Hermeneutical Injustice
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Hermeneutical injustice is a species of *epistemic* injustice, which involves a wrong done to one in their capacity as an epistemic agent: as someone who is trying to know more about the world around them, and to share their knowledge with others. Hermeneutical injustice occurs when an important experience fails to be properly understood, either by the person having the experience or by others within one's social milieu, where this failure is a result of an injustice in the background methods that are used to determine hermeneutical tools. Hermeneutical tools include any form of interpretive device that is drawn upon to render a phenomenon intelligible. Majority of the scholarship on hermeneutical injustice has centered upon the importance of concepts, but hermeneutical resources may also include tropes, narratives, stories, scripts, analogies, and metaphors.

Fricker's Analysis of Hermeneutical Injustice

An influential analysis of hermeneutical injustice is developed by Miranda Fricker (2007) in her book *Epistemic Injustice: Power and the Ethics of Knowing*. On this view, hermeneutical injustice is:

> [T]he injustice of having some significant area of one's social experience obscured from collective understanding owing to hermeneutical marginalization. (Fricker; 2007, 158)

To be hermeneutically marginalized is to be unjustly excluded from participating in the social practices wherein hermeneutical tools are created and implemented. Marginalized members of society are often excluded from, or have disproportionately less power within, important social institutions—for example, legal, political, medical, religious, economic, and educational institutions—where hermeneutical tools are created, revised, and reinforced. Consequently, the dominant hermeneutical repertoire—the common stock of hermeneutical tools that are drawn upon for interpretation and communication in public life—may misrepresent or entirely exclude the hermeneutical tools that are needed to make sense of a range of important experiences had by marginalized members of society.

On Fricker's (2007) approach, hermeneutical marginalization is necessary but not sufficient for hermeneutical injustice. On this view, hermeneutical injustice does not arise solely from one's being hermeneutically marginalized, but rather hermeneutical marginalization makes one a candidate for hermeneutical injustice; it functions as the background condition or catalyst that makes hermeneutical injustice more likely to manifest. Accordingly, hermeneutical injustice arises only when one attempts to make a socially significant experience intelligible, to oneself or to others, but fails because, given one's hermeneutical marginalization, the required hermeneutical tools are absent. Fricker says:

> The hermeneutical inequality that exists, *dormant*, in a situation of hermeneutical marginalization *erupts* in injustice only when some actual attempt at intelligibility is handicapped by it. (Fricker; 2007, 159), italics added.

On Fricker's view the chronology of hermeneutical injustice—how it unfolds overtime within a particular social environment—can be understood as follows:

> Background Conditions (Dormancy)
> One is hermeneutically marginalized insofar as one's participation in the production of hermeneutical resources used to interpret significant experiences is unjustly blocked or substantially restricted.

> Actualization (Eruption)
> One's hermeneutical marginalization manifests into an instance of hermeneutical injustice when one attempts, but fails, to render a socially significant experience intelligible because the needed hermeneutical tools are missing.

Fricker's analysis thus places a great importance upon the manifested struggle and failure to make one's experiences intelligible—only then does one suffer a hermeneutical injustice.

One might worry that on Fricker's analysis hermeneutical injustice makes its way onto the scene far too late. What if one never attempts to make their experience intelligible? Consider, for example, how a sexist ideology might become so deeply ingrained and internalized by a woman such that she never feels a dissonance between her available hermeneutical tools and her understanding of the social world. In such a case, the struggle for intelligibility may never arise, but remains forever "dormant." There are obviously several difficult and delicate issues to be worked out in cases of internalized oppression, but it's worth highlighting that according to Fricker's account, such individuals aren't properly characterized as victims of hermeneutical injustice.

A widely discussed example of hermeneutical injustice is the case of Carmita Wood and the emergence of the concept *sexual harassment* in the early 1970s (Fricker 2007, 150). While working in the Physics Department at Cornell University, Wood had experienced persistent and unwanted sexual advances from her boss. In response, Wood quit her job. When applying for unemployment insurance, Wood was required to explain why she quit, but she found herself at a loss for words. What she experienced is what we would now classify as a textbook case of sexual harassment. But, at the time, this concept was not yet operative within Wood's social milieu. Wood reported that she quit for "personal reasons" and was denied unemployment insurance. Fricker (2007) says: "Here is a story about how extant collective hermeneutical resources can have a lacuna where the name of a distinctive social experience should be" (Fricker; 2007, 150-151).

