

Love's Labour Lost

Cases of Testimonial Betrayal

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Introduction

Imagine a woman, Angela, who has lunch with two of her colleagues, Ernie and Bert. At lunch, Angela tells them that their boss sexually harasses her. (Let's assume he repeatedly makes unwarranted comments about Angela's looks and seems to "accidentally" touch her a lot.) Both, Ernie and Bert, are positive that Angela is being oversensitive, under a lot of stress, and that their boss is a very nice guy who can do no wrong.

The exemplary case outlined above falls under the category of what Miranda Fricker (2007) terms testimonial injustice.¹ Testimonial injustice typically occurs when a hearer ascribes lesser credibility to a speaker's testimony due to an unfair identity prejudice, as when Bert and Ernie fail to believe Angela.² Jeremy Wanderer (2017) notes that there are cases of testi-

1 Note that Fricker uses a similar exemplary case evolving around the testimony of sexual harassment to explore *not* testimonial injustice but to introduce another form of epistemic injustice, *viz.* hermeneutical injustice. However, the scope of my enquiry is limited, and I shall bracket all concerns regarding hermeneutical injustice here.

2 In the framework of this paper, I assume that cases of testimonial injustice *typically* involve a hearer who ascribes lesser credibility to the speaker's testimony and that an identity prejudice is at the core of the flawed epistemic process. Note that testimonial injustice may also include cases of credibility excess (for example, see Davis 2016) and that some authors argue that we can give an account of testimonial injustice without an appeal to prejudice (for example, see Perrine 2023). My discussion is thus limited: Whether my findings are also applicable to cases of testimonial injustice characterized by an unfair ascription of too much credibility or to an account of testimonial injustice as not involving any identity prejudice on part of the hearer, remains an open question that I cannot address here.

monial injustice, which “critically involve thick relations of intimacy between acquaintances” (cf. Wanderer, 2017: 36). Wanderer’s observation is as shocking as it may seem trivial. If testimonial injustice is as pertinent as Fricker takes it to be, it makes sense to assume that it spreads to the realm of intimate relationships. Yet, it is bad enough if stereotyping and prejudice lead hearers to unfairly reject a stranger’s testimony. If the same thing happens between friends, lovers, or family members, where people know and trust and perhaps even love each other, things seem to get truly ugly – and also truly complex.³ Assume that Angela and Bert go way back, they have been part of the same close-knit group of friends for six years. Angela and Ernie on the other hand are simply colleagues, they have known each other for a couple of months and have never met off hours. Intuitively, Bert’s unjust treatment of Angela’s testimony strikes one as even worse than Ernie’s failure to believe her. The following inquiry is devoted to account for this intuition.⁴ More specifically, I want to propose a conception of cases of testimonial injustice within the context of intimate relationships as *testimonial betrayal*.

In the context of differentiating between varieties of testimonial injustice, Wanderer (2017) already provides a brief sketch of such a conception. Here, I set out to discuss and develop Wanderer’s ideas further. To this end, I utilize Margalit’s (2017) work on betrayal to gain a better understanding of what exactly constitutes the ‘betrayal-part’ in testimonial betrayal. Further, I set out to explore some basic tenets from recognition theory to highlight the distinct moral weight that identity prejudices bear within the sphere of intimate relationships. I argue that the crucial difference between pure cases of testimonial injustice and cases within the context of intimate relationships (and the explanation for the latter being in some relevant way worse) is first and foremost this: the latter undermines the meaning of a significant relationship, which simply does not obtain within the framework of the former.

During the course of this essay, I hope to shed light on how what we (epistemically) owe each other in intimate relationships and what we (epistemically)

3 In a similar fashion, Kristie Dotson (2011) provides an analysis of the relations of dependence speakers have on audiences, assuming (as I also do in this paper) that such a relation of dependency within intimate relationships is marked not primarily by vulnerability but by trust.

4 Note that testimonial injustice does not require fully fleshed disbelief, but only an unfairly low attribution of credibility. In the following, I mostly focus on cases of disbelief for reasons of simplicity.

owe each other in a broader social context are interdependent questions. This essay thus also intends to make a small contribution to feminist debates evolving around the question how social pathologies and political power asymmetries operate at and function through the sphere of human intimacy, thereby rendering the distinction between public, political spheres of our lives on the one hand and private, apolitical ones on the other, untenable.

Before I start, let me concede that the exemplary case that sets the tone for the remainder of my paper is a very simple one, involving an identity prejudice held against a woman qua her being a woman.⁵ As has been pointed out by others, the injustice involved in testimonial injustice is often and critically of intersectional nature, featuring more than the one kind of marginalization, which I explicitly address in the following. I hope that the findings of my inquiry are applicable to other, more complicated cases than merely to the comparatively simple one I discuss. Yet this hope is a humble one, as I am aware of how these aforementioned simplifications necessarily limit the horizon of the essay.

1. A Special Case of Testimonial Injustice

When Ernie does not believe his colleague, Angela, that she is being sexually harassed and the reason for his misjudgment originates in a prejudice against her social identity as a woman in a world dominated by (white) men, this seems utterly unfair. When, for the same reason, Bert does not believe his friend that she is being sexually harassed, this does not only seem utterly unfair, but it in some way *exceeds* the category of unfair. How can the perceived difference between Bert's and Ernie's respective treatment of Angela's testimony be spelled out? Broadly speaking, there are two ways to reply to this question. The first would be that Bert's case is worse because it features *more* of the *same* kind of badness as involved in Ernie's case. The second would be that Bert's case bears an *additional distinct* kind of badness that does not feature in Ernie's case. I believe that neither of these replies are strictly speaking false. However, I want

5 Additionally, note how both hearers in my exemplary case are (identifying as) male. Overall, I believe that the case of testimonial injustice I am trying to make in the following also holds for a non-male hearer rejecting an intimate's testimony based on an unfair identity prejudice held against the speaker. Yet there may be subtle but crucial differences in this regard, which the scope of this enquiry does not permit to explore.

to argue that Bert's case (and other cases in the context of intimate relationships) necessarily exhibits an additional kind of badness that is distinct from the badness of other instantiations of testimonial injustice.

