On Practices of Silence and Conditions for Quiet

This paper is a meditation on silence. Silence is both a symptom of epistemic injustice, insofar as some practices of epistemic violence cause silence, and also symptom of the struggle against epistemic injustice, insofar as it offers a mode of resistance. Silence also creates alternate pathways for marginally-situated epistemic agents. It can serve as protection against epistemic injustice. I will say more, later, about all of these types of silence.

My analysis begins and ends with Kevin Quashie’s *The Sovereignty of Quiet*. As the subtitle of that text suggests, Quashie encourages that we move “beyond resistance” to consider how an expressive being and knowing can also be non-resistant. The non-resistance of Quashie’s “quiet”—which is different from silence—requires a radical reconsideration of our relationships to ourselves, to each other, and to epistemic injustice. I begin with Quashie because I want to re-read the work of Kristie Dotson and Shalini Satkunanandan with “quiet” at the forefront. I end with him, too, because I want to reflect on “quiet” having considered its relation to silence and epistemic injustice in the middle sections of this paper.

In those middle sections, I will first recount Kristie Dotson’s theory of epistemic violence and her explication of practices of silencing. I want to make sense of a practice of silence that may potentially constitute another form of epistemic violence, not included in Dotson’s account, so I will work with Dotson’s theory in an attempt to explicate this practice. An example of this practice is highlighted by Paul Elie’s long-form article in *The New Yorker* on the Catholic Church’s attempts at reconciliation for the decades it has spent systematically covering up clergy members’ widespread sexual abuse of minors. Looking at the anecdotal and linguistic examples Elie provides in his article alongside Dotson’s analysis of epistemic violence, I attempt to show how practices of recalcitrant silence—practices in which a person in a position of power uses their status to deny, erase, redact, or manipulate their knowledge during a process of justice-seeking—can constitute another form of epistemic violence. In short, I aim to show how this practice is epistemically

---

1 I will refer to such agents as “epistemically vulnerable” in the rest of this paper.
2 In this paper, I focus mostly on a reconsideration of quiet and epistemic injustice. I hope to make good on this claim in future work and explicate how quiet suggests a radical reconsideration of relational ethics.
violent because it asserts itself in such a way that disrupts the possibility of quiet. The self-protection of dominantly-situated epistemic agents that such silence involves necessarily disallows for self-protection on the part of the epistemically vulnerable.

Next, I will turn to Satkunanandan’s work on the practice of “passing by.” Satkunanandan explicates this practice as a response to difference. It is a self-protective practice, and one that is non-dialogical, or less dialogical, than commonly theorized responses to difference. This practice offers an opportunity for someone to disengage from debates about belief; in that sense, it challenges the primacy of belief in civic and political life. Although Satkunanandan does not explicitly theorize about who is to engage in passing by—her development of the theory stems from a reading of Nietzsche’s *Thus Spoke Zarathustra* and accordingly attends to that example—she suggests that passing by may be an empowering practice for an epistemically vulnerable person. With this in mind, I aim to extrapolate her theory of passing by as a potential response to epistemic injustice.

While neither Quashie or Satkunanandan respond directly to the literature on epistemic injustice, both are doing the work of giving voice and structure to under-theorized aspects of being a knower and a citizen. In offering theories of what is *not* dialogue and *not* resistance, respectively, Satkunanandan and Quashie have opened the way for theorizing an alternative to José Medina’s “epistemic friction” and therefore a wider range of the available actions or dispositions one can have in the face of epistemic injustice.³ Giving attention to the whole range of available actions or dispositions seems to be part of what it means to counter such injustice because it avoids shoring up, authorizing, or validating one particular mode of response. In this sense, both Satkunanandan and Quashie are examples of what it looks like to work towards epistemic justice.

Kevin Quashie develops a theory of quiet because he wants to locate “a concept of expressiveness” that is “not tethered to publicness” or to resistance.⁴ This desire arises from a concern for a wider representation of blackness and black subjectivity. Quashie’s work therefore rests on the premise, “Resistance may be deeply resonant with black culture and history, but it is

---

not sufficient for describing the totality of black humanity."5 In moving beyond resistance, Quashie wants to find “a black expressiveness without publicness as its forbearer, a black subject in the undisputed dignity of his humanity.”6 Quiet is this expressiveness without publicness and this undisputed dignity.

Quiet is not silence. Quashie explains the distinction between quiet and silence by emphasizing the expressiveness of quiet, even though it is an “inexpressible expressiveness.” While quiet’s expressiveness “can appear publicly, have and affect social and political meaning, [and] challenge or counter social discourse,” Quashie insists that “none this is its aim or essence.” One’s interior is “not essentially resistant,” so if quiet is the expression of that interior, then quiet “is not consumed with intentionality”: its expressiveness is not expressiveness essentially or necessarily aimed towards something, which means it is not necessarily aimed towards resistance. Silence, on the other hand, “often denotes something that is suppressed or repressed.” That suppression or repression has aim and intentionality. It “is an interiority that is about withholding, absence, and stillness.” Quashie explains, “silence can be expressive, but its expression is often based on refusal or protest, not the abundance and wildness of the interior.” Furthermore, “the expressiveness of silence is often aware of an audience, a watcher or listener whose presence is the reason for the withholding—it is an expressiveness which is intent and even defiant.” For Quashie, silence presupposes that it is being watched, whereas “the aesthetic of quiet is watcherless.”7

Quashie acknowledges that “quiet is often used interchangeably with silence or stillness,” but he maintains that the conception of quiet he develops “is neither motionless nor without sound.” Rather, quiet “is a metaphor for the full range of one’s inner life—one’s desires, ambitions, hungers, vulnerabilities, fears.”8 I add the emphasis on “metaphor” because, as I continue to deploy Quashie’s concept of “quiet” throughout this paper, it will be easy to forget that this term stands for the full range of the inner life rather than the synonyms of silence or stillness that we often associate with quiet. “The inner life,” Quashie clarifies, “is not apolitical or without social value, but neither is it determined entirely by publicness. In fact, the interior—dynamic and ravishing—is a stay against the dominance of the social world; it has its own sovereignty. It is hard

---

5 Quashie, 26.
6 Quashie, 26.
7 Quashie, 22.
8 Quashie, 6.
to see, even harder to describe, but no less potent in its ineffability.” This paper asks, in part, whether the inner life which is a “stay against the dominance of the social world” might also be posited, more specifically, as a stay against the domination asserted in and through various forms of epistemic violence that contribute to epistemic injustice; therefore, it also seeks to identify practices that affect the flourishing of quiet—that either do or do not allow quiet to be the stay that it is.

