Moral Emotions and Unnamed Wrongs: Revisiting Epistemic Injustice

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Abstract:

Current discussions of hermeneutical injustice, I argue, poorly characterise the cognitive state of victims by failing to account for the communicative success that victims have when they describe their experience to other similarly situated persons. I argue that victims, especially when they suffer moral wrongs that are yet unnamed, are able (1) to grasp certain salient aspects of the wrong they experience and (2) to cultivate the ability to identify instances of the wrong in virtue of moral emotions. By moral emotions I mean emotions like indignation that reflect an agent's ethical commitments and bear on her ethical assessments. Further, I argue that victims can impart their partial understanding of the wrong they suffer to others who are not similarly situated by eliciting moral emotions such as pity that are tied to broad notions of justice and fairness.

In Aeschylus' *Suppliants*, the daughters of Danaus, having fled their home in Egypt, land on the shores of Argos and plead with King Pelasgus asking for his protection. Their uncle Aegyptus' sons who seek to marry them forcibly are in pursuit of them. But the king is puzzled. He does not understand why the women are pleading with him. The women reply,

> So that I may not be [taken as] a slave for the sons of Aegyptus.[1]

Pelasgus is still confused. He asks after the motivations of the women,[2]

> Is this because of hatred, or are you talking about something wrongful?

Perhaps the source of his confusion is that the consent of a woman is not required for her marriage according to ancient Greek custom.[3] A Greek marriage is based on an agreement that the future husband and the bride's father or male relative reach. The idea of female consent, in the relevant sense,[4] does not seem to have existed for the ancient Greeks. This explains the

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1 All references from Aeschylus' *Suppliants*, unless otherwise stated, are from Christopher Collard's translation. "Suppliants," *Aeschylus: Persians and Other Plays*, trans. Christopher Collard (Oxford: Oxford University Press, 2008), Line 335. I have modified the translation of this line to more literally render 'δμωΐς'- the term refers specifically to female slaves taken in war, and so identifies a special category of slave. Here it presumably refers to the possible seizure of the women by the sons of Aegyptus. In Greek the sentence reads, ὡς μὴ γένωμαι δμωΐς Αἰγύπτου γένει.

2 A great deal of scholarship on *The Suppliants* has focused on this question of the motivation or reasons - *why* they refuse to marry the sons of Aegyptus. See for instance S. Ireland, "The Problem of Motivation in the Supplices of Aeschylus," *Rheinisches Museum für Philologie* 117. Bd., H. ½. (1974): 14-29. J. K. Mackinnon, "The Reason for the Danaids Flight," *The Classical Quarterly* 28, no. 1(1978): 74-82. But these discussions overlook the possibility that Aeschylus left the motivations of the women deliberately obscure as Winnington-Ingram suggests and as seems most plausible. See "The Danaid Triology of Aeschylus," *The Journal of Hellenic Studies* 81 (1961):141-152. Winnington-Ingram argues that the "stress" of the play is on the "lack of consent." (Page 144). More recent scholarship has also drawn attention to the issue of forced marriage and female agency in the play. See for instance, Thalia Papadopolou, *Aeschylus: Suppliants* (London: Bloomsbury, 2011), 8-9. Nancy Sorkin Rabinowitz, "Greek Tragedy: A Rape Culture," *Eugesta* 1(2011): 1-21. For my purposes, it is enough if the issue of forced marriage and the women's unwillingness is one of the key issues in the play.

3 See John Howard Oakley and Rebecca Sinos, *The Wedding in Ancient Athens* (Madison: University of Wisconsin Press,1993), 10.

4 Although some forms of rape were regarded as criminal and deserving of punishment, the Greeks do not seem to have articulated the wrongness of rape in terms of consent of the woman. The *wrongness* of rape was frequently understood in terms of the harm done to her father or her husband. Part of the problem here is that the term most often used for rape, i.e., *hubris*, has a very wide semantic range and could refer to nearly act of abuse or exploitation that affected the honour of an individual or household. I discuss the term briefly in Section II of the paper and in n.51 below. See Rosanna Omitowoju, *Rape and the Politics of Consent in Classical Athens* (Cambridge: Cambridge University Press, 2002), 38-39.

king's confusion. If it were possible for women to withhold their consent in marriage, it would not matter *why* they do so. It would be enough *that* they are unwilling. It is because the customs do not require the consent of the women that the king asks if the women have suffered some wrong at the hands of the men, i.e., if they have any legitimate grievance against them. The women, on the other hand, are faced with defending their rejection of this marriage. They have to communicate the sense in which they feel wronged in being forced into a marriage even though existing socio-ethical norms do not specify such a wrong.

In a now famous work, Miranda Fricker describes the epistemic wrong that a person suffers in being rendered incapable of understanding and of articulating to others a "patch" of her own experience because of a "lacuna" in "collective hermeneutical resources."[5] She calls it 'hermeneutical injustice.[6]' In the *Suppliants*, the Danaid women seem to suffer from precisely this lacuna in their inability to express the wrong they suffer in being forced into marriage. Women in classical Greece were generally excluded from public roles, including the political, legal domain, and so were excluded from participation in institutions and practices that construct social meanings. An important consequence of this exclusion was that the body of social meanings of their community became "structurally prejudiced" in particular ways.[7] For instance, the wrongness of rape in classical Greece did not include the harm suffered by a woman.[8] And in the play, the notion of female consent for marriage is similarly unavailable to the women.

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5 Miranda Fricker, "Hermeneutical Injustice," in *Epistemic Injustice: Power and Ethics of Knowing* (New York: Oxford University Press, 2007), 168.

6 Fricker is concerned with the problem of victim's own understanding of what she faces, though Fricker also touches on the issue of being unable to articulate (to others) the experience to others. See Fricker, "Hermeneutical Injustice," 150. where Fricker talks about a woman "being at a loss to describe" her experience to others.

7 Fricker, "Hermeneutical Injustice," 165.

8 See Sinos 38-39.

The play is of interest to us because it dramatises the problem of hermeneutical injustice and it culminates in a resolution. Following a long exchange between the women and the king that occupies the central core of the play, the women succeed in conveying some sense of the wrong they suffer. Towards the end of the play, king Pelasgus begins to voice the concerns of the women.[9] The women's success owes to a distinctive use of rhetoric, emotive and persuasive speech in a play where persuasion itself is thematised in contrast to the violence their suitors employ and come to signify.[10]

There are lessons in the *Suppliants* for our understanding of the problem of hermeneutical injustice especially as it concerns unnamed wrongs, wrongs that are yet to be conceptualised and made part of a community's shared understanding such as forced marriage in the context of the play.[11] In this paper, I approach the play and the problem of hermeneutical injustice by way of Aristotle's understanding of emotion (*pathos*) considered first in its function of aiding an agent's grasp of moral wrongs and subsequently in its element in persuasive speech. In the former role, I argue that moral emotions like anger aid in the understanding of unnamed wrongs, and in the latter, that they prove useful in communicating the wrong to a third-party (by way of eliciting pity for instance) and in aiding the conceptualising of the wrong. I use Aristotle's account of emotions in part because it is useful for understanding the role of pity in the tragedy, *Suppliants*, but also because it can account for the experiences of victims in

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[9] And in the final act of the play, Pelasgus confronts the herald sent by the sons of Aegyptus who seeks to take the women away forcibly, and tells him that he may take the women only if they are willing and well-disposed toward them, and that he may not take the women by force (ταύτας δ᾽ ἑκούσας μὲν κατ᾽ εὔνοιαν φρενῶν ἄγοις ἄν)

[10] Persuasion (*peithō*) in ancient Greek, is contrasted with violence (*bia*) and associated with Athenian democracy as opposed to foreign tyrannies. On the role of the persuasion in the *Suppliants* see R. G. A. Buxton, *Persuasion in Greek Tragedy: A Study of Peitho* (Cambridge: Cambridge University Press, 1982), 89-90.

[11] Fricker does not explicitly state what the victim of hermeneutical injustice lacks. In her earliest discussion on the subject Fricker discusses the lack as a lack of a "name" for the relevant experience. But in her later work, she describes it as the lack of a concept. I follow her later work and understand the lack as that of a concept. See "Hermeneutical Injustice" 160, and Fricker, "Epistemic Injustice and the Preservation of Ignorance," *The Epistemic Dimensions of Ignorance,* eds. Rik Peels, Martijn Blaauw (Cambridge: Cambridge University Press, 2016), 165.

Fricker's own descriptions (as discussed in sections 1 and 2 below).

