

## Distrusting the Narrative: Ethics and Incarceration

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**Sandra Bertin (producer):** This episode contains accounts of violence and assault, including sexual violence, and might not be appropriate for young years.

**Christiane Wisehart (producer):** Examining Ethics with Andy Cullison is hosted by the Janet Prindle Institute for Ethics at DePauw University.

**[music begins]**

**Andy Cullison:** A lot of people wouldn't guess that the first women's prison in the nation was built in Indiana in 1873, though, it has moved locations and changed names. It is still open and imprisoning women. It's current name is the Indiana Women's Prison. We talked to two researchers who uncovered stories about the early history of this prison stories that call the official textbook account into question, but that's not the only story we're going to tell today.

**Michelle Jones:** I wrestled with how do I understand the violence? Why did they feel the need to strip the women naked in order to administer punishment? What does being stripped naked mean?

**Andy:** This is not just the story of the first women's prison in the nation. It's also the tale of the journey of the two researchers who exposed the prison's dark beginnings.

**[music fades]**

**Sandra:** Before we get started with today's show, here's a note from our partner.

**Andy:** We've partnered with Indiana Humanities to produce a series of special Indiana bicentennial themed episodes of Examining Ethics. Each episode takes us back to a key moment in Indiana history to look at how Hoosiers have wrestled with that issue over time, as well as the ethical considerations it raises for people everywhere.

**Keira Amstutz:** These episodes are part of Indiana Humanities Next Indiana initiative, which invites Hoosiers to think, read and talk about issues and ideas that are shaping the present and future of our state. Learn more at [indianahumanities.org](http://indianahumanities.org).

**Sandra:** I'm Sandra Bertin, one of the producers of the show.

**Christiane:** And I'm Christiane Wisehart, the other producer, and I have a cold today. So I apologize for how my voice is.

**Sandra:** Today we're gonna be talking about the first women's prison in the nation. Just so you

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can keep it straight, when the prison first opened, it was called the Indiana Reformatory for Women and Girls. The prison still exists, but with a new name at a new location, it's now called the Indiana Women's Prison, or IWP for short.

**Christiane:** We're going to introduce you to two graduate students who have written extensively about the history of this prison.

**Sandra:** Their names are Michelle Jones and Anastazia Schmid to help you keep track of their voices. Here's Michelle,

**Michelle Jones:** Michelle Jones

**Sandra:** And here's Anastazia Schmid who we also call Ana.

**Anastazia Schmid:** Hi, I'm Anastazia Schmid.

**Sandra:** We spoke with them on a video conference. So the audio from their side isn't that great. Before talking to them, I never really thought about the beginning of incarceration in any sense. Imprisonment is so ingrained in our society. I never thought about how institutions got started or why.

**Christiane:** I'd never really thought about it either, but that's exactly what we're gonna talk about today. The beginning of the first women's prison in the country before the 19th century, women didn't have their own prisons. Our story starts with Indiana's first state prison. It was called Jeffersonville state.

**Anastazia Schmid:** Prior to the opening of IWP in 1873, convicted female felons were housed in the men's facility at that time, which was in Jeffersonville.

**Michelle Jones:** It was coed. They actually had a female department. It was operated by a matron who had a key, and she would lock the women in at night. However, as we've learned through our research, not only did the warden and the deputy warden, and eventually the guards have keys, which gave them access to these women. The women were being abused sexually by the actual prison officials that ran the prison.

**Sandra:** And what they found out was that it wasn't just a few bad apples doing these horrible things at Jeffersonville.

**Christiane:** It was systemic.

**Michelle Jones:** The warden created a culture of sexual violence. He was the predominant person who would've cost the women as they were cleaning in different areas who would make them come to his mansion. They had a mansion on grounds and do things. He created the

culture that when the deputy warden got there and saw that he was having sex and doing what he wanted to do, he began to imitate him. And then it trickled down to the actual guards.

**Anastazia Schmid:** Essentially, they were running a brothel with those women. The warden was charging the male guards \$10 a month for unlimited use and access to those women. There were babies being born there, there were children running around inside the prison that were the children of the incarcerated women who had been the victims of that sexual violence by the warden and other male staff members there.

**Christiane:** But at first, nobody on the outside of Jeffersonville knew anything about this.

**Sandra:** Yeah, but Quaker reformers had heard rumors that young boys were being abused in Jeffersonville. That's actually what sparked people to look into what was happening at the prison.

**Christiane:** The people who eventually championed a new prison just for women were two influential Quakers, Rhoda Coffin, and Sarah Smith.