In this section however, let me first consider the option that cases of testimonial injustice in the context of intimate relationships feature more of the same kind of badness involved in testimonial injustice *per se*. Intimate relationships put aside for the moment, how precisely should we understand the harm or wrong involved? Since Fricker's influential book, much debate has evolved around the question of what makes instances of testimonial injustice bad and in how far certain understandings of what is so bad about testimonial injustice may enable or complicate the quest for its remedies (see e.g. Crawford 2021; Pettigrew forthcoming). I will not delve deeply into this debate here, although I hope that a closer look at the badness of a certain subclass of cases of testimonial injustice can, by a somewhat questionable logic of inference, teach us something about the bigger picture. I will come back to that point later. For now, let me first start with a few quick notes on what Fricker herself has to say about the badness of testimonial injustice. I then try to see if we can account for the particular badness of Bert's case within the framework that Fricker herself provides. After I demonstrate that Bert's case does not necessarily involve a higher degree of epistemic illegitimacy, I move beyond Fricker's formula and consider whether a lack of empathy is what can explain our intuition about the badness of Bert's case. I argue that it is not, but that it does point us into the right direction. Finally, I suggest that recent attempts to build conceptual bridges between recognition theory and feminist epistemology can supplement and enhance Fricker's account. That is, I argue that recognition theory does not only help us to get a fuller idea of the badness of testimonial injustice *per se*, but critically helps to see what makes testimonial injustice in the realm of intimate relationships so particularly harrowing.

1.1 Intimate Relationships, Testimony and Prejudice

If you do not believe me, when I say that I came up with a definition of knowledge that rules out Gettier cases because you know that I am drunk, this does not constitute an instance of testimonial injustice. If you do not believe me because I am a woman and you are convinced that women are bad at philosophy, it does. Importantly, even if I am drunk and completely off the rail whilst speaking, but your main reason for rejecting my testimony is not this but me being a woman, this still constitutes a form of testimonial injustice. Note that your

prejudice, at least on Fricker's original account, probably does not operate on the level of conscious belief, but rather stems from a broader source of social imagination influencing your beliefs and resistance towards adopting beliefs on a subconscious level.⁶ Fricker targets a *categorical connection* between the social practice of testimony and a form of injustice rather than an instantiation of injustice associated with some acts of testimony (cf. Wanderer 2017: 28). As your prejudice holds not only in my case, but presumably for all women you know, you are *systematically* (and unjustly) excluding women from the common enterprise of gaining and sharing knowledge about philosophy. Yet, Fricker's concept of testimonial injustice tracks not only the unfairness of this systematic exclusion itself, but also highlights the "symbolic weight" this kind of exclusion carries. If a speaker is systematically excluded from the social practice that "originally generates the very idea of a knower", this renders the speaker to be less than a full epistemic subject (Fricker, 2007: 17). Following Fricker, what this comes down to is the objectification of speakers, because they are treated as mere sources of information instead of receiving the right kind of acknowledgement and respect in their capacity as a knower (cf. Fricker, 2007: 132).

There sure are many open questions concerning the badness of testimonial injustice and the precise nature of the harm or wrong inflicted in cases thereof. Are we dealing with forms of moral or epistemic badness here, or both? Why is it bad for someone to be objectified in their capacity as a speaker? However, I think the assumption that testimonial injustice is *somehow* bad is well motivated by now, and we are also already in a position to grant that testimonial injustice in the context of intimate relationships is *somehow* even worse. One way to do this would be to focus not on the harm inflicted on the speaker but rather on the degree of epistemic illegitimacy or irresponsibility involved in the hearer's rejection of testimony. In general, any "hearer's obligation is obvious: she must match the level of credibility she attributes to her interlocutor to the evidence that he is offering the truth" (Fricker, 2007: 12). The difference between a stranger and somebody I know is first and foremost exactly this: a

6 Several authors point out that testimonial injustice may also operate consciously or even be prompted by a fully conscious intention on part of the hearer (for example, see Hänel 2024). In the framework of this paper, I simply assume that there are many cases of testimonial injustice, *some* of which are caused by an identity prejudice of which the holder is less than fully conscious. Exceptional but plausible cases set aside, I think that what happens if testimonial injustice occurs within the intimate context of a friendship or any loving relationship, may typically rather involve prejudices operating at a less than fully conscious level.

stranger is a person I do not know. To know someone includes to have at least some share of information about that person. This starts with a person's name and more trivial facts about them, and, in cases of intimate relationships, expands to all kinds of facts about that person. Hence, if I am prejudiced against an intimate friend, the prejudice itself might denote a graver epistemic and/or moral wrong than in other cases of testimonial injustice. Returning to the case of Bert and Angela, who have been friends for six years, we might wonder how it is even possible for Bert to maintain a prejudice when he had six long years to experience Angela as a person, that is, six long years of collecting all forms of facts and evidence about the qualities Angela has; both as an individual person and as an epistemic agent. Thus, we may believe that Bert is in a decidedly better position to assess the testimony at hand in this case than when assessing the testimony of a stranger. But when Angela gives testimony of being the victim of sexual harassment, Bert's prejudice towards women outweighs all of the evidence he should have about Angela being a credible speaker. Here, it seems like the prejudice on whose grounds Bert ascribes an unduly low degree of credibility is measured against everything Bert (should) know about his friend. In the end, it is an empirical question how much counterevidence there really is with regard to the purportedly low credibility of a friend's testimony. After all, it is very likely that in each and every instantiation of testimonial injustice, there would have been a sufficiently high amount of counterevidence to the prejudice operating when the hearer rejects a speaker's testimony. Further, if I have a friend who is a woman, knowing her and thus having some sort of privileged access to all sorts of information about women, this should actually produce counterevidence to any prejudice about *any* woman. If, because of my specific woman-friend, I have learnt that *not all women* are x-ing or y-ing, and if I then still reject a woman's testimony because I (on some level) believe that all women are x-ing and y-ing, this is epistemically illegitimate indeed. On the other hand, as was said earlier, prejudices often operate unconsciously – and sometimes despite the fact that I rationally agree with all sorts of counterevidence.