I show that morally significant emotions such as pity, anger, or indignation, can furnish preliminary understandings of moral wrongs that are not yet fully conceptualised. They do so because they can be based in, what we might call, preconceptual moral awareness, specifically a capacity to discern instances of the relevant wrong and a grasp of certain salient aspects of it. My aim is to both sharpen our understanding of the problem of hermeneutical injustice and, more importantly, to outline victims' resources for its resolution specifically in cases where socio-ethical concepts are involved. And in both respects, I see myself as offering a corrective to Fricker's account of hermeneutical injustice.

More specifically, I argue that (1) victims of hermeneutical injustice, though lacking conceptual understanding, can have awareness of an unnamed wrong in virtue of their affective experience such as the anger or humiliation they feel in suffering a wrong. And (2) victims can impart their understanding, however partial, of the wrong they suffer to sympathetic third parties by eliciting moral emotions such as pity that are tied to broad notions of justice and fairness. In section III of the paper, I illustrate (2). Note however that communication of the sort mentioned in (2) is preliminary to further clarification and explication that situates the wrong in the context of wider norms and other ethical concepts.

To be clear, I am not denying the harms of hermeneutical injustice. Such injustice renders marginalised persons vulnerable to further harms as Fricker argues convincingly. It affects their epistemic selves, eroding their confidence, and putting their credibility as speakers at risk.[12] What I intend to do here is get clear about what cognitive resources a victim can have in virtue of

[12] Fricker "Hermeneutical Injustice" 159-160

her own experience and how these resources may be used for conceptualising the wrong she suffers. Ultimately, I agree with Fricker that "actual eradication" of this sort of injustice requires social "equality."[13] But, under conditions of inequality or, worse, oppression, victims themselves need to and often do in fact lead the way to new conceptual understanding of unnamed wrongs.

As already mentioned, I use Aristotle's account of emotions in my discussion throughout the paper. This is not the place to lay out the details of the textual interpretation on which I rely, but the parts of the account that are relevant here are, (1) emotions need not involve conceptual structures,[14] and (2) they have normative, ethical content. [15] Although for Aristotle all emotions are ethically significant ((2) above), for my purposes here it is enough if we allow that at least some emotions, let's call them 'moral emotions,'[16] are ethically significant in this way. For instance, Aristotle defines pity as a "a kind of pain excited by the sight of evil, deadly or painful, which befalls one who does not *deserve* it," i.e., an evil or terrible misfortune that one could

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[13] See Fricker, "Evolving Concepts of Epistemic Injustice," *Routledge Handbook of Epistemic Injustice*, eds. Ian James Kidd, José Medina, Gaile Pohlhaus, Jr., (Oxon: Routledge University Press, 2017), 55.

[14] I do not mean to claim that affective states are intrinsically independent of conceptual structures. I take it that at least some affective states do not involve fully conceptual content. These can instead be based on preconceptual apprehensions, perceptions, or imaginings. I leave it open that some states of *pathē* might involve beliefs (and so concepts). For a discussion of *pathē* along these lines see Anothy. W. Price, "Emotions in Plato and Aristotle" in *The Oxford Handbook of the Philosophy of Emotion*, ed. Peter Goldie (Oxford: Oxford University Press, 2010), 134-135. Stephen Leighton, "Passions and Persuasion," in *A Companion to Aristotle*, ed. G. Anagnostopoulos (Oxford: Wiley-Blackwell, 2009), 597-611.

[15] This is a widely accepted view about Aristotle's *πάθη.* See, for instance, Nancy Sherman, Gisela Striker, Martha Nussbaum, and more recently, Jessica Moss and Jamie Dow. Nancy Sherman, "Discerning the Particulars," in *The Fabric of Character: Aristotle's Theory of Virtue* (Oxford: Clarendon Press, 1989), 13-55. Gisela Striker, "Emotions in Context: Aristotle's treatment of the Passions in his Rhetoric and Moral Psychology," in *Essays on Aristotle's Rhetoric* (Berkeley: University of California Press, 1996), 286-302. Martha Nussbaum, "Aristotle on Emotions and Rational Persuasion," in *Essays on Aristotle's Rhetoric*, ed. A.O. Rorty (Berkeley; London: University of California Press, 1996), 303-23 Jessica Moss, "Phantasia and the Apparent Good," *Aristotle on Aristotle on the Apparent Good: Perception, Phantasia, Thought, and Desir*e, (Oxford: Oxford University Press, 2012), 48-64. Jamie Dow, "Feeling Fantastic Again—Passions, Appearances, and Beliefs in Aristotle," in *Passions and Persuasion in Aristotle's Rhetoric* (Oxford: Oxford University Press, 2015), 182-225.

[16] For contemporary accounts of such moral emotions see, for instance, Allan Gibbard, "Moral Feelings and Moral Concepts," in *Oxford Studies in Metaethics. Vol. 1*, ed. R. Shafer-Landau (Oxford, Oxford University Press, 2006), 195-215.

expect to come upon oneself or one's friends.[17] So pity in this sense is a way of apprehending suffering that is undeserved.[18] I will present independent, philosophical, and non-textual arguments for both claims I make of moral emotions, (1) and (2), in section II of the paper below.

In Section I, I consider problems with Fricker's account in the way it portrays the cognitive state of victims and their communicative abilities. In Section II, I outline my proposal for cognitive aspects of moral emotions and the role they can play in moral, preconceptual awareness under conditions of hermeneutical injustice. Section III discusses constraints on communication under conditions of hermeneutical injustice where the relevant concept, here an unnamed wrong, is missing. Section IV returns to the communicative success of the women in the *Suppliants* and discusses features of their communication that make the exchange successful.

I

Fricker develops her account of hermeneutical injustice using an example from Susan Brownmiller's memoir, *In Our Time: A Memoir of a Revolution*. In 1974, Carmita Wood worked at a nuclear physics lab at Cornell when a distinguished professor targeted her repeatedly with

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[17] Aristotle *Rhetoric* 1385b14-18. Note also that all references of the texts of Aristotle, unless otherwise stated, are from Aristotle, *The Complete Works of Aristotle, The Revised Oxford Translation Vol. 2,* rev. & ed. Jonathan Barnes (Princeton, New Jersey: Princeton UP, 1984).

[18] Pity involves notions of moral desert. As David Konstan argues, some forms of "ethically neutral conditions such as death, old age, and disease, were also considered pitiable." It is unclear how these were grasped as cases of *undeserved* suffering but, perhaps, as Konstan speculates, "certain kinds of catastrophe never seem truly to be deserved" See David Konstan, *The Emotions of the Ancient Greeks: Studies in Aristotle and Classical Literature* (Toronto: University of Toronto Press, 2007), 205.

aggressive sexual behaviour and unwanted attention. Wood's complaints were dismissed as a personal problem, as the understanding of 'sexual harassment' nor the term existed at the time. Suffering from severe physical symptoms stemming from the stress her abuser caused, Wood left her job. When she subsequently applied for unemployment compensation and was asked about the reasons for quitting, she is unable to adequately communicate the situation the claims investigator.[19] Later she sought out Lin Farley who invited her to her seminar where Wood shared her story and at once the women in the room, the students and staff included, had a moment of revelation. Every one of them had had a similar experience at some point in their lives. And they begin the task of coining the term "sexual harassment."

Fricker writes that Wood suffered from a "cognitive disablement that prevents her from understanding a significant patch of her own experience" because the collective hermeneutical resources have a "lacuna where the name of a distinctive social experience should be.[20]" So, hermeneutical injustice seems related to the lack of a name, a label that identifies an experience. But what does it mean that one is unable to understand an experience?[21] Does the lack of "understanding" in Fricker's sense imply an inability to categorise it or describe it or something else perhaps? Carmita Wood, though unable to reply to the claims investigator satisfactorily, has no trouble describing her experience at Farley's seminar. She does so with great success even as

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[19] Fricker writes that Wood is at a "loss to describe" the hateful episodes. However, Baker in a fuller discussion of the case uncovers transcripts of Wood's hearing after her claim was rejected. She describes how Wood communicates the gist of her understanding, claiming that her abuser was a "dirty old man" who did not wish for her stay at her job. See Fricker "Hermeneutical Injustice," 150. Carrie N. Baker, *The Women's Movement Against Sexual Harassment.* (Cambridge: Cambridge UP, 2008). Baker's account poses problems for Fricker's description of Wood's cognitive state. The right description would be to say that Wood had some understanding of her situation, but lacking general terms to describe them (as she describes only the particular actions and intent of an individual), her understanding is lacking.

