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Myths, Marginalisation, and Hermeneutical Injustice: A Response to Bartlett’s “Children and Marginalisation”

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Gary Bartlett (2022) provides critical reflections on my account of hermeneutical injustice experienced by child victims of abuse (Lo 2022). He argues that professionals cannot be said to have *all* the relevant concepts of abuse as child victims have unique access to the emotional and subjective aspects of that experience. He thus cautions against remedying the hermeneutical injustice by having institutions replace folk concepts with institutional concepts. Bartlett further reflects on the hermeneutical marginalisation of children and questions to what extent does that constitute hermeneutical injustice against children generally. This article seeks to respond to these points raised by Bartlett.

I will first express support for Bartlett's proposed amendment to the analysis of manifest and operative concepts, while explaining that the original analysis is to emphasise the process in which adequate concepts reach social locations that needed it. As to Bartlett's question on how hermeneutical injustice against children shall be remediated, I propose that remediation requires both adults offering children adequate concepts and adults taking up children's alternative expressions. I further suggest how conceptual offering to children could be done in a virtuous manner to mitigate the risk of adults imposing concepts onto children. The article ends by discussing Bartlett's question on the general case of hermeneutical injustice due to children's broad hermeneutical marginalisation.

Due to children's status as learners, I argue that children's conceptual lacking or misconceptions cannot be generally said to constitute hermeneutical injustice. Contrasting Bartlett's 'healthy eating' example with the case of child abuse, I highlight that myths which reinforce children's broader oppression are what make particular instances of children's conceptual lacking a hermeneutical injustice.

Myths and Operative Concepts

Jenkins (2017) proposes a new variety of hermeneutical injustice that 'the relevant conceptual resources are available at some social locations but are inaccessible to the person who needs to render their experience of injustice intelligible' (200). Jenkins argues that rape and domestic abuse victims suffer from this variety of hermeneutical injustice as '[a victim] lacks one or more of the relevant concepts, though [an institutional figure] has all of them' (201). Following Jenkin's approach, my work argues that child abuse victims suffer from this kind of hermeneutical injustice.

Bartlett (2022) offers an amendment to this account of hermeneutical injustice: professionals cannot be said to have *all* the relevant concepts of abuse. This is because victims have the first-hand experience of abuse, and so would have access to aspects of the abuse experience that professionals do not. Notably, those aspects are the 'emotional, subjective, and phenomenological' (Bartlett 2022, 31) aspects of abuse. Omitting these salient aspects of abuse, the manifest concept of abuse utilised by institutional actors cannot offer a complete understanding of the abuse experience.

I agree with Bartlett's suggestion. As much as the concepts of abuse possessed by professionals are adequate in describing the victims' experience as abuse, they cannot offer a

holistic understanding without the victims' perspectives reflected within. Of course, some professionals such as psychiatrists, psychologists, and social workers may more readily capture these subjective aspects of abuse due to the nature of their discipline (than say lawyers and prosecutors). The victims still hold epistemic privilege over these professionals owing to their first-hand experience.

Before amending Jenkins' account, it is worth understanding the notion of 'relevant concepts' within her variety of hermeneutical injustice. In Jenkins' work (and also mine), the focus is to enable victims to protest against the experienced injustices to socially significant institutions (i.e. to seek recourse and institutional intervention for their abuse). As a result, the *relevant* understanding and intelligibility is one sufficient to allow for the identification of victims' experience as abuse. This conception of '*all relevant* concepts' is arguably narrow, but still essential. It is only when victims can identify their experience with the concept of abuse that they could articulate their own subjective perspectives on abuse.

For a more complete account of hermeneutical injustice suffered by abuse victims, I concur with Bartlett that Jenkins' account of hermeneutical injustice should be amended to reflect the extent of understanding professionals do have and the actual value they offer to victims. The concept which professionals possess is minimally adequate to identify, but not fully complete to fully capture the abuse experience. The interlocutors occupying positions in social institutions thus only have the *sufficient* relevant concepts to allow the victims to *identify* their social experience, rather than 'all of them' (Jenkins 2017, 201).