None of this yet explains why it is especially bad if I reject my friend's testimony – if at all, it suggests that it is especially bad for me to reject *any* woman's testimony on grounds of an unfair identity prejudice, precisely because I have a friend who is a woman. Also, whether being friends with someone constitutes access to counterevidence of a prejudice towards their social identity, is, again, an empirical question. In fact, assume briefly, that Angela is a pathological liar, and that generally, it would be far from epistemically illegitimate to ascribe a

low degree of credibility to her testimony. Nevertheless, it would still be wrong for Bert to reject her testimony *on grounds of an identity prejudice against women*. Even if all existing evidence about Angela were in support of Bert's prejudice against women – assume that Angela does in fact tend to overreact and misinterpret other people's behavior towards her – this still would not render the prejudice itself or an invocation thereof epistemically legitimate. Put simply, the problem with being prejudiced is the prejudice, an a priori judgment made about something that can only be validated with respect to the empirical world.

Yet, we might wonder, is it only and simply the gathering of information and a rational weighing of reasons against the facts in support of those reasons that leads to the suspense of prejudice in real world cases? If I make friends with any member of a group that I am holding a prejudice against, isn't there something else at play that should lead me to reflect carefully on whether I am in any way prejudiced against that particular group? Perhaps we could point to the role that empathy plays in this regard, and arguably, empathy can play a decisive role in the epistemic process of receiving and evaluating someone's testimony. There is a lively debate evolving around the question of what exactly empathy is. However, for the present purpose, it should suffice to have a rough idea of what empathy *can do* rather than a precise one of what *it is*. According to Coplan (2011), empathy necessarily involves "perspective taking" and "perspective taking is an imaginative process through which one constructs another person's subjective experience by simulating the experience of being in the other's situation" (Coplan, 2011: 9–10). Let us further assume that this kind of perspective-taking can serve as a tool not to gather information, but rather counterbalance the way that information is presented to us through hegemonic narratives. If Bert were to take Angela's perspective from time to time, using all his imaginative power to try and simulate a woman's experience in a world that tells a very specific set of stories about what women are and what they experience, what they are supposed to be and what is expected of them, what they want etc., isn't it plausible to assume that this could push Bert to doubt prejudicial narratives? I do not want to make any assumptions about the epistemic quality or legitimacy of these doubts here, I just want to assume that these doubts *can* come to exist *qua* empathy. Now, having a friend who happens to be a member of some specific group may give me a better chance to empathize with their experiences and overcome my prejudice (by means of the frequency of occasion or by means of the depth of our conversations). However, it is far from clear if this creates an *obligation* to empathize in order to overcome my prejudices. More importantly for my purposes, even if there

were such an obligation, this does in any way show how the unfair rejection of a friend's testimony based on the failure to discard my own prejudices is worse than my rejection of the testimony of any other (non-friend) member of the same specific group.

However, empathy may not only be a source for overcoming prejudicial beliefs, but may (to some extent) be the right kind of attitude to generally have when hearing another person testifying. Katharina Sodoma (2024) argues that particularly in cases of testimony of oppression, "*empathizing* with the speaker is a particularly promising way" of confronting that testimony (Sodoma, 2024: 186).⁷ Testimony of oppression here means the testimony of an experience of oppression on behalf of the speaker, as in Angela testifying that she has been sexually harassed. But, as Sodoma herself convincingly argues, even though empathy has the advantage of enabling an understanding of the speaker's testimony or at least of the speaker's vulnerability, our understanding of a speaker's testimony should not be a condition for accepting the claim (cf. Sodoma, 2024: 199). Besides, it is not clear whether we have a special obligation to empathize when receiving testimony by our loved ones (more, or in a different way, than with the testimony of other people). Finally, even if such an obligation existed with regard to the testimony of oppression, this does not solve the problem at hand. Remember, that the intuition we aim to shed light on is that testimonial injustice in the context of intimate relationships, even if *not* a form of testimony of oppression, is still particularly bad.

Imagine another scenario, in which Angela tells Ernie and Bert over lunch that their boss made a mistake and that the numbers for the next quarter are all wrong. Ernie and Bert, due to being prejudiced against women (e.g., they believe that women are no good at math and have no clue how management works), do not believe her but instead suggest that she herself got the numbers wrong. Further, assume that also in this scenario, Ernie and Angela are only colleagues, Bert and Angela have been friends for six years. Even if this example is situated differently with respect to the vulnerability that Angela shares, it still seems that there is a significant difference in Ernie's and Bert's respective failure to believe Angela. Can we reasonably assume that a lack of empathy makes that difference? I am not sure. Nevertheless, I do believe that empathy points us in the right direction in so far as it is pointing to an affective dimension in cases of testimonial injustice at stake here.

7 Note that Sodoma's (2024) concern is somewhat more specific and targets the question how *privileged* hearers should confront testimony of oppression.

Let us recap what we have so far: Intimate relationships create (some kind of) special obligation on part of all parties involved; they warrant and arguably even command the *special* treatment of *specific* persons. In contrast, what Fricker is concerned with is an *equal* treatment of *all* persons in terms of awarding them the epistemic respect they deserve. Hence, there are two distinct questions to be addressed here: What do we owe each other as epistemic agents? And what do we owe our friends, lovers, or family members when engaging in epistemic practice? In the following, I attempt to appeal to recognition rather than to empathy for an answer. Let me explain.

