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Hermeneutical Injustice

7.1 THE CENTRAL CASE OF HERMENEUTICAL INJUSTICE

Feminism has long been concerned with the way in which relations of power can constrain women's ability to understand their own experience. This feminist concern found its early expression in Marxist terms, so we see an articulation of it in the original and explicitly historical materialist form of feminist standpoint theory: 'The dominated live in a world structured by others for their purposes—purposes that at the very least are not our own and that are in various degrees inimical to our development and even existence.'¹ In this quotation from Nancy Hartsock, the word 'structured' has three significances. All three are pertinent to the historical materialist context, though only one is centrally relevant here. Hartsock's remark may be read materially, so as to imply that social institutions and practices favour the powerful; or it may be read ontologically, so as to imply that the powerful somehow constitute the social world; or again it may be read from an epistemological point of view, as the suggestion that the powerful have an unfair advantage in structuring collective social understandings. Our interest in forms of epistemic injustice naturally directs us to the epistemological reading. However, we shall never be far from related material and ontological questions, for it is obvious that certain material advantages will generate the envisaged epistemological advantage—if you have material power, then you will tend to have an influence in those practices by which social meanings are generated. And in the hermeneutical context of social understanding, it is also clear that, at least sometimes, if understandings are structured a certain way, then so are the social facts—we have already encountered cases of causal

¹ Nancy Hartsock, *The Feminist Standpoint Revisited and Other Essays* (Boulder, Colo.: Westview Press, 1998), 241.

and constitutive construction of social identity in the discussion of testimonial injustice, and we shall meet similar cases in connection with hermeneutical injustice. In hermeneutical contexts such as our knowledge of the social world, material and ontological questions naturally cluster around the epistemology, but it is our epistemic practices and their ethics that will remain our primary focus.

One way of taking the epistemological suggestion that social power has an unfair impact on collective forms of social understanding is to think of our shared understandings as reflecting the perspectives of different social groups, and to entertain the idea that relations of unequal power can skew shared hermeneutical resources so that the powerful tend to have appropriate understandings of their experiences ready to draw on as they make sense of their social experiences, whereas the powerless are more likely to find themselves having some social experiences through a glass darkly, with at best ill-fitting meanings to draw on in the effort to render them intelligible. If we look at the history of the women's movement, we see that the method of consciousness raising through 'speak-outs' and the sharing of scantily understood, barely articulate experiences was a direct response to the fact that so much of women's experience was obscure, even unspeakable, for the isolated individual, whereas the process of sharing these half-formed understandings awakened hitherto dormant resources for social meaning that brought clarity, cognitive confidence, and increased communicative facility. To put it in the terms introduced in relation to ethical relativism in Chapter 4, we can say that women were collectively able to overcome extant *routine* social interpretive habits and arrive at *exceptional* interpretations of some of their formerly occluded experiences; together they were able to realize resources for meaning that were as yet only implicit in the social interpretive practices of the time. From a hermeneutical position of relative comfort, one can forget quite how astonishing and life-changing a cognitive achievement of this sort can be; so let us first briefly revisit one woman's account in the late Sixties of a university workshop on women's medical and sexual issues, as relayed by Susan Brownmiller in her memoir of the US women's liberation movement:

Wendy Sanford, born into an upper-class Republican family, was battling depression after the birth of her son. Her friend Esther Rome, a follower of Jewish Orthodox traditions, dragged her to the second MIT session. Wendy had kept her distance from political groups. 'I walked into the lounge,' she recalls, 'and they were talking about masturbation. I didn't say a word. I was shocked, I was fascinated. At a later session someone gave a breast-feeding demonstration.

That didn't shock me, but then we broke down into small groups. I had never 'broken down into a small group' in my life. In my group people started talking about postpartum depression. In that one forty-five-minute period I realized that what I'd been blaming myself for, and what my husband had blamed me for, wasn't my personal deficiency. It was a combination of physiological things and a real societal thing, isolation. That realization was one of those moments that makes you a feminist forever.²

Here is a story of revelation concerning an experience of female depression, previously ill-understood by the subject herself, because collectively ill-understood. No doubt there is a range of historical-cultural factors that might help explain this particular lack of understanding—a general lack of frankness about the normality of depression, for instance—but in so far as significant among these explanatory factors is some sort of social unfairness, such as a structural inequality of power between men and women, then Wendy Sanford's moment of truth seems to be not simply a hermeneutical breakthrough for her and for the other women present, but also a moment in which some kind of epistemic injustice is overcome. The guiding intuition here is that as these women groped for a proper understanding of what we may now so easily name as post-natal depression, the hermeneutical darkness that suddenly lifted from Wendy Sanford's mind had been wrongfully preventing her from understanding a significant area of her social experience, thus depriving her of an important patch of self-understanding. If we can substantiate this intuition, then we shall see that the area of hermeneutical gloom with which she had lived up until that life-changing forty-five minutes constituted a wrong done to her in her capacity as a knower, and was thus a specific sort of epistemic injustice—a *hermeneutical injustice*.

Let us pursue the intuition. To see better what the contours of such an injustice might be, let us look at another example drawn from Brownmiller's memoir, which concerns the experience of what we are these days in a position to name sexual harassment:

One afternoon a former university employee sought out Lin Farley to ask for her help. Carmita Wood, age forty-four, born and raised in the apple orchard region of Lake Cayuga, and the sole support of two of her children, had worked for eight years in Cornell's department of nuclear physics, advancing from lab assistant to a desk job handling administrative chores. Wood did not know

² Susan Brownmiller, *In Our Time: Memoir of a Revolution* (New York: Dial Press, 1990), 182.

why she had been singled out, or indeed if she had been singled out, but a distinguished professor seemed unable to keep his hands off her.

As Wood told the story, the eminent man would jiggle his crotch when he stood near her desk and looked at his mail, or he'd deliberately brush against her breasts while reaching for some papers. One night as the lab workers were leaving their annual Christmas party, he cornered her in the elevator and planted some unwanted kisses on her mouth. After the Christmas party incident, Carmita Wood went out of her way to use the stairs in the lab building in order to avoid a repeat encounter, but the stress of the furtive molestations and her efforts to keep the scientist at a distance while maintaining cordial relations with his wife, whom she liked, brought on a host of physical symptoms. Wood developed chronic back and neck pains. Her right thumb tingled and grew numb. She requested a transfer to another department, and when it didn't come through, she quit. She walked out the door and went to Florida for some rest and recuperation. Upon her return she applied for unemployment insurance. When the claims investigator asked why she had left her job after eight years, Wood was at a loss to describe the hateful episodes. She was ashamed and embarrassed. Under prodding—the blank on the form needed to be filled in—she answered that her reasons had been personal. Her claim for unemployment benefits was denied.

'Lin's students had been talking in her seminar about the unwanted sexual advances they'd encountered on their summer jobs,' Sauvigne relates. 'And then Carmita Wood comes in and tells Lin *her* story. We realized that to a person, every one of us—the women on staff, Carmita, the students—had had an experience like this at some point, you know? And none of us had ever told anyone before. It was one of those *click, aha!* moments, a profound revelation.'

The women had their issue. Meyer located two feminist lawyers in Syracuse, Susan Horn and Maurie Heins, to take on Carmita Wood's unemployment insurance appeal. 'And then ...,' Sauvigne reports, 'we decided that we also had to hold a speak-out in order to break the silence about this.'