Kristie Dotson offers an “on-the-ground” account of silencing as a form of epistemic violence. In particular, she identifies two practices of silencing that disallow members of oppressed groups to give testimony: “testimonial quieting and testimonial smothering.” Testimonial quieting “occurs when an audience fails to identify a speaker as a knower.” This form of silencing often results from the systematic “undervaluing” of a particular group “as a knower.” Testimonial smothering is “the truncating of one’s testimony” that “occurs because the speaker perceives one’s immediate audience as unwilling or unable to gain the appropriate uptake of proffered testimony.” The speaker self-censors her testimony according to the competencies, or more likely the incompetencies, that her audience has demonstrated.

Both of these practices of silencing are forms of epistemic violence. Dotson defines epistemic violence in testimony as “a refusal, intentional or unintentional, of an audience to communicatively reciprocate a linguistic exchange owing to pernicious ignorance.” She clarifies that pernicious ignorance is “any reliable ignorance” or counterfactual incompetence that is harmful to a person or set of persons in a particular context. Reliable ignorance, although not necessarily harmful, is “consistent or follows from a predictable epistemic gap in cognitive resources.” The person who has reliable ignorance “possesses an insensitivity to… truth with respect to some domain of knowledge” and therefore “will consistently fail to track certain truths.” If their failure also causes harm, the person can be said to have pernicious ignorance.

---

9 Quashie, 6.
11 Dotson, 242.
12 Dotson, 244.
13 Dotson, 238.
14 Dotson, 238.
Dotson’s theoretical work in this article has to account for so many new key terms that, sometimes, it is easy to follow her to the next definition before fully appreciating all the aspects of an earlier one. With this quality of her work in mind, I want to highlight two aspects of the “refusal” of the audience that constitutes epistemic violence: first, the refusal is “intentional or unintentional.” A person who is an audience might refuse to reciprocate an exchange without intending to do so. Dotson maintains that “intentions and culpability do not determine epistemic violence in testimony.” Second, the refusal is a refusal not simply to respond but to communicatively reciprocate. I take Dotson’s use of reciprocation to imply that the failure of epistemic violence is, in part, a failure of the audience to uphold their role in an exchange of equals, which includes the recognition of one’s equality with one’s conversation partner in the context of a conversation.

Dotson’s account importantly draws a distinction between instances and practices. Whereas “an instance of silencing concerns a single, non-repetitive instance of an audience failing to meet the dependencies of a speaker,” a practice of silencing “concerns a repetitive, reliable occurrence” of such a failure “that finds its origin in a more pervasive ignorance.” In short, a “practice of silencing is caused by reliable ignorance,” and a harmful reliable ignorance in particular. Dotson further clarifies that “reliable ignorance needs to be understood not as a simple lack of knowledge, but as an active practice of unknowing.” When that active practice of unknowing causes harm to another—when it is what Dotson would call “pernicious ignorance”—and when it “causes failures in linguistic exchanges,” it “constitutes epistemic violence.” The fact that pernicious ignorance “institutes” the practice of silencing is what makes it “epistemic violence.”

Dotson’s theoretical heavy-lifting does critical work for building a framework to examine practices of epistemic violence. In Dotson’s account, silence is an outcome of epistemic violence: silence

---

15 Dotson, 241.
16 Dotson, 242.
17 By “exchange of equals” and “one’s equality,” I do not mean to say that each conversation partner is identical or brings the same strengths and weaknesses to a conversation. That is rarely the case. Rather, an exchange of equals is an exchange in which two people recognize the particularity and the inherent worth of their conversation partner and what their conversation partner might bring to the exchange—that it is never always a conversation in which one participant necessarily benefits and the other necessarily provides that benefit.
19 Dotson, 243.
20 Dotson, 241.
happens on the part of the speaker, on the part of the person who receives and withstands epistemic violence. The violence, intentional or unintentional, that an epistemically privileged person causes is a violence that forces or coerces a speaker to remain silent, to be unheard or not taken seriously, or to self-censor. As such, it is a violence that produces silence.

I wonder, however, to what extent silence might also be used by the epistemically powerful in practices of epistemic violence. How might silence be a means of violence among the epistemically powerful? What would we call a pattern of behavior in which the epistemically privileged use silence for the purpose of domination? I am thinking, in part, about the practice of remaining silent—or, perhaps, insisting on the right to silence—in response to wrongdoing. This practice might include a willful denial of knowledge or an unwillingness to acknowledge or name wrongdoing, or even an allegation thereof. Silence in this form is itself a privilege of certain epistemic agents, and it also perpetuates those agents’ advantaged position. These agents exercise silence because they can and because they have an interest in the consequences of their silence, especially if they exercise silence during a process of justice-seeking. I will call this practice recalcitrant silence.

