Epistemic Injustice and Deep Disagreement

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This paper wants to contribute to a better understanding of 'deep disagreement' by arguing that sometimes, disagreements are deepened due to epistemic injustice. I explore a case of deep disagreement: the debate in the Netherlands about racism. This dispute should be understood as a deeper disagreement, because there is disagreement about what counts as evidence for the claim that racism is a significant issue in the Netherlands, due to both testimonial injustice and hermeneutical injustice

KEYWORDS: [Deep disagreement, Epistemic injustice, Epistemic principles, Hermeneutical Injustice, Netherlands, Racism, Testimonial injustice

1. INTRODUCTION

My goal is to contribute to a better understanding of what has been called *deep disagreement*: disagreements which involve disagreement about underlying epistemic principles. Deep disagreements are not just a theoretical puzzle for social epistemologists. As Kappel (2012) and Lynch (2010) highlight, they can cause practical problems for collective decision making, because collective choices often depend on shared factual beliefs. This way, deep disagreements can hamper collective choices and policy making.

The main claim of this paper is that sometimes ordinary disagreements become deep as a result of epistemic injustice, i.e., injustice that occurs when someone is wronged specifically as an epistemic subject (Fricker 2013: 1320; Fricker 2017: 53). The paper thus explores a hitherto unnoticed connection between two phenomena that have received ample attention in recent social epistemology: (deep) disagreement and epistemic injustice.

The central idea is that when (pre-existing) epistemic injustice comes into play in a regular disagreement, this can lead to higher-order disagreement about what counts as evidence concerning the original disagreement, which makes the disagreement deep. Introducing *injustice-based deep disagreement* highlights moral and political aspects of disagreements that might seem factual.

The plan is as follows: in section 2 I introduce and modify a common definition of deep disagreement and propose that the depth of disagreements is best understood as a matter of degree: disagreements can be more or less deep. Next, in section 3, I introduce and explore a case study of real-life disagreement: the disagreement about whether racism is a significant issue in the Netherlands, illustrated by the case of 'Black Pete'. As the Netherlands is often seen as a liberal and tolerant place, where one might expect questions about racism to be addressed in a cool and evidence-based manner, focusing on the debate on racism in this country will be especially helpful to illustrate my points. In section 4 and 5, I argue that there is disagreement about what counts as evidence in the case study because of two forms of epistemic injustice: testimonial and hermeneutical injustice. In section 6, I discuss how these epistemic injustices deepen the initial disagreement about racism and conclude that the intersection of disagreement and epistemic injustice is a fruitful area for future work in social epistemology.

2. WHAT ARE DEEP DISAGREEMENTS?

In this section, I discuss the way I'll characterize deep disagreement in this paper. Deep disagreement should be differentiated from 'regular' disagreement. In a regular disagreement, there is often a lot of background agreement about how to solve the disagreement at hand. For example, when disagreeing about which day of the week it is, both parties will agree on how to solve this disagreement (for example, by consulting a phone).

In a deep disagreement, there is also disagreement about how to solve the disagreement. Lynch (2010), Kappel (2017) and Matheson (2018) all define deep disagreement as disagreement about 'fundamental' or 'basic' epistemic principles. An *epistemic principle* tells us how we should form our beliefs. Such a principle concerns what counts as reliable evidence for what and/or what counts as justified belief regarding a certain domain (Lynch 2010). For example, the epistemic principles of tasseography tell us that we can gain justified beliefs about our fortunes by interpreting the patterns of coffee grounds. We all accept certain epistemic principles when forming and updating beliefs.

One way to distinguish between different epistemic principles is by separating *fundamental* principles from *derived* epistemic principles. As Matheson (2018: 3) puts it: 'Fundamental epistemic principles are simply basic; they are not derived from any other principle.' Examples

of such fundamental principles are those concerning visual perception, deduction or introspection. In the end, any arguments for the reliability of these principles will be circular (Fogelin 1985; Alston 1986; Feldman 2005). In this paper, I am assuming deep disagreement comes in gradations: they can also be about 'relatively fundamental' epistemic principles.

A deep disagreement, then, involves about epistemic principles. But not just any evidence: it's a disagreement about relatively fundamental epistemic principles.

This 'looser' characterization of deep disagreement is the one I'll use in this paper. In the next section, I'll explore a case of real-life deep disagreement: the debate about racism in the Netherlands, in order to show how epistemic injustice can deepen disagreement.