The 'this' they were going to break the silence about had no name. 'Eight of us were sitting in an office of Human Affairs,' Sauvigne remembers, 'brainstorming about what we were going to write on the posters for our speak-out. We were referring to it as "sexual intimidation," "sexual coercion," "sexual exploitation on the job." None of those names seemed quite right. We wanted something that embraced a whole range of subtle and unobvious persistent behaviors. Somebody came up with "harassment." *Sexual harassment!* Instantly we agreed. That's what it was.'³

Here is a story about how extant collective hermeneutical resources can have a lacuna where the name of a distinctive social experience

³ Brownmiller, *In Our Time*, 280–1.

should be. So described, we can see that women such as Carmita Wood suffered (among other things) an acute cognitive disadvantage from a gap in the collective hermeneutical resource. But this description does not quite capture it, for if the epistemic wrong done to Carmita Wood were construed simply as a matter of plain cognitive disadvantage, then it is unclear why the epistemic wrong is suffered only by her and not also by her harasser. For the lack of proper understanding of women's experience of sexual harassment was a collective disadvantage more or less shared by all. Prior to the collective appreciation of sexual harassment as such, the absence of a proper understanding of what men were doing to women when they treated them like that was *ex hypothesi* quite general. Different groups can be hermeneutically disadvantaged for all sorts of reasons, as the changing social world frequently generates new sorts of experience of which our understanding may dawn only gradually; but only some of these cognitive disadvantages will strike one as unjust. For something to be an injustice, it must be harmful but also wrongful, whether because discriminatory or because otherwise unfair. In the present example, harasser and harassee alike are cognitively handicapped by the hermeneutical lacuna—neither has a proper understanding of how he is treating her—but the harasser's cognitive disablement is not a significant disadvantage to him. Indeed, there is an obvious sense in which it suits his purpose. (Or at least it suits his immediate purpose, in that it leaves his conduct unchallenged. This is not to deny that if he is a decent person underneath, so that a better understanding of the seriousness of his bad behaviour would have led him to refrain, then the hermeneutical lacuna is for him a source of epistemic and moral bad luck.) By contrast, the harassee's cognitive disablement is seriously disadvantageous to her. The cognitive disablement prevents her from understanding a significant patch of her own experience: that is, a patch of experience which it is strongly in her interests to understand, for without that understanding she is left deeply troubled, confused, and isolated, not to mention vulnerable to continued harassment. Her hermeneutical disadvantage renders her unable to make sense of her ongoing mistreatment, and this in turn prevents her from protesting it, let alone securing effective measures to stop it.

The fact that the hermeneutical lacuna creates such an asymmetrical disadvantage for the harassee already fuels the idea that there is something wrongful about her cognitive disadvantage in particular. We would not describe her as suffering an injustice if it were not significantly disadvantageous for *her in particular*. But there is more than this to

be said about the wrong that she sustains. We need to find the deeper source of the intuition that she incurs an epistemic injustice. We can easily imagine, after all, similarly serious hermeneutical disadvantages that do not inflict any epistemic injustice. If, for instance, someone has a medical condition affecting their social behaviour at a historical moment at which that condition is still misunderstood and largely undiagnosed, then they may suffer a hermeneutical disadvantage that is, while collective, especially damaging to them in particular. They are unable to render their experiences intelligible by reference to the idea that they have a disorder, and so they are personally in the dark, and may also suffer seriously negative consequences from others' non-comprehension of their condition. But they are not subject to hermeneutical injustice; rather, theirs is a poignant case of circumstantial epistemic bad luck. In order to find the deeper source of the intuition that there is an epistemic injustice at stake in the examples from Brownmiller, we should focus on the background social conditions that were conducive to the relevant hermeneutical lacuna. Women's position at the time of second wave feminism was still one of marked social powerlessness in relation to men; and, specifically, the unequal relations of power prevented women from participating on equal terms with men in those practices by which collective social meanings are generated. Most obvious among such practices are those sustained by professions such as journalism, politics, academia, and law—it is no accident that Brownmiller's memoir recounts so much pioneering feminist activity in and around these professional spheres and their institutions. Women's powerlessness meant that their social position was one of unequal hermeneutical participation, and something like this sort of inequality provides the crucial background condition for hermeneutical injustice.

7.2 HERMENEUTICAL MARGINALIZATION

Hermeneutical inequality is inevitably hard to detect. Our interpretive efforts are naturally geared to interests, as we try hardest to understand those things it serves us to understand. Consequently, a group's unequal hermeneutical participation will tend to show up in a localized manner in hermeneutical hotspots—locations in social life where the powerful have no interest in achieving a proper interpretation, perhaps indeed where they have a positive interest in sustaining the extant misinterpretation (such as that repeated sexual propositions in the workplace are never

anything more than a form of 'flirting', and their uneasy rejection by the recipient only ever a matter of her 'lacking a sense of humour'). But then in such a hotspot as this, the unequal hermeneutical participation remains positively disguised by the existing meaning attributed to the behaviour ('flirting'), and so it is all the more difficult to detect. No wonder that moments of its revelation can come as a life-changing flash of enlightenment. Unlike our example of a person with a condition that medical science cannot yet diagnose, what women like Carmita Wood had to contend with at work was no plain epistemic bad luck, for it was no accident that their experience had been falling down the hermeneutical cracks. As they struggled in isolation to make proper sense of their various experiences of harassment, the whole engine of collective social meaning was effectively geared to keeping these obscured experiences out of sight. Her unequal hermeneutical participation is the deeper reason why Carmita Wood's cognitive disablement constitutes an injustice.

Let us say that when there is unequal hermeneutical participation with respect to some significant area(s) of social experience, members of the disadvantaged group are *hermeneutically marginalized*. The notion of marginalization is a moral-political one indicating subordination and exclusion from some practice that would have value for the participant. Obviously there can be more and less persistent and/or wide-ranging cases of hermeneutical marginalization. Although the term will be most at home in cases where the subject is persistently denied full hermeneutical participation in respect of a wide range of social experiences, none the less we can apply the term in slighter cases. Thus someone might be hermeneutically marginalized only fleetingly, and/or only in respect of a highly localized patch of their social experience. But hermeneutical marginalization is always socially coerced. If you simply opt out of full participation in hermeneutical practices as a matter of choice (perhaps, fed up with it all, you become a modern hermit), then you do not count as hermeneutically marginalized—you've opted out, but you could have opted in. Hermeneutical marginalization is always a form of powerlessness, whether structural or one-off.

Social subjects of course have more or less complex social identities, and so one might be marginalized in a context where one aspect of one's identity is to the fore ('woman') but not in other contexts where other aspects of one's identity are determining one's level of participation ('middle-class'). The net result is that while a hermeneutically marginalized subject is prevented from generating meanings pertaining to some

areas of the social world, she might well maintain a fuller participation as regards others. If she has a well-paid job in a large corporation with a macho work ethic, she may be entirely unable to frame meanings, even to herself, relating to the need for family-friendly working conditions (such sentiments can only signal a lack of professionalism, a failure of ambition, a half-hearted commitment to the job), and yet she may be in a hermeneutically luxurious position as regards her ability to make sense of other, less gendered areas of her work experience. Thus the complexity of social identity means that hermeneutical marginalization afflicts individuals in a differentiated manner; that is, it may afflict them *qua* one social type, but not another.