Paul Elie’s recent account of the priestly sexual abuse scandal in the Catholic Church offers an example of this practice. In his long form article for The New Yorker, Elie investigates how the Church has handled its history of abuse and, in particular, new programs for “reconciliation-and-compensation” that the Church has been outsourcing to law practices. Elie traces a “habit of evasion” that has structured and continues to structure the Church’s response, even as it is supposedly reckoning with the history of abuse on a more acute level in recent years. This habit of evasion permeates all levels of the Church’s response: it exists in the hierarchical structure of church leadership, the operational structure of the reconciliation-and-compensation program, and the linguistic structure and content of Church documents and clergy’s speech.

The first independently run reconciliation-and-compensation program, which has become a model for others like it across the country, is operated by the same lawyers who handled compensation for 9/11 victims. Survivors of priestly sexual assault make a claim, tell their story, and, depending on how their story can be corroborated and once they waive their right to press charges in the future, receive financial compensation from the Church. Elie explains that the program gives
survivors of clerical abuse the chance to tell their story at length “and feel that they have been heard.” There is “no restriction on the freedom of claimants to speak about what priests did to them,” and oftentimes, survivors tell detailed stories to the lawyers. Yet while the program’s structure creates an opportunity for survivors to offer testimonial speech, it also enables an imbalance in the burden of such testimonial speech. Elie notes that once survivors give voice to “particular acts of abuse,” “unfortunately, the process generally stops there”—in the lawyers’ office. The assumption of the program, as expressed by one of the lawyers leading it, is that claimants’ accounts of abuse “have been validated by an independent entity and by the Church itself.” The so-called validation, however, is never spoken, certainly not by a member of the “Church itself.”

Neither does the program’s operational structure allow for survivors’ stories to be kept in writing or archived. The program “captures the survivors’ stories,” but never “enter[s] them into the public record.” When Elie asked the lawyers what happens to the records from this program, he learned that they would be kept for a short period of time and then ultimately destroyed. In response, Elie writes,

“What the Church calls a crisis consists of thousands of criminal acts, including rape, molestation, harassment, and violation. It’s disturbing to think that the survivors’ accounts of those acts—which priests did what and where and when—become dead letters in the Willard Office Building, where a program framed as an instrument of reconciliation enables the Church to perform one last feat of evasion… the personal, generation-spanning accounts of priestly abuse in the United States [are] all going to their final resting place in two claims examiners’ heads.”

That the testimonies of survivors receive no audience beyond the third-party lawyers in charge of the program, that they will not be preserved, and that they will never be acknowledged through reciprocal speech acts by members within the church apparatus, all points to what Elie calls the Church’s “habit of evasion” or here, even, its “feat of evasion.” This particular form of evasion marks a failure to communicatively reciprocate.

When the Church does speak, its habit of evasion manifests in its silences, erasures, redactions. At a meeting in Dallas in June 2002, American cardinal archbishops wrote and adopted the “Charter

---

22 Elie.
23 Elie.
for the Protection of Children and Young People,” what is often referred to as the Dallas Charter. Elie notes that this document “did not name a single act of abuse, relegating the crime itself to a footnote about ‘delicts’ (a Latin term used by canon law for any sort of violation).”⁴⁴ By only using the category of “sexual abuse” or “sexual misconduct,” the Charter erases the particularity of acts of sexual abuse. That it refers to actions within these categories as “delicts” redacts the sexual nature of these sexual crimes. These examples demonstrate that the habit of evasion, as a form of institutionalized silence, also marks a failure to specify—to name—as partially constitutive of the failure to communicatively reciprocate.²⁵

In clergy’s speech about the subject of sexual abuse, Elie repeatedly finds “prudery, euphemism” and the denial “to address the problem of priestly sexual abuse in frank human terms.”²⁶ He cites a comment made by Cardinal McCarrick on television in April 2002 after a summit in Rome on priestly sexual abuse. McCarrick himself was defrocked in February 2019 for his sexual abuse of minors. Back in 2002, in his television comment on the summit, “he referred only to the example of a cleric who ‘is harming’ young people in the present (not to one who did so in the past), and he referred only to priests (not to bishops or archbishops).” Elie notes that McCarrick “phrased his answer to exclude the great majority of clerical abusers, himself first of all.”²⁷ His answer is an example of recalcitrant silence insofar as it includes a redaction that obscures the nature of wrongdoing and also invalidates past instances of wrongdoing. One might argue that McCarrick’s response was second nature, not carefully “phrased” to exclude “bishops or archbishops,” but I would argue that such types of responses especially warrant interrogation because they might reveal how an epistemic agent in a position of power, like McCarrick, naturally thinks about these issues.

---

²⁴ Elie.
²⁵ Some might argue that naming, or specifying, can be incendiary such that it works against reconciliation. I hope to suggest, if not demonstrate, that the Church’s historical “habit of evasion” or practices of recalcitrant silence reveal a disregard for reconciliation. In short, taking into account the full context of the Church’s response, it seems that the response has never really been about reconciliation from the start. It might also be worth noting that even the Catholic sacrament of reconciliation asks that individuals name their acts of wrongdoing. Theological defenses of the Church might add that God forgives for even those sins not named, but I would counter with two claims: first, that the spirit of approaching the sacrament does matter, and second, that we cannot hold reconciliation among humans to the same standards as reconciliation between humans and God.
²⁶ Elie, “What Do The Church’s Victims Deserve?”
²⁷ Elie.
Elie witnesses similar patterns of evasion in his own conversation with Cardinal Timothy Dolan, the Archbishop of New York and the “unlikely” Church leader who forged the new path for secular, third-party reconciliation-and-compensation programs. In the conversation, Elie asks about an allegation made against a specific bishop, Bishop Jenik, which came to light as a result of the reconciliation-and-compensation program and which led to Jenik’s defrocking. This conversation marks a particular recalcitrance to speaking in forthright terms about sexual abuse within the Church. The archbishop responds to Elie’s direct, clear questions with resistance and ambiguity. The part of the conversation reprinted in Elie’s article is worth reproducing here. It begins after Elie asks whether the Cardinal’s handling of the Bishop Jenik case, which included a pastoral letter “minimizing the accusations,” undermined the reconciliation-and-compensation program:

“‘I didn’t undermine it,’ Dolan said. ‘I removed him from the ministry, right? But, just as I have an obligation to the victim, I also have an obligation to listen to the priest—we’re dealing with a very good priest who did this.’