Regarding the analysis of this variety of hermeneutical injustice through manifest and operative concepts, Bartlett contests that institutional or manifest concepts 'will not necessarily be the best concept to adopt in the service of epistemic justice' (2022, 31). Jenkins and my analysis do not suggest this to be the case. Our articulation of the manifest concept as adequate and the operative concept as faulty lies in the normative judgement that the manifest concept of abuse in the UK is adequate in allowing victims to identify their experience as one of abuse, which the operative concept could not.¹ As much as child victims themselves may have adequate operative concepts concerning their subjective experiences, they still have faulty operative concepts for identifying child abuse. It is the prevention of identification due to lack of conceptual access and/or distortion by myths that I find to be faulty, but not the inherent nature of operative concepts.

The analysis of manifest and operative concepts is intended to highlight how hermeneutical justice is attained through various stages. The endpoint of hermeneutical injustice is when the marginalised 'communicate [their experience] successfully to significant social agencies—notably, relevant institutional bodies—in order to describe or protest the experience' (Fricker 2013, 1319). As argued in section 7.3 of my work, it is often presumed that having an adequate concept in social institutions will be sufficient to patch up the hermeneutical lacuna concerning the marginalised's experiences. However, Jenkins and I highlight how this is not sufficient to end hermeneutical injustice for certain marginalised groups such as abuse victims. While an adequate concept has reached the socially significant institutions, that does

¹ As highlighted in Jenkins and my work, the manifest and operative concepts of abuse could both be faulty in some jurisdictions but some social locations (e.g. children's rights activists) may have the adequate operative concept of abuse. For instance, in many states in the USA, school corporal punishment is legal and not recognised as child abuse (Gershoff and Font 2016).

not mean it will immediately spread to all other social locations which the masses regularly access, nor will it necessarily reach the social locations occupied by the marginalised group concerned. While the institutions possess the hermeneutical power to influence the concepts available and utilised across all social locations, such power has to be yielded in order to distribute adequate concepts to social locations that needed it and to make the collective hermeneutical resource adequate to identify instances of abuse.

The case of child abuse and the analysis of manifest and operative concepts thus leads us to reflect on the ‘internally diverse’ nature ‘in relation to how widespread the failure of understanding is’ (Fricker 2013, 1319). This brings us to the question: how should such kind of hermeneutical injustice be remediated?

Remediation of Hermeneutical Injustice

Bartlett (2022) poses two questions regarding the general case of hermeneutical injustice against children, the second of which concerns the remediation of hermeneutical injustice:

Second: what form should such remediation take? Should adults simply impose their concepts on children, or might this sometimes constitute a kind of hermeneutical injustice in itself? Should we sometimes instead take up concepts (if any) that children have developed for themselves (33)?

Bartlett notes that generally, remedying hermeneutical injustice involves ‘concepts that reflect the marginalised groups’ experiences [being] accepted by the privileged group’ (32). But this usual remedy may not be applicable to the case of children. As in the case of child abuse victims, the remedy ‘consists not in adults taking up children’s own concepts, but in our providing children with more accurate concepts’ (Bartlett 2022, 29). In this section, I will argue that remedying hermeneutical injustice suffered by children will require both:

- (i) adults offering adequate concepts to children, and;
- (ii) adults accepting concepts or alternative expressive styles children have developed themselves.

On (i): Bartlett (2022) takes the conclusions from Jenkins’ and my respective works to be ‘wherever possible, institutional attempts should be made to revise the operative concepts so that they will match the manifest concept’ (31). He expresses worries towards this suggestion as ‘there is a risk of simply denying any aspects of the victims’ experience that do not fit with the officially “approved” concept’ (33), which may lead to further hermeneutical injustice.