**Michelle Jones:** Rhoda Coffin's husband was president of the Indiana Yearly Meeting; the Quaker meeting. And he, and some other gentlemen decided to form a committee to look into how boys were being treated in these prisons. He was part of the original group that formed a committee that got permission from the governor to go into these places. And so Rhoda was his wife, and she went along with him, and because of the mandate by the governor, they had free right of access and right of access means that you can come into a facility, walk around unescorted and interview and talk with inmates. And it was some of those key interviews that Rhoda Coffin and her husband had with the actual incarcerated men that exposed what was happening in the female department, they took their concerns back to the governor. The governor launched an official legislative investigation and they returned to Jeffersonville. And based on that report, they found that and far more, and Rhoda began to speak publicly and state that she wanted a separate facility for women. Sarah Smith backed her up. In one year they had a bill passed for a reformatory to be built. So they visited the prison in 1868, and by 1869 the bill is passed.

**Christiane:** This new facility was called the Indiana Reformatory Institution for Women and Girls. And we said before that the Indiana Women's Prison has been called the first women's prison in the nation.

**Sandra:** But according to Ana and Michelle, it might be misleading to call it the first one.

**Christiane:** The reformatory was the first public women *only* prison.

**Michelle Jones:** It was the first separate public institution for women in the United States.

**Sandra:** But technically it wasn't the first women's prison. Michelle discovered that there were private women's prisons that came first. They were called Magdalene Laundries.

**Michelle Jones:** If you were in Indiana and you committed a sex offense, you would've gone to a Magdalene Laundry. The Magdalene Laundries are institutions. I would call penal institutions, penitentiaries that hold women, specifically women and women only who have been convicted of a crime or who are fallen by the stents the day, meaning a prostitute, or a woman who had a child out of wedlock. And they could be confined in Magdalene Laundries, sometimes for life.

**Sandra:** Michelle uncovered the story of these Magdalene Laundries while she was researching the history of the reformatory while sifting through archival records, she noticed an absence in the registry of offenders.

**Christiane:** Michelle knew that the two Quaker women who started the reformatory Rhoda Coffin and Sarah Smith started it in order to protect women from the guards at Jeffersonville. But she also knew they had another goal in mind.

**Michelle Jones:** Rhoda Coffin and Sarah Smith's goal was to reform fallen women. Fallen women, by definition were women who were prostitutes or women convicted of a crime and arrested and held in a prison or a county jail. However, as I began to analyze the data, there were no women in the institution convicted of these crimes. So it, or sex offense specifically. So we were wondering, where were they? The Sisters of the Good Shepherd had opened a Magdalene Laundry like six months before the reformatory opened. And their main mandate was to take prostitutes and fallen women. So that's how we discovered where they were going. It was a process of looking at the data and wondering where there were, and then going back to the archive and, and finding this gem of information that they had actually been in these Magdalene Laundries.

**Christiane:** Institutions like these started popping up all over the country in the late 19th century, because according to reformers back then women were out of control.

**Michelle Jones:** The archive also states that Indianapolis was flooded with women who were prostitutes and that this was a social concern, a moral concern for the state at the time. And so there, something had to be done. And that something that had to be done was establishing the Magdalene Laundries, establishing also the home for homeless women, establishing the Indiana Reformatory Institution for Women and Girls. These three institutions in Indianapolis and across the state were designed to do something about the so-called influx of deviant women, but they're all along a tight continuum right after the civil war, the 1869 to 1873 era. So it's right along this tight continuum that state legislators and the public opinion at the time felt like something must be done about women. And we've got to control the behavior of women. They're doing things that we don't approve of.

**Sandra:** According to Michelle and Ana, penal institutions gave society a sense of control over

so-called fallen or deviant women. If you were a woman and you fell outside the strict societal norms in the 1800s, you were probably put into one of these new institutions.

**Christiane:** There was supposedly a huge woman problem in Indianapolis, and these institutions were supposed to help solve the problem. But as Michelle and Ana found out at the reformatory, these solutions caused more problems than they solved.

**Michelle Jones:** So very fundamentally from the beginning, the ideology <affirmative> about the way to help women be better is to incarcerate them; which is the key problem from the start, right? And then the second problem I would say is then the ideology, the belief system that they sought to indoctrinate them with. So they had a plan to teach religion, to teach education, and domestic skills and labors. But there was also this indoctrination into a cult of domesticity. Like this is how you be a woman. “We are true women. We are the pious, the pure, the domestic and the submissive. And we’re gonna teach you how to be a woman, but in order to teach you how to be a woman, we must incarcerate you.” And that ideology of establishing off the bat, that imbalance of a power relationship sets up incarceration <laugh> for women through time.