According to this view, the primary harm of hermeneutical injustice concerns in one's inability to make their experience intelligible. In the case of Wood, Fricker argues that:

> The primary epistemic harm done to her was that a patch of her social experience which it was very much in her interests to understand was not collectively understood and so remained barely intelligible, even to her. (Fricker; 2007, 162)

The secondary harms of hermeneutical injustice concern the negative consequences that flow from the primary harm. In the case of Wood, these include, though are not limited to, being denied unemployment benefits, experiencing overwhelming stress and anxiety, as well as other forms of material scarcity resulting from the loss of employment.

The case of Carmita Wood and the emergence of the concept of *sexual harassment* has generated a significant amount of discussion across recent literature, but it's important to emphasize that

hermeneutical injustice can be illustrated with a wide variety of examples. For instance, consider the emergence of concepts like *intersectionality* (Crenshaw; 1989), *white ignorance* (Mills; 2007), *gaslighting* (Abramson; 2014), or *genderqueer* (Dembroff; 2020). These concepts all function to fill in hermeneutical gaps, and the widespread dissemination of these concepts has helped to facilitate broader understanding of important experiences which may otherwise remain obscure or difficult to communicate.

Objections and Further Developments

While Fricker (2007)'s account of hermeneutical injustice has been incredibly influential, it has also faced a series of important challenges, and it has been expanded upon in several productive ways.

Ignorance and the Scope of Hermeneutical Injustice

Mason (2011) and Medina (2012) have drawn attention to an ambiguity in the concept of a *hermeneutical gap*. On the one hand, a hermeneutical gap may describe cases where a concept is absent from a social milieu entirely and not utilized or grasped by anyone whatsoever. Or, on the other hand, a hermeneutical gap might describe cases where a concept is only locally available and utilized solely among members of a particular community or social group, while that same concept fails to gain uptake more broadly. We can refer to the latter as a case where a hermeneutic resource is *intra*-communally—but not *inter*-communally—available, and the former as a case where a hermeneutic resource is *neither* inter-communally nor intra-communally available.

More generally, subsequent scholarship on hermeneutical injustice has emphasized important differences in how hermeneutical tools are disseminated and the extent to which they are given uptake across different social environments.

Willful Hermeneutical Ignorance and Contributory Injustice

Pohlhaus (2012) develops an analysis of *willful hermeneutical ignorance*, which occurs when members of socially powerful groups refuse to adopt the hermeneutical resources that are needed to understand the experiences of the socially marginalized. When this happens, the required interpretive tools fail to gain uptake within society more broadly, and they are utilized only at the *intra*-communal level.

Willful hermeneutical ignorance can give rise to what Dotson (2012) calls *contributory injustice*. Contributory injustice arises when extant hermeneutical resources—namely, resources which have already been developed within socially marginalized communities—are routinely dismissed or blatantly ignored by those in more dominant positions. Instead, the socially dominant continue to use prejudiced conceptual tools, thereby undermining the epistemic agency of marginalized populations which are, as a result, unable to meaningfully contribute to the dominant (or *inter*-communal) hermeneutical repertoire. Hermeneutic gaps persist and fail to gain uptake across society more broadly.

One doesn't need to search far to find examples of willful hermeneutical ignorance and contributory injustice in contemporary society. Consider a prevalent view which assumes that gender as *binary*, and relatedly, the rampant hostility towards the very idea of *transgender*, *non-binary*, or *genderqueer* gender identity. As Bettcher (2007) has argued, transgender women are often caught in a

double bind: they are either taken to be, "evil deceivers" who are concealing their "true" gender (which is assumed to be given by one's genital status) or "make believers" who are merely pretending to be women (Bettcher; 2007, 50-51). In such cases, while the needed interpretive tools have been developed, and while they are widely utilized within LGBTQ+ communities, hermeneutical gaps persist at the broader inter-communal level.

Hermeneutical Injustice Beyond Gaps

A common assumption across much of the literature on hermeneutical injustice is that it necessarily involves a *gap* or lack of hermeneutical resources. However, this assumption has been challenged, and alternative and more expansive frameworks for theorizing about hermeneutical injustice have been proposed. For example, Falbo (2022) argues that hermeneutical injustice may sometimes arise from the positive *presence* of distorting or oppressive concepts which crowd out or preempt the application of a more accurate concept.