1.2 Recognition, Love and Testimonial Injustice

In Paul Giladi's (2020) words, practices of testimonial injustice are "particularly harrowing", in so far as that they "rob a group or individual of their status as rational inquirers, thereby creating an asymmetrical cognitive environment in which they are not deemed one's conversational peer" (Giladi, 2020: 671). Giladi is explicitly exploring the concept of testimonial injustice from a recognition-theoretical perspective, an effort that recently is being undertaken by a growing number of authors (for example, see Congdon 2017; Hänel 2020; Giladi & McMillan 2023). The idea at stake is to not only conceive of testimonial injustice as objectifying or wrongfully discrediting a speaker, but further as the wrongful absence of some kind of (mutual) recognition obtaining between hearer and speaker. Let me briefly expand on this. Philosophical theories of recognition are manifold and diverse, going back at least to Rousseau, and occupying a special place in German Idealism within the works of Fichte and Hegel. In more recent times, Axel Honneth's (1995) *The Struggle for Recognition* takes Hegel's three forms of intersubjectivity (love, the law, solidarity) as a starting point to argue that we can only form an identity as a positive relation-to-self through the development of three corresponding modes of (intersubjective) self-realization: self-confidence, self-respect and self-esteem (cf. Honneth, 1995; Hänel 2020; Crawford 2021). Roughly, those three modes of self-realization via mutual recognition take place in different spheres having different implications: I acquire *self-confidence* in terms of some baseline stability of my own self in all my human neediness for love and affection within the realm of love and family, my *self-respect* is constituted on grounds of my being the part of a legal community that grants equal rights and respect to all of its members, my *self-esteem* comes from being part of a community in which my achievements, talents, accomplishments etc. are valued by fellow members. If

I can relate to myself in any of the ways outlined above, this will and must always happen intersubjectively; by means of being recognized by others that I in turn recognize. (cf. Crawford 2021). This is a very sketchy account of what is at the heart of several varying and complex debates, but I am positive that this sketch can suffice for my present purposes. Returning to testimonial (or, more broadly speaking, epistemic) injustice, recognition theory helps us to understand how we – as epistemic subjects, or as rational inquirers – are always (and only) an epistemic subject or a rational inquirer within a specific social context. I can only regard myself as an epistemic subject when I am part of some larger epistemic community; if my epistemic efforts in acquiring, refining, and communicating beliefs or knowledge of any kind within a community and if that epistemic community recognizes that my efforts exist and as such are, at least to a degree, valid. Being misrecognized, on the other hand, implies that there are very practical consequences (e.g., of not being believed), but also and crucially that any systematic misrecognition in this regard may make it hard to impossible for me to recognize myself as a capable epistemic agent. In short, epistemic injustice “undermines a positive relation-to-self through the denial of one’s standing as a knower” (Jackson, 2018: 3).

The clear-cut distinction in between three different modes of intersubjective recognition as respectively enabling self-respect, self-confidence, and self-esteem may be debatable. I am not certain if it is plausible to assume that our lives operate in three distinct modes of intersubjectivity. Furthermore, a person’s interaction with other people may involve more than only one kind of self-recognition at the same time. As Hilkje Hänel observes “a person’s identity cannot be neatly split into three different parts” (Hänel, 2020: 7). Instead, let us assume that those three modes of self-recognition are all constitutively integral (even if somehow overlapping), and let us still hold on to the distinction in order to focus on *self-confidence*. This, in Honneth’s 1995 treatise, is understood as being enabled via intersubjective recognition in contexts of care, that is, the context of love-relationships – of friends, lovers, siblings, or a parent-child relation.⁸ Honneth, again building on Hegel, understands loving relationships as “conceptually and genetically prior to every other form of reciprocal recognition”, or, to put it in Hegelian terms, as “the structural core of all ethical life” (Honneth, 1995: 107). Let me briefly expand on this, as it is exactly

8 This list is, by no means, intended to be exhaustive. What exactly qualifies as a loving relationship (and what should qualify as such) is an open question I do not intend to reply to in this essay.

these kinds of relationships that are at the heart of the question of my inquiry. Following Honneth, any loving relationship “prepares the ground for a type of relation-to-self in which subjects mutually acquire basic confidence in themselves” (ibid.). Recognition, here, is the constitutive element of love; precisely because the other’s emotions are out of my control, I need to recognize both the independence of the other and of myself as well as the dependence of myself on the other in terms of my vulnerability to have my emotional needs fulfilled. The experience and expression of my emotions and emotional needs, possible only through the intersubjective experience of love, “helps to bring about, constitutes the psychological precondition for the development of all further attitudes of self-respect.” (ibid.) To sum up: the mutual recognition involved in loving relationships is a prerequisite for whether a person will be able to positively recognize themselves in any other capacity or social scenario. Note how the appeal to recognition-theory also nicely shifts the emphasis with respect to the previously addressed intuition that we somehow owe our loved ones to empathize, that is, to try and take their perspective. I suggest that rather, what we owe is *the recognition* of the fact that our loved ones a) have their own, particular, and possibly unique perspective and that b) the perspective we ourselves have, has an impact on the perspective of the other. I will get back to that line of argument later.

Let me make two quick observations about the relation of basic (self-)confidence to intimate relationships before I finally return to the question of what happens if testimonial injustice occurs within that very sphere of an intimate relationship. Without delving much deeper into Honneth’s account for now, I think it is fair to already ascribe a high degree of intuitive plausibility to what has been said so far. However, and as pointed out by other authors before me, it is slightly concerning how, for Honneth, the sphere of loving relationships, as one of family and privacy, seems to be confined to a social context that is somehow pre-political (cf. Connolly, 2010). Honneth does, after all, explore a relationship between power and recognition. The assumption that there is no political, social or cultural power operating at the level of intimate relationships and familial ties has been extensively attacked, especially by feminist scholars for what I hold to be very good reasons (cf. de Beauvoir 1953, Fraser 1989; Benhabib 1992). In fact, if political and social power relations had *no* impact on interactions in the sphere of love, friendship and family, my whole inquiry would be pointless, for then, it would make no sense to assume that testimonial injustice as a categorical, systematic practice of epistemic wrongdoing, which is rooted in the pertinence of identity prejudices stemming from social patholo-

gies of marginalization, *even occurs* in the sphere of friendship, love or family. However, it so clearly does. For lack of space, I can only refer the doubtful reader to the fact that I am also drawing from personal experience. Further, I want to emphasize that just because recognition involved in intimate relationships is prior to all other kinds of recognition, we should not assume that this happens at an early stage in life and is somehow completed before a person goes on the quest for other kinds of self-recognition. It certainly is very likely that, if you do not experience love at all during early stages of your life, you thus fail to relate to yourself and the other in a way which enables a basic degree of (self-)confidence. Nevertheless, I doubt that this process can ever be quite complete over the course of a human life.⁹ Certainly, even our most basic sense of confidence in ourselves, others, and the world can be interfered with at any point in our lives.