**Christiane:** Michelle and Ana uncovered a less than picturesque story of violence at the reformatory.

**Anastazia Schmid:** You know, once the women's facility opened by these Quaker reformers, you know, a lot of religious and gender ideologies were instilled upon the women who were there. So, new forms of sexual violence took place. One of the situations that became highly criminalized among the women and the girls in the prison at that time was masturbation, which was considered to be not only morally wrong, but also wrong for a proper woman or a proper lady. So new forms of abuse took place, on a multitude of levels, but predominantly attacking female sexuality,

**Sandra:** Michelle struggled to understand the kind of punishments the prisoners in the early years of the reformatory had to endure.

**Michelle Jones:** I have in my research, tried, I wrestled with how do I understand the violence? How do I process the violence that was committed against the women and girls for sexual expression or for loud or rude behavior, or for masturbation? Why in this situation, in the reformatory, did they feel the need to strip the women naked in order to administer punishment? What does being stripped naked mean? What does being hosed down for disciplinary action mean? And the research I've come out with the understanding that these were tools used to indoctrinate women into a mold of the code of the necessity to teach these women and girls to how to be the right kind of woman in order to become the right kind of woman. We've gotta go through these other processes, which are violent. How do women who are champions of women, who sought to get these women out of sexually exploitive conditions, how did they justify the sexual and gendered violence that they committed against the women and girls? And my answer is they felt those were necessary tools to deploy against them because they wanted

to make them the right kind of woman. And that was based on their ideals.

**Christiane:** What's striking about what Michelle and Ana told us is that this isn't the history of the first women's prison that you normally read about. In the history books, Rhoda Coffin and Sarah Smith are peaceful conquerors. Saviour figures, even. They may have saved imprisoned women from the ongoing sexual assault at Jeffersonville state prison.

**Sandra:** But as Michelle realized over the course of her research, the first women's prison, wasn't exactly the reformer's paradise suggested by history books. The Quaker reformers who created the prison maybe don't deserve all the praise heaped on them. In fact, all the praise Rhoda and Sarah did receive made Michelle suspicious.

**Michelle Jones:** In terms of excavating Rhoda Coffin and Sarah Smith's ideology towards women and the women they were incarcerating, that came from just a healthy distrust of blanketed, benevolent narratives that people are just so perfect and altruistic, and there's selflessness and sacrifices just, oh, it's so wonderful. Shouldn't we just roll out the red carpet? Um, that's a red flag because humans are naturally far more complicated.

**Sandra:** Michelle tried to understand what motivated the violence, what motivated Rhoda and Sarah to create the terrible conditions at their institution.

**Michelle Jones:** What did they get? What was the benefit of being the women in the entire United States who knew how to operate a prison just for women, what did they gain out of that? And they gained a great deal of no notoriety and prestige that further pressured them to make sure this reformatory looked perfect and they had tons of tours and they had tons of people coming through to see the reformatory and write about it. And so that violence also was facilitated by that pressure, that national and international pressure to be the perfect institution, cause they were first.

**Christiane:** And depressingly, the story just gets worse. So Michelle uncovered all this evidence that Rhoda Coffin and Sarah Smith used extreme forms of violence to keep the women in their charge under control.

**Sandra:** And while Michelle was looking into the reformers at the head of the prison, Ana saw another disturbing story unfolding.

**Anastazia Schmid:** What we found in the research was that women who were being criminalized internally were punished very severely, stripped naked, hosed, beaten, waterboarded, kept in solitary confinement for prolonged periods of time. And then what I found in my own research, subjected to operations of unknown origin by the physician on staff at the time.

**Sandra:** Ana was just as wary of this doctor's story as Michelle was of the founders of the

prison.

**Anastazia Schmid:** Theophilus Parvin was the initial head physician. And we found some really interesting things with this doctor. The first red flag for me was that he was the nation's leading gynecologist in obstetrician in the 19th century. And coupled with that, he was also president of the American Medical Association during the time that he worked the prison. So it was very interesting to me to find that the head physician at the prison was a man of such high prominence in the medical field. I mean, to me, this was the first red flag of why would a doctor that high ranking choose to come work in a women's prison? Well, because he had an abundance, shall we say of women and women's bodies that were essentially hidden from outside scrutiny that could be used at his disposal for medical experimentation and to essentially expand and advance his medical and scientific craft.

So prior to Dr. Parvin and prior to the advent in the opening of the women's prison, some of his predecessors in medicine used the body of female slaves. So we're talking about a transition in time of a transition of relations of power and social control. So we went from slavery. Now we have, slavery's been abolished. This is post-Civil War era. At the same time, we have really this boom of the field of gynecology. Well now you no longer have enslaved women to essentially practice and perfect their craft on. Who would become the next available crop of women? Well, it was institutionalized women

**Sandra:** Ana realized that Theophilus Parvin exploited the women incarcerated at the reformatory in order to further his own research and the field of gynecology. He needed female bodies to experiment on and to him, the prison was a good place to find those bodies.