‘What did Bishop Jenik do that led to a credible and substantiated allegation against him?’ [Elie asks.]

‘I know, but I don’t feel free to talk about the details of it. Let’s just say it rose to the level of a violation of the Dallas Charter.’ [Dolan]

‘So we can’t talk about what he did? Why not?’ [Elie]

‘I’m not sure—we can. What he did was a violation of the Dallas Charter.’ [Dolan]

‘You removed a bishop for a violation that you can’t discuss?’ [Elie]

‘It’s hardly secretive. The victim will tell you.’ [Dolan]

I [Elie] said, ‘You’ve asked, “Why don’t my people believe me?” Well, I think part of the reason is that you’ve outsourced the telling of the story to the victims and the attorneys. Can you tell me, what did Bishop Jenik do that led to his removal? You can’t say in plain English what he did?’

‘No. Well, I could, but I’m not going to.’[Dolan]”

A generous reading of this dialogue might proceed as follows: Cardinal Dolan, in his role as Archbishop of the diocese of New York, has a set of interconnected responsibilities to the clergy members of his diocese, to the lay members of the diocese (possibly including former members of the diocese), to his superiors at higher levels of the Catholic Church, to the institution of the Church, to the state of New York and the federal state, and to God. His response to the sexual abuse scandal must balance his responsibilities to all of those parties. As a representative of the
members of his diocese—both clergy and lay—to the Catholic Church, he is also accountable to the Church hierarchy above him. In this dialogue, he is attempting to express those wide-reaching responsibilities, which sometimes come into conflict with each other. From his point of view, what Bishop Jenik did is not his story to tell.

I will continue to consider the generous reading in finer detail as I also trouble it with a linguistic analysis of the dialogue, particularly the language deployed by Cardinal Dolan. In this analysis, I am not suggesting that Cardinal Dolan is explicitly conscious of how his language operates or that he is constantly and maliciously trying to manipulate his responses to obscure what he knows. Rather, I want to begin from the generous assumption that he is trying to have a genuine, honest conversation with a fellow Catholic (Elie) in which he can express the complex nature of his position of power and the interconnected responsibilities that position entails. But I will also begin from a linguistic assumption that the words and the grammatical construction of sentences subconsciously reflects the underlying claims, biases, or assumptions of the speaker. While Cardinal Dolan might not be consciously manipulating his language, there is something to learn from an analysis of his speech that considers the plausible relationship between the form of his speech and his subconscious claims. A linguistic analysis that begins from these assumptions outlines a number of problems:

In his initial response, Dolan juxtaposes two obligations in order to defend a particular action that Elie reads as undermining the process of reconciliation. Dolan explains that he has both an “obligation to the victim” and “also... an obligation to listen to the priest.” While the structure of the claim is meant to reinstate a sense of balance, or equity, between the two obligations, the linguistic shape of the stated obligations reveals a stark inequality in Dolan’s treatment of these

---

29 Elie.

29 See except, below, from Elie’s article for the details of the case. Elie asks Cardinal Dolan whether his letter didn’t undermine the process of reconciliation: “Last October, a claim of sexual abuse made through the New York I.R.C.P. led to the departure of John Jenik, a Bronx pastor who had been made an auxiliary bishop in 2014. Although the archdiocese’s review board judged the claim ‘credible and substantiated,’ Cardinal Dolan, in a pastoral letter announcing the departure, essentially came to Jenik’s defense. He noted that ‘the alleged incidents occurred decades ago,’ and that ‘this was the first time any such allegation’ had been made against Jenik, who insisted on his innocence and, Dolan suggested, was not being removed but was stepping down voluntarily, ‘loyal priest that he is.’ Of the abuse itself, Dolan said nothing. That fell to the survivor, Michael Meenan, who, in a press conference outside St. Patrick’s Cathedral, described Jenik’s taking him, as a teen-ager, to X-rated movies, getting him drunk, and sleeping in the same bed with him at the priest’s cottage upstate.” Elie.
obligations. Obligations have a *who* and a *what*: a person who has an obligation has an obligation to something or someone and also has an obligation to do or be something. Dolan’s treatment of his obligations are unequal on both of these axes. First, he characterizes the relational aspect of his obligations differently: he has an obligation to “the victim” and also “to the priest.” In one obligation, he prizes a relation of harm or criminality over a relation of personhood or role within a community; in the other, he prizes the role within the community over criminality. He describes himself as obligated to a “victim,” not to a “Christian” or a “Catholic” or a “Church-member” or “fellow human” any other signifier that might actually define the relationship that the Cardinal had to a person for whom, by the nature of his leadership and pastoral role, he holds some responsibility of wellbeing.

When he describes his other obligation, however, he disavows a person of wrongdoing. He is obligated “to the priest,” not to the “perpetrator,” the “pedophile,” the “rapist,” or even—most generously—the “accused.” He uses a descriptor for how we might characterize the relationship before any accusation or any knowledge of criminal activity. His use of the descriptor “priest” for this obligation linguistically reflects doubt about the validity of the victim’s claim against the clergy member. Because he refers to a specific, *defrocked* bishop as “the priest,” arguably he implies a reneging of the defrocking. At the very least, his uses of “priest” makes the argument that even a person who committed a heinous sexual crime against a child is entitled not to be referred to in light of that action. I am not necessarily contesting that latter argument; indeed, too often in our criminally biased American society, we subsume the kaleidoscopic particularity of a person into a single act of wrongdoing. Rather, I argue against Dolan’s unequal linguistic treatment of priest and parishioner, accuser and accused, and insist that his linguistic treatment reveals his bias towards the priest and therefore undermines his claim that he has, and is acting upon, equal obligations to clergy and laypeople.