With this in mind, let's briefly return to Angela, Ernie, and Bert. To understand recognition as a vital human need and epistemic (self-)recognition as a prerequisite for a fully functioning epistemic agent, puts us in a better position to understand what happens to Angela when her testimony is being rejected. In general, testimonial injustice may generally interfere with an agent's self-respect in so far as that agent is unjustly excluded from an epistemic community that she has a basic right to be a part of. Testimonial injustice may also generally interfere with a speaker's self-esteem, that is, with the kind of (self-)recognition of an agent's achievements, talents, accomplishments or the like (cf. Giladi, 2018). But what happens between Angela and Bert happens within the realm of love, care and intimacy, and it violates Angela within the boundaries of a sphere that is supposed to foster her basic sense of (self-)recognition and thus the kind of self-confidence enabling Angela's *basic* ability to relate to herself and others in a positive way in *any* other social context.

Let us take a few steps back and reflect in more detail on Angela and Bert. It is plausible to assume that Angela *puts more weight on* what Bert, her friend, does or does not believe in general. Perhaps, when Bert does not believe *her*, this leads her to doubt her very experience of sexual harassment. She trusts Bert, she values Bert for being an intelligent and compassionate companion, and when Bert replies that she probably mistakes a harmless flirt for something it is not, this may lead Angela to question her very experience, her personality, and thus her epistemic sufficiency as an epistemic agent. In a nutshell, it is

9 To be sure, I am emphasizing that point with no intention to suggest that Honneth or other recognition theorists fail to recognize this.

very likely that Angela suffers from a greater loss of epistemic self-confidence when Bert does not believe her as compared to when Ernie does not. And, of course, ultimately this comes down to an empirical or psychological question. The extent of the damage a victim of testimonial injustice suffers from is most likely to differ from case to case, depending on a number of characteristics of the token case at hand. Yet, one of these characteristics is the relation between hearer and speaker. It presumably also matters whether and to which extent the speaker (systematically) has been a victim of unwarranted disbelief in the past. It matters how aware a victim of testimonial injustice is of the fact that her social surrounding feeds into identity prejudices towards members of her social group. Crucially, it presumably also matters very much how epistemically confident the speaker is in the first place.

This then, leads us back to Honneth and the idea that loving relationships are precisely what forge and foster self-confidence at some baseline level. Here, we are finally able to conceive of the distinct kind of badness involved in Bert's case not in consequential terms, but by reference to the characteristic structure of cases of testimonial injustice within the sphere of intimacy. Critically, the point with Bert's case is neither that someone like Angela is *very likely to suffer* from a decrease in self-confidence, nor that Angela is subjected to a *higher risk of loss in self-confidence*, even though both points are very valid. Rather, the point is that what happens in Bert's case does not only interfere with Angela's self-confidence but that it happens in not just any social (and/or epistemic) context, but in the very place that is supposed to somehow form *the core* of social (or, for that matter, epistemic) interaction. Hence, this case is not only about self-confidence, but about a basic sense of the confidence in others, the world, and ourselves. If, as I briefly pointed out above, it is true that the process of acquiring a basic sense of confidence via recognition in the sphere of love has to be reinstated and reaffirmed over the course of our lives, it becomes clear how harrowing the occurrence of testimonial injustice is in the context of intimacy. Then, Bert's rejection of Angela's testimony might come down to something like a rupture, a break of Angela's basic confidence in herself and her social surroundings; that is, a genuine interference with her basic sense of (epistemic) agency.

2. A Special Kind of Badness

As we have seen in the previous section, it is plausible to assume that all cases of testimonial injustice may be understood as involving the failure to award a speaker with the right kind of recognition. In the case of testimonial injustice occurring in the context of intimate relationships, this comes down to an interference with a person's (self-)confidence in the most basic and yet critical kind of way. In the following, I want to delve deeper into that idea and motivate the idea that we should understand cases of testimonial injustice in the sphere of intimacy as cases of testimonial betrayal. This, I hope, serves to clarify the harm done to not only the speaker whose testimony is being rejected, but also to the relationship between hearer and speaker. More specifically, I argue that the kind of thick trust in place in intimate relationships serves as somewhat of a *guarantee* that a person will be recognized as an individual in all their particularity. A failure to award that kind of recognition to a friend or lover, mother, father, child, or comrade, especially if tied to an identity prejudice about the already marginalized group that person is a member in, is not just an epistemic failure and likely to destroy their self-confidence, but constitutes a genuine case of betrayal of the relationship in place. Let me provide some more detailed justifications for these claims in the following.

2.1 Introducing Testimonial Betrayal

Wanderer (2017) argues that the decisive difference between testimonial injustice and its instantiation in the context of intimate relationships is the thick trust relationship that obtains between parties in case of the latter. In thick trust relationships, parties seek each other's approval or recognition, and a failure to accord this recognition, after Wanderer, constitutes a case of *testimonial betrayal*.¹⁰ Let me explain. If we apply Wanderer's formula to our exemplary case at hand, this means that the significant difference between Bert's and Ernie's respective rejection to Angela's testimony manifests itself in differing degrees (or, as I argue later, kinds) of trust at play. That is, the thin stance

10 To be sure, Wanderer remains cautious to draw any definitive conclusions in his treatise. He draws a rough sketch of a concept, and then provides some tentative arguments about why this concept should be treated as a variety of testimonial injustice. I take these insights as a starting point to develop Wanderer's ideas further. My enquiry is not intended as a critique of Wanderer.