For example, consider the case of Brock Turner, a former student athlete at Stanford, who was discovered raping an unconscious woman behind a dumpster. Despite clear-cut evidence of his guilt, many were reluctant to categorize him as a rapist. This case exhibits what Falbo (2022) calls a *hermeneutical clash.* Because Turner fits the profile of a so-called "golden boy"—he's white, educated at an elite school, an athlete with a bright future ahead of him, and so on—it was increasingly hard for some to classify him as a *rapist.* According to dominant rape myths, rapists are creepy strangers and monsters, whereas men like Brock Turner are the "good guys" (Yap 2017). More broadly, the relationship between hermeneutical injustice and rape myths has been a key area of focus in the literature on hermeneutical injustice (see, for example, Jenkins 2017 and Maitra 2018).

Relatedly, Dular (2023) argues that hermeneutical injustice can arise because of *hermeneutical excess*, which occurs when concepts emerge in the dominant hermeneutical repertoire which undermine one's ability to understand the experiences of the socially marginalized. Dular considers concepts like *reverse racism*, which fail to pick out genuine phenomena, and which reinforce an oppressive and unjust status quo. Dular's (2023) work builds upon Young's (1990) discussion of *cultural imperialism.* Young writes:

> Cultural imperialism involves the universalization of a dominant group's experience and culture, and its establishment as the norm ...Those living under cultural imperialism find themselves defined from the outside, positioned, placed, by a network of dominant meanings they experience as arising from elsewhere, from those with whom they do not identify and who do not identify with them. (Young; 1990, 54-55)

Relatedly, Collins (1990) offers an analysis of *controlling images*, such as the *welfare queen* and *mammy*, that purport to justify and serve to reinforce harmful stereotypes about Black women. Collins argues that controlling images function as "normative yardsticks" which are intended to normalize and uphold unjust social arrangements (Collins; 1990, 72-73). Collins writes:

> [C]ontrolling images are designed to make racism, sexism, poverty, and other forms of social injustice appear to be natural, normal, and inevitable parts of everyday life. (Collins; 1990, 76-77)

Hence, even after hermeneutical tools are widely available, they may still fail to be widely utilized, especially in high-stakes contexts. If the accurate *application* of a concept is in tension with a dominant

and pervasive ideology, then it may routinely fail to be utilized, and its potential to facilitate understanding—and, importantly, to improve the material conditions for members of marginalized social groups—will be significantly undermined.

It's one thing to *possess* a conceptual tool, and it's another to *apply* it, and to use it as a means for interpreting and understanding important experiences and social phenomena. This difference—between conceptual application and conceptual possession—has led some philosophers, such as Simion (2019), to defend the view that hermeneutical injustice fundamentally results from a failure of conceptual application rather than a gap in conceptual resources.

More generally, scholarship on hermeneutical injustice has highlighted the importance of attending to entire hermeneutical frameworks, and to how conceptual tools are operationalized within a given social environment. This work motivates a need to expand upon Fricker's (2007) analysis to include cases of hermeneutical injustice which don't arise from hermeneutical gaps (for further discussion see, for example: Simion 2019, Falbo 2022, Dular 2023, Foster and Ichikawa 2023).

Hermeneutical Injustice and Social Institutions

Analyses of hermeneutical injustice have also been drawn upon to help understand how epistemic injustice arises within institutionalized social environments. For example, consider a recent case study from Townsend and Townsend (2021), who analyze how hermeneutical injustice is perpetuated within legal institutions. They consider the Inter-American Court and Inter-American Commission on Human Rights, which have sought to gain protections for Indigenous peoples against proposed developments and industrial activities. One such protection is the *right to consultation* which requires states to engage in good faith dialogue with Indigenous communities before making any decisions or implementing any policies that may negatively impact the lives of Indigenous peoples.

However, Townsend and Townsend (2021) argue that exercising the right to consultation often perpetuates institutionalized forms of hermeneutical injustice. This is because legal institutions typically force Indigenous peoples to re-frame and interpret their relationship to land in terms of *property ownership*. This interpretation, however, is deeply at odds with how Indigenous peoples conceive of their relationship to land. Townsend and Townsend (2021) write:

> No notion of property can do justice to the idea that the land is one's mother and one's father; nor can it capture the sense that to be displaced from one's territory is to be dehumanised. But because of the privileged institutional status of the concept of property, it becomes legally necessary to re-frame Indigenous experiences and relations to land in terms of this ill-suited concept. (Townsend and Townsend; 2021, 154)

This case exhibits a clash between the dominant hermeneutical frameworks that are operative within the bounds of legal institutions, and the hermeneutical tools that are required to properly understand and communicate one's experiences and concerns. Such cases put into sharp focus the real costs that are involved in challenging dominant hermeneutical frameworks, as well as the pressures that one may feel to conform to them in high-stakes cases, as this is often required to gain access to crucial social goods and resources, such as legal protections.

