, given that there wasn't explicit definitions codified in Florida criminal law concerning what <completion of all terms of sentence> means, it would be unreasonable to fault the organizers who spearheaded the Felon Voting Rights movements for failing to recognize the semantic ambiguity of this locution. While I understand this reaction, I also think that these political agents *could have* prevented SB 7066 from thwarting the Amendment IV ballot initiative, if they would have paid closer attention to the major role that fines, fees, and restitution play in the "sentencing" of felons in Florida. My point is that, despite there not being any plain language about what <completion of all terms of sentence> means in this legal context, part of what was required *politically* of these actors was to pay attention to the legislative nuances that make being a felon in Florida's legal context unique.

To drive the point home further, we can even see the importance of aiming for an appropriate epistemic distance when it comes to a particular *concept* employed in the language of the subverting SB 7066 bill. In Florida, the concept of <restitution> has a much wider semantic scope than its normal application. Typically, this term is used to denote the compensation that the defendant must pay to the victim. However, in Florida, restitution takes on a meaning that goes beyond this standard definition. Journalist Mark Joseph Stern, for example, writes:

> Florida calls some of these fines "restitution," but they're a far cry from the standard definition of that concept. Florida stretches restitution to encompass fines paid to the state to subsidize courts, county governments, police departments, and investigators. Meanwhile, the Florida Constitution compels county clerks of the court to finance their offices through "user fees"[123] (2019).

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[123] "Florida Republicans Are Sabotaging a Constitutional Amendment That Gave Felons the Right to Vote"

Both of these legislative nuances, <completion of all terms of sentence> and <restitution>, cannot be captured adequately by the personal testimonies of those desiring to change the social situation, or even those who are victims of it. A political actor must see these legislative nuances as *part* of the local conditions that define what it means to be labeled a felon in Florida—nuances that are not easily detected in ordinary conversation and reflection. This is what I mean by the Felon Voting Rights movement becoming too "epistemically close" to the political situation. In attempting to privilege the testimonies of real people, they failed to strike a *critical* epistemic distance, which caused them to lose sight of the superstructural elements that play a major role in shaping what the lived experience of a felon in Florida is like.

      <u>Epistemic Detachment and Cultural Illegibility</u>

Although the concept of a "critical epistemic distance" implies a balanced consideration of personal testimonies and local conditions when analyzing a political problem space, it cannot explain what makes an analysis that fails to strike a critical epistemic distance *wrong*. To develop an understanding of this kind of epistemic badness, recall my argument for how Florida's Felon Voting Rights movement erred in their organizing practices. The supposed intention of this movement was to center the lived experiences of the felon community as a way to build bi-partisan support and to show how felon disenfranchisement was an issue that crossed race, class, and gender boundaries. I argue above that, while this movement claimed to address the lived experience of Florida's felon community, it inappropriately privileged the testimonies of certain *individuals* of this marginalized group.  In other words, by overemphasizing individual perspectives, judgments, and intuitions, the political actors of this movement became *epistemically detached* from the *impersonal* elements that define the lived experience of felons in Florida. I define "epistemic detachment" as *the endorsement of a misleading account about a political problem space*. The acceptance of a misleading account is due to a political agent unreasonably abstracting from the local conditions that constitute a social situation.

By neglecting the local conditions of Florida's felon community and focusing too heavily on individual attitudes, the Felon Voting Rights movement made personal testimony, not lived experience, the *target* of their organizational analysis. And while the former is a necessary constituent of the latter, it is not sufficient for identifying the superstructural elements that also play a major functional role in determining the nature of the lived experience in question.

Now I want to connect the concepts of epistemic detachment and critical epistemic distance to an idea that I mentioned earlier, namely, cultural legibility. On my view, one consequence of a political agent becoming epistemically detached from a social situation is that they endorse an account or interpretation of a political problem space that is grounded on information that has been inappropriately abstracted (e.g., statistical information, personal testimony, etc.) from lived experience. Another way of saying this is claiming that, *if* a political agent doesn't adopt a critical epistemic distance vis-à-vis a political problem space, they will fail to take on the proper *cultural standpoint*, which ultimately causes them to develop a misleading account of the set of issues in question. In other words, epistemic detachment causes certain elements of the problem-space to become culturally *illegible* for a political agent.

