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HERMENEUTICAL INJUSTICE AND THE PROBLEM OF AUTHORITY

Miranda Fricker (2008) identifies a wrong she calls ‘hermeneutical injustice’. A culture’s hermeneutical resources are the shared meanings its members use to understand their experience, and communicate this understanding to others. Cultures tend to be composed of different social groups that are organised hierarchically. As a consequence of these uneven power relations, the culture’s shared meanings often reflect the lives of its more powerful members, and fail to properly capture the experiences of the less powerful, which sometimes results in them being harmed. Such instances of harm constitute, for Fricker, hermeneutical injustice. In this paper, I discuss a problem for Fricker, which arises when we consider how to remedy such a hermeneutical wrong. Fricker characterizes hermeneutical injustice as involving *a lack of concepts*, on the part of the disadvantaged group, to capture some important aspect of their experience. But what has not been properly appreciated in the literature to date, is that it is really *competing views of the world* that are at stake. Moreover, Fricker’s account seemingly implies that the disadvantaged group’s understanding of the world (or at least that bit of it, where their understanding is contested by the dominant group, and where that difference in interpretation is harmful to the disadvantaged group – what I will call ‘the target of the injustice’) should be treated as authoritative, and taken up by the wider culture. The worry is that in some cases, the disadvantaged group’s view of the world is not one that we think should be accepted. Having presented this problem, I will then show that it bears some similarities to another debate: the dispute over feminist critiques of alien cultural practices. I will then argue that lessons drawn from the latter can help overcome the problem of authority in Fricker’s case.

Hermeneutical injustice

Fricker’s notion of hermeneutical injustice can be captured with the following three criteria. She contends that a person is a victim of hermeneutical injustice when:

- a) Her culture lacks the appropriate meanings to understand (some aspect of) her experience;
- b) She is harmed by this lack of meanings;
- c) The lack of meanings is due to the fact that the social group to which she belongs is hermeneutically marginalized.

To understand these conditions, it will be helpful to consider three of the cases that Fricker takes to be paradigmatic instances of hermeneutical injustice.

The first two are taken from Brownmiller (1990). In the late sixties, Wendy Sanford took part in a consciousness-raising group where women started sharing stories about what we now describe as postnatal depression. ‘In that one forty-five minute period I realized that what I’d been blaming myself for, and what my husband had blamed me for, wasn’t my personal deficiency. It was a combination of physiological things and a real societal thing: isolation’ (Brownmiller 1990: 182). In the mid-seventies, Carmita Wood worked in Cornell’s department of nuclear physics. A professor subjected to her what we now call sexual harassment. The stress of dealing with his behaviour made Wood ill, ultimately leading to her resignation. She applied for a transfer to a different department, and later for

unemployment benefits, but was turned down as she could not satisfactorily explain her circumstances. 'When the claims investigator asked why she had left her job after eight years, Wood was at a loss to describe the hateful episodes. She was ashamed and embarrassed... Her claim for unemployment benefits was denied' (Brownmiller 1990: 281). The third case is drawn from *A Boy's Own Story* – Edmund White's semi-autobiographical novel about growing up gay in 1950's USA. White has sexual desires for men. The negative ideas associated with homosexuality by his culture influence his understanding of himself. 'I see now that what I wanted was to be loved by men and to love them back, but not to be a homosexual... What I required was a sleight of hand, an alibi or a convincing act of bad faith to persuade myself I was not that vampire' (White 1998: 70).

These cases clearly show what it is for (a) to obtain. Sanford's culture lacks the concept of postnatal depression; Wood's lacks the idea of sexual harassment; and White's does not possess the positive ideas about homosexuality he needs to understand his experience as healthy and non-perverse. Two further things are worth noting. First, the examples make clear that 'experience' does not refer to an inner datum before the subject's mind. Instead, it includes the subject's perspective on the events of her life, the activities in which she engages, the world in which she lives, and her self-identity. Second, there is, in many cases, an evaluative dimension to the ideas used to capture our experiences. Our concepts both describe the first-order phenomenology of our experiences *and* they assign them a place in the grand scheme of things. In so doing, our concepts designate certain valuations of those experiences – and the subjects who undergo them – as appropriate or inappropriate. For example, the concept 'post-natal depression' picks out (and so has as its descriptive content) a certain set of feelings that sometimes descend after giving birth (irritability, helplessness, anger, mood swings, and so on). It also classifies them as a medical condition, which makes it appropriate to offer support to the person who undergoes them, rather than blaming her. It is likely that the first-order phenomenology of an experience and the way it is evaluated/the place it is assigned in the grand scheme of things will inform each other. An experience's phenomenology (partly) determines where it fits in the grand scheme of things. But its assigned place can also affect its phenomenology. For example, the feelings that constitute post-natal depression will take on a different character when compounded with guilt from thinking that one is to blame.

Condition (b) holds that for a person to be a victim of hermeneutical injustice, she must be harmed by the lack of appropriate meanings. The examples reveal the three central sorts of harm that may result, according to Fricker's analysis. First, the subject might be unable to fully understand her experience. For example, Wendy Sanford was unable to see that she was suffering from a medical condition also shared by other women, for which she needed support. Second, the agent may be prevented from properly communicating her experience to others. For example, Carmita Wood cannot explain why she wanted to transfer departments or why she resigned. Third, the lack of appropriate hermeneutical resources may affect the subject's construction of her self-identity in detrimental ways. Fricker takes the White case to illustrate this effect. The meanings available to White shape how he understands his sexuality, and this pervades his sense of

who and what he is – an ill pervert. Fricker labels these failures of understanding, the ‘primary’ harms of hermeneutical injustice. They go hand-in-hand with ‘secondary’ harms, which are those ills that befall the victim of such injustice as a result of the primary harms. Wood’s loss of income is an example of a secondary harm.