**Christiane:** And he wasn't just performing benign experiments.

**Anastazia Schmid:** So he was an advocate of surgical bodily mutilations. He advocated cliterectomy, he advocated ovariectomy. And although the records failed to document any women specifically being castrated at the prison, Theophilus was notorious for omitting things in the record. What I found was a document published by him in an outside state medical journal that he does indeed admit to operating on women at the reformatory. So just because the annual reports of the prison and his physician notes omit that fact, I did indeed find that fact in some of his other publications later on.

**Sandra:** All of this wrongdoing at the reformatory, the beatings, the medical experimentation, everything eventually came to head.

**Anastazia Schmid:** One of the female prisoners was released and apparently began talking to the press about some of the punishment and the abuse and the sexual violence happening at IWP. Those reports were then backed and confirmed by some of the staff members who had been working in the prison at the time, and then other prisoners came forth. And so really the allegations that leaked out into the press then led to an investigation by the Indiana legislative

committee. And so there was a hearing held as to, uh, the nature and the origin of the abuse happening at the women's prison. No charges were ever brought against the superintendent or the night watchmen was one of the people listed, or the doctor. The legislative committee did expect that the way punishment was being handled would change, you know, so they didn't necessarily say that they had to stop corporal punishment, but they could no longer beat women who were naked. It is interesting to note though, that in 1883, 2 years after these allegations came out, both the superintendent, Sarah Smith and Dr. Theopolis Parvin both quietly resigned.

**Christiane:** The abuse that Ana and Michelle uncovered supposedly ended after the resignations of Theophilus Parvin and Sarah Smith. But as Ana told us, there's something larger at play here.

**Anastazia Schmid:** In the California prison system, they found a doctor there who was continuing to illegally conduct forced sterilization on female prisoners, outside of their consent, in their knowledge.

**Sandra:** In 2013, the Center for Investigative Reporting found that 148 incarcerated women in the California prison system were illegally coerced into sterilization.

**Anastazia Schmid:** This is just a few years ago, and this is one prison. And again, what I found in modern times was the same omission in the records, the hiding of the records, the destruction of records, the discrediting of the testimony of incarcerated women who come forth; that these things are happening to them. The foundation of gynecology and obstetrics, which clearly has been founded upon the bodies of enslaved and incarcerated people, particularly women, those practices and those ideologies have continued to reverberate throughout time.

**Christiane:** The research that Michelle and Ana did uncovered such a disturbing story.

**Sandra:** And here's the scary thing. This history came so close to remaining locked and unnoticed in the archives, Michelle and Ana faced a lot of roadblocks to conducting their research.

**Anastazia Schmid:** Well. Yeah, well, for one, being incarcerated, we do not have internet access. So you know, where the average person could just get on their phone and Google something. We don't have that opportunity. Even hard copy books and articles are very limited to us.

**Christiane:** Michelle and Ana are currently incarcerated at the Indiana Women's Prison, the institution they have been researching from the inside for years.

**Sandra:** The reason we felt that we shouldn't reveal in the beginning that Michelle and Ana are currently incarcerated is because of the taint of criminality that gets attached to prisoners in our society. Incarceration is an important part of Michelle and Ana's lives, and it even helped them



to perform their research in some ways, but it can also serve as a distraction for listeners.

**Christiane:** In some of her other writing, Ana connects criminality with philosopher, Miranda Fricker's idea of epistemic injustice. Epistemic injustice is a phrase that describes when a person isn't believed or isn't considered because of prejudice.

**Sandra:** So for example, earlier, Ana was talking about the different investigations into abuse at both Jeffersonville and the women's prison and how incarcerated women's testimonies were often discounted and discredited. This is an example of epistemic injustice, because as a society, we tend to not consider incarcerated people to be what Fricker calls, knowers- people with knowledge, people with trustworthy testimony.

**Christiane:** As incarcerated women, Ana and Michelle experience epistemic injustice on a pretty large scale.

**Sandra:** Because of epidemic injustice, Christiane, I wanted to make sure that they get the respect they deserve as academics.

**Christiane:** Unfortunately, not only do Michelle and Ana often not get the respect they deserve for the research they've already done, they also faced epistemic injustice while doing the research itself.