Sometimes a person's marginalization will be an effect of material power, so that their socio-economic background has put the kinds of job that make for full hermeneutical participation largely out of their reach. Sometimes it will be an effect of identity power, so that part of the explanation why they do not have those jobs is that there are prejudicial stereotypes in the social atmosphere that represent them as unsuitable, and which negatively influence the judgements of employers. Or, most likely, it may be a mixture of the two. If identity power is at work, it may be working purely structurally, in so far as there may be no social agent (individual or institutional) identifiable as responsible for the marginalization. Alternatively, it may make sense to hold some party responsible, as when, for example, ageist stereotypes of the slow senior worker who lacks ambition are irresponsibly peddled by employers to explain why they do not employ people over 50. In an example such as this, identity power is being used by employers against the older population in a way that threatens (among other things) to hermeneutically marginalize them by excluding them from the sorts of jobs that make for fuller hermeneutical participation. Hermeneutical marginalization need not be the result of identity power as well as plain material power, but it often will be.

We can now define hermeneutical injustice of the sort suffered by women like Carmita Wood. It is:

the injustice of having some significant area of one's social experience obscured from collective understanding owing to persistent and wide-ranging hermeneutical marginalization.

But the latter notion is cumbersome, and we would do well to make our definition slightly more explicit in terms of what is bad about hermeneutical marginalization of the persistent and wide-ranging sort. From the

epistemic point of view, what is bad about this sort of hermeneutical marginalization is that it renders the collective hermeneutical resource *structurally prejudiced*, for it will tend to issue interpretations of that group's social experiences that are biased because insufficiently influenced by the subject group, and therefore unduly influenced by more hermeneutically powerful groups (thus, for instance, sexual harassment as flirting, rape in marriage as non-rape, post-natal depression as hysteria, reluctance to work family-unfriendly hours as unprofessionalism, and so on). Further, it is generally socially powerless groups that suffer hermeneutical marginalization, and so we can say that, from the moral point of view, what is bad about this sort of hermeneutical marginalization is that the structural prejudice it causes in the collective hermeneutical resource is essentially discriminatory: the prejudice affects people in virtue of their membership of a socially powerless group, and thus in virtue of an aspect of their social identity. It is, then, akin to identity prejudice. Let us call it *structural identity prejudice*. With this notion in place, we can now colour our definition slightly differently so that it better conveys the discriminatory nature of hermeneutical injustice. Hermeneutical injustice is:

the injustice of having some significant area of one's social experience obscured from collective understanding owing to a structural identity prejudice in the collective hermeneutical resource.

In bringing out its discriminatory character, this definition highlights the family resemblance to testimonial injustice. In both sorts of epistemic injustice, the subject suffers from one or another sort of prejudice against them *qua* social type.

Our definition has grown out of the effort to identify the sort of hermeneutical injustice suffered by Carmita Wood, and as a result, the definition is not generic. Rather, it specifically captures the central or systematic case of hermeneutical injustice—the case that is most relevant from the general point of view of social justice. Now what exactly does 'systematic' mean in the hermeneutical context? In the context of testimonial injustice, an injustice was systematic only if the identity prejudice causing it tracked the subject through different spheres of social activity, rendering them susceptible to other forms of injustice besides testimonial. Just as identity prejudice may track the subject in this way, so may marginalization. Indeed, for systematic cases, the hermeneutical marginalization *entails* marginalization of a socio-economic sort, since it entails non-participation in professions that

make for significant hermeneutical participation (journalism, politics, law, and so on). Let us say, then, that if marginalization tracks the subject through a range of different social activities besides the hermeneutical, then the hermeneutical injustices to which it gives rise are systematic. Systematic hermeneutical injustices are part of the broad pattern of a social group's general susceptibility to different sorts of injustice. Like systematic testimonial injustices, they bear the aspect of oppression. At root, both kinds of systematic epistemic injustice stem from structural inequalities of power.

We have concentrated so far on the central case of hermeneutical injustice. By contrast, there can be cases of hermeneutical injustice that are not part of the general pattern of social power, and are more of a one-off. They are not systematic but *incidental*. Whereas systematic cases will tend to involve persistent, wide-ranging hermeneutical marginalization, incidental cases will tend to involve hermeneutical marginalization only fleetingly and/or in respect of a highly localized patch of the subject's experience. Incidental hermeneutical injustices, then, stem not from any structural inequality of power, but rather from a more one-off moment of powerlessness. What might an incidental case of hermeneutical injustice look like? In Ian McEwan's novel *Enduring Love* the main protagonist, Joe, is stalked by a young man called Jed Parry, a religious fanatic with delusions of love between him and Joe. When Joe tells his partner, Clarissa, about it, he meets first affectionate derision and then, later—although she accepts the basics of what he is telling her—her reaction is more one of concerned reserve about his state of mind. When, subsequently, he calls the police, Joe finds that the form of stalking he is enduring does not make the legal grade and is represented as trivial:

'Are you the person being harassed?'

'Yes. I've been ...'

'And is the person causing the nuisance with you now?'

'He's standing outside my place this very minute.'

Has he inflicted any physical harm on you?'

'No, but he ...'

'Has he threatened you with harm?'

'No.' I understood that my grievance would have to be poured into the available bureaucratic mould. There was no facility refined enough to process every private narrative. Denied the release of complaint, I tried to take comfort in having my story assimilated into a recognisable public form. Parry's behaviour had to be generalised into a crime.

'Has he made threats against your property?'

'No.'

'Or against third parties?'

'No.'

'Is he trying to blackmail you?'

'No.'

'Do you think you could prove that he intends to cause you distress?'

'Er, no.'

... 'Can you tell me what he's doing then?'

'He phones me at all hours. He talks to me in the ...'

The voice was quick to move back to his default position, the interrogative flow chart. 'Is he using obscene or insulting behaviour?'

'No. Look, officer. Why don't you let me explain. He's a crank. He won't let me alone.'

'Are you aware of what he actually wants?'

'He wants to save me.'

'Save you?'

'You know, convert me. He's obsessed. He simply won't leave me alone.'

The voice cut in, impatience taking hold at last. 'I'm sorry caller. This is not a police matter. Unless he harms you, or your property, or threatens the same he's committing no offence. Trying to convert you is not against the law.' Then he terminated our emergency conversation with his own little stricture. 'We do have religious freedom in this country.'⁴

Joe's own understanding of his experience of being stalked is only slightly hindered by the lack of hermeneutical reciprocity by partner and police, but still a collective hermeneutical lacuna is preventing him from rendering his experience communicatively intelligible. It is very much in his interests to share his experience with certain others from the start; but he cannot, for the true nature of his experience of being stalked by Jed Parry is obscured by two misfit interpretations that trivialize it in different ways. According to one, he seems to be failing to see the funny side and becoming worryingly obsessed; according to another he is exaggerating the level of threat and even cramping someone else's religious freedom into the bargain. But if the obscurity of Joe's experience constitutes a kind of hermeneutical injustice, this has nothing to do with any general social powerlessness or any general subordination as a generator of social meaning, for his social identity is that of the proverbial white, educated, straight man. Still, he is none the less up against a one-off moment of hermeneutical marginalization. The competing and trivializing interpretations coming from Clarissa

⁴ Ian McEwan, *Enduring Love* (London: Vintage, 1998), 73–4.

and the police respectively mean that Joe's hermeneutical participation is hindered in respect of a significant, if highly localized, patch of his social experience, and for this reason his case qualifies as a hermeneutical injustice. The injustice does not stem from any structural identity prejudice—on the contrary, he suffers the injustice not because of, but rather in spite of, the social type he is. Clearly Joe's hermeneutical injustice is not a systematic case; it is incidental.