Fricker is often interpreted as holding that victims of hermeneutical injustice are *always* unable to understand their own experience. Indeed, this is how she tends to present the matter. However, this claim is problematic. Mason (2011) points out that Fricker’s talk of a culture lacking meanings to properly understand some phenomenon runs together two different scenarios. In one, *nobody* in the culture understands the experience properly. In the second, the less powerful group understands whatever is at stake perfectly well, but this understanding is not shared by more dominant members of the culture. The less powerful group may be harmed in the latter scenario, even though they understand their experiences perfectly well. Medina makes the same point when he writes,

hermeneutically marginalized subjects can eventually achieve understanding of their obscured experiences while they may still remain systematically misunderstood by others (some others) when they try to communicate about those experiences. In these cases the hermeneutical injustice continues even after the lack of self-understanding disappears (Medina 2012:207).

A social group is constituted as dominant (partly) in virtue of its members having greater control over, or better access to, institutions of power, such as the law, social norms, and so on. Thus where dominant groups fail to properly understand a less powerful group’s experiences, the institutions of power are unlikely to reflect those experiences, and this may be detrimental to the less powerful group. Consider Carmita Wood. It was important for women to recognise when they were sexually harassed and understand that such behaviour was unacceptable. But it was not enough for just women – members of the less powerful group – to possess such an understanding. It was also important that the laws governing conduct in the workplace deemed such behaviour to be unacceptable, and punished the perpetrators and compensated the victims accordingly. Indeed, Mason argues, in contrast to what Fricker claims, that Wood understood the wrongs done to her. The obstacle she faced was communicating her situation to the dominant social group(s). Medina (2012) also makes this same point. Pohlhaus (2012) likewise focuses on situations where the disadvantaged group has the hermeneutical resources needed to understand their experiences, which are missing from the stock of meanings possessed by the dominant group(s). She suggests that in some such cases, the latter is not simply unaware of the disadvantaged group’s view of things, but actively refuses to listen and so learn from them. She coins the phrase ‘wilful hermeneutical ignorance’ to describe such a situation. Here, hermeneutical injustice is held in place by what Fricker (2008)

calls ‘testimonial injustice’ – the failure, due to prejudice, to give appropriate weight to someone’s testimony.¹

For Fricker’s account to be satisfactory, she must be able to accommodate cases where the disadvantaged group has the resources to understand their own experience, but where hermeneutical injustice persists because the dominant group fails – in some cases, wilfully – to understand. She can do so by holding that the harm involved in some instances of hermeneutical injustice consists in being unable to properly communicate one’s experience to people of significance (such as, members of the dominant cultural group), even though one understands it perfectly well oneself.

The final condition (c) states that the harmful lack of meanings must result from ‘hermeneutical marginalization’. It is usual to distinguish between harms that are mere bad luck, and harms that count as injustice. Fricker contends that this distinction obtains in the hermeneutical case too. She gives an example of someone suffering from a mystery illness. The sufferer’s culture lacks the concepts to properly understand his situation. As a result, he fails to receive appropriate medical care. His loved ones may think he is malingering as no diagnosis can be given. Fricker holds that whilst this person suffers significant harm due to the lack of appropriate concepts, he is not a victim of *injustice*.² For an injustice to occur, the gap in the hermeneutical resources must result from uneven distributions of power. The sort of power in question is *hermeneutical*, where this consists in the ability to create meanings, share them with others in one’s culture, and embed them – as appropriate – in institutions of power such as the law, norms governing the workplace, social practices surrounding the family, and so on. Fricker points out that different social groups have differing access to this sort of power. First, certain social roles are associated with larger amounts of hermeneutical power. It is particularly enjoyed by those who are journalists, lawyers, politicians, academics, and similar professions. Second, members of certain social groups find it easier to attain these roles. The professions in question still tend to be dominated by white males from affluent backgrounds. One is hermeneutically marginalized if one is a member of a social group with inferior access to hermeneutical power, i.e., if one is a member of a social group that faces obstacles to entering those careers that afford greater hermeneutical power.

The problem of authority

The problem of authority arises when we consider how to remedy an instance of hermeneutical injustice. Since it involves a *lack* of appropriate meanings, eradicating it requires the introduction of adequate hermeneutical resources. However, whilst this is right, more detailed analysis is needed here. Consider first,

¹ Dotson (2012) also discusses cases where the disadvantaged group possesses resources needed to understand their situation but cannot communicate this to the dominant group. She identifies another form of epistemic injustice that can arise in such situations, which she calls ‘contributory injustice’. This bears some similarities to hermeneutical injustice insofar as it concerns a clash of conceptual resources, but it falls beyond the scope of Fricker’s account. I will not consider it here.

² Dotson (2012) contests this claim. I will set her discussion aside for the purposes of this paper, since it does not affect the argument I want to present.

how exactly we should understand the notion of a ‘gap’ or ‘lacuna’ – Fricker’s (2008) terminology – in the cultural resources. Her description suggests the cultural repertoire is roughly akin to an array of paints on a shelf, with spaces where certain colours should be. The restricted array of paint colours means that the artist has fewer options available to her for capturing a scene. Similarly, the restricted array of meanings means that the subject has fewer options available for interpreting her experience. Improving the situation for the artist involves adding paints to the shelf, so that she has more colours she can use. Likewise, remedying the situation for the victim of hermeneutical injustice means adding more meanings to the cultural repertoire so that she has more ways to interpret her experience available to her.