The archbishop’s speech is also ambiguous about the nature of the obligation: “just as I have an obligation to the victim, I also have an obligation to listen to the priest.” He specifies *what* his obligation to the priest requires him to *do*, but not to the layperson. Arguably, he is simply saying

---

30 One might object that by referring to the defrocked bishop as “the priest,” Dolan is underscoring the gravity of guilt associated with being a priest who sexually abused a child. His addition, “we’re dealing with a very good priest who did this,” which I discuss shortly, suggests that such an objection is ill-founded. The full conversational context of the statement matters.
he has an obligation to listen to both parties. In that case, it is still unclear what an obligation “to listen” entails. He suggests that he has fulfilled his “obligation to the victim” by “remov[ing the accused priest] from the ministry.” In other words, according to Dolan, defrocking a priest suffices as acknowledgement of a particular person’s trauma; he believes there is no need for a reciprocal speech act recognizing that person’s testimony. What does listening to the priest involve? Dolan does not say.

Dolan qualifies his obligation to the priest by adding, “we’re dealing with a very good priest who did this.” Linguistic manipulation riddles this statement. First, the broad application of a positive value judgment on the priest both has an effect of ambiguity—“The priest is good in what sense?” one might ask—and also suggests a lack of ambiguity: the priest is good overall, or in all senses of what it means to be a good priest. The statement also manipulates ambiguity in its use of a demonstrative (“this”) with an unstated (never mind ambiguous!) antecedent. We, and Elie, do not know what the action, the “this,” is that the priest “did.” In using the phrase “who did this,” Dolan expresses his authority over the subject matter of the conversation while maintaining secrecy and therefore his position of epistemic privilege. In other words, by deploying the phrase, Dolan is not only saying that he knows that the priest did something but also that he knows what the priest did. The lack of an antecedent allows him to keep the antecedent secret, and so he remains in an epistemically privileged position. The archbishop’s addition, therefore, suggests that we ought to take for granted his authoritative judgment of the priest; he is the one who knows about the goodness of the priest because he knows what the priest did.

Elie therefore asks the reasonable, logical follow-up question: what did the priest do? In particular, what did he do that warranted a “credible and substantiated allegation against him”? Now Dolan acknowledges his knowledge: “I know,” he responds, “but I don’t feel free to talk about the details.” When Elie presses the archbishop further, the archbishop responds, “It’s hardly secretive. The victim will tell you.” On the one hand, Cardinal Dolan is arguably saying, “This isn’t my secret to tell. It is only right for the victim, who suffered most, to be the one to communicate what this particular bishop did.” The question is not about a series of cases, or a case in the abstract, but rather a specific allegation made against a specific clergy member whose name has been stated in

---

31 For more on listening and epistemic injustice, see “Deep Listening” in Boaventura de Sousa Santos, The End of the Cognitive Empire: The Coming of Age of Epistemologies of the South (Durham: Duke University
the conversation. Dolan may be justified in wanting to protect the privacy of the people involved in this claim, just as some employers might be legally obligated to not disclose that an employee was fired due to allegations of sexual harassment. 32

However, if we take into consideration a larger, systemic “habit of evasion,” I believe that there is a claim inherent in Cardinal Dolan’s response: he is saying that a secret-keeper may only be accused of being secretive so long as the secret remains unknown. There is no malice, Dolan seems to say, in refusing to disclose information that can be accessed elsewhere. I argue that he conflates secretiveness with secrecy. Secrecy is the state of being kept secret, whereas secretiveness is the disposition of an epistemic agent that inclines him to conceal what he knows. The archbishop is claiming that because the violation the priest made is no longer a secret—its details are knowable if one converses with certain speakers or kinds of speakers—his own unwillingness to speak of the secret is not malicious, not secretive. While he would probably argue that his unwillingness to speak of the secret is out of respect and privacy for the victim, I am concerned that appeals to respect or privacy enable him to disavow himself of his obligation to appropriately acknowledge and specify his knowledge of wrongdoing and instead place a burden of repeated testimony on someone who endured trauma. There are many reasons that we would want to seek knowledge from direct epistemic knowers—laypeople who suffered from priestly sexual abuse—rather than second- or third-hand ones such as the archbishop. But Elie’s line of questioning, and my analysis, suggests that at the heart of this conversation is a disagreement about the circumstances under which the epistemically privileged have an obligation to speak what they know. I am suggesting that the Church’s silence is recalcitrant, not respectful, and that practices of recalcitrant silence do epistemic harm. I will say more about this shortly.

Before I say more about that epistemic harm, I want to note that this conversation is also a disagreement about who deserves to know, and therefore who deserves the status of being a knower within the web of relationships and power structures of the Church. Elie’s line of questioning suggests that Catholics themselves have a right to know. 33 Part of what Elie is trying to

32 There is more to say about the use of these examples and the particular status of the Church in relation to legal regulations. The Church is hardly a normal employer considering that ultimately it answers to the Pope. We will have to set aside the complicated nature of this for now.
33 Some might make a theological argument about God’s knowing. In short, they might say that God knows the nature of the sexual abuse and that His knowledge is enough. It is beyond the scope of this paper to
communicate, both in this particular conversation and in his investigation overall, is that his position in this debate is not just as a journalist but also as a practicing Catholic—a Catholic who grew up Catholic, was educated by Catholics through college, has raised his sons in the Catholic faith, and continues to be a practicing Catholic despite his outrage and disappointment about the serious and consistent ethical failings of the Church. I assume that it is from this vantage point, as a devoted Catholic, that Elie offers the archbishop his own assessment of why people don’t believe the archbishop.