Awareness of such cases motivates a more generic definition of hermeneutical injustice than those so far given, which were designed to capture what we can now more clearly see to be the distinctively systematic case. The generic definition now called for captures hermeneutical injustice *per se* as

the injustice of having some significant area of one's social experience obscured from collective understanding owing to hermeneutical marginalization.

This definition simply omits what is special to the systematic case: namely, that the hermeneutical marginalization is 'persistent and wide-ranging', or, equivalently, that there is a 'structural prejudice in the collective hermeneutical resource'. This generic definition, then, covers both the systematic case and the incidental case. As ever, the systematic case is central from our point of view. But in parallel with our discussion of systematic versus incidental cases of testimonial injustice, the fact that a hermeneutical injustice is incidental does not mean that it is not ethically serious. Indeed, it is life-shattering for Joe that his experience is not better understood from the start, since this allows Jed Parry's stalking to escalate to ultimately mortally threatening levels, and it contributes too to the eventual collapse of his long relationship with Clarissa. Incidental hermeneutical injustices, then, can be disastrous in someone's life. What distinguishes systematic cases is, as ever, not the seriousness of the token harm, but something more general: they help reveal the place of hermeneutical injustice in the complex of social injustices.

We have encountered, then, two sorts of hermeneutical injustice: systematic and incidental. If someone is disadvantaged, as for instance Joe is, from having their experience left obscure owing to a lacuna in the collective hermeneutical resource, then that is broadly sufficient for a claim of incidental hermeneutical injustice, even though the hermeneutical marginalization is localized and one-off. By contrast, if someone is disadvantaged, as for instance Carmita Wood is, by

having their experience left obscure owing to a lacuna in the collective hermeneutical resource, where the lacuna is caused and maintained by a wide-ranging and persistent hermeneutical marginalization, then the hermeneutical injustice is systematic. For in such cases the hermeneutical marginalization is part of a more general susceptibility to different forms of social marginalization, so that any given hermeneutical injustice incurred is likewise part of a more general susceptibility to different kinds of injustice. There is, then, a certain structural parallel with the forms of testimonial injustice. In contrast, however, to the case of testimonial injustice, hermeneutical injustice, whether incidental or systematic, involves no culprit. No agent *perpetrates* hermeneutical injustice—it is a purely structural notion. The background condition for hermeneutical injustice is the subject's hermeneutical marginalization. But the moment of hermeneutical injustice comes only when the background condition is realized in a more or less doomed attempt on the part of the subject to render an experience intelligible, either to herself or to an interlocutor. The hermeneutical inequality that exists, dormant, in a situation of hermeneutical marginalization erupts in injustice only when some actual attempt at intelligibility is handicapped by it.

That hermeneutical injustice most typically manifests itself in the speaker struggling to make herself intelligible in a testimonial exchange raises a grim possibility: that hermeneutical injustice might often be compounded by testimonial injustice. This will indeed tend to be the case wherever the hermeneutical injustice is systematic, because members of multiple marginalized groups will tend to be subject to identity prejudice. If they try to articulate a scantily understood experience to an interlocutor, their word already warrants a low *prima facie* credibility judgement owing to its low intelligibility. But if the speaker is also subject to an identity prejudice, then there will be a further deflation. In such a case, the speaker is doubly wronged: once by the structural prejudice in the shared hermeneutical resource, and once by the hearer in making an identify-prejudiced credibility judgement.

Imagine someone in Carmita Wood's position trying to tell her employer about the professor's behaviour. The hermeneutical lacuna where the words 'sexual harassment' should be means that there is already a serious problem about the plausibility of whatever it is she manages to articulate by way of telling her story (perhaps she succeeds in saying that she is 'made uncomfortable' by his persistent 'flirtation'). But then if we add to this some risk of identity prejudice in respect of

gender, and/or ethnicity, and/or class, we see that she is also susceptible to suffering a testimonial injustice. People in her position, then, are susceptible to a double epistemic injustice. Worse still, what we see here are the perfect conditions conducive to a runaway credibility deflation, as the implausibility of what is said creates a lens through which the personal credibility of the speaker may become unduly deflated, which in turn creates a lens through which the credibility of what is said may come to be even more deflated ... and so on.⁵ From Brownmiller's story it is plausible that Carmita Wood's attempts to communicate the nature of her experience is likely to have met with just such a runaway deflation of credibility. Such a predicament identifies a worst case scenario for a speaker as regards epistemic injustice.

The observation that hermeneutical injustice will tend to manifest itself in attempts at communication directs our attention to a rather different version of the injustice. We have considered hermeneutical gaps or lacunas only as absences of proper interpretations, blanks where there should be a name for an experience which it is in the interests of the subject to be able to render communicatively intelligible. But we must recognize that a hermeneutical gap might equally concern not (or not only) the content but rather the form of what can be said. Thus the characteristic expressive style of a given social group may be rendered just as much of an unfair hindrance to their communicative efforts as an interpretive absence can be. If, for instance, as has been famously argued by Carol Gilligan, women (at least at one point in history) have 'a different voice' when it comes to ethical judgement, and a voice that is not recognized as rational but is rather marginalized as morally immature, then women's attempts at communicative intelligibility when it comes to moral matters are hindered by a hermeneutical gap of this kind.⁶ And the hindrance to their expressive efforts is unjust in so far as it derives from hermeneutical marginalization—that is, in so far as it derives from the fact that their powerlessness bars them from full participation in those practices whereby social meanings are generated, for these are also the practices whereby certain expressive styles come

⁵ I echo Karen Jones's way of explaining the phenomenon of runaway reductions of credibility; see 'The Politics of Credibility', in Louise M. Antony and Charlotte E. Witt (eds.), *A Mind of One's Own: Feminist Essays on Reason and Objectivity*, 2nd edn. (Boulder, Colo.: Westview Press, 2002).

⁶ Carol Gilligan, *In A Different Voice: Psychological Theory and Women's Development* (Cambridge, Mass.: Harvard University Press, 1982); see also Sara Ruddick, *Maternal Thinking: Towards a Politics of Peace* (London: The Women's Press, 1990).

to be recognized as rational and contextually appropriate. Recall the reception that Herbert Greenleaf gives to Marge Sherwood's attempts to render her suspicions of Ripley communicatively intelligible: 'Marge, there's female intuition, and then there are facts—'. If one lives in a society or a subculture in which the mere fact of an intuitive or an emotional expressive style means that one cannot be heard as fully rational, then one is thereby unjustly afflicted by a hermeneutical gap—one is subject to a hermeneutical injustice.