It is clear that this picture is inadequate. It appears that remedying a hermeneutical injustice does not just require that a meaning be *available* in the minimal sense in which the tin of paint is available, so that someone *could* use it to interpret the experience in question. It also requires the wider culture to *actually* use it to interpret the experience. In other words, it is not enough that the idea exists in the cultural repertoire; the wider culture must also endorse a description of the experience in those terms. This is an important point that I do not think has been fully appreciated in the existing literature. To see this, consider again, the case of Wendy Sanford. One might suppose that remedying the hermeneutical injustice in her case just involves introducing the notion of postnatal depression into the cultural lexicon. However, imagine that the wider culture comes to recognise postnatal depression, but is then persuaded by a group of doctors that no such thing exists, and that women like Sanford should be blamed and punished for how they feel. The meanings women require to properly understand their experiences are part of the cultural lexicon, but the wider culture rejects a description of their experience in these terms. These women will suffer exactly the same sorts of harm as Sanford. Similar points apply in the case of Edmund White. Fricker describes his case as one where the wider culture *lacks* the meanings he needs because it understands homosexual activity as morally corrupt and symptomatic of mental illness. But we could equally say that the dominant culture *possesses* the appropriate meanings because its hermeneutical resources contain notions of healthy, wholesome, sexual activity. The hermeneutical injustice comes about because it rejects a description of White’s sexuality in those terms.

What these cases illustrate is an important fact about the way in which the harms of hermeneutical injustice come about. There is perhaps a small number of cases in which someone sits alone in her room and is harmed by being unable to properly articulate her experience to herself because the cultural lexicon lacks the ideas she needs to do so. But such cases are in the minority. Typically, the subject is harmed because *other people* impose ill-fitting meanings on her, irrespective of whether alternative, better meanings are available in the cultural repertoire. It might happen in conversation between two individuals, where one insists on interpreting the other’s experience in an inappropriate way (‘Surely the professor was just flirting with you? Why are you so upset?’) The dominant culture’s meanings are also imposed on people through those meanings being embedded in institutions of power, including, but not restricted to: law; norms governing the

workplace; and practices surrounding the family. It follows that to eradicate such harms requires not just that the appropriate meanings are available in the cultural resources, but that they are also used by the dominant cultural groups. In other words, eradicating instances of hermeneutical injustice requires the dominant culture to take up an alternative description of whichever experience is at issue. This includes individuals using those ideas when thinking and talking about that experience. It also involves embedding those ideas, where relevant, in institutions of power – as happened with the idea of sexual harassment, when it was incorporated into employment legislation.

Fricker's account also implies that the requisite meanings must be developed by the victimised group. This is because the injustice consists (partly) in the fact that the group in question has had – due to a (relative) lack of power – less opportunity to develop the meanings required to understand their experiences and spread those ideas through the wider culture. To right the wrong, it follows that they should be given the opportunity to develop the resources they need, and their ideas should be taken up by the dominant group(s), so that they majority see the world in those terms, and their understanding is embedded in the relevant institutions of power, such as laws, social norms, and so on. In this way, *the victimised group must be treated as authoritative with respect to the experience that is the target of the injustice*. This is a significant point that has yet to be fully acknowledged in the literature on this topic.

The problem for Fricker is that there will be cases that count as hermeneutical injustice according to her analysis, but where the victims' understanding of the experience that is the target of the injustice is not one the wider culture should accept. All that is required for such a case to fit Fricker's model is for the social group holding the problematic view to be hermeneutically marginalized, and for its members to be harmed as a result of the wider culture's rejection of their ideas. Where the wider culture spurns a view, it is very likely that harm will be done to those who espouse it. The harm might consist in widespread denial of a particular group's self-identity. Or legal and social sanctions against those who hold it and act in accordance with it. There will be other ways in which harm flows from the wider culture's rejection of an idea. In a case where these conditions hold, members of the social group will suffer hermeneutical injustice, and the wider culture will be obliged to remedy the wrong by adopting the group's understanding of whatever is at stake. But since the group's view of things is one we do not feel the wider culture should accept, such cases cause difficulties for Fricker. I call this the problem of authority.

It is probably clear how counterexamples fitting this pattern can be constructed. But to focus our discussion here, I will present three. First, a small but growing number of teenagers in the US claim to be vampires. According to reports, they socialise with other 'vampires', sometimes engage in occult ceremonies, and drink blood – both animal and human, the latter usually provided by willing donors. 'Vampires' have not found widespread acceptance in US society. The Church condemns them as evil. The medical establishment considers some of them to be mentally ill (White and Omar 2010). They are often bullied by their school peers. At least one 'vampire' has been driven to suicide by the prejudice they face. The situation fits Fricker's model of hermeneutical injustice. Teenagers

in general are a social group lacking in hermeneutical power.³ They cannot become lawyers, politicians, journalists, and so on. Teenagers thus face hermeneutical marginalization *qua* teenagers. Their lack of access to the production of the culture's shared resources means that these ideas are likely to be a poor fit for at least some of their experiences. Indeed, it is a cultural trope that teenage subcultures are, by and large, something of a mystery to adults. In the case we are examining, the wider culture rejects the teenagers' self-understanding as vampires. This denial of their professed identity is the primary harm. The secondary harms brought about by the lack of understanding consist in the bullying, prejudicial treatment, and so on meted out to them. To eradicate this hermeneutical injustice, we – members of the wider culture – should accept that the teenagers are vampires rather than humans. But since this is patently false, it is not something the wider culture can be obliged to accept.

