



# A Short Reflection on the Evidentiality of Evidence

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Evidence sometimes suffers from a peculiar problem. It is not always evident. I call this the problem of the evidentiality of evidence.

By definition, evidence is that which in its appearance facilitates the same for something else.

*If it appears, something to which it is necessarily connected must also appear if even as an inference of thought. Evidence is summoned, in other words,*



*because of what is absent.*

There is at times circularity with such efforts—for instance, *proof*. What is proof, however, but offering evidence?

Sometimes evidence doesn't appear even though it stands before us. Its appearance, in other words, requires understanding it as what it is. A pair of shoes in front of a door of a house where people take off their shoes when entering doesn't mean anything among a set of other shoes. A missing pair in the pile informs members of the family of which one of them is not home. A visitor, however, would notice nothing more than the etiquette of taking off one's shoes when entering that family's home. Evidence, in other words, must be understood, and understanding it leads to its simultaneous appearance and realization of the absent thing, person, or event to which it points. In phenomenological terms, one must be conscious of it.

An objection could be made that consciousness is not a necessary condition for evidence. That which is evident is simply out there, in the world, waiting to be discovered, and is still there even if never found. Conceding this doesn't change the point, however. Evidence never found is simply absent evidence.

*My point isn't about what constitutes evidence. It's about, in effect, evidence of evidence. What is discovery but to make something apparent, stand out, or exist, and what is appearance without a relationship to what appears?*

The details cannot be spelled out in the small space afforded by this forum, but consciousness as articulated here is about a relationship with an object, which could also be formal or intended but not necessarily psychological. An object of investigation here is evidence and the challenges of establishing a relationship with it.

Evidentiality involves the fundamental relationality of evidence. Imagine a non-relational view of the world. That would require ignoring conditions by which a



phenomenon could appear or “be” in the first place, since one would not be related or connected to anything, including the most basic relation of identity—that is, related to oneself. In philosophy, such a collapse is called solipsism—making oneself into all there is or, simply, the world. The contradiction from eliminating all relations, including to the self, lead to disappearance of any basis from which to make distinctions, think thoughts, and do anything. It leads proverbially nowhere.

*Evidence is the appearance not only of phenomena but also the inferential or, in phenomenological language, the appresentation of not immediately appearing phenomena.*

Appresentation refers to what we perceive without its visibility. For example, we are aware of the back of someone’s head while speaking to her face-to-face. Or more intimately, our organs are appresented to us daily. Evidence, in other words, brings to consciousness or any field of disclosure what *must be*, which requires connecting a series of missing phenomena, in effect, an ordering, or, in old-style philosophical language, *logos* (whose origins are from *logging*), which also points, inevitably, to a point of reference beyond the self. Evidence, thus, requires intersubjectivity, a world of others, even with regard to the self—that is, the self taking on the perspective of another and also acknowledging its capacity to be another—and is therefore symbiotically linked to social reality.

*Realizing something as evidence entails seeing it as others are compelled to see it as well.*

Evidence is peculiarly social. By social, I simply mean it is at its core that which must be communicable to others. Where one has difficulty communicating evidence to others, one must ask how it was initially communicated to oneself. Where one continues to see evidence as evidence, there is reputed communication of meaning. This basic point extends not only to communicating with others in a shared language but also others across languages, where two



possibilities emerge. The first is the translation of evidence. This requires additional acts of evidentiality such as determining isomorphic and shared terms in different languages. The second is the communicability of the untranslatable. Here that which must be understood to appear as evidence must be *learned*. Again, for the sake of brevity, the basic fact that people from different societies speaking different languages do manage to learn untranslatable terms and expressions from other societies, as Kwasi Wiredu showed in his classic *Cultural Universals and Particulars*, is sufficient for the basic provision of communicated evidence.



Which ones are the ethnographer's? Serbia, 2013 (Photo by Leart Zogjani and Agathe Mora)

My initial forays into what could be called evidence studies began in my research on *mauvaise foi* or bad faith, the phenomenon of lying to the self, in my book *Bad Faith and Antiracism*. A lie told to others is one thing. It involves not only false statements but also the withholding of what may alert others about the speaker's not telling the truth. To some extent, a successful liar must not in her or his disposition slip up. The liar must at least appear "sincere." This means to



some extent convincing oneself of the lie as truth while telling it. Many liars thus not only withhold evidence from others but also from themselves. In effect, they must identify the evidence to be withheld and then refuse its evidentiality (appearance). Such liars must then disarm the evidential force of evidence. Understanding this brings forth the philosophical problem of bad faith, since it involves the liar and the lied-to being the same person or, as Jean-Paul Sartre formulated it, the unity of a single consciousness.

Critics may be perplexed to discover that good faith is a form of bad faith. The observation about sincerity reveals the problem. One could sincerely be in bad faith. To be critical of that sincerity, however, requires bringing in an account of one's position beyond oneself as a source of legitimacy. In effect, one reconnects with a world that had to be put at bay in order to maintain such sincerity. As bad faith is a flight from social reality, a return brings along with it the variety of public resources it offers. One of them is evidence.

Before I continue, I would like to stress one thing. In this context, bad faith is not a moral judgment. It's simply description of a capability or something people often do. At times, it is so for good reason. In moments of trauma, for instance, one may wish to avoid displeasing truths through taking refuge in pleasing falsehoods. That said, let us return to its relationship to evidence.

Bad faith attempts to disarm evidence through appeals, at times, to non-persuasive evidence.