**Anastazia Schmid:** As we run into questions in our research, or we run into things that we just need further elaboration of information on, we're at the mercy of outside people and outside sources to provide those things for us. Then we're also sort of at the mercy of "are those outside people going to find what we're attempting to find out?". Are they gonna put the same level of validity and importance to it that we have because of the nature of our lived experience. We see things differently than outside people would see it, which has caused us to question things in ways that the average person looking at these archival documents wouldn't think to ask or look at. And so sometimes, some of the questions we've asked have been kind of delayed in their level of importance only for later to find out the very thing that we were attesting to be a reality was indeed a reality. It becomes a little frustrating because, you know, we just don't have the access to the information the way somebody else would.

**Christiane:** Ana and Michelle are a part of a growing group of people facing epistemic injustice. Women are being imprisoned at a higher rate than ever in United States history.

**Sandra:** According to the sentencing project, the total population of incarcerated women in the United States has increased by more than 700% from 1980 to 2014. This growth of female prisoners is unprecedented in US history.

**Christiane:** This growing demographic forms a part of what Ana and another scholar, Micol Siegel, called the convict race.

**Anastazia Schmid:** What the convict race essentially entails is a new level of social hierarchy that puts a human being actually at the absolute bottom rung of that hierarchy. So once criminality is asserted to a person, they become a member of what I'm calling the convict race. At that point in time, they are no longer human. You have hit a category of either subhuman or non-human status. And in that position, any level of dehumanization of subjugation and oppression is now legally acceptable. You are no longer a full person. And because you are no longer a full person, we don't have to treat you like a person.

**Christiane:** Michelle agrees that once you get labeled a criminal society feels like it doesn't have to listen to you any longer; that you suddenly don't deserve what the rest of us have.

**Michelle Jones:** Because the taint of criminality, just as I've seen in my own research from the first institution in the United States, the first institution in Indiana, the taint of criminality is, I call it inky, murky, outer coating, that taints how you are read in the world. It taints how I will be accepted or not accepted in colleges and universities. It'll taint how I'll be employed or not employed. It'll taint who'll let me have an apartment. It'll taint my access to insurance and all sorts of things that people don't think about.

**Sandra:** But one of the great things about this research project is that it's not only uncovered a fascinating other side to the history of the first women's prison.

**Christiane:** It's also given Michelle and Ana the opportunity to have their voices heard. They've presented their research at numerous academic conferences and published papers in academic journals.

**Sandra:** They've also won awards for their work on this research project, but this research is just one part of their educational lives at the prison.

**Christiane:** Ana told us that the opportunity to enroll in a bachelor degree grant program was one of the keys to her understanding her own life and circumstances in prison. At the time she joined the higher education program, Ball State University was a part of the system and granted four year general studies degrees.

**Anastazia Schmid:** Although it's a general studies degree, the professors who came in here were highly invested in me and in my education. And so my degree actually is a degree in psychology. And what I did was I formulated my entire undergraduate experience and the acquisition of my undergraduate degree in really delving deeply into all of not only my own personal issues, but all of the issues that surrounded my circumstances and the circumstances of what I found to be the majority of women incarcerated, to try to figure out the hows and whys trauma would create these levels of problems, not only in an individual, but on a larger level. So for me, education was literally transformative to my life. Had it not been for my opportunity of education, I really do not believe I would ever would've attained complete wellness. I didn't just

earn a college degree. I completely transformed my life. And, my own mind.

**Sandra:** Access to education in prisons is at the whim of legislators' money. College level educational programs from the federal government is never a safe bet. The thing is, Ana and Michelle are at the graduate level, which has never had federal funding and is run exclusively by volunteers.

**Anastazia Schmid:** Any of the students that have been in undergrad as well as now, the graduate program, um, we're essentially educating ourselves for the sole sake of knowledge and education at this point in time. And this is now about to change. We've been doing it non-degree status non-credit although we are doing the exact same level of work that anybody in the outside world would be doing.

**Sandra:** When we talked to Michelle and Ana, the only educational program paid for by the government was cosmetology. According to Michelle, this has a lot to do with money, race, and gender.

**Michelle Jones:** One of the reasons I feel that vocational programming, rehabilitative programming, which is hugely missing in this institution at the moment. And educational programming can be dismissed or not made available to incarcerated people is because number one, the influx of the numbers, right? High mass incarceration says, now we gotta spend all this money, cause there's all these people here. And so we can justify not offering it because there's too many. And since we can't offer to everyone, we will offer to no one. The face of mass incarceration is turning overwhelmingly black and brown. And because of racial and cultural ideology about who is incarcerated. It also justifies not providing rehabilitative and educational programming. We are not a priority. We represent 10% of all people incarcerated in the state. So the men's facilities have far more access to rehabilitative programming and actual skill training. Women are not provided the same level of rehabilitate rehabilitative and educational programming, but we're trying to change that.