[20] Fricker "Hermeneutical Injustice" 150-151

[21] Fricker vacillates in her description of what exactly the women lack. On page 152 of "Hermeneutical Injustice," she writes that Wood is "prevented from understanding" her experience, but later on page 162, she writes that the experience is "barely intelligible" to Carmita Wood.

her experience is immediately identified by other women at the seminar as of the same kind as experiences that they had had.[22] Her ability to describe the experience in such a way suggests that she is able to discern some of the salient aspects of this *sort* of experience, though she may not have recognised that she has done so.[23] This would explain why others were able to identify their own experience as being of a similar sort. Though Carmita Wood may not have been able to identify the experience as being of a certain sort, she could discern certain salient aspects of it and communicate them through her description.

In the *Suppliants*, the women seem to know *that* it is wrong in some sense to be forced to marry these men; they ask Pelasgus repeatedly to do what is just or right (*dikē*) by them, where the term *dikē* seems to refer to a broad notion of justice.[24] Trystan Goetze offers a useful distinction to clarify two senses of hermeneutical injustice. Goetze argues that hermeneutical injustice may involve *communicative* harm as opposed to *cognitive* harm (and, also, both).[25] In instances of communicative harm, the victim has acquired knowledge of her experience but is unable to share her knowledge. Victims of cognitive harm, on the other hand, are prevented from attaining any significant knowledge of their own experience. Victims overcome cognitive harm by for instance forging the necessary interpretive tools within a small community of similarly

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[22] As narrated in Brownmiller's memoir and restated in Fricker's book, a feminist recalls what happened in Lin Farley's seminar when Carmita shared 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." Fricker "Hermeneutical Injustice," 150. My italics. Susan Brownmiller, *In Our Time: Memoir of a Revolution* (New York, Delta: 1999), 279-295.

[23] Arguably, she is likely to recognise *that* she can do so after other women disclose similar experiences.

[24] The terms the women use throughout are variants of *dikē*. For instance, they ask the king to act justly toward them (line 82) and judge where justice lies (line 79). See also 384, 395. The word *dikē* has broad connotations including custom, order, right and judgment, especially in the play. As Robertson puts it, the term has "the broadest principles of equity." See H.G. Robertson, "Δίκη and ὕβρις in Aeschylus' Suppliants" *The Classical Quarterly* 50, no.3 (1936):104-109.

[25] Trystan Goetze, "Hermeneutical Dissent and the Species of Hermeneutical Injustice," *Hypatia* 33, no.1 (2018): 73-90.

situated knowers though they may remain unable to communicate with members of their larger social community. Thus, they suffer communicative harm.

Yet Goetze's distinction seems to oversimplify the case of hermeneutical injustice. Suppose we ask, how could one begin to articulate or explicate one's experience? Plausibly, such a question can be answered even where there is incomplete self-understanding of the experience. Such articulation arguably occurred in Lin Farley's seminar that Carmita Wood attended and where she spoke about her experience. The gap between cognition and communication seems thinner and more elusive than Goetze implies. It is in part through the business of articulating, the exercise of putting into words, that one comes to grasp one's own experience. (And someone who fails to describe his or her experience, on solely epistemic grounds, i.e., all else being equal, as when a person's description lacks clarity or definition does not strike us as someone who has a sufficient understanding of her experience.[26]) The effort of communication ought not to be reduced to delivery of pre-packaged information because communication allows for shaping, testing, and refining of ideas.

Such a reductive notion of communication gives us a distorted picture of the epistemic wrong, because it depicts victims of hermeneutical injustice as fully dependent on the willingness of the larger social community to rectify the injustice that they suffer.[27] But generally, victims of hermeneutical injustice seem to have substantially more agency and greater room to pursue creative solutions than both Fricker and Goetze recognise in their respective

[26] Goetze discusses the case of LGBTQ+ communities coining the term 'agender.' The term is known within the community itself, though it remains unknown to the larger community. But in this case, it seems that the issue here is not that further epistemic resources need to be uncovered, but rather that the term needs to receive social and political uptake. This seems different in kind from the cases where a genuine epistemic difficulty is posed in the communication of an idea such as sexual harassment where perhaps certain behaviours need to be sufficiently distinguished by certain other behaviours such as harmless flirtation. Goetze, 74.

[27] For instance, even those who have attained knowledge of their own experience are, by Goetze's account, yet unable to remedy the communicative harm they suffer with respect to the larger community.

discussions.[28] Again, in the Carmita Wood case, after Wood' testimony the women collectively understand that they have identified a distinct social experience which allows some activists present at the discussion to eventually coin the phrase "sexual harassment." My point is that Fricker's account (and Goetze's as well) fails to do justice to the cognitive resources that victims possess in cases of hermeneutical injustice.

There is a second and related issue with Fricker's account that it does not account for the resources that victims have or can leverage to impart some understanding of their experience to at least, certain third parties. Fricker's primary suggestion for overcoming hermeneutical injustice is for listeners to cultivate certain virtues. She describes what she calls a "virtuous listener," a person who listens pro-actively and with social awareness to victims.[29] But this option, renders the victims entirely dependent on the good will of these virtuous listeners (who are likely motivated to preserve the status quo because it is to their own advantage), vulnerable in the interim; it also deprives victims the exercise of their agency in remedying their own situation. In her discussion of the speak-outs organised by women's movements, Fricker suggests that the process of sharing the experiences with a consciousness-raising group awakens "dormant resources for social meaning," which gets us some way toward understanding how relevant

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[28] The point is also that Fricker's and Goetze's accounts do not make a distinction between degrees of deprivation and so fail to distinguish extreme cases where social knowledge and power are strictly isolated to very few figures or institutions (as in authoritarian regimes) from cases like that of sexual harassment in a patriarchal society. This problem is discussed very well in José Medina's response to Fricker's article. See "Hermeneutical Injustice and Polyphonic Contextualism: Social Silences and Shared Hermeneutical Responsibilities," *Social Epistemology* 26, no. 2 (2012): 221-235.

[29] Fricker, "Hermeneutical Injustice," 171. Fricker assumes that the lack of self-confidence and trust in one's own instincts that women and perhaps also all marginalized group suffer from in communicating with third parties is mainly a function of the hermeneutical lacuna, but this lack of self-trust and confidence does not seem specifically tied to the lack of linguistic resources in this particular context though exacerbated by it. Instead, the lack of self-trust and confidence seems more general and possibly tied to the identity of marginalised groups in societies. It seems plausible that cultivating greater awareness about their recurring self-doubt and practices can prove salutary in overcoming the self-doubt that Carmita Wood and other victims face in articulating or attempting to communicate their own experiences.

social meanings can be cultivated by the agency of the victims.[30] But this is only the beginning of an answer.

One might respond that the burden of this communication will be alleviated once the notion of sexual harassment is defined and publicised by others who have the authority to define social meanings, such as journalists or lawmakers, as Fricker suggests.[31] This is surely true of communication in certain formal contexts. Communicating in courts and certain governmental bodies will certainly require this kind of effort, though in these contexts too definitions of terms are argued over and redefined many times over. Yet, it seems implausible to think that *all* interpersonal communication needs to wait for such an accomplishment and cannot even achieve some moderate success in the absence of it. In fact, we do engage in this sort of communication in relationships, friendships, with varying degrees of success. Psychotherapy is premised on the possibility of such communication. And as evidenced by the ample use of literary sources in Fricker's own discussion, one could argue that such communication can occur with the aid of a writer's evocative writing. And plausibly, these various communicative efforts can also be genuinely clarificatory, contributing to the elucidation of social meaning.

Note also that Fricker's solution rests on the mobilisation of large institutions and depicts the victims as lacking any recourse to pursue bottom-up, creative solutions and exercising their own agency.[32] The problem in part, as others like Jośe Medina have pointed out, is that Fricker's account of how social meaning is generated is too hierarchical; meanings seem to be generated

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[30] Fricker, "Hermeneutical Injustice,"148.

[31] This seems implied by her remarks about the sphere where "social meanings are generated." See Fricker, "Hermeneutical Injustice, 152.

[32] Jośe Medina offers a similar critique, pointing to the possibility of repeated efforts at communication among subjects, i.e., victims of hermeneutical injustice developing "a definite sense of the contours of social experience" even if the experience continues to lack a name. See Medina, "Hermeneutical Injustice and Polyphonic Contextualism," 208.

from institutions of social power and handed down.[33] And even so, social meanings presumably are not defined merely through stipulation by a lawmaker or a journalist but require some additional *explicative* work in addition to naming and a stipulated definition.[34] And it seems that this sort of explication requires the participation of the victims themselves as they have first personal, privileged access to the experience in question. So, it turns out we are still missing an account of what cognitive resources victims can cultivate or leverage to elucidate their experience.