Inherent in Cardinal Dolan’s question “Why don’t my people believe me?” is a concern about trust—Why don’t my people believe that I have adequately handled this issue, that I am deserving of their trust? Why don’t they trust me? Elie tells the archbishop, “I think part of the reason is that you’ve outsourced the telling of the story to the victims and the attorneys.” Elie’s response suggests that the laypeople do not trust the Church, in part, because they have suffered epistemic harm at the hands of the Church. An epistemic agent who engages practices of recalcitrant silence might enact epistemic harm in the following ways: first they treat the audience as unworthy, undeserving, or incapable of knowing or understanding. Second, they demonstrate an unwillingness to speak to the particularity of a specific act or instance of wrongdoing. Third, they “outsource” access to knowledge, putting the onus on more vulnerable epistemic knowers to either give repeated testimony or bear the burden of knowledge in silence. Fourth, they obscure the interconnected, systemic nature of their epistemic privilege, isolating a particular piece of knowledge and treating it as divorced from a broader set of epistemic privileges. Finally, they practice recalcitrant silence for the self-protective purpose of maintaining some position of domination, epistemic or otherwise. In causing these kinds of epistemic harm, practices of recalcitrant silence protect the epistemically powerful to the detriment of the epistemically harmed.

Does this epistemic harm constitute violence as Dotson defines it? For Dotson, epistemic violence in testimony is “a refusal, intentional or unintentional, of an audience to communicatively reciprocate a linguistic exchange owing to pernicious ignorance,” where pernicious ignorance is

---

[34] In the case of the Church, this might include epistemic privileges regarding the nature of God or other
the kind of is a reliable, consistent failure to track certain truths that causes harm. I argue that the “habit of evasion” Elie reveals in his investigation of the Church, what I have called recalcitrant silence, is indeed a practice of epistemic violence: Church authorities, as the audience for laypeople’s testimonies of child sexual abuse, refuse to communicatively reciprocate when they remain silent—when they evade, obscure, redact, erase, or cover up knowledge of specific acts of wrongdoing, as well as widespread wrongdoing, in the church. Their silence owes to pernicious ignorance because, systematically and historically, the Church and consistently failed to understand the truths regarding their obligations to laypeople, the desire of many survivors of priestly sexual abuse for more recognition, the difficulty of ongoing reconciliation, and the way that patriarchal and theological power perpetuates violence and sows distrust. Insofar as the self-protection of Church authorities puts the onus on victims and survivors of priestly sexual abuse to speak on their own behalf, it demands resistance from them; and in demanding resistance, it disrupts the possibilities for individuals to have or to be quiet, in Quashie’s sense.

Elie’s response also suggests that part of regaining trust for Church leaders entails “telling the story,” which is why he asks the archbishop again to “say in plain English what [the accused bishop] did.” Within the context of this conversation, “telling the story” means articulating, with detail and clarity, the wrongdoing for which one is systemically, if not individually, responsible or to which one inadequately responded. It is a possible response to epistemic injustice for those who have perpetuated acts of epistemic violence. “Telling the story” is not simply an apology, though indeed the most effective forms of apology include an acknowledgement of wrongdoing. Rather, “telling the story” is also testimonial: it is a bearing witness to one who has suffered and testified. It requires that the person telling the story recognize his relationship to the story and consequently his relationship to the people whose story the story is.35

“Telling the story” when the story is not one’s own is a delicate matter; such storytelling could easily fall into a problematic telling stories for others, which itself can be an act of silencing. “Telling the story” is not a replacement for allowing others to tell their story; we must always allow theological mysteries supposedly not knowable to laypeople.

35 I need to think more about the possible relationships involved here, but it would require much more reading on the nature of systemic injustice and also the idea of inherited wrongdoing. In my preliminary thinking, without a broad base of reading in the literature, it strikes me that someone who did something wrong needs to offer an apology. Others, however, who have facilitated the wrongdoing or have inherited the failures of others to reconcile are people who might be able to tell the story.
individuals and groups of individuals, especially those who have experienced epistemic injustice, to give testimony to their story. Likewise, “telling the story” is not telling my epistemic version of the story, which might easily allow me to manipulate or redact the testimonies of others. We must always question the versions of the stories told by those in positions of epistemic power, but to the extent that those in positions of epistemic power must learn to listen in order to adequately give testimony to the testimony of another, it might work to remedy the domination the epistemically powerful would otherwise exercise in speech acts or the refusal thereof.

Part of my concern with the idea of recalcitrant silence, evident in the example of the sex abuse scandal in the Catholic Church and examples like it, is that certain vulnerable epistemic agents are made to speak or to bear a certain trauma on their own. Recalcitrant silence coerces the victims of injustice to resistance, precluding the opportunity to dwell in their quiet. So I am invested in the right of epistemic agents to not speak or engage dialogically with those who might cause epistemic harm and consequently add to the experiences of epistemic injustice. In light of this concern, I will now turn to an unpublished paper by Shalini Satkunanandan. In “Beyond Belief: Passing by Others in Nietzsche’s Zarathustra,” Satkunanandan offers a reading of Thus Spoke Zarathustra that explains a practice that Nietzsche’s character Zarathustra himself calls “passing by.” Passing by is a particular kind of response to difference. It is non-dialogical, or at least less dialogical, than commonly theorized responses. As she herself explains, Satkunanandan wants to expand what political theorists theorize about when they consider responses to difference, especially difference in belief. While the textual context of passing by within Nietzsche’s work is a passing by in response to difference in belief, Satkunanandan begins to sketch a theory of passing by that could also be a response to epistemic injustice. I will retrace her theory and then extrapolate it to contexts of epistemic injustice.