of trust adopted towards each other in Angela's and Ernie's case critically differs from the thick stance of trust adopted between intimates, such as Angela and Bert (cf. Wanderer, 2017, p. 36). Put differently, what Angela and Ernie owe to each other is determined by their capacities as hearer or respectively knower, whereas Angela and Bert's are additionally bound by the particular friendship obtaining between them. Wanderer argues that in an intimate relationship like this, "parties seek each other's approval, often including recognition of their opinions on matters arising in the course of their interactions" (Wanderer, 2017: 37). In cases of testimonial injustice, a failure to accord the recognition sought is turned into a rejection of the requested approbation: "It is not just that one party does not provide the recognition that the other party seeks, but that the one party throws the request for recognition back to the other party" (Wanderer, 2017: 37). Angela has made a humiliating experience and attempts to communicate that experience to her friend Bert. She thereby seeks his recognition, not so much of an opinion of hers, but of the fact that she experienced an act of suffering, of humiliation; in short, a moral wrong. Bert is in the exclusive position to assure Angela that her feeling of suffering and humiliation bears justification, that her perspective on the world is not thwarted, that her reaction corresponds to the (moral) character of what happened to her. The problem now is that it is far from obvious if this applies exclusively to intimate relationships characterized by thick trust. The kind of disrespect featuring in *all* cases of testimonial injustice can be plausibly understood as a rejection of the request to be recognized in the right way, that is, as the full moral person one is, as a rational enquirer and testifier of knowledge. Yet, following Wanderer, when Bert rejects Angela's testimony, she is not only wronged in her status as a person, but "his failure to believe her is experienced by her as a rejection of their relationship" (Wanderer, 2017: 36). Crucially, what is thus being betrayed is the intimate relationship between hearer and speaker itself.

We are now finally in the position to give the distinct badness of Bert's case a name: testimonial betrayal. But the name itself does not yet grant a sufficient explanation of how precisely the badness evolves. Simply to say that cases of testimonial betrayal are worse than other cases of testimonial injustice because they are cases of betrayal only begs the question. Wanderer repeatedly speaks of the "sting of betrayal" that is felt or experienced (cf. Wanderer, 2017: 36–37). This suggests that what makes betrayal bad, is that she who is betrayed feels bad, or suffers extensively, or is being injured. And this in turn suggests that what is so particularly bad about testimonial betrayal is nothing beyond the fact that the victim suffers from an even greater injury – a double sting –

than in other cases of testimonial injustice. This might well be true, but likewise dissatisfying as an answer to our problem.

Further, the intuition that Bert's case of non-belief is worse than Ernie's case may still hold without making any assumptions about Angela's respective feelings. In the previous chapter, I have introduced the idea that when Bert fails to believe Angela, he is not only failing to award her the right kind of recognition, but by means of this, interferes with what is at the core of her (self-)confidence. Also, I have already suggested that we should conceive of the badness of this interference not in consequential terms and that what matters here is not the degree to which Angela's (self-)confidence is *actually* diminished. Instead, I believe that the badness at stake lies in *the interference itself*; that is, in the simple fact that this interference takes place. To strengthen this claim, I believe it is helpful to have a more detailed look at the concept of betrayal. After all, betrayal is a strong word that carries moral weight. And, although Wanderer equips us with the suitable kind of terminology, his paper leaves open the question of what is particularly bad about betrayal; a task I turn to next.

2.2 The Badness of Betrayal¹¹

Avishai Margalit (2017) provides a book-length treatment of the phenomenon of betrayal. My inquiry cannot afford an exhaustive discussion of Margalit's account. However, I think that even a rough sketch of Margalit's conception of betrayal suffices to get a better grasp of why testimonial betrayal is a form of betrayal as well as of the badness attached to it. Margalit starts by investigating the effect of betrayal to ultimately infer the characteristics of betrayal. The effect of betrayal centers around the assumption that "it is the injury to the relationship that makes it betrayal" (Margalit, 2017: 83). This injury is later spelled out in more precise terms as the undermining of thick human relationships (cf. Margalit, 2017: 84–94). What is meant here with the notion 'thick relationship' is roughly what I refer to as intimate relationships: relationships of friendship, love and so on. However, Wanderer's notion of 'thickness' is a rich

11 In this paper, I argue for the intrinsic badness of (testimonial) betrayal and assume that all cases of betrayal are intrinsically bad because they undermine the meaning of the relationship between betraying and betrayed party. Naturally, this does not rule out that there may be cases of betrayal that are somehow not-so-bad, or even good in terms of their consequences. If this sounds counter-intuitive, think of whistleblowing. Betrayal being bad hinges on the premise that the undermining of a (good) relationship is bad, which I take for granted here.

one, for it tracks the distinct character of intimate relationships. I shall illuminate the mystifying notion of thickness in a moment, let me first show what I take to be the core of the argument. Betrayal, following Margalit, has the effect of undermining a thick relationship insofar as it terminates or erodes a relationship (cf. Margalit, 2017: 88). Yet, what is being eroded or terminated is not necessarily the relationship itself, but first and foremost its thickness. Consider a case of betrayal amongst family members: If a son betrays his father, the general relationship between the two of them will not cease to exist, they are still father and son. However, the relationship may practically cease to exist in terms of a thick (and not merely a trivial) relationship. They might still be father and son, but no longer be involved with each other in any of the relevant ways in which fathers and sons can be involved with each other (caring for each other, trusting each other, being a part of each other's life and so on). What about our case? After Bert fails to believe Angela that their boss sexually harasses her, Angela and Bert may still see each other at work, they may continue to go to lunch together and since they are part of the same circle of friends, even continue to spend their late nights in the same pub. From an outsider's perspective, the relation between the two still displays all the typical features of friendship. Nonetheless, from Angela's perspective, it might not make much sense to call Bert her friend any longer. So much for the *effects* of betrayal: it undermines the thickness of a relationship. This leads Margalit to argue that the characteristic feature of betrayal itself, is the undermining of *the meaning* of a thick relationship; i.e., the specific forms that thick relations take. As he puts it, thick relations "are relations under a description: my sister, my friend [...]. The meaning of each of these relations has a different role in my life and in the lives of those with whom I stand in such a relation. Undermining the meaning of thick relation is undermining the specific description the relation goes under" (Margalit, 2017: 88). Crucially, such descriptions do not designate the specific conventional type such as, say, friendship, but the specific token of a thick relation, such as the very particular friendship between Bert and Angela. As Margalit correctly observes, "in thick face to face relations we have specific people in mind and we don't have to idealize them, for we care about them in the specific way they are" (Margalit, 2017: 79). Furthermore, Margalit identifies a normative sense of betrayal: not only is it the case that thick relations may be terminated, but this happens justifiably so, for betrayal provides the betrayed with a reason to reevaluate the meaning of the thick relation between her and the betrayer (cf. Margalit, 2017: 92). This is also what Wanderer seems to have in mind, when he states that "failures to live up to the expectations of