II

In this section, I argue that affective states may alert us to wrongs that we have not yet fully understood. So, victims of hermeneutical injustice have some understanding of the wrongs they suffer in virtue of their affective experience. Specifically, they would be able to discern instances of the wrong and grasp certain salient aspects of it.

In Aristotle's moral psychology, the habituation of an agent which involves learning to act and respond in the right sorts of ways *precedes* the reflective and, one might say, conceptual understanding of the reasons *why* these actions and responses are appropriate.[35] Initially, one's affective responses are not tied to appropriate explanations for what makes them appropriate, i.e.,

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[33] See "Varieties of Hermeneutical Injustice," in *Routledge Handbook of Epistemic Injustice*, eds. Ian James Kidd, José Medina and Gaile Pohlhaus, Jr., (Oxon: Routledge University Press, 2017), 43.

[34] In relation to this point

[35] In making this claim, I leave the larger issue of whether moral concepts or norms are prior to these affective dispositions in that they explain the appropriateness of our affective responses, open. Here I am only interested in the moral psychology of the agent, specifically in understanding how these norms come to be grasped by individuals.

why they are called for in a given situation.[36] This sort of justificatory, or explanatory, knowledge, on Aristotle's view, comes later. But in its absence, one could still acquire an awareness of a kind not limited to knowing particular facts. As Iakovos Vasiliou puts it, habituation allows a person to "recognize an individual action as belonging to a particular ethical kind," though, I would add that the ethical kind itself need not be fully specified nor yet explicitly grasped.[37] This is because habituation, the development of moral character, involves repeated practice in action and affective responses in difference situations.[38] Through practice, one learns how to feel and act in particular situations and thus presumably learns to discern the *sort* of situations that call for responses of a certain sort. For example, a well-habituated agent will discern situations that call for indignation and respond accordingly. So, the well-habituated person acquires affective dispositions for pity, anger, indignation, and so forth that support and inform her evaluative behaviour and attest to a developing ethical attitude or perspective.

Whether or not we agree with Aristotle's developmental account of the process by which *all* affective dispositions (or tendencies for having emotions) are acquired, we can admit that some ethically significant emotions need not require robust ethical concepts and can instead involve a minimal moral awareness. Alan Gibbard regards outrage as such an emotion,

> The naive young child feels outraged at one child's hitting another, say, and thereby thinks the hitting wrong… At this stage [i.e., the early stages of moral education], the child doesn't *need* a concept of outrage; it's we who say that in feeling outraged the child

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[36] Myles Burnyeat, "Learning to be Good," in *Essays on Aristotle 's Ethics*, ed. Amelie Rorty (LA: University of California Press 1980), 73.

[37] Iakovos Vasiliou, "The Role of Good Upbringing in Aristotle's Ethics," *Philosophy and Phenomenological Research* 56, no.4 (Dec 1996): 784. Vasiliou has something even stronger in mind here, as it seems that the knowledge involved here could not be specified in precise rules and propositions. For my purposes here, we do not need the stronger claim. it is enough if we allow that such an awareness *can* be gleaned without the aid of explicit formulation of the relevant ethical kinds.

[38] As Burnyeat puts, it "practice has cognitive powers." See Burnyeat, "Aristotle on Learning to be Good," 73.

classes the act as wrong.[39]

Gibbard makes a distinction here between the child's immediate affective response of outrage and the adult's reconstruction of it. The child's response of outrage, Gibbard argues, does not require the concept of outrage. She sees the act as wrong and is pained by it, presumably without being able to articulate why the act is wrong.[40] We might imagine how the conversation with the child would go if she were asked why the act is wrong. She may respond to our question by simply restating that the child's hitting another is wrong. One could argue that there is a nascent grasp of some sort of universal or general rule in her answer. But we can imagine her confusion when presented with more complex cases where it may seem permissible to hit a person, to subdue a person who is violent, for instance, because the person is in danger hurting themselves. It also does not seem likely that the child can articulate the wrongness of harming others in terms of individual rights or other more general moral concepts.

So, what explains her response of outrage? The child responds with outrage but not in virtue of explicit knowledge of relevant moral concepts. The child simply treats the hitting as wrong. As Gibbard argues, it seems implausible to describe what occurs in the child's mind in terms of the complex analysis of outrage and its warrant. Something much more direct or immediate seems to be going on.[41] She has a felt sense that a moral transgression has transpired.

Studies in developmental psychology support the idea of moral awareness evidenced in some moral emotions that do not require explicit and conceptual moral knowledge. One study showed that children between the ages of one and three exhibited "affective discomfort" at moral

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[39] Gibbard, 205. My emphasis.

[40] Research in developmental psychology suggests that children are offer justifications for their assessments at around age three. See Gabriella Freda and Audun Dahl, "How young children come to view harming others as wrong: a developmental analysis," in *Social Cognition: Development Across the life Span*, eds J. A. Sommerville and J. Decety (New York, NY: Routledge), 167.

[41] Gibbard 204.

transgressions so exhibiting, what the authors call, "precursors or rudimentary" forms of guilt and shame (that develop with age) along with "spontaneous" efforts to repair the damage and concern for the wrongdoing of others.[42] Here we may note the similarity with Aristotle's account, as the children seem to have developed both the relevant affective response and a disposition to act in situations where the response occurs. A more recent study showed strong indications that 30-month old children feel emotions of guilt and shame that are robustly "socio-moral," i.e., the children are aware of certain actions *as wronging* others.[43] The authors write that because the subjects who were wronged did not display overt signs of displeasure in the experiment the children's response seems not be based on mere behavioural cues but reflected a "recognition that one is responsible for the well-being and harm of another person."[44]

What is critical for our purposes is that due to the lack of both suitable reflective abilities and a developed sense of self in the children below three years of age, the conceptual ethical content that supports the observed affective responses seems thin and largely implicit. Though children of these ages were found to be responsive to the demands of justice or fairness and moral concern for others, it seems unlikely that these notions are developed and explicit in any appreciable degree. Like the child in Gibbard's example, toddlers in these studies seem to have moral awareness that supports felt, affective response to moral transgressions. This nascent awareness is argualy, preconceptual.

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42 Nancy Eisenberg, "Emotion, Regulation and Moral Development," *Annual Review of Psychology*, 51 (2000): 665-697.

43 Jesse Drummond et al, "Helping the One You Hurt: Toddlers' Rudimentary Guilt, Shame, and Prosocial Behavior After Harming Another," *Child Development* 88, no.4 (2017): 1-24

44 Jesse Drummond et al, 13.

So, in some cases, especially in the course of moral development, one has a sort of preconceptual moral awareness. This awareness, we will find, is sufficient for discerning instances of the relevant kind and involves understanding of some distinct aspects of the kind. Audre Lorde gives us a thick description of an encounter that produced an awareness of racial hatred in her,

> My mother spots an almost seat, pushes my little snow suited body down. On one side of me a man reading a paper. On the other, a woman in a fur hat staring at me. Her mouth twitches as she stares and then her gaze drops down, pulling mine with it. Her leather-gloved hand plucks at the line where my new blue snow pants and her sleek fur coat meet. She jerks her coat closer to her. I look. I do not see whatever *terrible thing* she is seeing on the seat between us — probably a roach. But she has communicated her horror to me. It must be something very bad from the way she's looking, so I pull my snowsuit closer to me away from it, too. When I look up the woman is still staring at me, her nose holes and eyes huge. And *suddenly I realize* there is nothing crawling up the seat between us; it is me she doesn't want her coat to touch… No word has been spoken. I'm afraid to say anything to my mother because I don't know what I've done. I look at the sides of my snow pants, secretly. Is there something on them? ...[45]

In the passage Lorde describes an interaction on a subway. The three-year old child perceives the disgust of the woman she sees. She gets that there is some "terrible thing" that the woman is horrified by. Looking fearfully between the seats and then looking up at the woman and meeting her stare that betrays her revulsion, the child "suddenly realises" that she in fact is the *object* of the woman's disgust. She perceives that something about her person makes her the target of the

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[45] Audre Lorde, "Eye to Eye: Black Women, Hatred, and Anger," in *Sister Outsider: Essays and Speeches* (New York: The Crossing Press, 1984), 147-148. My emphasis

woman's disgust as she searches her own clothes to find an answer. The child grasps an aspect of the hate by analogy to the quick aversion that a roach inspires in her.[46] In the look of the woman the child perceives that something about her is "very bad," "terrible" even. The woman's *way* of looking at her makes an impression and sometime later when the child meets a man who looks at her in a way that reminds her of the lady on the subway, she knows she is seeing the same (sort of) thing.[47]

As contemporary philosophers might put it, the child has acquired the ability to pick out instances of racial hatred toward black persons, even though she cannot yet *name* them *as* instances of racial hatred.[48] Though she does not fully grasp it, the child becomes attuned to this hatred and feels its "heaviness" sharpened by an as yet "unexpressed anger."[49] Lorde writes in the same essay that in that part of her childhood, though she felt the hatred "echoed" in movies, newspapers and other places, and especially in the "eyes" of many white people, she "had no tools to dissect it" and "no language to name it." [50] The ability to analyse the hatred presumably has to wait on improved conceptual knowledge.