I will first clarify that the remediation argued for in my work is not replacing the operative concept with the manifest concept.² The call for institutions to distribute adequate concepts

² However, I appreciate that the phrasing used by Jenkins (2017) (‘encourage people to revise faulty operative concepts [...] in favour of operative concepts that more closely match the manifest concept’ (203)) may be more suggestive of Bartlett’s reading.

and challenging myths pertains to ensuring victims have the necessary concepts to identify their experience as one of abuse. The sense of ‘faulty’ of concern is different from the medical case highlighted by Kidd and Carel (2018; 2019). Healthcare professionals take patients’ operative concepts as faulty because of their epistemic privileging of the naturalistic conceptions of health (Kidd and Carel 2018; 2019). The myths and faulty operative concepts that I propose to challenge are not perceived inaccuracies in the emotional or subjective aspects of the abuse experience, but are what prevent the identification of abuse. As much as manifest concepts omit the subjective and emotive aspects of abuse, as much as manifest concepts are ‘diagnostic or legal instruments’ (Bartlett 2022, 31), they serve as the initial adequate concepts victims need to protest their experience and articulate their personal perspectives. So the remediation of challenging myths only goes to the extent of enabling identification of abuse, but not to the extreme of completely replacing operative concepts altogether.³

The risk of ‘replacing’ children concepts with adult ones or ‘imposing’ adult concepts onto children is not an issue inherent in offering children adequate concepts or challenging misconceptions children may have. Otherwise, educating children on anything would be a hermeneutical injustice. The worry that offering concepts will end up ‘limiting the acceptable conceptual resources to those that are strictly medico-legal’ (Bartlett 2022, 32) lies in whether that conceptual offering is done in a virtuous or vicious manner. A vicious kind of conceptual offering amounts to a hermeneutical injustice in the sense that adults are insensitive towards or reject children’s alternative expressive styles (which is Bartlett’s worry). How could we ensure professionals (and adults generally) offers concepts to children in a virtuous manner?

A virtuous conceptual offering needs to successfully communicate an adequate concept to children while also allowing children room to expand said concept with their perspectives. To do so, the adults offering the concepts should be aware of the limits of the concepts they have. In the case of child abuse, professionals should be aware that the manifest concepts are tools for diagnosis and identification, but do not encompass the ‘subjective, phenomenological, or emotive aspects’ (Bartlett 2022, 31) of the abuse experience. Adults also have to be aware of the extent of epistemic privilege they hold and the role they play in a certain epistemic interaction with children. As much as professionals may have an epistemic advantage over children in identifying instances of abuse, child victims are the ones with an epistemic advantage when it comes to the subjective aspects of their own abuse experience. So the professionals’ role is to offer the initial concept of abuse while also empowering children to find their own understandings or interpretations of abuse. Most importantly, adults and professionals have to see children seriously as genuine epistemic agents of their own right, and not mere objects to be studied, diagnosed, and analysed.

On (ii): Baumtrog (2018) observes that the default world of understanding and expressive modes is implicitly an *adult* one. Taking up children’s concepts and expressive styles is

³ It is worth noting that making the operative concept match the manifest concept can be necessary for some situations. An example is in Jenkins’ (2017) discussions concerning debunking rape myths before the start of trials for jurors. This is because, in trials, jurors are specifically asked to evaluate the evidence according to the legal criteria (i.e. the manifest concept) so it becomes extremely salient that jurors’ operative concept should match the manifest one for a fair trial.

especially important for some social experiences which only children will have the first-hand experience of. This has significant implications for safeguarding children's well-being. For example, child victims of parental abuse often utilise the concept of 'love' for making sense of their maltreatment and for expressing fear towards the disclosure of abuse (Katz et al. 2020). This first-hand perspective from victims will thus help promote more child-centred approaches to forensic evaluation and institutional interventions.