**Christiane:** Education in prison isn't just about reducing recidivism rates, although it does or providing positive ways to fill time in prison.

**Sandra:** Michelle told us that education is one of the keys to reversing epistemic injustice.

**Michelle Jones:** Education gives you credibility. People will listen to people who have credentials. I think it's a horrible thing, but it's true. Coming from incarceration and battling the chain of criminality, I have deemed it necessary to have an education so that I have heard and not dismissed simply because I have been incarcerated. So the taint of criminality can only be dismantled by open dialogue, facing these things head on and challenging them, challenge them with where I've come from with my own personal lived experience, how I've survived, how I've overcome. Let's be honest. Society is very jaded and they will only hear certain voices. And so how do I become a voice that is heard? One of the ways that I become a voice that is heard

is that I'm educated.

**Sandra:** Here's quick note from our partner:

**Andy:** This special Indiana Bicentennial episode of Examining Ethics has been produced in partnership with Indiana Humanities.

**Keira Amstutz:** Indiana Humanities connects people, opens minds, and enriches lives by creating and facilitating programs that encourage Hoosiers to think, read and talk. Learn more at [indianahumanities.org](http://indianahumanities.org).

**Christiane:** Before the break, we talked about epistemic injustice and how it keeps certain groups of people like those who are incarcerated from being considered nowheres.

**Sandra:** And one piece of epistemic injustice is the idea of testimonial injustice. Testimonial injustice is what we were talking about earlier when the testimonies of abused women in Jeffersonville were largely ignored and swept aside. It's the idea that when certain groups of people talk about their experience, they are ignored or discredited because of prejudice.

**Christiane:** So listeners, we wanted to take you along a journey with us where we consider some of our own prejudice. Thinking of epidemic injustice made us confront who we unintentionally discount as knowers.

**Sandra:** So when Ana and Michelle were talking about epistemic injustice, it just really rang true with me because I'm actually a volunteer teacher at the Indiana women's prison. And it's weird how often I tell people that I'm a teacher at the Indiana women's prison. And I could tell an entire story about a class I've taught or something that my students did. And even though it's the only possible answer, like people don't get that my students are incarcerated women.

**Christiane:** So do you think people are surprised that incarcerated people are students?

**Sandra:** Yeah. I think people, when they hear me say my students, they just, you know what I mean, say, even though that's the only possible option, like why would I be going into a prison to teach kindergartners? You know what I mean? <laugh> yeah. Even though it's the only possible option people can't connect the words prisoners and students together.

**Christiane:** Yeah. Cause I've heard Ana talk about this problem before that she, because she's incarcerated, she's not a knower. And so people sort of automatically disregard anything she has to say, or they automatically suspect her of twisting the truth or something simply because she is incarcerated. She's in a class of people that, for a lot of people, can't be knowers.

**Sandra:** So let's kind of, let's talk about groups that we are epistemically and just towards people who we treat as not being knowers. I had a situation recently where I was in Ferguson

attempting to get men on the street interviews about the ethics of voting. And I noticed that there was only one group of people that I was avoiding and that was people who appeared to me to be homeless. And I didn't realize as soon as I noticed myself not going up to those people, I kind of stopped and thought like, wait, why would I not wAna hear from people who appear to be homeless? And then I had to like really sit down and think like, okay, homeless people are citizens. They have the ability to vote. And thus would have just as much to say on the issue of voting as anyone else. I never considered homeless people to be knowers of aspects involved with being a citizen, which is so weird. And I don't know why I thought that, but I'm glad that we're talking about this now so that we can think about these groups that we're not considering as knowers. Do you guys have groups that you have realized you are unjust towards in this way?

**Christiane:** So when I was trying to think this through, I have so many different groups of people that I do not give the benefit of the doubt in conversations as much as I should, or I do not treat these groups of people as knowers. The group of people that I am epistemically unjust towards that I'm the most ashamed of is I think it's a class thing. So I think if I perceive anybody being of any kind of like lower or working class, I think I kind of lump them all together and maybe don't give them as much of the benefit of the doubt or maybe just don't listen to them as carefully as I should. And it's something that I'm working on. But it's something that I find, especially shameful because I didn't grow up with a lot of money and I grew up around a lot of people that were, financially and kind of culturally in the working class. And so I just find that incredibly shameful and there's literally no good reason for it.

**Andy:** I think one group where I'm particularly prone to this are people who are staunchly opposed to my own personal political views. I think that's where I feel-

**Sandra:** That's a good one.

**Andy:** -most inclined to be discounting much harder. And, what's weird is even about things that aren't political, right. It's sort of like they staunchly disagree with me on a certain political view and, you know, suddenly I might not be trusting their judgment on, like, where's the best place to have a vacation. Right? You know, it's like something that's totally irrelevant to the politics at all. I sometimes feel myself sort of not taking testimonies as seriously. I've caught myself doing that a few times.