The second case is based on the recent trophy killing of 'Cecil' the lion. The hunter was an American dentist who paid £32,000 to shoot the big cat. The lion lived in Hwange National Park, Zimbabwe, and was protected within its confines. The dentist's hunting guide allegedly lured the lion onto land where he could be legally killed. The case has been widely reported in Western media, where the overriding view is that: trophy-hunting is morally repugnant; it is wrong to lure animals out of land where they are protected in order to kill them for fun; and lions are an endangered species that should be protected. The Zimbabwean Environment Minister, Oppah Muchinguri, has demanded that the dentist be extradited to face charges. His hunting guide is due to stand trial for his part in the events, and faces fifteen years in prison if convicted (BBC News 2015a). Whilst this is the dominant understanding of events, it is not – according to Goodwell Nzou – shared by the Zimbabwean villagers.

When I turned on the news and discovered that the messages were about a lion killed by an American dentist, the village boy inside me instinctively cheered: One fewer lion to menace families like mine... In my village in Zimbabwe, surrounded by wildlife conservation areas, no lion has ever been beloved, or granted an affectionate nickname. They are objects of terror. When I was 9 years old, a solitary lion prowled villages near my home... When the lion was finally killed, no one cared whether its murderer was a local person or a white trophy hunter, whether it was poached or killed legally. We danced and sang about the vanquishing of the fearsome beast and our escape from serious harm (Nzou 2015).

Against this background, let us imagine that the dentist's hunting guide was a Zimbabwean villager who rejects the idea of conservation areas and believes that all lions should be killed. The case becomes one of hermeneutical injustice. The Zimbabwean villagers are hermeneutically marginalized – they face various obstacles to taking up a career in a hermeneutically powerful profession. Consequently, the cultural resources do not reflect their understanding of things. Whilst the dominant group thinks that lions should be protected, wildlife conservation areas are a good thing, and that trophy-hunting is wrong, the villagers believe that all lions should be slaughtered because they are terrifying monsters. They are against the creation of wildlife conservation areas. Moreover,

³ A related point about epistemic injustice and young people is made by Carel and Györfy (2014) in relation to healthcare.

the hermeneutical situation brings harm to the villagers – their perspective is not understood by the wider culture who think of them as bloodthirsty savages destroying the ecosystem (primary harm), and the hunting guide faces fifteen years in prison for acting on his beliefs (secondary harm). Since the villagers are victims of hermeneutical injustice, the wider culture is obliged to accept their view. We may well sympathise with the villagers’ fear of lions, and think that more should be done to ensure their safety. We may also be bemused by the strength of rage directed at the dentist and his hunting guide by people in the US and Europe. Moreover, we may be disturbed by the fact that this rage seemingly coexists with callous indifference to the suffering of people, such as the migrants trapped at Calais. Yet, we do not, I think, feel that the wider culture should adopt the villagers’ view that conservation areas should be abolished and all lions killed.

The final counterexample is based on a case of ‘honour killing’. ‘Honour’ is an imprecise translation of the concept ‘izzat’, which is found in the hermeneutical lexicon of social groups within the UK (and elsewhere) whose members trace their heritage to Pakistan and North India. The notion of izzat is nuanced and multi-layered (Soni 2012). But one aspect of it concerns the way in which a man’s self-worth, social status, and even his identity as a man are bound up with the behaviour of women in his family. When they behave in accordance with the relevant social norms, izzat is preserved. When they contravene them, izzat is lost. Izzat can be restored by destroying the cause of its loss – i.e., by murdering the recalcitrant woman. The notion is thus essentially linked to ‘honour crimes’ in which women, and in some cases their male lovers, are severely injured or murdered by their family members, so as to restore the latter’s izzat (Reddy 2008). The concept of izzat bears some similarities to other ideas found in the hermeneutical resources of dominant social groups within the UK. For example, the old-fashioned word ‘cuckold’ labels the still-current idea of a man being emasculated by the infidelity of his female partner. His masculinity can be restored by inflicting violence on her and her lover. It is also the case that the doings of one’s family members can bring shame upon oneself. But despite these similarities, izzat is clearly distinct from such ideas. It does not make sense within the dominant framework of ideas for a father to kill his daughter, or for a man to murder his brother’s wife, because she has contravened social norms.

Now consider the case of Shabir Hussain who killed Tasleem Begum – his sister-in-law – because she had fallen in love with a married man.⁴ Initially, Hussain was convicted of murder. But at appeal, the judge accepted his plea of manslaughter by reason of provocation, and gave him a reduced sentence of just six and a half years.⁵ Hussain was thereby judged to be, not a murderer, but someone who had lost control and acted in the same way as a reasonable man would have done in the same circumstances (the test for provocation). Begum was correspondingly transformed into someone who behaved in a way that would cause a reasonable man to lose control and kill her, i.e., making her causally responsible – at least partly – for her own murder. (Indeed, many authors argue convincingly that there is also a shift in *moral* responsibility, so that the victim

⁴ R v Shabir Hussain [1997] EWCA Crim 24.