7.3 THE WRONG OF HERMENEUTICAL INJUSTICE

I have talked in terms of hermeneutical injustice involving an asymmetrical cognitive disadvantage. The general point here is that collective hermeneutical impoverishment impacts on members of different groups in different ways. It did not harm the interests of Carmita Wood's harasser that he (as the example goes) did not have a proper grasp of the nature of his treatment of her; but it harmed Carmita Wood a great deal that she could not make adequate sense of it to herself, let alone to others. The asymmetry arises from the concrete social and practical context in which the collective hermeneutical impoverishment impinges. It is only when the collective impoverishment is concretely situated in specific social situations that it comes to be especially and unjustly disadvantageous to some groups but not others. Hermeneutical lacunas are like holes in the ozone—it's the people who live under them that get burned. Fundamentally, then, hermeneutical injustice is a kind of structural discrimination. Compare a society that has a welfare state providing free healthcare at the point of delivery, but where there is a gap in state provision: no free dental care. Formally speaking, there is nothing intrinsically unjust about there being a general lack of free dental care, for it is the same for everyone—there is, so to speak, a collective lacuna in the welfare system. There is a formal equality, then; but as soon as one looks at how this formal equality plays out in practice in the lived social world, a *situated* inequality quickly reveals itself: people who cannot afford private dental care suffer from the lack of general provision, and people who can afford it do not. In such cases of formal equality but lived inequality, the injustice is a matter of some group(s) being asymmetrically disadvantaged by a blanket collective lack; and so it is, I suggest, in the case of hermeneutical injustice. A hermeneutical

injustice is done when a collective hermeneutical gap impinges so as to significantly disadvantage some group(s) and not others, so that the way in which the collective impoverishment plays out in practice is effectively discriminatory.

Let us say, then, that the primary harm of hermeneutical injustice consists in a *situated hermeneutical inequality*: the concrete situation is such that the subject is rendered unable to make communicatively intelligible something which it is particularly in his or her interests to be able to render intelligible. This reveals another deep connection with the wrong of testimonial injustice. The primary harm of (the central case of) testimonial injustice concerns exclusion from the pooling of knowledge owing to identity prejudice on the part of the hearer; the primary harm of (the central case of) hermeneutical injustice concerns exclusion from the pooling of knowledge owing to structural identity prejudice in the collective hermeneutical resource. The first prejudicial exclusion is made in relation to the speaker, the second in relation to what they are trying to say and/or how they are saying it. The wrongs involved in the two sorts of epistemic injustice, then, have a common epistemic significance running through them—prejudicial exclusion from participation in the spread of knowledge.

Such is the primary harm. Is there also a secondary kind of harm (caused by the primary one) that may be usefully distinguished? Yes, for the primary harm of situated hermeneutical inequality must, by definition, issue in further practical harms—those harms which render the collective hermeneutical impoverishment asymmetrically disadvantageous to the wronged party. To illustrate, let us simply remind ourselves of Carmita Wood's story. The primary epistemic harm done to her was that a patch of her social experience which it was very much in her interests to understand was not collectively understood and so remained barely intelligible, even to her. From the story we can see that among the secondary harms caused by this were that she developed physical symptoms of stress, could not apply successfully for a transfer owing to the fact that she had no nameable reason to cite, and eventually simply had to quit her job. Further, when she came to apply for unemployment benefits, the lack of a name for the cause of all this again guaranteed that she lost out—she was refused the benefits. A little imagination allows one to see how far-reaching the ramifications of such a case of hermeneutical injustice can be. If Carmita Wood, and other women like her, had never gone to consciousness-raising meetings, the experience of sexual harassment would have remained under wraps for much longer,

and would have done more to ruin the professional advancement, the personal self-confidence, and, most relevantly here, the general epistemic confidence of women than it was in fact allowed to do, thanks to second wave feminism.

When you find yourself in a situation in which you seem to be the only one to feel the dissonance between received understanding and your own intimated sense of a given experience, it tends to knock your faith in your own ability to make sense of the world, or at least the relevant region of the world. We can see, then, that, like testimonial injustice, hermeneutical injustice not only brings secondary practical disadvantages, it also brings secondary epistemic disadvantages. Indeed, the sorts of epistemic disadvantages at stake are the very same as those we discussed at some length in respect of testimonial injustice, for they once again stem most basically from the subject's loss of epistemic confidence. The various ways in which loss of epistemic confidence might hinder one's epistemic career are, to reiterate, that it can cause literal loss of knowledge, that it may prevent one from gaining new knowledge, and more generally, that it is likely to stop one gaining certain important epistemic virtues, such as intellectual courage.

With the primary and secondary aspects of the harm of hermeneutical injustice set out, perhaps we can now dig a little deeper into the nature of the primary aspect—the situated hermeneutical inequality—to see whether it might sometimes extend to influence the construction of the individual subject, rather as we saw in the case of testimonial injustice. Is hermeneutical injustice sometimes so damaging that it cramps the very development of self? Consider a new example. In Edmund White's autobiographical novel *A Boy's Own Story*, which tells the story of his growing up in 1950s America, we are presented with many different ways in which the hermeneutical resources of the day burden his sexual experience with layers of falsifying meaning. Here he is staying at the family home of his beloved Tom, a new friend from school. This passage gives us a series of contemporary constructions of homosexuality that partly condition, yet remain crucially dissonant with, the boy's actual experience of his own desire and sexual identity:

'You know,' Tom said one day, 'you can stay over any time you like. Harold'—the minister's son, my old partner at Squirrel—'warned me you'd jump me in my sleep. You gotta forgive me. It's just I don't go in for that weird stuff.'

I swallowed painfully and whispered, 'Nor—' I cleared my throat and said too primly, 'Nor do I.'

The medical smell, that Lysol smell of homosexuality, was staining the air again as the rubber-wheeled metal cart of drugs and disinfectants rolled silently by. I longed to open the window, to go away for an hour and come back to a room free of that odor, the smell of shame.

I never doubted that homosexuality was a sickness; in fact, I took it as a measure of how unsparingly objective I was that I could contemplate this very sickness. But in some other part of my mind I couldn't believe that the Lysol smell must bathe me, too, that its smell of stale coal fumes must penetrate my love for Tom. Perhaps I became so vague, so exhilarated with vagueness, precisely in order to forestall a recognition of the final term of the syllogism that begins: If one man loves another he is a homosexual; I love a man ...

I'd heard that boys passed through a stage of homosexuality, that this stage was normal, nearly universal—then that must be what was happening to me. A stage. A prolonged stage. Soon enough this stage would revolve, and after Tom's bedroom vanished, on would trundle white organdy, blue ribbons, a smiling girl opening her arms. ... But that would come later. As for now, I could continue to look as long as I liked into Tom's eyes the color of faded lapis beneath brows so blond they were visible only at the roots just to each side of his nose—a faint smudge turning gold as it thinned and sped out toward the temples.⁷

In this series of constructions we move swiftly from the schoolboy propaganda that our boy would 'jump' Tom in his sleep, through the idea that homosexuality is a sickness, to the falsely normalizing idea that homosexual desire is just 'a stage' on the road to the normality that is heterosexual life. The passage ends, however, with such tender attention to Tom's features that the younger narrator's desire for Tom is at last conveyed simply, unburdened, as a form of sexual love. The natural truth of his desire makes the hermeneutical burlesque of jumpings and sicknesses and developmental stages seem poignantly ridiculous.