In simplest terms, passing by avoids engagement with a particular other. Satkunanandan first describes passing by when she notes how Zarathustra “sometimes seeks to curtail or avoid engagement with particular others, including dialogical engagement about beliefs, in order to pursue his own, arguably political, ends.” It is an “alternative” to “refutation, correction, and dialogue,” all of which are responses that consist in confronting the other.

---

37 Satkunanandan, 3.
Passing by is a practice. A practice is the repeated exercise of an action for the purpose of developing and maintaining the ability to perform that action well. For that reason, a practice can become customary, or habitual. But it is also the application of ideas or principles in action. Practice as repeated action and practice as the application of principles in action are equally necessary for successful cultivation. If my practicing is rare, so infrequent that I barely ever repeat the action, I will not be able to perform the action well. To apply principles well, however, demands intentionality: if I practice an action entirely out of habit, or reflex, then I might not be developing the skill of appropriately applying my practice to a particular situation. Although Satkunanandan does not discuss these elements of practice, her explication of passing by suggests they are both present in it.

In particular, passing by is a “practice of responding to others and negotiating space with them.”\textsuperscript{38} It is goal-oriented, situational, and protective. It is goal-oriented because the person who passes by has a “positive goal” in mind and chooses to pass by to “care for” that goal.\textsuperscript{39} Passing by recognizes that certain kinds of engagement with particular others may cause harm to the positive goal.\textsuperscript{40} Passing by is situational because it requires that we choose to pass by based on the circumstances of a distinct, given situation. As with any intentional practice, passing by is not reflexive but rather is the result a discernment which deems it the appropriate response given the particular situation. Finally, passing by is protective. It protects the person passing by, the positive goal of the person, and also the person being passed by. We do right to pass by another when we might be tempted to use the engagement as a means of revenge or expressing ressentiment. Not only does the passer by prevent herself from being harmed, but she also avoids inflicting harm by avoiding shaming or demeaning the other for his beliefs.\textsuperscript{41}

Overall, the person who passes by chooses to avoid an engagement with another and his beliefs because she has judged that such an engagement would be futile, cause division, confine her vision, and/or deplete the mental and emotional resources she needs to “care” for a positive goal.

\textsuperscript{38} Satkunanandan, 5.
\textsuperscript{39} Satkunanandan, 4.
\textsuperscript{40} Satkunanandan does not elaborate on what constitutes a positive goal because her theory is contextualized within the narrative of Zarathusra. Zarathustra’s own goal is a “goal of world affirmation.” Satkunanandan, 3.
\textsuperscript{41} Satkunanandan, 16–17.
In short, she avoids interactions with “unworthy enemies”—people whom she does not hate and respect but rather despises.\textsuperscript{42} Satkunanand distinguishes passing by from forgetting and from tolerance. Forgetting implies a suspending or a dissolution of judgment. Passing by includes both judgement and vulnerability before the other: I pass by the person whom I judge to have beliefs that will harm or be unworthy of my own, and in passing by, I recognize my own potential to be wounded by an exchange.\textsuperscript{43} Unlike tolerance, passing by does not “reach towards dialogue.” Rather, it avoids dialogue.\textsuperscript{44}

Satkunanandan’s theory of passing by raises some epistemic concerns. How do we discern an enemy as worthy or unworthy? How do we teach others such discemment so that we can teach them the practice of passing by?\textsuperscript{45} Passing by is empowering; it offers an individual the opportunity to free themselves from a potentially destructive encounter. I wonder, however, about an individual’s concern about the consequences of their passing by. Satkunanandan alludes to this problem when she writes that “disengagement—letting others and their beliefs just be—is incredibly difficult when your sense of self is tied up in others’ beliefs.”\textsuperscript{46} I would argue that sometimes one’s \textit{freedom} is also tied up in others’ beliefs, or at least one’s credibility in a community. Are we all equally free to engage in this practice? Who has the power to choose to pass by? In this sense, passing by could be taken to resemble Dotson’s conception of testimonial smothering, whereby a person who passes by censors her engagement with others and refrains from dialogue because of the potential consequences of what she has to say. Satkunanandan might respond by emphasizing that the dialogue which one forgoes in passing by is not a necessary testimony, and it differs from smothering in that it does not truncate a testimony but rather avoids the possibility for offering a testimony in the first place (or prematurely ends the conversation in which one would offer testimony). Nonetheless, I think it is fair to argue that while passing by might offer an empowering alternative to dialogue, it also is a potential signal for existing epistemic injustice. In other words, it might be reasonable to suspect epistemic injustice underlying circumstances in which certain marginally-situated epistemic agents are prone to pass

\textsuperscript{42} Satkunanandan, 21.
\textsuperscript{43} Satkunanandan, 20–21.
\textsuperscript{44} Satkunanandan, 39–40.
\textsuperscript{46} Satkunanandan, “Beyond Belief: Passing by Others in Nietzsche’s Zarathustra,” 4.
by. While passing by may lessen the hurt of practices of testimonial smothering or other forms of epistemic injustice, it may not immediately redress them.

And who ought to pass by? Those epistemic agents who, by virtue of their race, gender, or position in the community, have the power to choose to pass by might dismiss others and pass by them on the bases of a kind of delusional harm—a perceived harm that what they might hear in an encounter might threaten their position of relative power or the narrow visions of the world that allow them to inhabit a privileged position. In short, the selective disengagement of passing by could become what Jose Medina calls “active ignorance” or resilient ignorance: ignorance that is not simply a lack of knowledge but rather a choosing not to know or a need to not know or even a resistance towards knowing.47

I can imagine a couple ways to solve this possible problem with passing by. For example, a clearer definition on what kind of “positive goal” warrants protection via passing by might prohibit the epistemically privileged from harmful selective disengagement. However, I think that a more compelling way to reclaim the empowering capacity of passing by as an alternative to dialogue is to posit the practice of passing by as a response to epistemic injustice rather than as a response to difference more broadly. Theorizing passing by as a response to epistemic injustice would disallow it from becoming a method of perpetuating epistemic ignorance: instead of residing in the toolkit of the epistemically privileged, it would be part of the toolkit of those who have suffered from epistemic injustice. I refer to a metaphorical “toolkit” because I want to emphasize that the practice of passing by is one possible mode of responding among many modes; not all situations will warrant the same response.