⁵ R v Shabir Hussain, Newcastle Crown Court, 28 July 1998.

bears some of the *moral* blame for their own killing too. See, e.g., Fitz-Gibbon (2014) on this point.) What was it about the circumstances that made this the case? The judge's remarks indicate that this was made so by ideas connected with the notion of *izzat*.⁶

Fricker's model provides us with the following understanding of the case. Hussain is a member of a social group that has a relative lack of hermeneutical power. For example, Asian people are underrepresented amongst the senior British judiciary. Similarly, they are underrepresented at Britain's elite Russell Group universities. Consequently, when Hussain was first sentenced, the idea of *izzat* was largely missing from the wider culture's hermeneutical lexicon: it was not part of the dominant group's view of the world, and behaviour governed by ideas to do with *izzat* was misunderstood. The hermeneutical lacuna led to people being harmed. Hussain is one such example. Against the backdrop of a world-view that includes the idea of *izzat*, his behaviour is a legitimate response to the situation, not murder. From this perspective, Hussain's conviction is a grave miscarriage of justice, resulting from the wider culture's lack of understanding of *izzat*. The overturning of his sentence at appeal went some way to righting this wrong. The ruling accepted that both Begum's and Hussain's behaviour should be understood by the wider culture through the lens of *izzat*, which downgraded his crime from murder to manslaughter. Moreover, it set a legal precedent thereby embedding these laws in UK law. In this way, the ruling was effectively the partial adoption of ideas surrounding *izzat* by the dominant UK culture. (I say 'partial' as Hussain was not completely vindicated.) The appeal ruling therefore partially remedied the hermeneutical injustice. The case is a counterexample to Fricker's account because it does not seem that the wider culture *should* accept ideas surrounding *izzat*, since they sanction violence against women. Indeed, the decision in Hussain's appeal case has been heavily criticised, and subsequent cases have not followed the precedent set – see Reddy (2008), and (HC Deb (1998—99) 325, col. 265).

Some possible responses

In this section, I will consider some possible strategies for responding to the problem.⁷ For the most part, my aim in this section is not to consider all possible responses in detail – to do so would be far beyond the scope of this paper. Instead, I want to put forward a series of considerations, which I think, shed doubt on the thought that any of these strategies can provide a successful response to the problem of authority. This, in turn, will motivate us to look elsewhere, paving the way for the discussion in the final part of this paper.

The problem of authority is generated by the claim that to remedy an instance of hermeneutical injustice, the culture must 'plug the gap' in the

⁶ During the sentencing the judge stated that 'something blew up in your head that caused you a complete and sudden loss of self-control', and acknowledged that Begum's behaviour 'would be deeply offensive to someone with your background and your religious beliefs' (*R v Shabir Hussain*, Newcastle Crown Court, 28 July 1998).

⁷ An alternative strategy is to try and show that such cases, despite satisfying Fricker's criteria, are not instances of hermeneutical injustice after all. I pursue this line of thought elsewhere in (Romdenh-Romluc 2016), arguing that it cannot be defended

hermeneutical resources, which, I have argued, requires the wider culture to adopt the less powerful group's understanding of the target of the injustice. However, the reader may have noticed that Fricker's account offers another way to eradicate hermeneutical injustice. Criterion (c) states that hermeneutical marginalization is a necessary condition for hermeneutical injustice. It follows that if this form of marginalization is eradicated, such injustices will disappear. There may still be harmful 'gaps' in the hermeneutical resources – some people may still suffer because they do not have the meanings required to capture some aspect of their experience – but in the absence of hermeneutical marginalization, these will no longer count as *injustices*. They will be cases of bad luck, like the person with the mystery illness. If they are not injustices, then there is no obligation to remedy them, and so no requirement for the wider culture to take up problematic understandings of the world. It therefore seems that the problem of authority can simply be sidestepped by holding that the way to tackle hermeneutical injustice is not by 'plugging the gaps' in the cultural resources, but by ending hermeneutical marginalization.

Unfortunately, this will not do for the two following reasons. First, it is surely right that we should work towards ending hermeneutical marginalization. However, this consists in bringing about full participation in the creation of the culture's resources, and it is very far from being something that can be accomplished overnight. It follows that this route to eradicating hermeneutical injustice is a long-term task. Whilst we are working to bring about equal participation in the creation of the culture's hermeneutical resources, hermeneutical injustice will persist, and so it seems we should also take other measures to remedy such injustice in the interim period. In other words, even if we work towards eradicating hermeneutical injustice by ending hermeneutical marginalization, we must also fill the harmful 'lacunae' in the cultural resources. Second, whilst hermeneutical marginalization is a necessary condition for hermeneutical injustice to occur, it also seems that instances of the latter serve to reinforce the former, in at least some cases. Consider, for example, black people's representation amongst academics. Black people face obstacles to entering careers in academia, as evidenced by the fact that there are so few black professors in the UK (Ackah 2014). These range from explicit racism on the part of individuals to more insidious problems faced by black children at school (Tackey et al. 2011). The hermeneutical resources associated with academia thus disproportionately reflect the perspectives of white people. The whiteness of these resources then serves to further prevent black people from entering academia. For example, an idea that still prevails is that black life is anti-intellectual. The scarcity of black people in academia is partly what allows this stereotype to persist, and the idea, in turn, makes it more difficult for black people to enter academia (Grove 2014). In this case, there is hermeneutical marginalization that leads to harmful 'gaps' in the cultural resources. These 'gaps' then serve to further reinforce the hermeneutical marginalization. It follows that, in this case, eradicating hermeneutical marginalization will also require 'plugging the gaps' in the cultural resources. It is plausible to suppose that many cases will be like this. It follows from both of these considerations that just attempting to bring about equal participation in the creation of the culture's hermeneutical

resources is not a sufficient response to hermeneutical injustice on its own. We also need to try to ‘plug the gaps’ in our cultural resources, and so the problem of authority remains.