**Sandra:** I'm super guilty of that too.

**Christiane:** Yeah. That's a good one to name here because, like, my example, right. The class example, I know that's wrong, I know I'm being unethical and I'm going to work to try not to do that anymore. But I think with that example, that brings up a really interesting question; which is something that I think of with epistemic injustice, which is "is it okay to have certain classes of people that you just discount automatically as knowers and by classes"? I mean like groups of people.

**Andy:** What about when someone is testifying to you about something, but you know that given their membership in that group, they're likely to be biased in a certain way. So like a real rich guy testifying to you about the benefits of a tax reduction for rich people, right. Or something like that. People, you know, where you just sort of think there might be bias in a certain direction.

**Sandra:** So in that example of like a rich guy talking about a tax cut and you don't trust him to talk about tax cuts for the rich, I just feel like that's not right because the way that Ana and Michelle talked about epistemic injustice, it's incarcerated people that can't be knowers of anything. So like, whereas I feel like you would trust that rich guy to talk about nearly everything else. You probably just wouldn't trust him on talking about taxes. So, it doesn't feel the same to say that you don't just trust him about that one topic.

**Andy:** So I actually think epistemic injustice can be about one off things. So one way to be guilty of epistemic injustice is just to have some kind of prejudice against someone such that you think they can't know anything about anything. And I think that's just like a really, really extreme form of epistemic injustice. But if you were to tell me about something really horrible that happened to you and I have some kind of prejudice against a group that you belong to and I'm like, eh, you're probably just wrong about that. Or if I have some kind of prejudice, like that group is usually wrong about this particular kind of thing, I could think you're a knower about a whole bunch of other stuff, but be guilty of epistemic injustice, just because I haven't given your testimony about this particular thing the credit it deserves.

**Sandra:** So then if you're saying that it's okay to be, to ignore what the rich guy says about tax cuts for the rich, is it still epidemic injustice if it's okay?

**Andy:** <laugh> oh, no. So the, the original question was, is it ever okay to discount somebody because of some group that they belong to on some kind of testimony. If your answer is yes, sometimes it's okay. In this particular case that I don't think it counts as epistemic injustice. Epistemic injustice only comes into play when the discounting is a bad thing, not okay because of some kind of prejudice that shouldn't be influencing you.

**Sandra:** So one group that I think that we as a society have decided are not knowers, and we're pretty much okay with it, is maybe children.

**Andy:** Yeah. I have a great example of a kid not being taken seriously. And it was me in fifth grade, we were talking about Harriet Beecher Stowe, author of *Uncle Tom's Cabin*. And I knew that Harry Beecher Stowe was one of my ancestors. So I raised my hand and I was real excited and I'm like, oh, I'm related to Harry Beecher Stowe. My teacher gave me this kind of weird look of disappointment. And then she was like, that's not funny. She's like, I don't want to- please just shut up; I don't wAna hear any more of this. So yeah, kids are often not treated as knowers.

**Christiane:** And, you know, it's funny cause like my husband and I are constantly surprised that

our two toddlers could be telling the truth about anything. And I think it's because there's still this like prevalent thing in our minds that children can't possibly know the truth and they can't possibly be knowers.

**Andy:** If we are so inclined to not treat children as knowers, this is a potentially very, very bad thing because children are a very, very vulnerable group and sometimes very, very bad things happen to children. And if we as a society are inclined to like just discount them as knowers, then it's gonna be very easy for people to make snap judgements and discount them as knowers when they need us to trust their testimony more than ever.

**Sandra:** So maybe they're not a group that's okay to discount their testimony. Although I can think of one example, one specific instance that children should not be treated as knowers and that's with voting. So we have a law on the books that says you're not able to vote until you're 18 and while maybe that's not exactly true. Maybe 18 is not the perfect age. I still think that, you know, I don't really feel comfortable letting three year olds and four year olds vote. What do you guys do? You guys agree with me?

**Christiane:** Yes. I agree.

**Andy:** Three year olds should definitely not vote.

**Sandra:** Okay. So we found a group that decided it's okay to discount their testimony on voting three year olds.

**Christiane:** <laugh>. But I think it's important to not discount their testimony on everything though.

**Sandra:** Exactly. So I think we've all said or all agree that three year olds still should be trusted their testimony on their feelings, their lives, but maybe not so much on who to vote for in November.