3. RACISM

In the Netherlands, there is disagreement about whether racism in Dutch society is a significant problem (Gorashi 2014; Wekker 2016; Essed 2018). While this may look like an ordinary disagreement that could be resolved easily by attending to the relevant data and experiences, I will show that it is in fact a deep disagreement, because there is underlying disagreement about what counts as evidence for the claim that racism is a significant issue in the Netherlands. Although this disagreement has moral aspects as well, my focus is on its epistemic aspects.

The disagreement on racism I am interested in here, then, is about whether everyday racism (Essed, 1991) and the systemic inequalities it produces are a significant problem in Dutch society. Racism is a significant issue, I propose, when people of color are structurally at a disadvantage as a result of bigger or smaller inequities in various parts of their lives due to racial discrimination.

There is ample statistical evidence that in Dutch society racism is indeed a significant problem. For example, people with a 'foreign' sounding name have a lower chance to be invited for a job interview than equally qualified people with a Dutch sounding name, even if these latter people have a criminal record (Van den Berg et al. 2017). In addition, people of color have a harder time renting houses or apartments (Rasit & Tielbeke 2018). Highly educated Dutch with a non-western background are more often unemployed (Huijnk et al. 2014) and youth with a migration background are, compared to their peers without migration background, suspected and convicted in higher numbers for the same kinds of offences.

However, due to the coded and ingrained nature of everyday racism, it's hard to point to specific actions and establish 'objectively'

that they are indeed clear cases of racism. This leaves room for disagreement. And indeed, there is plenty of disagreement about whether the above evidence establishes that racism is a significant problem. Many Dutch people tend to see themselves as tolerant and anti-racist (Wekker 2016: 1). Hondius (2012: 273) characterizes a broadly shared sentiment in Dutch society when she writes: 'Racism is simply 'not done', also meaning to suggest literally that it does not happen; it is considered self-evident that variety in skin tone is unimportant, irrelevant, and meaningless.' She adds that this denial of racism has the consequence that there is not a lot of debate about it in public discourse.

So far, the debate on racism might look like an ordinary disagreement that could be rationally resolved by apprising people of the relevant evidence and testimonies pertaining to the occurrence of everyday racism in Dutch society. However, the debate has become extremely polarized and entrenched and has led to political and even physical clashes. How did it get this far? I will now go on to argue that the disagreement about racism has deepened because it involves disagreement about what constitutes good evidence for the proposition that racism is a significant issue in the Netherlands. The main source of evidence that is contested are the testimonies of people who have firsthand experiences of racism. Because this source of evidence is contested, the disagreement about racism becomes deep. This deepening is caused by epistemic injustice, or so I will argue. The contesting of the testimony constitutes part of the racism that is debated. In section 6, I will present my argument in more detail, but first, I turn to epistemic injustice.

4. TESTIMONIAL INJUSTICE AND DEEP DISAGREEMENT

Much has been written about epistemic injustice following Fricker's (2007) introduction of the term (Kidd et al. 2017 provides an excellent overview).

In this section, I show how testimonial injustice can deepen disagreement. In the next, I'll do the same for hermeneutical injustice. The disagreement about racism in the Netherlands will continue to serve as my main illustration throughout.

I'll now go on to argue that the debate about racism in the Netherlands is plagued by testimonial injustice: the victims of racism aren't given enough credibility. Then, I show how this turns disagreement about racism into deep disagreement.

We should start by noting that sometimes, a non-dominant group can have an epistemic advantage over the dominant group when it comes to knowledge and understanding of oppression (Mills 2007, Dormandy 2018). This is because, As Berenstain (2016) and others note, someone who experiences a form of oppression, like racism, has one additional way of acquiring knowledge about oppression compared to others who don't suffer from it. Everyone can learn about oppression through testimony from those who are oppressed and through scientific evidence about it, but only the oppressed themselves can acquire knowledge about oppression through first-personal experience of it. The personal experience of a minority group member who experiences racism is a distinct source of evidence bearing on the racism-question, because this experience is significantly different from that of the majority in at least two ways: it is privileged and (partially) private.