The example from Lorde gives us a sense of what a preliminary grasp of a concept might look like. To further spell out what is involved in this nascent affective awareness that I have been alluding to, I turn again to Aristotle's account of habituation. Habituation, for Aristotle,

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[46] Lorde's description here may not fully reliable as she writes the account retrospectively from an adult perspective. But her account is plausible and supported by the developmental psychological work cited in n.42 and n.43 that strongly suggests are responsive to moral transgressions of certain kinds, which implies that they are discerning distinct instances of such transgressions.

[47] Lorde, 148.

[48] The child's preconceptual awareness may not be sufficient for correctly identifying *all* instances of racial hatred. Her capacity for such identification is limited perhaps, to intentional acts, such as the action of the woman in the subway. Presumably, with time and exposure to more instances, her concept will develop to include unintentional acts as well. Note however, that the child does not have a misconception about racial hatred but only an incomplete notion of it. I thank one of the referees of this article for pointing this out.

[49] Lorde describes her anger as a child as "unexplained anger" Lorde, 149.

[50] Lorde, 148.

involves developing a certain discriminatory, recognitional capacity, a capacity for seeing actions and situations in specific *ways*.[51] Put another way, affective awareness in moral emotions involves a sensitivity or responsiveness to ethically relevant features of situations. Emotions are elicited by particular persons in particular situations. One feels pity for *this* person and how things have turned out for *her*. And we feel pity in so far as we perceive her situation as in a way similar to other situations previously learnt as piteous. If this is right, we can see why emotions do not require explicitly articulated content. They can proceed from an awareness of certain features or an ability to pick out certain features (along with an implicit grasp of relevant similarity).

One might argue that seeing a particular situation in a *certain* way requires a set of grouping criteria. Put differently, perceptual awareness of a situation *as* being of a certain sort, that requires conceptualisation of the relevant *sort* of situations. But firstly, one does not need specific, clearly articulated set of criteria to be able to sort. We know this from studies in infant learning and animal cognition.[52] In both studies, sorting was evidenced in the absence of linguistic ability and so sorting seems not to require linguistically articulated criteria. But more to our point here, recognising similarity between the situation of the women in the play, for example, and other more readily recognisable situations of violence, especially when analogy is employed, requires no explicit criteria. It is usually the absence of such explicit criteria (or our ignorance of them) that prompts us to employ analogies in communication. And analogies in

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[51] On this point, see Kristján Kristjánsson, *Aristotle, Emotions, and Education* (Aldershot: Ashgate Publishing, 2007), 36. See also Nancy Sherman, *The Fabric of Character* (Oxford: Clarendon Press, 1989), 254-62. This view is shared by other commentators on Aristotle's discussion of habituation and was perhaps pioneered in Myles Burnyeat's paper, "Aristotle on Learning to be Good."

[52] See for instance a famous paper published by L.B. Cohen and J.S. Hussaim, "Infant Learning of Ill- Defined Categories," *Merrill- Palmer Quarterly*, 27, no. 4(1981): 443-456. See also Loveland and Hernstein's experiments on categorisation observed in pigeons. R. J. Hernstein, & Loveland, D. H. "Complex Visual Concept in the Pigeon," *Science* 146 (1964): 549-551.

literature tend to be informative and so, presumably, the similarities between the analogs were not obvious in the first place. As we shall see in the following section, Aeschylus' suppliant women in their plea present their plight as analogous to Io's. The instance of Io is well known from mythology and is part of the cultural knowledge the women share with the king. This analogy enables the king to recognise the women's' situation as pitiable much as Io's situation is known to be.

The point about habituation generalises for all ethical learning. Just as children first cultivate habits of action and affective responses, so too adults are likely to develop affective responses before they develop suitably spelt-out understandings of the situations that they are responding to.[53] As noted, Aristotelian moral development involves in part the cultivation of suitable affective responses and the affective responses come with discerning capacities and a nascent awareness of relevant moral notions. On the picture I have sketched, emotions (along with perception and, perhaps, imagination) are (or can be) a source of moral cognition quite apart from thought and reflection,[54] and we might plausibly suppose that they will likely remain so long after the infant grows into an adult.[55] If so, victims of hermeneutical injustice will have

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[53] Feminist philosophers, following Alison Jaggar have argued for this kind of epistemological work that emotions can perform, particularly in the discussion of "outlaw emotions" or emotions that are emotions that are felt by marginalised persons in a community that diverge from the emotions that accord with the hegemonic view of the situation. In my account, I suggest that besides anger and such emotions as victims of epistemic injustice may feel, other moral emotions such as indignation and pity that may be felt by non-marginalised members in one's larger community could also do important epistemic work. See Naomi Scheman, "Feeling Our Way toward Moral Objectivity," in *Minds and Morals: Essays on Cognitive Science and Ethics*, eds. Larry May, Marilyn Friedman, and Andy Clark. (Boston: MIT Press, 1996), 228-229. See also, Alison Jaggar, "Love and Knowledge: Emotion in Feminist Epistemology," in *Gender/Body/Knowledge: Feminist Reconstructions of Being and Knowing*, eds. A.M. Jaggar and S.R. Bordo (New Jersey: Rutgers University Press, 1989), 160.

[54] I defend this claim at length as an interpretation of Aristotle's view of *pathē* (emotions) elsewhere. See *The role of Pathē* in Aristotle's Ethics (*ms.*)

[55] Burnyeat suggests that this is so on Aristotle's picture. See Burnyeat 80. One further reason for thinking that we retain emotions that derive from other cognitive sources besides thought and reflection, is the occurrence of recalcitrant emotions. Recalcitrant emotions contradict judgments or beliefs as for instance a person may have a fear of heights while knowing and judging that he is safe on top of a tall building, for instance. The existence of such emotions suggests that, at least, some emotions are independent of reflective judgment and thought.

cognitive resources due to their affective experiences. Like Lorde, who as a very young child feels the pain and disgust of racial hatred and acquires the ability to discern it even though she lacks the relevant vocabulary, others faced with distinct, yet unnamed experiences that are morally significant can acquire the ability to discern instances of the same experience and form a nascent understanding of it.

In this section, I have discussed moral emotions as a cognitive resource for victims of hermeneutical injustice. They can develop an ability to discern instances of the wrong they suffer and are aware of certain salient aspects of it. We can now understand why it might appear that such persons lack knowledge of their experience and why they themselves may feel so. Because their knowledge is tied to their affective experience, the experience may be felt to be subjective in the sense of particular and personal. [56] This is unsurprising given the nature of affective experience. Yet, the problem of communication with third parties remains. We can already see however that moral emotions might have some role there too. For the very reason that some moral emotions do not rely on explicit conceptual knowledge, they might aid outsiders, those who do not have the same affective experience, to grasp some aspect of the wrong that victims of hermeneutical injustice suffer and are unable to name.

Now we can return to the case of the women in the *Suppliants* that we began with to

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[56] Some of the earliest accounts of survivors of the Holocaust seem to have been in a similar situation where they are only able to describe their personal experiences, though in this case both the absence of proper vocabulary for the occurrences of the Holocaust at that time and the fact that Nazi actions were shielded from the outside world and any public discussion explains the lack of more abstract, general descriptions. In an interview from August 1946, a survivor, Nelly Bandy, describes the death march without being able to name it. See says, "All the route was bordered with corpses, you see…[the corpses] were men who had been led before us and had been shot like that." See "David P. Boder interviews Mrs. Nelly Bandy, August 22, 1946, in Paris," accessed September 2017 https://iit.aviaryplatform.com/collections/231/collection_resources/17590

consider how victims of hermeneutical injustice may be able to communicate to others in the larger community. Before doing so, I outline the limitations to such communication due to the nature of hermeneutical injustice, i.e., the absence of a relevant concept in the collective hermeneutical resources.