*One could, for example, set unreachable criteria for the acceptance of evidence such as "perfect evidence" or "ideal evidence," when in truth evidence appears at the point of its sufficiency.*

If it appears, then something else is already known or is evident. Its sufficiency and necessity are one. As there isn't room to elaborate bad faith here, I'll just close with a recent context in which the evidentiality of evidence is crucial.



Evidence often becomes problematic in the human sciences. A particular field in which this takes place is research on race and racism. Although I'll focus on race and racism studies here, my preferred approach is multifaceted, where the embodiment of class, gender, race, sex, sexuality, and more are brought together and interrogated through human study. As I often put it, I never see a race or gender or class or sex walking but instead a manifestation or functioning of all in which one is more emphasized or functions stronger than others at different moments, though all are always present.

The historical social pressures to avoid addressing race and racism took form also in their study. Thus practitioners of the human sciences often attempted to avoid the taint of race and racism to the point of contradictorily delegitimizing or denouncing the study of such phenomena while studying them. The performative contradiction notwithstanding, other consequences include the confusion of problems faced by subjects of such study with such people *being problems*. In the first instance, their problems appear where racism appears. If, however, racism is denied but the problems appear, the trail of causes stops at the people themselves. The problems and the people become one, and, as Franz Boas, Anna Julia Cooper, W.E.B. Du Bois, Frantz Fanon, and many others have shown, they become problems supposedly alleviated ultimately by the elimination of such people. Race and racism therefore raise problems of rigor in the human sciences, as ultimately racial subjects are human ones.

In *Disciplinary Decadence*, I argue that bad faith disciplinary practices involve the fetishizing of method, where practitioners presume the completeness of their discipline and its methodological resources. Treated as if created by a god, such methods need simply be applied with assurance of their outcomes.

*The evidentiality of evidence in such instances becomes the affirmation of the hegemony of the discipline.*

Such practitioners reject what is offered from other disciplines basically on the grounds of its not emerging from or being their own. Natural scientists who



criticize social scientists for not being natural scientists is an example, and, as social constructivism reached beyond its scope attests, there are social scientists who reject natural scientists for not being social scientists. These rejections are specific at disciplinary levels as well: biologists who reject cultural anthropology, historians who reject psychologists, literary scholars who reject other disciplines for not being “textual,” philosophers who reject nearly everyone else’s participation in theory, and the list goes on. Lost, however, is how such methods initially emerged. Their suitability for a fragment of reality (a specific subject of inquiry) is not necessarily so for larger portions. Refusal to admit this leads to the effort to squeeze reality into the discipline instead of adjusting the discipline to reality. Turned inward as complete, the discipline collapses into a form of solipsism. The portrait I offered of evading evidentiality returns.



Tapia (Ottoman) property titles carefully kept for generations, Serbia, 2013 (Photo by Leart Zogjani and Agathe Mora)

I’ve argued that overcoming disciplinary decadence requires a *teleological suspension of disciplinarity*. This is where a discipline is willing to go beyond its



presuppositions for the sake of maintaining or re-establishing a relationship with reality. I use the term “teleological suspension” in light of the Danish philosopher Kierkegaard’s teleological suspension of ethics. The irony of strict adherence to morality is that it has sometimes led to unethical behavior. Women and men of right could sometimes be very cruel. It’s a good idea to reacquaint ourselves with why we do what we do. This is an existential paradox brought to the level of disciplinary practice. A practitioner at times must be willing to go beyond her discipline for the sake of reality, which may reinvigorate disciplinary integrity. That leap of faith, so to speak, is often ironic, since instead of abandoning a discipline, it sometimes offers an expanded portrait of it. One version of such is the communicability of a discipline and the very pragmatic outcome of using resources from other disciplines better suited for a particular problem at hand. Anténor Firmin argued such in *The Equality of the Human Races* (1885) when he pointed out the problem of anthropology as this: there are so many elements manifested in what we call human beings that such study requires not only multiple disciplines but also their working together, communicating, to make evident what is often overlooked—namely, the unfolding of meaning as lived by a being of projects in variation.

Returning to the evidentiality of evidence, bad faith in the human sciences disarms the critical norms of evidence. Criticality and evidentiality are intimately related. The former has etymological origins in the ancient Greek verb *krinein* (to decide), from which emerged not only the nouns *kritēs* (judge) and *kritērion* (means or standard of judgment) but also *krisis* (crisis). The link with evidence, whose Latin roots *evidens* means “obvious” or “apparent,” should be clear (that is, evident): good judgment involves making a decision based upon standards (criteria) whose appearance are compelling. That the etymological origin of “critical” is shared with “crisis” is significant, as a critical situation is one over which a decision must be made, and a crisis is one in which a choice faced is also often one preferred avoided or deferred. The classic choice not to choose is a performative contradiction rich in bad faith. It requires, as Kierkegaard once formulated, failing to see what one sees. With regard to the evidentiality of





evidence, this means addressing the metacritical relation to evidence—namely, the admission of evidence *as evidence*. The etymological thread boils down to the appearance of appearance.

At this point, reasoning demands exploration of the various fallacies often brought in the service of occluding evidence. Such elaboration is beyond the scope of this forum. For our purposes, however, the basic point should be obvious (evident), that a challenge posed by evidence is our willingness to respect it. Human agency at the heart of our relationship to evidence ultimately comes down to the amount of reality many of us are willing to take. This is not in and of itself pernicious, since, as finite beings, most of us could only accept reality in small doses. All at once is overwhelming, and as no one can be everywhere, everyone must rely on what, by virtue of its presence, alerts us to what is absent.

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