Other than for a fuller understanding of children's social world, (ii) is also important for adults to engage with children as testifiers. This is discussed in my prior work concerning child sexual abuse in healthcare settings. When children try to communicate with medical professionals about their experience of sexual abuse, they often use 'tummy ache' as an alternative expression of abuse, which was not understood by medical professionals as such (Carel and Gyroffy 2014). While certainly children should be provided with an adequate concept of sexual abuse, professionals and adults shall also be aware that 'tummy ache' is a common alternative expression used by children. As argued in Bartlett's (2021) account of testimonial injustice against children, adults need to display the testimonial sensitivity to engage seriously with the child and enquire further to understand the child's alternative interpretation and expression of their experience.

Hermeneutical injustice and testimonial injustice are especially closely linked for children, as discussed in section 7.3 of my article. The hermeneutical marginalisation children experience is to some extent caused by natural necessity (that they need adults to safeguard them), but it is also due to adults' stereotypes of children as unfit hermeneutical contributors. Whether adults treat children as meaningful subjects to engage with is irrelevant to children's status as dependants. In section 2.1 of my work, I highlighted that there are structural barriers that prevent children's participation in institutional discourse that were explicitly called for. Sometimes, I surmise, that schools or caretakers of children may not consent to children participating in studies as they think there is little need or value for the children to participate. If adults recognise the value and the need to attend to children's alternative expressions and meanings, the extent of hermeneutical marginalisation children experience could indeed be reduced.

Challenging myths of child abuse is particularly important in addressing the stigma that hermeneutically marginalises child abuse victims. The stigma surrounding child abuse is closely tied to myths of child abuse (which stigmatises victims as blameworthy) and inaccurate and harmful social conceptions of 'childhood innocence' (which stigmatises victims as corrupted) (Lo 2022). Due to the risk of social rejection, this aspect of marginalisation pre-emptively silences child abuse victims from discussing the subjective emotional and phenomenological aspects of their abuse (and their abuse generally). Challenging myths will help construct a more supportive hermeneutical and testimonial environment for child abuse victims, which is necessary to empower victims to offer their own interpretations and have them be accepted by others. Therefore, in the case of child abuse, the remedy of challenging myths and the remedy of adults taking in children's concepts or expressive styles must go in tandem to achieve hermeneutical justice.

Although both (i) and (ii) are important in achieving hermeneutical justice, the relative urgency of these two types of remediation varies on a case-by-case basis. For areas of social experience that children may more readily have a concept of, the remediation may lie more heavily on adults taking up children's concepts. For some other areas, like child abuse, children may simply find it difficult to create their own collective understanding because child abuse victims are further hermeneutically marginalised from other children. In such cases, because it is difficult for collective understandings to arise amongst children,⁴ the conceptual offering by adults becomes particularly salient in remedying the injustice.

General Case of Hermeneutical Injustice

I will now return to Bartlett's first question regarding the general case of hermeneutical injustice against children:

First: given that children are, of natural necessity, subject to extremely broad hermeneutical marginalization, to what extent does that marginalization constitute a hermeneutical injustice? And to what extent, therefore, are we (as adults) obligated to remedy that marginalization (Bartlett 2022, 33)?

Bartlett (2022) agrees that children are hermeneutically marginalised due to structural barriers in society. This hermeneutical marginalisation not only leads to 'the concepts describing children's experience are not typically taken up into the collective hermeneutical resource' (Bartlett 2022, 32), but also makes it challenging for children to extract meanings from the collective hermeneutical resource (Lo 2022). Given the hermeneutical marginalisation highlighted in my work is experienced by all children, Bartlett questions: 'it may be doubted whether much of this marginalisation amounts to a hermeneutical injustice' (2022, 32).

Although 'hermeneutical injustice arises because of hermeneutical marginalisation' (Bartlett 2022, 32), hermeneutical marginalisation itself is not sufficient for hermeneutical injustice. Hermeneutical marginalisation serves as a broader contextual factor behind the emergence of a certain hermeneutical lacuna. It is only when that hermeneutical lacuna leads to 'some significant area of one's social experience obscured from collective understanding' (Fricker 2007, 158) that hermeneutical injustice would arise.