III

Communicating a wrong under conditions where the wrong itself is barely understood presents particular difficulties. In the case of the women in *Suppliants*, their situation of being subject to a forced marriage is not understood as a *distinct* phenomenon. And so, the women's situation does not come with known and accepted markers for identification. If one were to claim that a person committed intentional homicide (at least in fairly straightforward cases), she then needs to demonstrate a motive and prove that the person did perform the action. Specific, distinctive features of intentional homicide are identifiable and known in advance and so could be used to prove homicide (though proving it might prove difficult in certain cases), but the same is not true of the women's situation.

In the play, the absence of these markers is vividly portrayed when the women argue that they are wronged, repeatedly describing the behaviour of their pursuers as outrageous (*hubrin*).[57] *Hubris*, as many scholars have noted, is notoriously hard to specify because of its broad and, at times, porous boundaries. As a legal term, it seems to have covered acts such as jeering at

[57] One might think that the women in thinking *that* they are wronged, must represent their experience *as* a specific kind of wrong. But this does not seem necessary. It seems possible that one can have some sense of being wronged where the wrong itself is only dimly perceived, i.e., significantly indeterminate.

people, disobeying authority, taking the properties of others, in addition to sexual offenses.[58] Also, as Robertson has suggested, *hubris*, in the play, seems to have the broad sense of lawless violence as seen in its use alongside *dikē* that the women also repeatedly invoke in their pleas to the king, though *hubris* and *dikē* are not generally antonyms.[59] The point is that when the women allege that their suitors are acting outrageously toward them, they seem to be saying no more than that the men have wronged them or that they have offended their honour, at least as far as the king understands them.[60] This difficulty emerges in the play when Pelasgus responds to the repeated pleas of the women for justice with a retort. He says that if the men have power over the women according to the law of their state (i.e., Egypt), then their claim over the women could not be opposed.[61] Pelasgus' reply reveals that the women have failed to communicate what it is that they see as wrongful.

One might think that the problem of communication that the women face can be overcome by appeal to higher norms that are very general in scope and which can reasonably be

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[58] See Stephen. C. Todd, *The Shape of Athenian Law* (Oxford: Clarendon Press,1993), 276-277. Though conceptually, *hubris* denotes a more serious offense and relates to affront to Gods and was also more seriously prosecuted being at time punishable by death, it was not a well-defined notion in legal practice. Though sexual offenses form the most important subgroup of the offenses of *hubris* that have been found in extant Greek legal sources, these offenses did not necessarily involve coercion or violence and instead were offenses that involved dishonour. Of the 500 or so known instances in legal documents, only 82 involved sexual offenses. See David Cohen, "Sexuality, Violence, and the Athenian Law of 'Hubris,'" *Greece and Rome* 38, no. 2 (1991): 172-173. As David Cohen notes, the applicability of the charge of *hubris* to any given case in front of the jury, was left "*solely* to the large body of lay judges/jurors who were responsible for deciding a particular case." See Cohen, 179.

[59] Robertson, 105.

[60] They seem to articulate something like a general feature when claim that their marriage to the sons of Aegyptus would amount to slavery, as they say that they do not want to be [taken as slaves] by the sons of Aegyptus. See line 335. But we must keep in mind that this connotation for the term slavery is not readily available in the ancient Greek context of the classical period. *Doulos* (slave) is semantically opposed to *eleutheros* (free person), but a free person is not conceived as someone who acts on his own will as opposed to being subject to the will of another. Rather a free person would be seen as someone who is *politically* not in a position of a slave (a part of the institution of slavery). In comparing their marriage to the sons of Aegyptus to slavery, the women are likely referring to the outcome of their physical capture and abduction by the sons of Aegyptus, if the Argives fail to protect them, since they use the term δμωΐς, which refers to female slaves taken in war. See LSJ, *s.v.* δμωή.

[61] *Suppliants* Lines 387-390. Aeschylus stresses this dilemma by repeating it in the final act when a herald from Egypt arrives at the scene claiming that the women are "lost property" and when the Pelasgus attempts to stay his hand, demands to know on what grounds he is denied the possession of the women. See lines 915 and thereon.

felt as applicable to a given situation since they apply quite generally to almost all situations.[62] But to do so the women need to be able to articulate *how* the sort of situation they are facing violates a higher norm. And here the earlier problem resurfaces. One could argue that the women in the play might appeal to a higher norm such as protection from violence. The women would then need to argue that the violence that the men have committed (or threaten) resembles the violence of physical assault in crucial aspects. The violence that the women face is that of being forced to marry, so the women have to prove similarity between the compulsion that they face and physical assault. But, arguably, cases of compulsion are not easily re-described, i.e., without further argument and explication, as forms of assault. To make such an argument one would have to explain how verbal coercion limits agency and show that it does in ways that are relevantly similar to the way physical force does, since it is not obvious that the violence and verbal compulsion are relevantly similar or, at least, it is open to argument that they are not relevantly similar.

Further, arguing from a higher norm may very well require that one also explicitly justify the extension of the scope of the norm to cover such cases as the one advocated for. One would have to argue *that* the norm of protection from violence, for instance, should apply (or that it does in fact apply) to the context of marriage. But this is far from easy in cases like these, where the victims of the wrong are socially and likely also legally disadvantaged, and the wrong barely understood. [63] Plausibly, these sorts of arguments can function as justifications or explanations of the extension of these more general norms after the wrong itself is more fully understood. In the

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[62] In recent discussions on norms, some philosophers have argued that one important factor in norm change is interpretation—or, rather, reinterpretation—of behaviour as falling under "some existing, *overarching norm*." See Geoffrey Brennan et al, *Explaining Norms* (Oxford, Oxford University Press (2013), 110.

[63] In the present case, there is also a further difficulty in that the women are refugees and so it is unclear if and to what extent the norms of the state of Argos apply to them.

play, it seems that the king is in a position to come up with such arguments and present them to the assembly of Argos whereas the women are not in the same position.[64]

Notice also, that any attempt to establish by argument that the women are in fact wronged will confront forms of motivated ignorance and bad faith on the part of the listener because the listener likely benefits indirectly from the hermeneutical injustice. In this case, the king, like all male members of society benefits from the gender–based privileges that result in the marginalisation of the women that produces hermeneutical injustice of the sort we see here, and so the king might be motivated to protect these privileges (even if his motivation is unconscious).[65] Affective appeals may be relied on to appeal more directly to one's core moral values, values that are inculcated through habituation in one's community and so entwined with one's affective responses learnt in the same process. So, the best hope for the women is to convince the king of the injustice of their situation and the legitimacy of their appeal and trust that the king will then advocate for them in a suitable way.

More generally, we may think of the specific context at issue here as interpersonal and as *preliminary* to an effort to argue the case with direct appeals to higher, more established norms. In Fricker's example, we may imagine Carmita Wood approaching a lawyer and attempting to speak about her experience with him. In the context that I have in mind, the victim of hermeneutical injustice engages in conversation with a neutral and potentially sympathetic third party from her community and speaks against a background of shared socio-ethical norms. I will

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[64] This fact is just a restatement of what Fricker describes as the condition of social "marginalisation" of the victims of hermeneutical injustice. Note also several legal theories including Bentham, Hart and more recently Raz (though with some more subtle differences exist between these accounts on the nature of the power), take "power" in the sense of permission granted through structures of state or constitution as central to legal change. Lars Lindhal, *Position and Change: A Study in Law and Logic* (Dordrecht, Holland: Reidel Publishing Company, 1977), 194.

[65] In the play, the king says that he is not prepared to take up their cause, even though he well knows that he has the "power" to do so. *Suppliants* Lines 396-398. The decision facing him is complicated by the possibility of war with Egypt since the men who pursue the women are rulers.

argue that the women make their appeal successfully by eliciting the king's sense of pity,[66] a moral emotion that concerns undeserved, indeed, unjust suffering inflicted on individuals and in doing so *implicitly* appeals to general notions of fairness and justice and the norms involved.

IV

In the *Suppliants*, the king asks about the misfortune that befell the daughters of Danaus but does not seem to understand the unwillingness of the women to marry their suitors. When he asks the women if they have any other legitimate grievance against the men who seek to marry them, the women reply,

> What woman would blame her lord and master if she loved him?

And then the king says,

> Well, this is the way men increase their power.[67]

The women's reply underscores yet again their unwillingness to marry these men as they claim not to love them. The king defends the institution of marriage referencing the benefit that families, and especially men, accrue through marriage; it increases their social standing through alliance with other families. Yet again the failure of existing norms to accommodate the concerns of the women is illustrated. At this point, being unable to convey the sense in which they feel

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[66] Appeals to pity, in ancient Greece, were recognised as part of forensic rhetoric or rhetoric used in courts for pleading one's case and was a way of showing the legitimacy of one's case. The emotion of pity is relevant here because the women's appeal is arguably a form of appeal for pity. Since appeals for pity were a common feature in forensic rhetoric, and the king engages the women in a quasi-legalistic way by asking for their legitimate grievances, it seems plausible that the women are making this sort of an appeal. See Konstan for a discussion of other reasons why this sort of appeal may be construed as appealing for pity. Konstan, *The Emotions of the Ancient Greeks,* 206. For a discussion of pity and appeals to pity in ancient Greek law see David Konstan, *Pity Transformed* (London: Bloomsbury, 2004), 27-48.