Knowledge or justified belief about racism from first-personal experience is *privileged*, precisely because it concerns *first-personal* experiences of interpersonal interactions. Such experiences are privileged because of the social position of people who experience racism. As feminist epistemologists such as Harding (1993) and Pohlhaus (2011) have emphasized, your social position in the world shapes how you see the world. It shapes what you notice and what you pay attention to. Differences in experiences (due to differences in social position) can lead to differences in epistemic perspectives. For our case, this means that people who have personal experiences of racism have a perspective on the world in which racism is more salient than for people who do not experience racism. As these experiences of racism can be very consequential for their lives, people who experience racism are bound to be more sensitive and perceptive when it comes to racism. People who not experience racism, due to their social position, may have a 'blind spot of racial insensitivity' (Medina 2016: 185). From their (dominant) point of view, there might be a lack of evidence for the significance of racism.

In saying this, I am not claiming that privileged access is infallible or that one's own experiences are always the best guide to understanding racism. A person's own experience of a situation does not always accurately reflect that situation. Someone's emotions and previous experiences influence their more recent experiences. For example, they might experience a situation as more negative than it is, because they are tired. People who experience racism can be mistaken about what the situation actually is like. As a default, however, people will be in a better epistemic position when it comes to racism, than people who do not experience racism. Also, as the number of people reporting similar first-personal experiences increases, the scenario that *all* of these people are wrong about their own experiences *all* of the time becomes more and more unlikely.

Knowledge or justified belief about racism from first-personal experience could also be seen as *private*, at least to a degree. This means

that it cannot (easily) be shared what it is like to be the victim of racism. One might object to this that, say, white people can come to know what it is like to be the subject of racism by imagining it, because they might have experienced other forms of discrimination, such as those based on gender or age. This is too quick, however, because oppression does not produce equivalent results for all oppressed groups (Hills Collins 2007: 212). Sexism, for example, plays a different role in the lives of black and white women, because of their different races (Grillo & Wildman 1991: 399) Although different kinds of oppression might be connected, they but will be experienced very differently by different groups, making it hard to make useful comparisons (Hills Collins 2007: 210).

Because experiences of racism are both privileged and private, the evidence gathered by the minority who experience racism is different from the evidence that the majority can gather from *their* experience and from the scientific study of racism. Because of this, the white majority in the Netherlands has a different body of evidence than the minority who experience racism. Hence, the members of this latter group have an epistemic advantage over the majority on this specific issue.¹ For someone who doesn't experience racism, the *testimony* of those who have first-personal experience of racism ought to be an important source of evidence about whether racism is a significant problem. This is where the problem is located; it's the reliability of this evidence that is contested due to testimonial injustice, which deepens the disagreement.

Members of the dominant group could take the disagreement as good news: an opportunity to learn from others and to revise their beliefs accordingly (Christensen 2007). This way, by trusting that people of color possess important evidence about racism and accepting their testimony, the disagreement could be resolved. However, in the case of racism in the Netherlands – as well as in many others – this is not what happens. It's plausible that this is because of racial bias.

Judgements about whether someone is a credible testifier are made very quickly and are based on appearances (Sperber et al 2010). Especially, we make social judgment about people based on their *faces* (Hugenberg & Wilson 2013) and we do this after being exposed to them for less than a second (Todorov et al. 2009). Someone's implicit race biases are a strong predictors of their evaluations of trustworthiness: a person with implicit race biases will have less social trust in a person of another race

¹ Of course, this isn't to say that each and every member of the minority will always have more or better evidence about racism than each and every majority member. The point is that, in general, the minority has direct access to important evidence that the majority lacks, or has only indirect second-hand access to.

(Stanley et al. 2011). These implicit racial biases are not rare, they occur widely. Research suggests that white perceivers often make negative social judgements about people with Afrocentric features and/or darker skin tones based on their facial appearances (Hugenberg & Wilson 2013: 171-173). So, people of color are often judged to be less trustworthy by white perceivers. It seems likely that this extends to judgments about trustworthiness of their testimony.

All this seems to support the claim that the testimony of people of color on racism is often not given the appropriate credibility *due to racial prejudice*, as is suggested by a.o. Mills (2007). Only some of the people who do not experience racism, take testimony about racism to be a weighty source of evidence.