**Andy:** Or substantive tax policy.

**Christiane:** During this whole episode, we've been hearing an account of history from two incarcerated people. We've been talking about epistemic injustice as it relates to incarcerated people quite a bit. And so I think the three of us in this room at least can agree that it's wrong to discount incarcerated people epistemically speaking. Right?

**Sandra:** Absolutely. Yeah. Yeah.

**Christiane:** But I don't think that's a widely held view in America or in the United States. So if we think that there's an injustice here, if we think there's an epistemic injustice going on here, how do we write that wrong with incarcerated people in particular? But I think in general, in

terms of epistemic injustice, if we see it happening, how do we right that wrong? How can we even begin to do that?

**Andy:** I think there's two things. One thing that can be done and it's gonna sound kind of cheap because it's the thing that people always say, which is to raise awareness. But here, I think that's actually pretty important. Epistemic injustice, particularly when it comes to accepting people's testimony or not giving their testimony, the credit it deserves is largely the result of some sort of automated cognitive stuff going on inside our heads that we don't have much control over. It's not like we're making an inference. It's not like someone says something and I say, okay, they're a prisoner. Prisoners are unlikely to know much about anything, so I'm not going to trust it. That's not the way it works. They say something and we just get this kind of aura, or a gut feeling that I just don't think I trust this and that's it.

That's all that's going on. And in a way, it functions a lot like implicit bias. There are studies that if you raise awareness about implicit bias, that it tends to reduce its effects. So if what's going on in epistemic injustice is a lot like implicit bias, you might think just raising awareness about the fact that it is a phenomena that exists might do some work in trying to mitigate its effects. This is where the reflexive critical openness kind of stuff comes in. So Miranda Fricker thinks there's this virtue that we all need to be trying to cultivate in ourselves. It's reflexive in meaning that like it's looking at yourself and in critical openness, allowing yourself to be critical, but being as hard as you can, trying to be open to the idea that there really might be something here that I need to know and learn about.

**Sandra:** Yeah. So maybe that's just asking the question that we asked each other in the beginning of this conversation, which is what are groups that you think consistently don't have knowledge. Ask yourself that.

**Andy:** Right. What we did at the beginning was just an example of it, or at least an example of trying to get started doing it sort of. First off, recognizing what are the groups that you would be inclined to discount and then being extra cautious not to discount when you are.

**Sandra:** If you listen to this episode and thought, wow, I never realized that I don't consider incarcerated people to be knowers. You are not alone. If you are one of those people and you are interested in rectifying some of the ways that you might discount incarcerated people, Ana and Michelle have a ton of amazing work that we link to on our show notes page. Exploring what they have to say is a great to start.

**Christiane:** We just wanted to make a note that there's another part of epistemic injustice called "Hermeneutical Injustice" that we don't really talk about on this episode, but it's an important part of Miranda Fricker's theory. And you can read more about it. If you look at our show notes.

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**Andy:** Thanks for listening. If you'd like more information about the topics we've discussed today, visit our show notes for this episode at [examiningethics.org](http://examiningethics.org). When you visit, be sure to sign up for our newsletter, you'll be entered into our monthly book giveaway for updates about the podcast. For interesting links and more follow us on Twitter at [examining ethics](https://twitter.com/examiningethics). For information about our partner, check out [indianahumanities.org](http://indianahumanities.org).

**Connor Gordon:** Hi, this is one of the graduate fellows at Prindle, Connor Gordon. And I'm here to outside the Institute to read the credits. Examining ethics with Andy Cullison is hosted by the Janet Prindle Institute for Ethics at DePauw University with special support on this show from Indiana Humanities, Sandra Bertin, and Christiane Wisehart produced the show. Special thanks to Keira Amstudz and Leah Nahmias from Indiana Humanities. Our logo was created by Evie Brosius. Our music is by Cory Gray, Blue Dot Sessions and the Heftone Banjo Orchestra, and can be found online at [free musicarchive.org](http://free.musicarchive.org). Examining Ethics is made possible by the generous support of the Indiana Humanities, DePauw alumni, and friends of the Prindle Institute. And you the listeners, thank you for your support.

Andy (52:15): Because of some kind of prejudice that shouldn't be influencing you. Does that make sense?

Sandra (52:20): Yeah, but what if the rich guy is sitting on some secret knowledge about trickle down economics and he just like wants to unleash that to the world.

Sandra0 (52:29): <laugh>

Sandra (52:32): And you've just discounted what he said, even though Jesus himself delivered that information to him.

Sandra0 (52:38): <laugh> that's a really good point. Boom.

Sandra (52:45): Got you.

Sandra0 (52:46): <laugh> oh-

**Andy:** My epistemic injustice is just going off.