[67] *Suppliants* Lines 336-338.

they are being wronged, the women resort to a more direct plea. They say,

> Hear me, son of Palaechthon,
>
> with a heart offering goodwill, you Pelasgian lord and king!
>
> and see me, your suppliant here, and in flight,
>
> running about like a heifer pursued by wolves,
>
> high up amid steepling crags, where trustful of his aid
>
> she lows to tell the herdsman of her plight. [68]

The women's address calls for a certain receptivity on the king's part to "hear" and to "see" their plight. In their address they depict their condition evocatively with the image of the hunted heifer. The women hope that the king (imaginatively) perceives their condition and recognises the wrongness of their plight through the image of the heifer. I propose that the plea *reveals* the way in which the suffering of the women is blameless and is caused by a particular sort of violence exemplified by the violence of a predator.[69]

The women employ the image of the heifer in part because it recalls the myth of Io, the young Argive woman who was pursued by Zeus and punished by Hera. According to ancient legend (and as the women themselves recall the story in the play), Hera discovers that Zeus has seduced or coerced young Io[70] and turns Io into a young cow, a heifer, as punishment. But when

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[68] *Suppliants* Lines 347-354. I have modified Collard's translation slightly.

[69] There is some controversy as regards the notion of desert that, for Aristotle, underwrites pity. I follow Nussbaum's interpretation of desert here as a notion best captured by responsibility. On this interpretation, the women are undeserving in that they are not culpable for the situation through their own actions. Kristján Kristjánsson argues for a simple, or primitive notion of desert that has moral force on its own without being grounded in moral or causal responsibility. We may note that even on this interpretation, the situation that the women face is shown to be pitiable in that it is excessively adverse and undeserved of anyone save perhaps that of an escaped criminal (or slaves) in ancient Greek society. See Martha C. Nussbaum, "Compassion: The Basic Social Emotion, " *Social Philosophy and Policy* 13 (1996): 27.58. And Kristján Kristjánsson, "Fortunes-of-others Emotions and Justice," *Journal of Philosophical Research* 28 (2003): 108-110.

[70] It is unclear if Zeus' relationship with the young woman Io is consensual. In the play, the woman say that "that "Zeus lay with her, a mortal," and that he embraced or struggled with her, as different translators have rendered "τἀμπαλάγματα." I have followed Collard's translation in understanding it as struggles. According to the LSJ, the meaning of the word is 'embrace,' but the only text cited is the *Suppliants* itself, so the dictionary is not very helpful

Zeus continues to consort with Io, Hera sets a gadfly to sting her, forcing Io to flee Argos and wander the earth. The women in the above plea analogise their situation to that of Io, both of who suffer for being the object of male desire and pursuit and both of who are rendered fugitives because of it. And if the king recognises the plight of Io as involving *undeserved* suffering and as being pitiable, he will likely recognise the undeserved suffering of the suppliant women.[71]

By their appeal, the suppliant women claim that the sons of Aegyptus, who are depicted in the image of the wolf in their plea, are pursuing them much as Io was pursued by the gadfly, or, indirectly, by Zeus. Io, as the king admits earlier in the play, is unfortunate (*duspotmos*), a mere victim of a conflict between Hera and Zeus and Hera's wrath.[72] Zeus' attempts to consort with Io, the heifer, in the form of a bull are what instigate Hera's wrath in punishing Io with a gadfly that forces her to wander across the earth as a fugitive.[73] In particular, the mythic instance reveals the vulnerability of the young woman, Io, who is at the mercy of the gods' actions, both Hera's and Zeus'. The theme of mortal suffering at the hands of the Gods, or more directly fate, is a staple in Greek tragedy. The king, like the reader of the play, well recognises that the suffering of mortal Io is not due to her own actions. And so he sees the suffering of Io as undeserved. So, the analogy with Io would allow him to see the women as similarly pitiable.

The women's plea also works in another crucial way that shows the wrong the women suffer. The analogy of a heifer driven up "steepling crags" by the wolf allows the king to see the precarious situation of the women in an immediate way. The physical extreme where the heifer

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on this point. The point is significant if we notice that it is the central irony of the play that the women do not recognise the predatory actions of Zeus and repeatedly call for his assistance. On this point see Robert Duff Murray, *The Motif of Io in Aeschylus' Suppliants* (Princeton, Princeton University Press, 1958) 56.

71 A listener may deny the analog relation or pretend ignorance as well.

72 Line 30.

73 See lines 300-305.

ends up *reveals* the direness of the situation the women are driven to by their unrelenting suitors. The king recognises that their unrelenting pursuit has rendered the women with no choice but to physically evade them. The mythic story of Io that is alluded to reveals the extreme vulnerability of a young woman to the violence of her pursuers. In coming to feel pity for the women, the king grasps the wrongness of forcible marriage (or at least the wrongness of relentless pursuit by suitors), *in* the aggression with which the suitors pursue the women, the violence they threaten, and the frightful situation the women end up in. Note that neither the women nor the king need be able to articulate what sort of threat the men pose or what sort of violence they threaten. It is enough that the king perceives the *way* in which the suitors pursue the women as in some important sense predatory and the flight of the women as resulting from the terror that their pursuers induce. This *way* of seeing comes about with a feeling of pity. Feeling pity is to perceive and to be pained by the undeserved suffering of the women, to see them as driven to precarious extremes by ruthless predators.

A kind of shift or change in perception and understanding occurs when the king perceives the situation of the women. Before the women make the plea for pity, the king asks why the women flee from their homes and seems unable to understand why they did so. The plea allows the king to apprehend the spectre of physical harm at the hands of their pursuers that the women fear and flee from. We may note that in ancient Greek culture, young, unmarried women were regarded as untamed (*admētos*), an adjective otherwise reserved for cattle and horses, and are said to be 'tamed' by the yoke of marriage.[74] So the image the women use of a young heifer (perhaps deliberately used by the women to serve their own purpose) recalls this powerful association of women and cattle and brings home to the king the vulnerability of young women

[74] See Judith Fletcher, "The Virgin Choruses of Aeschylus," *Virginity Revisited: Configurations of the Unpossessed Body*, eds. Judith Fletcher and Bonnie MacLachlan (Toronto: University of Toronto Press, 2007) 25.

to predators. Thus, in coming to feel pity in this instance the king comes to see the situation of the women in a new light that reveals the harm threatened and inflicted on them.

One might object that the sort of change in the king's apprehension that the women seek to achieve through the analogy is problematic because the warrant for the change is not stated in the plea. The women have not shown explicitly why certain aspects of their situation that they share with Io warrant the attention of the king or why they are relevant. But in fact, the king knows why these aspects are relevant. If presented with a hypothetical example where a person is in a similar situation, he would judge that the person deserves pity. This is because the king shares an ethical perspective, a shared set of social and ethical norms, with the suppliant women, specifically norms concerning the grounds for pity and the moral appraisals of the actions of the individuals as bearing on judgments of deservingness. And as I argued earlier, these perspectives evolve from, and are tied to, affective dispositions such as a responsiveness to the suffering of blameless persons. This is a way in which broader ethical norms can enter into an understanding of a wrong that has not yet been conceptualised.

The point about the presence of broader ethical norms is crucial. Underlying the king's discernment that the women are suffering *undeservedly*, notions of moral desert and related norms bearing on pity are at play. Aristotle discusses some ethical norms as "unwritten" laws and as customs (*ethē*) which are inculcated through habituation (note that *ethē* refers also to habits) and are learnt in the early stages of moral instruction by children.[75] Perhaps, the king may recognise the wrongness of the women's situation in the broad sense in which the women's well-being (and flourishing) is already affected and further endangered. The king may also perceive

[75] Customs translates τὰ ἔθη. *Politics* 1287b6-10.

the force of the comparison of the women to heifers, young farm animals that require the protection of men from wild predators, where the notion of necessity is pragmatic but also customary and moral. Such justificatory reasons may exist as part of the background of socio-ethical knowledge, supporting practices and customs and can be made explicit, if need be.