Before I move on to my recommendations for how it's possible for political agents to prevent epistemic detachment, it's important to note that the phenomenon of epistemic detachment is a part of a larger set of issues that I call *the problem of white-mindedness*. I define "white-mindedness" as *a cultural network of various practices, dispositions, frames, and incentives that contribute to the maintenance of certain socio-historical structures of domination*. As a node in this larger problem space, epistemic detachment provides language to talk about the cultural blind spots that impact how we think about inquiry and problem-analysis in the West. The particular cultural blind spot that the concept of epistemic

detachment picks out and what was the basis for the inefficacy of Florida's Felon Voting Rights movement is what Charles Mills (2017) calls "classic individualist epistemology." Mills believes that this way of thinking about knowledge is not only indexed to a particular intellectual heritage and tradition[124] but also that, in order to develop a more useful epistemological doctrine, we need to "reduce or eliminate" our emphasis on individual epistemological frameworks (2017). He writes:

> In classic individualist epistemology, one seeks not merely to eliminate false belief but to develop an understanding, wariness, and avoidance of the cognitive processes that typically produce false belief. For a social epistemology, where the focus is on supra-individual processes, and the individual's interaction with them, the aim is to understand how certain social structures tend to promote these crucially flawed processes, how to personally extricate oneself from them (insofar as that is possible), and to do one's part in undermining them in the broader cognitive sphere. So the idea is that there are typical ways of going wrong that need to be adverted to in light of the social structure and specific group characteristics, and one has a better chance of getting things right through a self-conscious recognition of their existence, and corresponding self-distancing from them (Mills, 2017).[125]

I hope that I've adequately demonstrated how the political actors that spearheaded the Florida Felon Voting Rights movement were epistemically detached. However, some might still want to pose the following question: Was this political movement *white-minded*? To the extent that the political actors were epistemically detached, the answer is obviously "yes." However, if we keep in mind that epistemic detachment is only a small node within a broader cultural network of practical attitudes, I think that the most appropriate assessment of this movement is to say that it was captured by the white-minded problem space *in some respects*—but in others, not so much. So, what normative term should we use as a catchall term to describe how the Felon Voting Rights movement failed to live up to its political responsibility to the Florida public? I call this phenomenon *political malpractice*.

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[124] I.e., the Western European philosophical tradition (viz. Descartes's *Meditations*). Jacques Derrida calls this phenomenon *the episteme* (Derrida, 1967).
[125] (Mills, 2017) [23]

Although a white-minded element played a role in sewing blind spots in the movement, I think these blind spots are avoidable and want to close by describing two norms that I believe could have been employed by agents of the movement to help them satisfy their political duty.

## Cultural Standpoints and the Normative Requirements of Political Inquiry

Are there any norms for political inquiry? The intuition that agents have political responsibility seems to suggest that there are. But what *kind* of norms are they? On my view, there are two kinds of normative requirements for political agents who act on behalf of the public. The first norm is epistemic. The second is practical. By "epistemic," I mean a norm that requires a political agent to collect the necessary empirical and testimonial information that is important for understanding the character of a political problem-space. On the other hand, by "practical," I mean a norm that requires a political agent to structure their interaction with the public in such a way that allows them to appropriately incorporate stakeholders of the social situation into their organizing efforts.

The purpose of the epistemic norm is to reaffirm the value of the role that empirical data and self-knowledge *collectively* play in framing a set of political issues and how crucial it is to have a balance between these two epistemic standpoints. As discussed earlier, in regard to the political agents that organized the lobbying efforts for felon voting rights in Florida, there was no equilibrium between the empirical and testimonial standpoints, which ultimately led to the subversion of the movement. So, while these political actors satisfied one criterion of this norm, they failed to acknowledge an equally important aspect of their epistemic requirement; namely, the consideration of objective (empirical) information that shapes the character of the problem-space for the felon community in Florida.

Unlike the epistemic norm, the practical norm does not place any demands on the agent regarding the kind of information they should use to structure their political movement. Instead, this norm requires political agents to build robust community relations from a social justice movement to the vulnerable populations that the movement intends to serve.[126] I think it's worth saying a bit more about the nature of the "gap" over which this norm is demanding an agent to "build a bridge." On my view, social justice movements are constituted of two distinct ontological domains. I call the first the *grassroots domain*, or the\* domain of institutional political agents. I call the second the *street domain*, or the domain of non-institutional or alienated political agents.[127][128] Right off the bat, I want to make it clear that these two political domains are not mutually exclusive. In real-world politics, there is a tremendous amount of interplay between these two modes of relating to political action. As a matter of fact, a single political agent might oscillate back and forth between these two political modes in the course of addressing a political problem-space.

I interpret the "Cooperation Jackson" movement as a working example of this kind of political oscillation. Grounded in the organizational framework of the Provisional Government of the Republic of New Afrika, a Black nationalist organization founded in the early 70s that formulated a political strategy for Black uplift in America called "The Jackson-Kush Plan," Cooperation Jackson is a social justice initiative that intends to "advance the development of the New Afrikan

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[126] E.g., this engagement could be facilitated through social media, schools, religious organizations, artists, etc.