Hermeneutic Justice

What does hermeneutical *justice* require? Fricker (2007) argues that the solution is for individuals to cultivate the virtue of hermeneutical justice, a corrective intellectual virtue. Fricker describes this virtue as:

> ...an alertness or sensitivity to the possibility that the difficulty one's interlocutor is having as she tries to render something communicatively intelligible is due not to its being a nonsense or her being a fool, but rather to some sort of gap in collective hermeneutical resources. (Fricker; 2007, 169)

Langton (2010) and Anderson (2012) have cast doubt upon this approach, arguing that a solution in terms of individual virtues is likely to be slow and ineffective, especially when the task of cultivating virtue is carried out within an oppressive social environment. They argue that, in addition to cultivating individual virtue, structural intervention at the level of *whole social institutions* is required. This approach to hermeneutical justice, and epistemic justice more broadly, motivates the need to not just fill in hermeneutical lacunae, but to also to disrupt and resist oppressive social practices, which produce and normalize oppressive hermeneutical frameworks, and which make it harder for members of marginalized communities to be meaningful participants when it comes to contributing important hermeneutical tools.

This is, of course, just a brief sketch of the vast and burgeoning literature on hermeneutical injustice. Scholarship in this area, and on epistemic injustice more broadly, will continue to meaningfully shape and enrich debates, not only within feminist epistemology, but across many distinct and wide-ranging areas of philosophy.

References

Abramson, K. (2014). Turing up the lights on gaslighting, *Philosophical Perspectives* 28: 1–30.

Anderson, E. (2012). Epistemic justice as a virtue of social institutions, *Social Epistemology* 26: 163–173.

Bettcher, T. M. (2007). Evil deceivers and make-believers: On transphobic violence and the politics of illusion, *Hypatia* 22(3): 43–65.

Collins, P. H. (1990). Mammies, matriarchs, and other controlling images, *Black Feminist Thought*, New York: Routledge.

Crenshaw, K. (1989). Demarginalizing the intersection of race and sex: A black feminist critique of antidiscrimination doctrine, *Chicago Legal Forum* 1: 139–167.

Dembroff, R. (2020). Beyond binary: Genderqueer as a critical gender kind, *Philosophers' Imprint* 20: 1–23.

Dotson, K. (2012). A cautionary tale: On limiting epistemic oppression, *Frontiers: A Journal of Women Studies* 33: 24–47.

Dular, N. (2023). One Too Many: Hermeneutical Excess as Hermeneutical Injustice, *Hypatia* 38 (2) 423-438.

Falbo, A. (2022). Hermeneutical injustice: Distortion and conceptual aptness, *Hypatia* 37(2): 343–363.

Foster, J. and Ichikawa, J. (2023). Normative inference tickets. *Episteme*, 1-27.

Fricker, M. (2007). *Epistemic injustice: Power and the ethics of knowing*, Oxford: Oxford University Press.

Jenkins, K. (2017). Rape myths and domestic abuse myths as hermeneutical injustice., *Journal of Applied Philosophy* 34: 191–205.

Langton, R. (2010). Epistemic injustice: Power and the ethics of knowing. by Miranda Fricker, *Hypatia* 25(2): 459–464.

Maitra, I. (2018). New words for old wrongs, *Episteme* 15: 345–362.

Mason, R. (2011). Two kinds of unknowing, *Hypatia* 26: 294–307.

Medina, J. (2012). *The epistemology of resistance: Gender and racial oppression, epistemic injustice, and the social imagination*, New York: Oxford University Press.

Mills, C. W. (2007). White ignorance, *in* S. Sullivan and N. Tuana (eds), *Race and Epistemologies of Ignorance*, Albany, NY: State Univ of New York Pr, pp. 11–38.

Pohlhaus, G. (2012). Relational knowing and epistemic injustice: Toward a theory of willful hermeneutical ignorance, *Hypatia* 27: 715–735.

Simion, M. (2019). Hermeneutical injustice as basing failure, *in* J. A. Carter and P. Bondy (eds), *Well Founded Belief: New Essays on the Epistemic Basing Relation*, Routledge.

Townsend, D. L. and Townsend, L. (2021). Epistemic injustice and Indigenous peoples in the inter-American human rights system, *Social Epistemology* 35(2): 147–159.

Yap, A. (2017). Credibility excess and the social imaginary in cases of sexual assault, *Feminist Philosophy Quarterly* 3: 1–24.

Young, I. M. (1990). *Justice and the politics of difference*, Princeton: Princeton University Press.