Children may often lack self-understanding of their experiences as they 'often lack concepts that accurately capture their own experience; and the concepts they do have may often be inadequate or harmful' (Bartlett 2022, 32). Lacking concepts and having inadequate concepts could be due to children's hermeneutical marginalisation, but also due to their status as learners. Given children's status as learners, it is inevitable that children will have inaccurate or incomplete understandings of many things. If the adequate concept which children lack is readily available (e.g. their parents and teachers could reliably inform them upon asking),

⁴ There are notably barriers for children as a social group to mobilise and create genuinely broad collective meanings. This is because children's social life is usually highly localised within their local community, and children's social circles are also highly fragmented. This makes it difficult for further marginalised children (e.g. child abuse victims) to get together to create shared concepts. This also makes it difficult for them to distribute such meanings to other children.

then children's conceptual lacking will not make their experience obscured from *collective* understanding, and hence will not be a hermeneutical injustice.

While not every instance of children's conceptual lacking will amount to hermeneutical injustice, Bartlett draws our attention to 'cases [of the child not possessing the relevant concepts] where the harm is less severe, more indirect or diffuse' (33). He offers the test case of 'healthy eating':

Consider an example: children's understanding of healthy eating. In general, it is important for children to develop healthy eating habits. For this to happen, a child must learn what it is to eat healthily. There is a whole network of concepts here, concerning food kinds, eating behaviours, bodily perceptions, and more. Unfortunately, children (at least in the Western world) now swim daily in a tide of media messages that, for the most part, promote poor understandings of food and eating—food myths, we might say. According to Lo—and again, I agree with her—it is a hermeneutical injustice to leave children under the sway of myths about child abuse. Is it, then, a hermeneutical injustice to leave them under the sway of myths about healthy eating (for example, that orange juice is healthier than water, or that ketchup is a vegetable) (33-34)?

Unlike the case of child abuse, there are broad systemic efforts in challenging food myths and ensuring children have an adequate concept of healthy eating. Schools teach children about the food pyramid; paediatricians and nutritionists provide medical advice regarding children's diets; policymakers provide guidance for healthy school meals; caretakers supervise children's eating habits. Although it underlies children's hermeneutical marginalisation, adults' social and epistemic authority is what ensures children are not under the sway of food myths and what helps children develop healthy eating habits. The myths surrounding 'healthy eating' is thus a lot more circumscribed than the myths surrounding child abuse (e.g. few children and adults may think that ketchup is a vegetable, as opposed to child abuse myths that are more homogeneously shared by society at large). It seems to me then if a child has drastic misconceptions about healthy eating, that is likely a case of epistemic bad luck.

While I do not think Bartlett's example constitutes hermeneutical injustice, the case of healthy eating draws our attention to the nature of myths that prevent an adequate concept from being utilised or acquired. As 'healthy eating' is arguably socially significant for all social groups regardless of age or other categorisations, the hermeneutical lacuna created by 'food myths' does not really attach to a particular social groups' hermeneutical marginalisation or broader systemic oppression. In this case, children's faulty operative concepts of 'healthy eating' does not uniquely subjugate children qua children epistemically and socio-politically.

On the other hand, the myths surrounding child abuse or rape themselves serve to reinforce the systemic social oppression of children or women. For instance, holding the myth that corporal punishment is not child abuse diverts the blame to the child victim; holding the myth that someone who acts or dresses sexually provocatively deserves to be raped diverts

the blame to the women victim. The myths surrounding child abuse and rape are created, sustained, and intentionally left unchallenged due to the broader power structure that oppresses these marginalised groups. Due to the very nature of child abuse and rape myths, the hermeneutical injustices experienced by child abuse and rape victims link to the broader systemic oppression these marginalised groups experience.

We need to differentiate the types of unknowing in children—some are culpable cultivations of ignorance; some, like ‘healthy eating’, are purely unfortunate and incidental cases of ignorance. Why are there certain myths that children hold? Why isn’t there anyone challenging these myths? We need to look at the broader social structure behind the creation and persistence of such misunderstandings to conclude whether there is hermeneutical injustice.

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