[127] (Pollock, forthcoming)

[128] In future work, I will elaborate on the nature of the street domain. Specifically, I will explain how what I call *street knowledge* serves as an epistemic resource for non-institutional agents when it comes to social movements.

Independence Movement" by "hastening the socialist transformation of the territories currently claimed by the United States settler colonial state."[129]

What's important to note about this association of activists is not simply the fact that they are "on-the-ground" addressing racial injustices relevant to the "lived experiences" of most Black people in America. More important than these superficial markers of their movement is (i) their focus on a particular *problem-space* and (ii) their connection to the *kinship networks* or participants involved with the issues that define that problem-space.

For example, leaders from Cooperation Jackson are clear from the outset that they are a "vehicle specifically created to advance a *key*[130]component of the Jackson-Kush Plan, namely the development of the solidarity economy in Jackson, Mississippi."[131] In regard to their connection to the kinship networks whose organizing labor they gain wisdom from, they write:

> Following the legacy of Mississippians that came before us, we have contributed to the reemergence of cooperatives by establishing Cooperation Jackson, Jackson's first diverse cooperative that includes urban farming, compost and recycling, arts and culture and policy initiatives. We opened the Lumumba Center, which serves as a hub for local and international forums and events. ... Finally, we continue to facilitate the operation of the People's Assemblies which are mass meetings for and by Jackson residents to address essential social issues, develop solutions, strategies, action plans, and timelines to change various socioeconomic conditions *in a manner desired by residents.*[132][133]

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[129](Akuno; Nangwaya, 2017) [22]

[130] my italics

[131](Akuno; Nangwaya, 2017)

[132] my italics

[133](Akuno; Nangwaya, 2017) [18]

Cooperation Jackson's framework captures features stemming from both the grassroots and street domains of social activism. Although they maintain an institutional structure, the features of this structure are organic to the communities with which they're working (i.e., "the streets").

Like FRRC, they are addressing racial inequities but their efforts are targeted and open for communal discourse. This kind of *focus* and *contact* is what provides the actors in this movement with the right kind of (empirical) information (i.e., local conditions) to supplement the various theoretical frameworks introduced to their organization (e.g., Marxism, Black feminism, environmental studies, etc.). Their movement should not be considered white-minded because they have the appropriate epistemic distance on the problem-space.

I think that these are the kind of organizational aspects that FRRC, the grassroots organization that led the organizing effort for the Felon Voting Rights movement, could have used to become aware of the importance of certain objective (empirical) information.[134] By engaging with a wider array of stakeholders, this organization could have gained a clearer understanding of the disenfranchisement needs of Florida's felon population, instead of limiting their engagement to representatives of this community that they "let in the room."[135]

Taken together, the two norms of political inquiry that I sketch here can help an agent develop a *genuine* cultural standpoint about a set of political issues. While this cultural standpoint cannot be

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[134] Viz., the role that fines, fees, and restitution plays in determining the meaning of <completion of all terms of sentence> vis-à-vis Florida's criminal justice system.

[135] (Táíwò, 2020)

reduced to empirical facts (including local conditions), it also cannot be acquired through exclusive engagement with personal testimony. Essentially, a cultural standpoint is an informational frame that helps an agent better interpret a political problem-space. This is why I also believe that, as a conceptual tool, cultural standpoints play a necessary role in shaping an agent's *political expertise*.[136]

## Conclusion

The goal of this paper was to provide an explanatory framework for how political actors can fail to satisfy their political responsibility when organizing on behalf of the public. The first part of my argument is dedicated to showing how Florida's felon voting rights initiative is a paradigmatic example of how a political movement can operate with blind spots when lobbying to repair a systematic injustice. On my view, the source of these blinds spots is a phenomenon that I call *epistemic detachment*. I argue that epistemic detachment is a particular node in a larger political problem-space that I call *white-mindedness*. Like other features of the white-minded cultural network, epistemic detachment can cause agents to develop misleading accounts about a set of political issues. To circumvent this epistemic state, I argue that political agents should employ two norms of inquiry—one epistemic and the other practical. Incorporating these norms into their organizing practices enables political agents to analyze a set of political issues from a critical epistemic distance. This critical epistemic distance ultimately helps the agent acquire a cultural standpoint that supplies a genuine understanding of not only the political problem-space but also the ordinary people working every day to change it.

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[136] (Guerrero, 2021)

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