The problem of authority turns on the claim that certain views of the world are, in some sense, unacceptable, and as such, the wider culture should not be obliged to adopt them. A different strategy for responding to this problem is thus to try and articulate *why* they are unacceptable, and from this, derive criteria for deciding when a view of the world should, or should not, be adopted by the wider culture, which can then be used to supplement Fricker’s account. Moreover, one might suppose that there is an obvious way to do this. Fricker presents her account of hermeneutical injustice as part of a larger theory of *epistemic* injustice, i.e., injustice that concerns us as *knowers*. Against this background, it is clear that she is committed to a certain kind of realism. She thinks the disadvantaged subject’s experience is a potential object of knowledge – something that really has a certain character, which is available to be known.⁸ The culture lacks appropriate hermeneutical resources for capturing such experience to the extent that the existing concepts do not allow for proper knowledge of it. This picture provides an easy way to decide whether or not a disadvantaged group’s view of the world should be accepted by the wider culture: it should be accepted only if it is true. However, things are not as straightforward as the simple epistemic picture suggests. In some cases, our views of the world do not just reflect the facts, but play a role in constructing them. This is, of course, compatible with there being *truths* about such matters. Money is socially constructed. The existence of certain pieces of paper and lumps of metal *as* money depends in various ways on our financial practices. It is nevertheless *true* that the US currency is the dollar, and *false* that it is the Euro. But where two social groups have differing views of some socially constructed bit of reality, the dispute between them should not always be understood as a disagreement concerning which view of the matter is more accurate, but as a dispute concerning how the facts of the matter should be constructed. In such cases, simply pointing out that one’s group’s world-view is false is completely beside the point. Consider the activist slogan, ‘no-one is illegal’. Given the way that social facts about citizenship and national boundaries have been constructed, this slogan is manifestly false. In particular, the very people the activists are trying to help – refugees without papers – are illegal. But to point out its falsity is completely inadequate a response to the activist slogan. This is because it is not intended as a description that aims to correctly reflect an independent reality, but as a vision of a better way the facts could be constructed, where there is free movement of people across national boundaries, or where they are abolished altogether. It follows that even if an appeal to truth will allow

⁸ Fricker (2010) is explicit about this commitment to realism, but explains that she takes realism to be compatible with holding that the character of the disadvantaged subject’s experience is shaped by the concepts available in the cultural repertoire. Her picture is that in cases of hermeneutical injustice, this shaping is on the basis of ‘conceptual resources... [that] were *immanent* in our collective hermeneutical resources’ (2010: 169). The concepts missing from the shared resources are those required to make this experience explicit. The issue of realism is also taken up by Congdon (2015). Neither author addresses the problems posed by socially constructed aspects of reality, which I point out below.

us to rule out some of the counterexamples to Fricker's account, it cannot provide a general criterion for deciding when a disadvantaged group's view of the world should or should not be taken up by the wider culture.

A third strategy begins from the thought that what one is obliged to do to remedy an instance of injustice must also be sensitive to other relevant considerations pertinent to the context in which the injustice takes place. One might then suppose that competing considerations could completely override an obligation one has towards remedying an injustice in some cases. Consider control of land in Zimbabwe. During British colonial rule, white settlers seized farmland from black Zimbabweans, cementing their control of the land through legal means. These included the 1930 Land Apportionment Act, which divided the land along racial lines, designating certain areas as Tribal Trust Lands available to black people, and other areas available to whites. The Tribal Trust Lands were less fertile, malaria-ridden areas. The best farmland was reserved for whites. The 1944 Land Settlement Act then legalised further forced removal of black people to 'reserves' – which were remote, arid, and disease-infested – so that their land could be given to white veterans of the Second World War (Mlambo 2014). President Mugabe recently tried to remedy this injustice by redistributing white farmland to black people. However, this has often led to violent removals of white farmers by vigilante groups who have also attacked black farm labourers. The farmland has ended up under the control of people who – it is alleged – do not have the necessary expertise to sustain Zimbabwe's agricultural system. This is usually taken to be a significant causal factor in Zimbabwe's increasingly dire economic situation. Something that even President Mugabe has been forced to acknowledge (BBC News 2015b). It could be argued – and is often implied by Western media reports – that the harms brought about by righting the injustice are so great that they override the obligation to remedy it.

One might try to make an analogous case with respect to the counterexamples to Fricker's account. These are all cases where we think it is unacceptable to oblige the wider community to take up the disadvantaged group's view of the world. Thus one might try to argue that the reasons why this is unacceptable outweigh the harm of the hermeneutical injustice in such a way that the obligation to right the hermeneutical wrong is overridden. If there is no obligation to right the hermeneutical wrong, then there is no obligation for the wider culture to adopt the problematic view of the disadvantaged group. However, there is a significant problem with this strategy. Even if one could make a case to show that the harm of the hermeneutical injustice is less than the problems that would result if the wider community adopted the disadvantaged group's world-view, it is not at all clear that this would simply erase the obligation to remedy the hermeneutical injustice. Consider again, land ownership in Zimbabwe. Whilst it is true that Mugabe's programme of land redistribution has been harmful in various ways, it is surely not the case – as is often implied – that the harms brought about by remedying the injustice override or cancel the obligation to right the wrongful seizure of land from black Zimbabweans. The conclusion to draw is, instead, that some alternative means of remedying the colonial era injustice needs to be found. Similarly, the obligation to remedy an instance of hermeneutical injustice does not seem to be simply cancelled by the

fact that the victimised group's understanding of the world is problematic. Members of the wider culture still have some obligation towards righting the wrong.