A further objection could be raised. One might argue that the sort of understanding that the analogy affords is merely factual and not normative. The thought would be that with the help of the analogy the king may perhaps see the way in which the women are cornered by the pursuit of the suitors, but not that this situation is wrongful. Perhaps, though the worry goes deeper and at bottom is the suspicion that any normative grasp requires explicit thought. Yet, it is not evident that this is so. The king does not merely grasp that the women are cornered, if he does grasp the analogy, but that they are cornered in a *way* that a heifer driven by a wolf is, and so the king perceives that the women are vulnerable to serious *harm* and are driven to this situation by the predator. His perception is affectively and normatively charged. He becomes painfully aware of the extremity of danger the women are in and the violence of the men's predatory pursuit. To *see* the situation in this way is to perceive or to grasp that the women are being wronged.[76]

We can generalise the sort of appeal that allows the women here to communicate their feeling of wrong. The women's' plea is comparable to "reasoning using *paradeigma* (paradigmatic example)" as Aristotle describes it in *Rhetoric* II.24. Such reasoning is based on *showing* the likeness (similarities) between two cases where one of the two cases is more familiar than the other and serves as the example, though the similarities between the two are not

[76] On this point see Nancy Sherman, 170-171. Sherman writes, "To respond compassionately to a loved one who is suffering may not simply be a matter of (intellectually) seeing …but of seeing with an intensity and resolution that is itself characterized by compassion. One would not have seen in that way unless one had certain feelings."

made explicit. Here, the plea of the women relies on *shared* mythic knowledge about Io and common knowledge of predators and the threat they pose to human society. The point about the use of myth and a known example can be generalised for affective appeals.

What is significant about such reasoning for our purposes is that the speaker need not specify precisely what *this sort* of injustice is or state the similarities between the analogs. In Aristotle's notion of argument from *paradeigma*, as Burnyeat notes, the reasoner does not need to formulate the "covering generalisation" that the two instances fall under.[77] The "covering generalisation" is not obvious or present to the mind of the reasoner nor does it have to be made evident for the argument to be rationally convincing to him. The *awareness* of important similarities between the two instances is enough for a listener to reasonably conclude that the women suffer from the sort of injustice (or a similar sort of injustice) that Io had suffered from.[78]

The process here seems to involve the imaginative perception (or recognition) of one case in terms of another; the case of the suppliant "is seen or comprehended *in* something else."[79] It seems unmediated by observation of similarities between the two instances. When we hear or read an evocative simile, we grasp it without needing to check or note particular similarities between the analogs.[80] Similarly, in the example from *The Suppliants*, it seems that the threat of

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[77] As Burnyeat has noted, arguments from example do not require that the arguer state formulate the "covering generalisation." Plausibly, such a generalisation is graspable even if not explicitly grasped by the person who hears the argument. See Burnyeat, "The Origins of Non-Deductive Inference", repr. in *Explorations in Ancient and Modern Philosophy Volume 1* (Cambridge: Cambridge University Press, 2012), 112–151.

[78] However, I do not mean to suggest that in making this vivid plea the women are presenting an argument, though the plea is comparable to an argument. The king is not engaged in explicit reasoning in grasping the plea. He need only recognise the way in which the women are wronged by unrelenting suitors who threaten further harm through the example of a young heifer, or Io, or both.

[79] On this point see Stephen Halliwell, "Pleasure, Understanding, and Emotion in Aristotle's Poetics," in, *Essays on Aristotle's Poetics*, ed. Amelie O. Rorty (Princeton, NJ: Princeton University Press, 1992), 248.

[80] On this point see Elisabeth Camp, "Metaphor and that certain ''Je Ne Sais Quoi," *Philosophical Studies* 129, no. 1 (2006): 8.

the predator, the wolf, *becomes* the violence of the suitors, the horrific violence they threaten, and which inspires the terror and flight of the women. Through the image of hunted heifer Io, the acute vulnerability of the women and their undue suffering due to certain sexual pursuits becomes visible.

To be sure, the similarities that exist between the two cases support and inform the move from the example of the heifer to the situation of the women. So, the king has rational grounds for recognising the claim of the women. But grasping a plea like that of the women does not involve top down reasoning from general principles or known similarities expressed in general terms. This is crucial because in such cases the victims lack the conceptual resources that would help them to express what is morally wrong about their own experience, as I have discussed in the previous section. In the process that I am proposing, the experience of the women is made imaginatively available to the king. And in so far as the imaginative work is based on a particular example more general concepts need not come in for this experience to be grasped by the king.[81]

In the case of the women in the *Suppliants*, although they are unable to argue explicitly that forced marriage to their suitors would be wrong because of the lack of ethical terms and norms that could support such an argument, they are nevertheless able to *show* the abhorrent nature of such force through a piteous depiction of their own situation. Using the evocative analogy of the hunted prey, the women convey the similarity between the threat posed by a predatory animal and their own pursuers and the harm and suffering they both inflict through their unrelenting pursuit.

[81] Note also that emotions may aid us in grasping similarities that cannot not be explicitly articulated. Emotions involve perceptual awareness and attunement to particular sensory qualities such as hostile look or a mocking tone.

Conclusion:

In conclusion, let us revisit the problem of how communication occurs in consciousness-raising groups or speak-outs of the sort that Fricker mentions. In sharing personal, particular experiences with others, the women likely employ evocative language similar in certain respects to the evocative description that the women use in the play. In consciousness raising groups, persons gather to share their experiences however poorly understood they are. But these experiences would be described in a *way* that stays true (or attempts to stay true) to the felt experiences of the respective speakers. We can imagine Carmita Wood speaking about her experience by describing perhaps, the dreadful touch, the revolting brush, pat, or squeeze, the sting of the triumphant look of her predator, or other such aspects of her experience. And we can imagine that others who recognise the similarities with their own experience would be able to describe their experience in similar ways. A woman may communicate her sense of shock, fear, or anger, while another woman may narrate her shame or deep discomfort at being harassed. The different perspectives opened by these emotions bring to light different aspects of the wrong they suffer. So for example, the helplessness of women in such situations, the humiliation implicit in the actions of predatory men, and the alarm and dismay that these actions trigger, are revealed in the expression of fear, anger, shame, and sadness respectively. Grasping these aspects goes some way to understanding the wrong that is being perpetuated, even if the wrong is not yet named. In other words, evocative descriptions aid in a preliminary understanding of the experience of sexual harassment before it is articulated officially and introduced into a community's social vocabulary.

Though the account I give here is limited to hermeneutical injustice involving wrongs, i.e., socio-moral concepts, some directions have emerged for overcoming other cases of hermeneutical injustice. It seems plausible that one could turn to affective experiences and the recognitional capacities involved in these and in other forms of experiential knowledge for cognitive resources. Affective experiences such as shame and fear for instance figure in the experience of post-partum depression even where the term for the experience is unavailable. And, perhaps, the rhetorical use of language for imaginative engagement and for eliciting affective responses might prove useful for communicating generally under all conditions of hermeneutical injustice.

Before concluding, I should note that there may be a larger worry about the use of evocative language as such. As Fricker notes, the communicative efforts of women who suffer from hermeneutical injustice may be treated with suspicion by third parties *because* of their "emotional and intuitive style."[82] The assumption of course is that this form of communication stands opposed to the more recognised, logical, disinterested male discourse. Considerable and concerted effort to dismantle assumptions about gendered communication is still required. As for the kind of appeal that I have in mind in this paper, it is affective speech that is *deliberately* crafted bearing in mind the considerations that a listener might respond to. The women employ an example that the king is familiar with and would respond to and so elicit his pity. In so far as the women employ affective language it is to engage the affective dispositions and the underlying moral commitments of the king. Such purposeful, artful use of language is seen in literature and forms a part of political oratory even today. And most importantly, such deliberate

[82] Fricker, "Hermeneutical Injustice," 169.

use of affective experience and evocative language confers agency to victims to creatively express themselves.

In this paper, I have argued for the importance of moral emotions for overcoming hermeneutical injustice. I have made two claims. (1) Moral emotions such as indignation can furnish a preliminary understanding of unnamed moral wrong. Specifically, they can impart the capacity for discerning instances of such wrongs and an awareness of certain salient aspects of it. So, the victims of hermeneutical injustice can have knowledge of their experience in this sense in virtue of their affective experience. I have argued that the knowledge involved is a kind of preconceptual awareness and discernment of some salient features of the relevant wrong. (2) Moral emotions that involve broad notions of justice and fairness, such as pity, can be elicited from neutral third parties. This can be done through the use of rhetorically employed affective speech, as the women in the play, *The Suppliant Women,* do. Thus, one could *communicate* a wrong, i.e., impart some understanding of it to others, even when it is unnamed.[83]

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