that thicker relationship may well leave one party questioning whether such a thicker relationship was actually in place in the first place” (Wanderer, 2017: 37). Recall further that in this regard, Wanderer speaks of relations forged by thick *trust*. Margalit, however, does not speak of trust, but of a “reevaluation of the worth and significance of the relation” (Margalit, 2017: 94). This brings me to my next question: What kind of worth and/or significance is (ideally) shared by all intimate relationships? A high degree of trust may be part of this worth and significance, but, as Margalit argues, thick trust is simply the manifestation of a thick relation (cf. Margalit, 2017: 84). That is, the fact that there is thick trust simply stems from there being a thick relation, and there being a thick relation manifests itself through thick trust. This makes sense. Taking a look at real-world examples of, say, friendship, it is in fact almost impossible to determine what came first: the friendship or the kind of thick trust that obtains between friends?

Yet, following Margalit, there is another significant feature shared by all thick relationships. A feature that serves as a better demarcation criterion than trust and also creates the background against which thick trust and thick relations can emerge and grow in the first place. The thickness of thick relations is, after Margalit, best accounted for by a sense of *belonging*. More specifically, he distinguishes between relations oriented by belonging and relations oriented by achievement. The latter is what applies to most relations obtaining in a person’s social life. The former is what applies exclusively to thick relations such as intimate relationships. Corresponding to these two kinds of orientation, persons evaluate each other in a context of an interaction either in terms of achievement or in terms of belonging (cf. Margalit, 2017: 84). Whereas in a relation oriented by achievement, people’s engagement with each is governed by what they are trying to achieve. In comparison, the interaction within a relation oriented by belonging is characterized by a special kind of bond between specific individuals. My inquiry does not permit for a complete defense of Margalit’s conception – but note how this nicely maps with some of the insights we drew from recognition theory in the previous chapter. Recall that here as well, we encountered the idea that recognition is something we both owe and need from each other, but that is realized in different forms, according to the social sphere in which we encounter each other. Margalit’s thick relationships then correspond to the sphere of love and intimacy that enable our most basic sense of confidence *qua* recognition. Margalit’s achievement-oriented relationships correspond to the kind of recognition that enables us to develop self-esteem. However, recognition theories are not about a simple exchange

of attitudes owed, but about a necessarily intersubjective normative outlook. That is, my self-recognition is only *enabled through* the recognition of the other and vice versa. This adds an important layer to Margalit's way to distinguish between achievement- and belonging-oriented relationships.

If you are the teacher and I am the student, we evaluate – and recognize – each other in terms of my learning something and you teaching me something. What we owe to each other is determined by our respective capacities within the framework of the interaction. That is, I am obligated to listen to you in your capacity as my teacher. Of course, this also hinges on the extent to which you live up to what a teacher should or should not do by means of being a teacher. Following Margalit, I evaluate you in terms of achievement. Intimate relationships function differently. At first sight, we may indeed evaluate each other in our respective capacities as each other's friend. That is, the general idea of friendship might implicate some general obligations for all parties involved. However, these obligations are constituted less by the general idea of friendship but by *our very own* friendship. It is somewhat less clear what to expect from a friendship than what to expect from, say, a teacher-student-relationship.¹² In other words, there is no clear idea of what is to be *achieved* in the framework of a friendship, except the maintaining of the specific sense in which you and I belong to each other as the very persons we are.¹³ If I betray you, I undermine the specific way in which you and I stand towards each other as the specific persons we are; that is, I undermine the specific way in which we *belong to each other*. The point is: All friendships are different, thus, we should recognize the very specific and unique way, in which you and I relate to each other, being in turn enabled by the particular individuals that you and I respectively are.

Now recall that Wanderer claims that what it means to be in intimate relationships and to engage in testimonial exchange is to seek each other's approval or recognition. How then does the form of recognition sought here differ

12 For a more thorough exploration of friendships and romantic relationships see Hänel & Jenkins (2024), who convincingly argue that there is no proper grounds for holding up a clear-cut distinction between the two; and that the shared projects of intimates are defined by their particular and individual relationship rather than by any preconceived 'form' of the so-called 'type' of relationship.

13 This does not rule out the possibility of shared goals within the framework of an intimate relationship. The point rather is that if two intimates have shared goals or try to achieve something together, this would be a *distinctive* characteristic of this very intimate relationship.

from the way in which persons generally seek each other's recognition within the context of giving testimony. Why does the former open up the possibility of betrayal, whereas the latter does not? This is my tentative reply to this question: Testimonial injustice per se critically involves a kind of misrecognition on part of the hearer. In the case of a failure to award another epistemic agent the recognition they deserves, this is an unjust evaluation of them in terms of achievement as an epistemic agent. Yet, in the case of intimate relationships, every single instance of testimonial exchange is embedded in the thick relation between two persons who belong to each other in a specific way. Recognition is therefore not only sought for the capacity to gain and convey knowledge, but for a) the very individual person that the testifier is¹⁴ and b) the specific relationship between hearer and speaker. What Bert owes to Angela is not merely the recognition of her testimony in terms of her being a person with full moral status, including her status as a knower, but in terms of a) the very specific person Angela is and is known to Bert and b) the bond of the relationship that both of them mutually share. Cases of testimonial exchange within the context of intimate relationships warrant not only the recognition of the speaker as an epistemic agent, but of the specific individual to whom the hearer stands in a thick relation to and of that relation. The kind of thick trust in place in intimate relationships, that is, the way, in which we belong to one another¹⁵, is a way to trust in the fact that we will be recognized as the individual people we are, and in all our particularity. A failure to award that kind of recognition is not just an epistemic failure, or likely to destroy their self-confidence, but constitutes a case of betrayal.