At the end of her paper, Satkunanandan writes that the “selective disengagement” of passing by is “compatible with a deep political commitment even if... that commitment is not around the usual sites of politics such as the state.”48 In a footnote after “deep political commitment,” she cites Quashie’s book and suggests that passing by “may be close to” Quashie’s definition of silence rather than quiet. She continues, “However, my thought is that ‘silence’ as an intentional refusal to engage allows more opportunity for the non-intentional interiority of ‘quiet,’ which is not

It not clear to me that passing by—in a broader sense, not bounded by the particular context of Zarathustra—must be necessarily an act of refusal. Refusal connotes an active denial; passing by as a refusal would include a “withholding” that Quashie identifies with silence.” But I can imagine passing by to be a more passive act; an unconscious decision to inhabit one’s quiet rather than expose one’s vulnerability to an epistemic other. The discernment required by the situational nature of passing by could be a discernment that is learned and internalized, unconsciously, as a result of repeated experiences of epistemic injustice. That said, whether such situational discernment is conscious or not, it constitutes an awareness of an audience—or even the possibility of an audience—whereas quiet “is watcherless.” If Satkunanandan is right that passing by is silence rather than quiet, I would contend that passing by is silence not on the basis of it being an “intentional refusal” but rather that it is aware, even subconsciously, of an audience. Satkunanandan defines passing by as a “practice of responding to others and negotiating space with them.” With Quashie in mind, insofar as passing by is always a response, then it is necessarily not quiet because response presupposes an audience. Need passing by always be both a response? I wonder whether sometimes passing by could simply be a way of negotiating epistemic space—“negotiating” in the sense of finding a way to carve out space for oneself for one’s quiet rather than engaging in a debate with another. In this sense, passing by, like quiet, might offer resistance without being essentially defined by resistance.

Satkunanandan seems to suggest this possibility when she writes in the Quashie footnote that silence “allows more opportunity for the non-intentional interiority of ‘quiet.’” Silence, Satkunanandan contends, serves to create the space for Quashie’s “quiet.” I have paraphrased “allows more opportunity for” as “creates the space for” because I want to recognize that silence seems to be a generative act for Satkunanandan while also suggest that silence is a protective act. Silence is generative in the sense that it generates the possibility for the interiority of quiet to flourish. However, given that earlier in her account, Satkunanandan describes passing by as “a way of positively protecting one’s goal from the insistent terms of the contemporary public debate,” I wonder to what extent silence is also protective. Here, I do not mean “protective” in a paternalistic sense: I do not want to argue that silence protects quiet because quiet needs protection or, consequently, that quiet needs protection because it is not strong enough to exist on its own. Quiet, I think Quashie would respond to such an argument, always exists because it is

49 Satkunanandan, 41 note 46.
essentially human. It does not rely on any person, institution, or circumstance for its existence. That said, like all types of expression, the expressiveness of quiet can also be silenced or smothered. The protection that silence offers is not a paternalistic protection but something more akin to a home—an abode, a resting place, or at least a buffer from the external world that is often trying to extract something from quiet or force it into public. I think that “create the space for” echoes this kind of protection.

Where does this leave us with quiet? I am sometimes skeptical that Quashie’s quiet is not more closely linked to resistance than he contends. Theorizing quiet itself seems to be an act of resistance, and, to the extent that silence creates the space for quiet or offers a kind of protection for quiet, quiet seems to benefit from certain kinds of resistance. That said, in this paper I have tried to set aside my skepticism because I want to honor Quashie’s intention. Quashie emphasizes at various points that quiet “has to be chosen” even if it is “unconscious too.” Under what conditions are individuals free to choose quiet? Dotson theoretical work and Elie’s journalistic work suggest that we need to pay attention to practices that preclude the chance to choose quiet. Such practices are epistemically violent and might include practices of recalcitrant silence rather than simply practices of silencing. Satkunanandan’s theory of passing by suggests that we need to pay attention to practices that give space for quiet. This is especially the case in a theoretical landscape that, more often than not, seems interested in theorizing practices of dialogical resistance.

At the beginning of this paper, I suggested that quiet requires a radical reconsideration of our relationships to ourselves, each other, and epistemic injustice. I will not be able to make good on that claim entirely, but I will end by taking a step towards the relational. Because this paper has focused on the practices that hinder or open up the possibility for choosing quiet, it has considered relationships or relational practices in light of epistemic freedom. Relationships, however, are good for more than individual freedom. Quiet teaches this. Quashie writes,

“The oneness of an inner life does not mean that a person is without connection; intimacy, the exchange and tension and conflict that is human contact, is part of living an interior life [quiet]… One cannot live without intimacy, without the success and failure of connection—those experiences animate the inner life. There is no promise that intimacy will work or be sustained, but human beings need it anyway. In this regard oneness,

50 Quashie, The Sovereignty of Quiet, 134.
despite its name, is not a concept of individualism but instead is the spirituality of quiet as an essence of what it means to be human. And being human ultimately means being capable of engaging, even needing, others who are human.”

We need to attend to practices of silence—the violent practice of recalcitrant silence and the generative, protective practice of passing by—so that we can make room for quiet. And we need to make room for quiet, not so that we have the individual freedom to inhabit quiet on our own, but rather so that we can nurture our capacity to engage, and even need, others who are human.

Quashie, 130.
Works Cited