But the narrator's younger self is being formed through the lens of all these constructions, so that his longed-for experience of simple reciprocated desire for men is not an option when it comes to subject positions available for him to occupy. As he grows up, he has to contend with various powerful bogeymen constructions of The Homosexual. None of them fits, but these collective understandings are so powerful, and the personal experiential promise of an alternative understanding so lonely and inarticulate, that they have some significant power to construct not only the subject's experience (his desire becomes shameful and so on) but also his very self. Not without a fight, for sure, and this

⁷ Edmund White, *A Boy's Own Story* (London: Picador, 1983), 117–18.

autobiographical story presents us above all with a young person who wrestles these bullying would-be selves with courage and wit, now giving in to their bid to claim his identity, now resisting. This is more explicit in another passage that recounts a visit to a psychoanalyst, Dr O'Reilly. In this passage we see how one version of the unnatural homosexual—as a vampire-like version of a man—leads our adolescent subject to fear the name, and to experience his own nascent identity as a homosexual as a terrifying prospect, something to be pre-empted at all costs and, in so far as it already exists, disguised:

Just as years before, when I was seven, I had presented myself to a minister and had sought for his understanding, in the same way now I was turning to a psychoanalyst for help. I wanted to overcome this thing I was becoming and was in danger soon of being, the homosexual, as though that designation were the mold in which the water was freezing, the first crystals already forming a fragile membrane. The confusion and fear and pain that beset me ... had translated me into a code no one could read, I least of all, a code perhaps designed to defeat even the best cryptographer. ...

I see now that what I wanted was to be loved by men and to love them back but not to be a homosexual. For I was possessed with a yearning for the company of men, for their look, touch and smell, and nothing transfixed me more than the sight of a man shaving and dressing, sumptuous rites. It was men, not women, who struck me as foreign and desirable and I disguised myself as a child or a man or whatever was necessary in order to enter their hushed, hieratic company, my disguise so perfect I never stopped to question my identity. Nor did I want to study the face beneath my mask, lest it turn out to have the pursed lips, dead pallor and shaped eyebrows by which one can always recognize the Homosexual. What I required was a sleight of hand, an alibi or a convincing act of bad faith to persuade myself I was not that vampire.⁸

At some level his personal sexual experience was of a simple love of men; yet this aspect of his experience being inarticulable, the only psychological rebellion he could hope to pull off against what this meant about his identity was denial. Denial is the first stage of the double-think (the sleight of hand, the act of bad faith) that is required in order to rebel against internalized yet falsifying hermeneutical constructions of one's social identity. For authoritative constructions can, as we have seen, effect a constitutive construction of one's identity, so that one comes to count socially as a vampire-like creature, even while it remains the case that one is not. Recall (from Chapter 2) that constitutive

⁸ Ibid. 169–70.

construction falls short of causal construction, for while the former is a matter of what one counts as socially, the latter is a matter of actually coming to be what one is constructed as being. White's autobiographical story gives us no particular reason to think of him as subject to causal construction, though it is entirely plausible that being constitutively constructed as an unnatural vampire-like creature with shameful desires might encourage one to live out a familiar motif of inverted rebellion by behaving more and more like such a creature in defiant embrace of one's sins. One may be able to pull this off ironically, but then again one may not. In any case, it is enough to notice that so much of what the younger narrator is grappling with as he grows up and his social identity congeals around him can be thought of as authoritative—collectively endorsed meanings attaching to homosexuality that have the power not just to haunt him with bogeyman would-be selves but actually to constitute his social being. His sometimes playful resistance to these constructions of his identity is, as regards his social being, a matter of life and death.

To the extent that resistance is possible, part of what makes it possible is historical contingency. Our narrator had history on his side inasmuch as the Sixties were on the horizon, when all sorts of sexual liberations were to be articulated, indeed demanded. But something else that allows for resistance is that other aspects of one's identity (being educated and middle-class, perhaps) might equip one with resources for rebellion, as will certain personal characteristics (our narrator was surely fiercely intelligent, psychologically tough, and socially resourceful). Authoritative constructions in the shared hermeneutical resource, then, impinge on us collectively but not uniformly, and the non-uniformity of their hold over us can create a sense of dissonance between an experience and the various constructions that are ganging up to overpower its nascent proper meaning. As individuals, some authoritative voices have special power over us, while others, for whatever reason, do not. Our narrator, for instance, is wholly untroubled by negative Christian constructions of homosexuality, for he simply does not believe in the ropes and pulleys of heaven above and eternal damnation below, and his plain anti-authoritarian impulse renders him gloriously immune to whatever remaining visceral hold religious censure might have had over him. When he spends Thanksgiving with the Scotts—the housemaster Latin teacher and his wife, both fervent Christians ambitious to convert him (and equally ambitious to seduce him, their fear of being bourgeois outstripping their fear of being

sinner)—they introduce him to Father Burke, ‘their “confessor” and spiritual guardian’⁹:

‘Well, yes,’ I said, ‘I am seeing a psychiatrist because I have conflicts over certain homosexual tendencies I’m feeling.’

At these words Father Burke’s face lurched up out of his hands. Not the nervous little confession he had expected. He recovered his poise and decided to laugh boisterously, the laugh of Catholic centuries. ‘*Conflicts?*’ he whooped, in tears of laughter by now. Then, sobering for a second, the priest added in a low, casual voice, ‘But you see, my son, homosexuality isn’t just a *conflict* that needs to be *resolved*’—his voice picked up these words as though they were nasty bits of refuse—‘homosexuality is also a sin.’

I think he had no notion how little an effect the word *sin* had on me. He might just as well have said, ‘Homosexuality is bad *juju*.’¹⁰

By contrast, however, this immunity to the idea of sin is no enduring defence, for it takes almost nothing from the priest—only his identity as a priest, or perhaps simply as a straight male confessor—to conjure up a conspiracy of truly mortifying stereotypes that instantly produce an unstoppable operation of identity power, controlling and constricting our young narrator’s discursive behaviour and sense of self. The passage continues:

‘But I feel very drawn to other men,’ I said. Although something defiant in me forced these words out, I felt myself becoming a freak the moment I spoke. My hair went bleach-blond, my wrist went limp, my rep tie became a lace jabot: I was the simpering queen at the grand piano playing concert versions of last year’s pop tunes for his mother and her bridge club. There was no way to defend what I was. All I could fight for was my right to choose my exile, my destruction.¹¹

A person’s bold sense of dissonance, then, is a fragile thing, for a construction that one is able simply to find absurd may swiftly be followed by one that holds sway over one’s psyche. But at least a sense of dissonance is possible. What makes it possible is that if one finds one or more of the common constructions of one’s sexuality as shameful to be manifestly false, even ridiculous, then this raises the question as to whether other discourses in league with it are suspect too. Finding something potentially authoritative to be absurd gives one critical courage; one hermeneutical rebellion inspires another. The sense

⁹ White, *A Boy’s Own Story*, 199.

¹⁰ Ibid. 204.

¹¹ Ibid.

of dissonance, then, is the starting point for both the critical thinking and the moral-intellectual courage that rebellion requires. That, I take it, is part of the mechanism of consciousness raising. Put a number of people together who have felt a certain dissonance about an area of social experience, and factor in that each of them will have a different profile of immunity and susceptibility to different authoritative discourses, and it is not surprising that the sense of dissonance can increase and become critically emboldened.

