The Common Ground – Epistemic Injustice

Marcello Di Bello - ASU - Spring 2023 - Week #9

This week we discuss epistemic injustice. This expression refers to situations in which certain people—because of their identity (gender, race. etc.)—are excluded from knowledge production and inquiry, and this exclusion is unwarranted and harmful.[1]

Following the work of Miranda Fricker, two types of epistemic injustice can be distinguished: (1) testimonial injustice and (2) hermeneutical injustice. We will focus on the latter but also briefly discuss the former. Testimonial injustice occurs when a speaker is afforded limited credibility because of a prejudice against their identity (gender, race, etc.). Hermeneutical injustice, instead, occurs when a speaker's assertions are regarded as unintelligible, again because of an identity-based prejudice.[2]

[1] This injustice is called *epistemic* because it limits someone's participation in epistemic practices and cannot be fully explained by non-epistemic considerations, such as material disadvantage, physical harm or discrimination.

[2] The distinction is drawn in Miranda Fricker (2007), *Epistemic Injustice: Power and the Ethics of Knowing*, Oxford University Press. We will read chapter 7 on hermeuntical injustice.

Hermeneutical injustice

Motivating the concept (Sec. 7.1)

An important part of being human is the ability to communicate with others and be understood by others. This communication can be mundane, but also deep and personal. When someone is not able to communicate meaningful experiences and be understood, their humanity, self-knowledge and self-realization is under threat (more on this later). We could blame this inability on the person—their inability to communicate—or we could look at the power structures of society that hinder understanding:

> 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.(p. 148)

For example, imagine a woman who was the target of sexual harassment in a male-dominated workplace at a time when the concept "sexual harassment" did not even exist. She would be unable to communicate in terms legible by others—if they are not other women also subject to harassment—what happened to her, even though she would experience tremendous distress and harm.[3]

[3] See the example of Camita Wood on pp. 149–150.

The inability to communicate and be understood by others is particularly harmful to the harassee:

> 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. (p. 151)

Fricker draws heavily from the history of marginalization of women and gay men, but examples can be drawn from individuals who belong to any minoritized group.[4]

[4] Can you think of other examples, say involving race? What are analogies and differences?

Defining the concepts (Sec. 7.2)

Hermeneutical injustice stems from the hermeneutical marginalization of certain social groups who are partially or totally excluded from the construction of meanings and concepts used to describe the human experience. As a consequence of this marginalization, certain experiences will be described in ways that reflect the perspective of the dominant groups:

> 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 (p. 155)

In light of hermeneutical marginalization, here is a definition of hermeneutical injustice:

> the injustice of having some significant area of one's social experience obscured from collective understanding owing to persistent and wide-ranging hermeneutical marginalization. (p.154)

Instead of hermeneutical marginalization, we can speak of identity prejudice, which is one possible mechanism driving hermeneatical marginalization.[5] So a slightly different definition of hermeneutical injustice goes like this:

[5] Can hermeneutical marginalization happen without identity prejudice?

> 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. (p. 155)

A third definition goes like this:

> the injustice of having some significant area of one's social experience obscured from collective understanding owing to hermeneutical marginalization. (p.158)

Here the only difference is that the hermeneutical marginalization need not be persistent and wide-ranging. So hermeneutical injustice can be *systemic* or *incidental*.[6] Only systemic hermeneutical injustice correlates with larger trends in society:

[6] An example of incidental hermeneutical injustice is Joe's case on pp. 156-157.

> in such [systemic] 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. (pp. 159)

Hermeneutical injustice, in the systemic case, will tend to compound testimonial injustice. So the victim of epistemic injustice will not be understood (hermeneutical injustice) and their testimony will not be considered credible (testimonial injustice):[7]

> If they try to articulate a scantly 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 (p. 159)

[7] What is, exactly, the difference between hermenutical and testimonial injustice?

The wrong of hermeneutical injustice (sec. 7.3)

The harms of hermenutical injustice can be numerous. First, the primary harm is someone's exclusion from contributing to the process of knowledge production:[8]

> 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 ... 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. (p. 162)

[8] This is not exclusion from the knowledge production of, say, cancer research or space exploration due to lack of appropriate qualifications. Rather, it is exclusion from the creation of shared concepts for understanding the human experience.

In addition, there are also secondary practical harms. Failure to make oneself intelligible to others may hinder one's material life prospects in different ways: quality of life, family relations, job prospects, professional development, access to welfare benefits, etc. Secondary harm can also be epistemic, not only material. For example, if one is not understood, one can start losing epistemic confidence in one's ability to understand the world.[9]

Third, hermeneutical injustice can also hinder one's ability of self-knowledge and self-understanding:

> The primary harm of hermeneutical injustice, then, is to be understood ... 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. (p. 168)[10]

[9] From p. 163: "loss of epistemic confidence might hinder one's epistemic career ... it can cause literal loss of knowledge ... may prevent one from gaining new knowledge, and more generally ... it is likely to stop one gaining certain important epistemic virtues, such as intellectual courage."

[10] Seethe examples on pp. 164–165.

It is instructive to compare the harms of hermeneutical injustice and testimonial injustice:

> 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. (p. 168)

The virtue of hermeneutical justice (Sec. 7.4)

How can we counter hermeneutical injustice? What does hermeneutical justice look like?

> 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. (p. 169)

This sensitivity should guide the hearer to form a counterfactual interpretative maxim along the lines: think what the speaker would be saying in an environment that was not affected by hermeneutical marginalization.[11]

When time and resources permit, the virtuous hearer does two apparently contradictory things: being less critical of what the other speaker says, but also seek on their own corroborating evidence for what the speaker says:

> it is rational for him to drop the presumption against acceptance, and also to assume some increased burden of seeking corroborating evidence. These two norms are clearly part and parcel of the context-sensitive judgements made by the hermeneutically just hearer. (p. 171)

When there is no time for researching corroborating evidence, the virtuous hearer should keep an open mind and not doubt the speaker's credibility upfront, simply because it seems to make little sense.

In the end, the hope is that:

> 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.(p. 174)[12]

[11] How does this interpretative maxim compare to Davidson's principle of charity? Note that this context-sensitive virtue contrasts with blanketed policy of epistemic affirmative action:"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." (p. 171)

[12] Fricker, however, also adds immediately after: "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." (p. 174)