In this section, I have considered some possible strategies for responding to the problem of authority. Whilst my discussion is inconclusive, I take the considerations I have put forward to shed doubt on the thought that any of these strategies can provide a successful response to the problem of authority. This in turn motivates the search for a different approach.

A way forward?

The problem of authority arises when we consider what is required to remedy an instance of hermeneutical injustice. To right such a wrong, the gap in the culture's resources must be filled – seemingly, by ideas developed by the victimised group, which the wider culture is then obliged to adopt. The problem is that some ideas are such that we do not think anyone should be obliged to accept them. Our debate here parallels the dispute over feminist critiques of alien cultural practices.

It will be helpful to begin by setting out the parallels between the two debates. I will do this by focusing on Western feminist critique of female genital mutilation (FGM). FGM is defined by the World Health Organisation as a collection of 'procedures that intentionally alter or cause injury to the female genital organs for non-medical reasons' (World Health Organisation 2014). It is found in countries across Africa (particularly the eastern, western, and north-eastern regions), and in the Middle East.⁹ Feminists in the West have criticised FGM on the grounds that it is an extremely harmful practice that often results in: diminished sexual pleasure; difficulty with intercourse; recurrent infections; serious complications during childbirth; and even death. Moreover, they take there to be no good justification for FGM, since they see it as largely premised on ideas about controlling women's sexuality, so that men can be sure which children are theirs (see, e.g., Nussbaum (1999)). Against this, some writers have argued that the feminist critiques embody a problematic cultural imperialism where members of the dominant Western culture(s) seek to impose their views onto less powerful cultures. This has uncomfortable echoes of colonial thinking where Western colonial powers thought of themselves as morally superior to the colonised 'savages'. Moreover, it is argued that the feminist critiques misunderstand FGM. They tend to equate all forms of FGM to the most extreme practice, where a large amount of genital tissue is removed and the vaginal opening sewn up, leaving just a tiny opening (infibulation), when in some communities it is a symbolic event where the clitoris is merely pricked to extract a drop of blood. Western feminists understand the practice in terms of their own preoccupations to do with male control of female sexuality. But FGM has different meanings for different communities. It is, for example, found in some polyandrous (where women take more than one 'husband') and matrilineal (where family lines are traced through the mother) societies. Such communities have much less need of mechanisms for men to be

⁹ It is worth noting that female genital piercing (insertion of metal jewellery into clitoris and/or labia) practised by some Western subcultures counts as FGM under this definition.

sure of which children are theirs. Western feminists also fail to appreciate the importance of rites of passage to many African societies (Obiora 2000).

How should we attempt to resolve such disputes? One approach holds that alien cultural practices are beyond criticism; the Western feminist arguments against FGM are therefore illegitimate. However, many writers – e.g., Nussbaum (1999) – have pointed out that this view slides very quickly into relativism. It is very easy to think that the reason alien cultural practices should not be criticised is because different people have different moral codes, and there is no culture-independent way of adjudicating between them. This sort of relativism is deeply problematic. Our common nature as human beings means that we have the same basic needs and flourish in broadly the same sorts of ways, even though these are shaped by our cultures.¹⁰ The alternative is to endorse universalism of some sort, and hold that it is possible to develop or uncover moral principles that apply to all people in all places and at all times, such that criticism of alien cultural practices is possible. If one takes worries about cultural imperialism seriously – which it seems we should – the challenge is thus to develop or discover universal moral principles in ways that ensure that the views of dominant groups are not simply imposed onto less powerful people.

The parallels between this debate and our discussion of Fricker are clear, although there are also some differences. Uneven power relations between cultures lead to injustice where the dominant culture imposes its view of the world onto less powerful cultures – this is cultural imperialism. An obvious response to this is to think that each culture should be able to develop its own understanding of the world/engage in its own practices, free from interference. The obvious response faces difficulties when a cultural practice/view of the world is immoral from the perspective of outsiders.¹¹ Cleaving to the obvious response leads very quickly to relativism, where each culture is held to be authoritative with respect to the moral status of its own views and activities. The competing universalist intuition is that there is an independent vantage point from which world-views and cultural practices can be examined. The challenge is how to do this in a way that does not fall foul of cultural imperialism. Hermeneutical injustice is basically a form of cultural imperialism, but one where the parties are social groups within a single culture, rather than different cultures.¹² The obvious response to remedying such injustice is to hold that the wider culture should take up the victimised group's understanding of whatever is the target of the injustice. This response runs into difficulties when the victimised group's understanding of the world is one we do not feel that the wider culture should accept. In this way, it aligns with the relativist position regarding alien cultural practices. Indeed, one could insist in the face of the counterexamples that the wider culture adopts the victimised group's understanding of the world, which – as I noted above – would

¹⁰ A full overview of the many arguments against cultural relativism is well beyond the scope of this paper. The topic has been addressed by many writers, see e.g., Nussbaum (1999), and Narayan (1997).