The primary harm of hermeneutical injustice, then, is to be understood not only in terms of the subject's being unfairly disadvantaged by some collective hermeneutical lacuna, but also in terms of the very construction (constitutive and/or causal) of selfhood. In certain social contexts, hermeneutical injustice can mean that someone is socially constituted as, and perhaps even caused to be, something they are not, and which it is against their interests to be seen to be. Thus, as we put the point previously in our discussion of the wrong of testimonial justice, they may be prevented from becoming who they are. Testimonial and hermeneutical injustice have this identity-constructive power in common, then, as a possible feature of their primary harm. But in other respects their primary harms are utterly different. The wrong of testimonial injustice is inflicted individual to individual, so that there are immediate questions to be answered concerning the hearer's culpability or non-culpability and, more generally, concerning what virtue it is desirable to cultivate in ourselves as hearers. By contrast, hermeneutical injustice is not inflicted by any agent, but rather is caused by a feature of the collective hermeneutical resource—a one-off blind spot (in incidental cases), or (in systematic cases) a lacuna generated by a structural identity prejudice in the hermeneutical repertoire. Consequently, questions of culpability do not arise in the same way. None the less, they do arise, for the phenomenon should inspire us to ask what sorts of hearers we should try to be in a society in which there are likely to be speakers whose attempts to make communicative sense of their experiences are unjustly hindered. It will not be enough to exercise the virtue of testimonial justice, for that counteracts only the risk of testimonial injustice—it ensures only that one reliably receives the word of others without prejudice. What is needed in respect of hermeneutical injustice is a virtue such that we receive the word of others in a manner that counteracts the prejudicial impact that their hermeneutical marginalization has already had upon

the hermeneutical tools at their disposal. Let us, finally, turn to this question.

7.4 THE VIRTUE OF HERMENEUTICAL JUSTICE

The virtue in question is like the virtue of testimonial justice, in that it will be corrective in structure. But whereas, as I argued, testimonial justice can take naïve form with respect to this or that prejudice, so that the hearer is simply free of the prejudice in the first place and does not have to monitor (reflectively or unreflectively) its influence on her judgement; by contrast, the virtue of hermeneutical justice is always corrective. In all cases of this sort of injustice, the relevant gap in hermeneutical resources has genuinely reduced the communicative intelligibility of the speaker in one or another way (in respect of content or form), so their relative unintelligibility is not something to which the virtuous hearer could be naïvely immune. On the contrary, if a hearer simply failed to register the fact that their interlocutor's efforts at intelligibility were hampered, this could only be a failing on the part of the hearer. The form the virtue of hermeneutical justice must take, then, is an alertness or sensitivity to the possibility that the difficulty one's interlocutor is having as she tries to render something communicatively intelligible is due not to its being a nonsense or her being a fool, but rather to some sort of gap in collective hermeneutical resources. The point is to realize that the speaker is struggling with an objective difficulty and not a subjective failing.

Such a sensitivity involves, once again, a certain reflexive awareness on the part of the hearer, for a speaker whose communicative efforts are hampered by hermeneutical injustice may seem to be making no sense at all to one hearer (as when Marge expresses her suspicions to Herbert Greenleaf in an emotional or intuitive style), while to another hearer (perhaps another woman) she may seem to be making a manifestly reasonable point. The virtuous hearer, then, must be reflexively aware of how the relation between his social identity and that of the speaker is impacting on the intelligibility to him of what she is saying and how she is saying it. What Greenleaf needed to be aware of was that Marge's intuitive style of expression struck him as less than rational largely because he is a man and has been taught to use and to rationally respect a different style. The virtue of hermeneutical justice naturally shares this

demand for reflexive awareness with the virtue of testimonial justice, for both virtues explicitly govern epistemic conduct in the socially situated context—they both guard against forms of identity prejudice, and so they are both, apart from anything else, virtues of reflexive social awareness.

What this sort of reflexive sensitivity allows for is some sort of correction to the initial credibility judgement, where the incomplete intelligibility of what the speaker said will have led to a judgement of low credibility. In discursive exchanges relating to social understanding, the hearer's credibility judgement is perhaps best described not simply in terms of an assessment of the likelihood that the speaker's utterance is true, but rather in terms of an assessment of the truthfulness of the interpretation offered. This redescription simply allows for the fact that in hermeneutical contexts the orientation to truth needs to allow for the possibility that there is more than one interpretation with equal title to truth, in the sense that there can sometimes simply be no answer to the question of whether speaker A's or speaker B's interpretation is *the* true one. In hermeneutical contexts, then, the responsible hearer's credibility judgement is an assessment of the degree to which what is said *makes good sense*—the degree to which it is a truthful interpretation. Now, in cases where the speaker's efforts are hindered by a hermeneutical injustice, the virtuous hearer will register this and make allowances, so that her initially low credibility judgement is revised upwards to compensate for the hindrance. Where possible, the virtuous hearer will achieve a credibility judgement that reflects the degree to which the interpretation the speaker is struggling to articulate *would make good sense if the attempt to articulate it were being made in a more inclusive hermeneutical climate—one without structural identity prejudice*. In such a credibility judgement, the prejudicial impact of the speaker's hermeneutical marginalization is corrected for. The guiding ideal is that the degree of credibility is adjusted upwards to compensate for the cognitive and expressive handicap imposed on the hermeneutically marginalized speaker by the non-inclusive hermeneutical climate, by structural identity prejudice. As ever, this will be an imprecise business in practice, but I think the ideal makes enough intuitive sense to genuinely guide our practice as hearers.

Louise Antony makes a brief proposal that is related to our guiding ideal. She suggests that it might be rational for men to adopt 'a kind of epistemic affirmative action: to adopt the *working hypothesis* that

when a woman, or any member of a stereotyped group, says something anomalous, they should assume that it's *they* who don't understand, not that it is the woman who is nuts'.¹² Such a working hypothesis is obviously closely related to the virtue of hermeneutical justice, for they both spring from the idea that speakers put at an objective interpretive and expressive disadvantage should have judgements of their discursive performance appropriately compensated. However, I think that there would be difficulties in developing the working hypothesis model, for the hearer needs to be indefinitely context sensitive in how he applies the hypothesis. A policy of affirmative action across all subject matters would not be justified, because, as I have already argued, the complexity of social identity means that hermeneutical marginalization affects individual speakers in a differentiated manner: a white middle-class woman might, as a woman, be unable to frame certain meanings in a given context, while as white and middle-class she is not remotely disadvantaged in her capacity to frame meanings required in other contexts. (In the first sort of context, her seeming nuts should prompt reflection on the possibility of hermeneutical injustice; in the second sort of context, if she seems nuts, well, maybe she is.) By the same token, a policy applied to speakers simply in virtue of their membership of some negatively stereotyped or powerless group would not be justified: the speaker may be a woman, but the fact that she is white and middle-class may mean that there is no hermeneutical gap depriving her of the expressive resources she needs, in the context, to render herself intelligible. I therefore suggest that the best way to honour the compensatory idea is in the form of a capacity for indefinitely context-sensitive judgement—in the form, then, of a virtue.