We can now see how testimonial injustice deepens the disagreement on racism. As noted in section 2 above, a disagreement is deep when it involves disagreement about relatively fundamental epistemic principles. This is exactly the effect of testimonial injustice: it adds to the original disagreement a higher-order disagreement about epistemic principles governing the evaluation and uptake of testimony. In addition to the original disagreement about whether racism is a significant problem, there is now a further disagreement about whose testimony counts as good of evidence to settle this question or about how testimony by victims of racism ought to be weighed against other sources of evidence. More specifically: the majority who don't experience racism themselves implicitly or explicitly reject an epistemic principle that stipulates how testimony ought to be treated - or, even more precisely, they reject the application of this principle to the case at hand - whereas the minority who does experience racism firsthand takes (this application of) such a principle to be correct. The result is a lack of evidence for the significance of racism, from the point of view of the dominant group.²

One might object to this by denying that the relevant epistemic principles are 'relatively basic'. After all, the characterization of deep disagreement given above requires the disagreement to be about relatively basic epistemic principles. In response, note that it is hard to provide clear and objective general criteria for when principles are 'relatively basic'. But one strong reason to think that the principles at stake in the present case ought to count as relatively basic, is that it's difficult to see how someone who is doubtful of the probative value of testimony about firsthand experiences of racism could be convinced otherwise, without relying on claims about features of such testimony. That is, it's difficult to see how one could give a noncircular argument for the principles at stake. Firsthand experience is, by definition,

² This resembles white ignorance as described by Charles Mills (2007)

(partially) inaccessible to others. Someone who doesn't think firsthand experience is a privileged and private source of evidence will not be convinced when you point out that *undergoing* racism or other forms of oppression is different from merely observing it or learning about it through systematic scientific research, precisely because this latter point already assumes that there is something epistemically unique and important about firsthand experience.

I conclude that testimonial injustice causes the disagreement about racism to become deep. Let's turn to how hermeneutical injustice can deepen disagreement next.

5. HERMENEUTICAL INJUSTICE AND DEEP DISAGREEMENT

Hermeneutical injustice, too, can play a role in deepening disagreement. After a short detour through standpoint theory, I show how hermeneutical injustice can deepen the disagreement on racism.

As Pohlhaus (2012) describes, when such epistemic resources are formed, a dominant group will tend to have more influence than a non-dominant group. They will have a stronger influence on which epistemic resources are available and used. In this way, epistemic resources that are used to make sense of what goes on in a society, come to reflect the way the dominant group sees that society. They describe and make sense of the world largely from the *situation* or *epistemic perspective* of the dominant group. From the point of view of the non-dominant group, however, there may be gaps in the language, concepts, and criteria that are used to describe the world on a communal level (Pohlhaus, 2012). An example of this is the epistemic resource of racism, on which I will elaborate below.

With this in mind, I turn to hermeneutical injustice. As discussed above, the form of hermeneutical injustice I am focusing on occurs when a person is hindered in sharing conceptual resources which she herself possesses with people outside her group (Dotson 2012: 32; Fricker 2013: 1319; Fricker 2016: 166-167; Medina 2017: 43-44,).

Ignorance of concepts employed by marginally situated knowers need not be intentional and might be overcome. However, if members of a dominant group continue to refuse to do something about their ignorance when confronted by it – when they refuse to learn the conceptual resources they missed out on – the result is *willful* hermeneutical ignorance (Pohlhaus 2012).

How is hermeneutical injustice related to the debate on racism? The conceptual resources required for describing and making sense of racism (the skill to use the relevant concepts) are very well developed, in particular in communities that experience racism. A very general example is the aforementioned conceptualization of racism as 'everyday

racism'. Another example is the concept of 'institutional racism', which refers to racist practices of social and political institutions, like in healthcare policies or housing policies. Concepts like these are used to describe and recognize instances of racism and to make sense of them. They enable a perspective on the world in which racism is salient and can be described, discussed, and analyzed.

In the Netherlands, too, concepts describing racism are well established within certain minority communities. On a communal level and in public discourse, however, the occurrence of racism is often denied in the Netherlands (Ghorashi, 2014: 103). Often, the suggestion that racism is a problem in the Netherlands is met with a strong dismissive attitude or with utter silence. Using the word 'racism' is often seen as a way that migrants try to silence their opponents (Ghorashi 2014:113).

Hence, there is a lack of uptake in society at large of the rich epistemic resources available to describe 'racism'. This is a case of hermeneutical injustice.