¹¹ It may also be immoral from the perspective of cultural insiders because cultures are not homogeneous.

¹² In some cases, it may be difficult to say whether one is dealing different social groups within a single culture, or two distinct cultures.

lead to various forms of relativism. The counterexamples trade on the universalist intuition that different understandings of the world can be assessed as more or less appropriate, harmful, true, false, etc., from an independent vantage point. This aligns with the view that it is possible to develop or discover universal moral principles that allow us to assess a different culture's practices from a standpoint that is independent from them. The challenge facing Fricker's account is thus how to remedy instances of hermeneutical injustice without endorsing relativism.

A satisfactory resolution in the case of the feminist debate about alien cultural practices needs to balance two competing requirements: one must avoid cultural imperialism, whilst retaining the possibility of criticising alien cultural practices. The way to do this is through dialogue. People need to work together across cultural boundaries to develop ways of thinking about important moral issues, on which we can all agree. Of course, not just any old dialogue will do. Conversations dominated by members of more powerful cultures (such as Western feminists) would simply replicate problematic power structures and be further instances of cultural imperialism. Instead, the participants must be open-minded, take others' perspectives seriously, treat others as equal partners in the conversation, and be receptive to criticisms of their own cultural practices. In the words of Maleiha Malik, 'You have to approach dialogue with a sense of humility about your own culture as well as a willingness to learn and be transformed through an encounter with the "other"' (Cordes 2012). The process will often be difficult; indeed, much has been written on how to conduct such transcultural dialogue, and this is still a matter of controversy – see, e.g., Waller and Marcos (2005). Furthermore, it will not always be possible to reach consensus about the issues in hand. Transcultural dialogue is, nevertheless, the only way to discover or develop universal moral principles – allowing for the criticism of alien cultural practices – whilst avoiding cultural imperialism.

These points can be applied in our discussion of Fricker's account. The way to overcome hermeneutical injustice is through dialogue. Of course, this claim is nothing new. Hermeneutical injustice arises from the relative exclusion of certain groups from the production of cultural meaning. Certain voices are simply not heard, or they are not properly listened to, or they are wilfully misunderstood. The only way to remedy the situation is for members of dominant groups to enter into dialogue with those who are disadvantaged. The accounts of authors like Medina (2012), Polhaus (2012), and Dotson (2012), who emphasise the connections between testimonial injustice and hermeneutical injustice, entail that ending hermeneutical injustice requires the dominant cultural groups to take seriously, the testimony of the disadvantaged, and to learn how to use the hermeneutical resources they have developed. The new insight that has emerged from our discussion here, however, is that there are two competing considerations that need to be balanced through dialogue. In order to resolve the problem of authority, we need to both ensure that dominant social groups do not simply impose their ways of seeing onto less powerful social groups, *and* hold any understanding of the world open to criticism – and, indeed, rejection – irrespective of the relative positions of power occupied by its critics and those who endorse it. Members of the wider culture must engage in dialogue with people from the victimized social group, and *together* develop a way of

understanding the target of the injustice, so that the hermeneutical wrong is put right.

The dialogue needs to be open-minded, respectful, and one in which the participants treat each other as equals.¹³ Members of the wider culture need to engage with hermeneutically marginalized people, and listen seriously to their accounts of their experience. There will be many cases where the wider culture should simply adopt the victimised group's understanding of whatever is at stake. However, such acceptance cannot be a given. Where some group's understanding of the world is problematic from the perspective of the wider culture, members of the latter should work with the victimised group to try and develop a new set of meanings, acceptable to both parties. Engaging in such dialogue will often be difficult, and the danger of replicating problematic power-structures will be ever-present. Moreover, just as some inter-cultural disputes are intractable, so too it is likely that it will be impossible to settle some disputes between different social groups. The teenage 'vampires', for example, may be completely resolute in their belief that they are vampires, and no amount of dialogue will change that. Similarly, the wider community may (and should) be completely resolute in its belief that the teenagers are not, in fact, vampires. No amount of respect for the teenagers as interlocutors, ensuring that they are treated as equal partners in the exchange, and so forth, can or should change that belief, since it is manifestly false. It follows that the best the wider community can do is work towards eradicating hermeneutical injustices by engaging in dialogue with victimised groups. We may have to accept that some instances of hermeneutical injustice cannot be remedied because it will not be possible to develop a way of thinking that the wider culture can take up, which will erase the injustice. But this is the price we have to pay in order to solve the problem of authority without resorting to an unpalatable relativism.

Conclusion

In this paper, I identify a problem for Fricker's account of hermeneutical injustice. To remedy such a wrong, it looks as though the gap in the culture's resources must be filled with ideas developed by the victimised group, and then taken up by the wider culture. In other words, the victimised group should be treated as authoritative with respect to the target of the injustice. The worry is that in some cases, their ideas will be ones that we do not think should be spread through the culture. The discussion parallels the dispute over feminist critiques of alien cultural practices. In both cases, we need to balance two requirements: to avoid a dominant culture or social group imposing its ways of seeing the world onto a less powerful culture or social group, whilst also avoiding the threat of relativism, which comes from treating the less powerful culture or social group as authoritative about some domain, *just in virtue of its less powerful status*. The obvious way to do this is for different cultures/social groups to engage in respectful, open dialogue in order to develop a way of understanding the world together.

¹³ When such dialogue is sustained over a sufficiently long period of time, it will constitute the end of hermeneutical marginalization.

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