Let us now envisage what the virtuous hearer actually does. In practical contexts where there is enough time and the matter is sufficiently important, the virtuous hearer may effectively be able to help generate a more inclusive hermeneutical micro-climate through the appropriate kind of dialogue with the speaker. In particular, such dialogue involves a more pro-active and more socially aware kind of listening than is usually required in more straightforward communicative exchanges. This sort of listening involves listening as much to what is *not* said as

¹² Louise Antony, 'Sisters, Please, I'd Rather Do It Myself: A Defense of Individualism in Feminist Epistemology', in Sally Haslanger (ed.), *Philosophical Topics: Feminist Perspectives on Language, Knowledge, and Reality*, 23, no. 2 (Fall 1995), 89.

to what is said. Such virtuous behaviour by a hearer will be more or less difficult to achieve depending on the circumstances, and in particular, depending on how much or how little is shared with the speaker in terms of relevant social experience. Virtuous hearers' performance is constrained by their own social identity *vis-à-vis* that of the speaker. Alternatively (again, practical context permitting), the virtuous hearer may seek out extra corroborating evidence; for instance, by consulting other relevantly placed people—people with a similar social identity and experience to the speaker. I agree with Karen Jones's suggestion, in the course of her illuminating discussion of astonishing reports, that where there is a reason for the hearer to doubt the reliability of his own patterns of trust—as there is in cases of hermeneutical injustice—it is rational for him to drop the presumption against acceptance, and also to assume some increased burden of seeking corroborating evidence.¹³ These two norms are clearly part and parcel of the context-sensitive judgements made by the hermeneutically just hearer.

In practical contexts where there is not sufficient time, or where the particular hearer, however virtuous, cannot be expected to 'listen through' to the meaning that is immanent in what the speaker is saying, the virtue of hermeneutical justice may simply be a matter of *reserving* judgement, so that the hearer keeps an open mind as to credibility. What she brings to the discursive exchange is a background social 'theory' that is informed by the possibility of hermeneutical injustice, with the result that she may avoid resting content with an unduly low judgement of credibility, and such a 'theory' may often tell her little more than that she should be suspicious of her initial spontaneous credibility judgements when it comes to speakers like this on a subject matter like that. Ideally, a virtuous Herbert Greenleaf would have been able to perceive Marge as someone whose emotional and intuitive style fell into a hermeneutical gap, and he would have heard her in a way that at least made room for the possibility that she had a point. But, more realistically, a virtuous Greenleaf might merely have sensed the alienness to him as a man of her intuitive style as a woman, and reserved his judgement. This might have been virtue enough.

Interestingly, we can see from the profile we have drawn of the virtue that there are limits to the extent to which it can be possessed 'fully'—exercised spontaneously—for some of the responses it inspires

¹³ See Jones, 'Politics of Credibility', 164–5.

in the hearer do not look like the sort of thing that could possibly be done without reflection: actively seeking out extra corroborative evidence, for instance. Pro-active listening, by contrast, does seem the kind of thing that one's testimonial sensibility could be trained to trigger spontaneously; perhaps, indeed, it can only be done well if it is done with a good measure of spontaneity. It may only be in respect of some virtuous responses, then, that the virtue of hermeneutical justice can be possessed in spontaneous form. Where it is so possessed, our account of that spontaneity is as it was in the case of the virtue of testimonial justice: the hearer's testimonial sensibility has been sufficiently educated by individual and collective experience that she corrects or suspends her credibility judgement without reflection. In so far as the virtue may be possessed in spontaneous form, the social 'theory' that shapes the hearer's credibility judgements has (over some suitable social span of speakers) become second nature.

What of the question whether the virtue of hermeneutical justice is an intellectual or an ethical virtue? What exactly is the virtue's structure? As in our discussion of the virtue of testimonial justice, the virtue is to be individuated by its mediate end. The hermeneutically virtuous hearer is reliably successful in achieving the end of a psychologically entrenched motivation: namely, the motivation to make his credibility judgement reflect the fact that the speaker's efforts to make herself intelligible are objectively handicapped by structural identity prejudice in the collective hermeneutical resource. The mediate end of the virtue, then, is *to neutralize the impact of structural identity prejudice on one's credibility judgement*. And what of the virtue's ultimate end? Again, as per our discussion of testimonial justice, we can say that there will be practical contexts in which matters of social understanding are paramount, so that it will be appropriate to interpret hermeneutical justice as ultimately aimed at understanding, and thus as an intellectual virtue. But there will be other contexts in which the goal of understanding is less important than that of justice, so that we should interpret it as aiming ultimately at justice, and regard it as an ethical virtue. There again, there will be contexts in which understanding and justice are of equal practical importance, so that the most appropriate interpretation features the virtue as ultimately aiming at a joint intellectual and ethical end.

If Greenleaf is fundamentally the decent man who cares for Marge that I have interpreted him to be, then his exchanges with her concerning

her suspicions of Ripley give us material with which to imagine the virtue of hermeneutical justice functioning with such a joint ultimate end. What Greenleaf needed to do was to appreciate Marge's hermeneutical marginalization (as regards expressive style) and somehow to reflect this in his credibility judgement. This would have served both ethical and epistemic ends, for a more virtuous credibility judgement would have helped him mitigate an injustice to someone he cared about, and it might even have allowed him to take in the important truth that she was struggling to render intelligible—it all points to Ripley. When it comes to determining whether the virtue of hermeneutical justice is functioning on any given occasion as an intellectual or an ethical virtue, then, the answer is the same as for the virtue of testimonial justice: only the practical context can decide. Sometimes it features under the aspect of an intellectual virtue, sometimes under the aspect of an ethical virtue, and sometimes both at once. Hermeneutical justice, like testimonial justice, is a hybrid virtue—as, I dare say, is any virtue that counteracts an epistemic injustice.

Finally, let us acknowledge a secondary ethically positive role for the virtue of hermeneutical justice, in which the virtue takes on a significance above and beyond the hearer's treatment of his interlocutor on a given occasion. Even though this virtue can only mitigate, rather than pre-empt, any given instance of hermeneutical injustice, none the less the collective exercise of the virtue could ultimately lead to the eradication of hermeneutical injustice. In so far as the exercise of the virtue at least sometimes involves the creation of a more inclusive hermeneutical micro-climate shared by hearer and speaker, its general exercise is obviously conducive to the generation of new meanings to fill in the offending hermeneutical gaps, and it is thereby conducive to reducing the effects of hermeneutical marginalization. In so far as this is so, the exercise of the virtue ultimately aims at the actual elimination of the very injustice it is designed only to correct for. This cheering reflection needs, however, to be tempered with the thought that hermeneutical marginalization is first and foremost the product of unequal relations of social power more generally, and as such is not the sort of thing that could itself be eradicated by what we do as virtuous hearers alone. Shifting the unequal relations of power that create the conditions of hermeneutical injustice (namely, hermeneutical marginalization) takes more than virtuous individual conduct of any kind; it takes group political action for social change. The primary ethical role for the virtue of hermeneutical justice, then, remains one of

mitigating the negative impact of hermeneutical injustice on the speaker. From the point of view of social change, this may be but a drop in the ocean; still, from the point of view of the individual hearer's virtue, not to mention the individual speaker's experience of their exchange, it is justice enough.