That there is no uptake of the conceptual resources relevant to racism becomes clear when one considers that, in spite of minor shifts in recent years, racism is barely addressed in the Netherlands. There even seems to be an unwillingness to use the term 'racism' (Witte 2010: 17). According to Wekker (2016: 153-154), this is because racism is supposedly not an issue. If people disagree, they are accused of overreacting, being overly sensitive and being unable to take a joke (ibid:32). Because white people don't experience racism, the assumption that the Netherlands is not racist is the dominant way to reflect on Dutch society. As a result of this silence on racism, there is no shared vocabulary to talk about racism in the Netherlands. There is, from the dominant point of view, no need for elaborate conceptual resources to describe and make sense of experiences of racism.³

As a result, the group that is the object of racism is severely limited in their ability to discuss racism constructively. First, because there are no, or very little, shared epistemic resources because of the different social experiences of the two groups. Secondly, because people who experience racism have trouble fruitfully discussing their experiences with people outside their group, because of (willfull) hermeneutical ignorance. As Hondius (2014: 274) writes: 'What is not explicitly mentioned is hard to challenge.' This lack of discussion about racism further reinforces the false belief on the part of the dominant group that racism is not an issue in the Netherlands.

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³ I'm overgeneralizing here to keep it simple. There are many positions in this debate and not all white Dutch people think the same way and not all Dutch non-white people think the same way.

In short, epistemic resources are developed and shared to reflect the experiences of communities, but when there is oppression, some communities might be epistemically left out in the process of developing or sharing these resources. They might form their own resources, reflecting *their* experiences, but they are not shared on a communal level. The result is a lack of shared vocabulary.

This lack, in turn, might strengthen the idea that first-personal testimony on racism is unreliable. As was discussed in the previous section, a member of a dominant group might judge someone who testifies on racism as unreliable because of identity-prejudices (testimonial injustice). But another reason to judge someone as unreliable is when their testimony does not make sense to you, which may be caused by a lack of shared concepts (hermeneutic injustice). For example, if a testifier asserts 'Black Pete is racism', when you take yourself to know that Black Pete is just part of an innocent tradition, this doesn't make sense. So why listen?

We can now see how hermeneutical injustice deepens disagreement. A lack of shared concepts to talk about racism leads to higher-order disagreement about what counts as credible and trustworthy testimony. The dominant group will live by the generally sensible epistemic principle that they judge testimony which is couched in concepts and terms that they don't understand as unreliable. But the higher-order disagreement that arises concerns the *application* of that principle to the case at hand. While the dominant group will see this case as a straightforward instance of testimony that makes little sense, the non-dominant group will see this application as unjustified, because the dominant epistemic agents ought to know better, or at least make an effort to educate themselves, rather than dismiss the testimony of non-dominant groups out of hand.

6. CONCLUSION

In the case study in this paper, there is disagreement about (the application of) epistemic principles concerning (A) whether private first-personal experience of racism is a weighty source of evidence in this domain (weightier than third-personal experience of the dominant group), (B) whether victims of racism count as important testifiers in this domain, and (C) how to assess testimony that is not (fully) intelligible to you because it employs concepts and terminology you are unfamiliar with. The dominant group can easily deny that there is anything new or relevant to be known about racism in the Netherlands by dismissing the relevant testimony and epistemic resources, which boils down to disagreement on the level of epistemic principles concerning (A), (B), and (C).

Because of epistemic injustice, it is hard to argue for or against the validity of epistemic principles concerning (A), (B), and (C) in a dispute-independent way. The epistemic injustices at work make it difficult or impossible to exchange epistemic reasons that are accepted by both parties, which shows that the relevant principles are indeed of the relatively fundamental sort required for disagreements to count as deep. This means the disagreement becomes very difficult to resolve. Non-dominant epistemic agents lack the perceived credibility and tools to convince dominant agents of the existence and nature of their experiences.

Although I have focused on the case of racism and Black Pete as a case study in this paper, I want to suggest that disagreements like these, which become deep due to epistemic injustice, can and do occur more widely. This discussion might be useful to look at other cases involving racism, like disagreement about the Black Lives Matter movement. But it might also be used as a lens to look at disagreements involving different kinds of epistemic oppression. When a disagreement appears to have become deep and involves a group that is on the receiving end of epistemic injustices, it might be a case of injusticebased deep disagreement. Think of disagreements where the testimony of women, disabled people, old people, and chronically ill people about their own experiences is contested. Attention to the details of such disagreements and empirical research on them, could show whether these disagreements are indeed deepened by epistemic injustices. Identifying such cases will be relevant in so far as rationality and morality might require different responses to them than to ordinary disagreements and 'classic' deep disagreements. Hence, understanding injustice-based deep disagreements seems to me to be a project not only of theoretical interest, but also of great practical and social relevance.

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