2.3 The Badness of Testimonial Betrayal: Bert's Case Revisited

The upshot of my brief excursion into the characteristics of betrayal is the following. Margalit (2017) argues that betrayal undermines the meaning of thick human relationships. What makes betrayal bad can thus not only be accounted

14 I do not mean to imply that people have fixed identities, I simply adopt some common-sense, but sloppy view on how we tend to assume that another person is a specific and distinguishable person. My point is more about every person being particular and special, this still holds true if we assume that identities change over time or all the time. And even if there is no such thing as an identity, I think that some idea of an identity is still presupposed in everyday-life kind of interactions.

15 Perhaps, a better way to put this would be not so much to say that 'belong to another' but instead that we 'belong to the relationship' in place.

for by appeal to the injury of the betrayed party, but by the fact that she is given a good reason to reevaluate the significance and worth of the relationship. How can this then help to understand testimonial injustice within the context of intimate relationships. Following the discussion above, I hold that to be prejudiced against someone and to reject their testimony on the grounds thereof is bad in a different way when it happens within the context of human relations oriented by belonging than it is within the context of relations oriented by achievement. In general, the fact that human beings engage in the social practice of testimony creates relations, which are oriented by the achievement to development a huge body of knowledge that is shared by all parties involved. When Angela talks to Ernie, they evaluate each other in their capacities as knowers who can potentially achieve knowledge acquisition and sharing. When Ernie negatively evaluates Angela in her capacity as a knower based on an unfair identity prejudice, this is a manifestation of an unjust evaluation of Angela with regard to said achievement; thus, the unjust exclusion of Angela from the pooling of knowledge. In comparison, when Bert fails to believe Angela, they stand in two kinds of relation to one each other. The first relation is their relation as being both epistemic agents involved in the social practice of testimony. Thus, the injustice manifest in Ernie's rejection of Angela's testimony likewise obtains in the case of Bert and Angela. However, the second relation is their thick relation of friendship. Here, the problem constitutes a case of betrayal as specified above.¹⁶ Angela tells Ernie and Bert the same story in the exact same words at the same time, both do not believe her, both reject her testimony based on the same prejudice. But when Angela is speaking to her friend Bert, she is speaking to him as her friend. The kind of recognition owed, or to be reasonably expected in the realm of intimacy is not tied to any specific function or capacity, but rather to the recognition of the independence and dependence of the individuality, the feelings, attitudes, and characteristic features of the other and the bond shared.¹⁷ Bert, even if unconsciously so,

16 One way to conceive this would be that the testimonial injustice at hand manifest itself via the unwarranted way, in which Bert does not believe Angela, the betrayal at hand rather can be traced back to a *belief* Bert has *about* Angela when he is prejudiced towards her. For a convincing defence of the view that there are obligations in terms of the beliefs persons have about one another see Basu (2019).

17 This is not supposed to imply that we do not owe respect to all people in terms of a recognition of their (infinite) specificity and particularity. I believe we do, but I cannot argue for this within the scope of this paper. For a convincing argument in this regard, see Giladi 2020.

betrays that very bond in between Angela and him. Margalit points out that one canonical form of conceiving betrayal comes in the ternary relation of “A betrays B to C”, roughly corresponding to something like “handing” someone “over to the enemy” (Margalit, 2017: 70–71). What happens in between Bert and Angela certainly does not come down to any literal version of that. But, roughly speaking, Bert betrays the friendship *to* the prejudice he holds against women. Since the prejudice is only in place because of a structural form of marginalization, I think we can agree that Bert, in a way, hands his marginalized friend over to the enemy as the marginalizing party.

The overall aim of this inquiry was to account for the perceived moral difference of Bert’s and Ernie’s respective treatment of Angela’s testimony. By now, it should be clear that testimonial injustice in the context of intimate relationships is neither more unjust nor does it necessarily feature a higher extent of epistemic illegitimacy. Instead, cases like the one discussed bear an additional distinct kind of badness, that is, the badness of the betrayal. At this point, one might object that the badness of Bert’s case cannot be traced back to the badness of one phenomenon, but rather to the coincidence of two phenomena, *viz.* testimonial injustice and testimonial betrayal. However, this should not be understood as a coincidence. Instead, I believe that the fact that testimonial injustice *even* occurs within the sphere of love, friendship and other forms of intimacy just shows how asymmetrical power structures and the systematic exclusion of marginalized voices operate at every level of social interaction. What testimonial injustice poses a threat to is not only our being within an epistemic community, but to our relations with loved ones. This being said, the precise relation in which testimonial injustice and testimonial betrayal stand to each other, certainly needs more conceptual clarification and leaves room for further work.

3. Conclusion

As Wanderer (2017) puts it, “the actual social practice of testimony does involve socially-situated agents, and this means (...) that they stand in varying relations of intimacy and acquaintance with each other” (Wanderer, 2017, p. 37). The preceding discussion hopefully enriches the understanding of how varying relations of intimacy feature in cases of testimonial injustice. More specifically, I shed light on the instantiation of testimonial injustice within the sphere of thick intimate relationships. In this regard, I motivate and account for the

intuition that cases like these critically exhibit more badness than other cases of testimonial injustice. The distinct intrinsic badness featuring in all relevant cases, or so I argue, is better captured by understanding them as cases of what Wanderer (2017) calls testimonial betrayal. I find that it is in fact the badness of betrayal that renders cases of testimonial injustice in the context of intimate relationships particularly bad. If testimonial injustice occurs within the framework of an intimate relationship, this undermines the significance and worth of the intimate relationship itself, interfering with the sphere of life that fosters and maintains our basic sense of confidence in ourselves and the other. The kind of recognition owed in intimate relationships is the recognition of the relationship itself and all parties involved, with the particular and unique features of that relationship. A failure to believe an intimate based on an unfair prejudice about their identity amounts to a failure to recognize your intimate as the person they are as well as a failure to recognize the relationship in place. The crucial difference between Frickerian cases of testimonial injustice and cases of epistemic injustice within the context of intimate relationships (and the explanation for the intuition that the latter are in some way worse) is thus first and foremost this: the latter undermines the meaning of a relationship, which simply does not obtain within the framework of the former.

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