Philosophy and #metoo with Emily McWilliams

Christiane Wisehart, producer: Today's episode contains discussions of sexual harassment, sexual assault and sexual abuse, which might be triggering to survivors.

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Christiane: I'm Christiane Wisehart and this is Examining Ethics brought to you by the Janet Prindle Institute for Ethics at DePauw University. In late 2017 women's stories of sexual assault, abuse and harassment took the center stage on social media with the #MeToo. But women have been sharing these experiences for a lot longer than 2017. Even the Me Too movement has been around since 2006 but last fall the Me Too hashtag went so viral that mainstream media couldn't ignore it.

Today's guest, the philosopher Emily McWilliams, explains the connections between the Me Too movement and the philosophical concept known as hermeneutical injustice. Along with my examining ethics, co-producer Eleanor Price, we discussed the ways movements like Me Too might address the problem of epistemic injustice around sexual violence and harassment.

Emily McWilliams, guest: For some women, having the concept of sexual harassment themselves really does change the experience even if they had an implicit understanding of the wrongness of what was happening to them before.

Christiane: Stay tuned for more about hermeneutical injustice and the Me Too movement with the philosopher Emily McWilliams on today's episode of Examining Ethics.

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Christiane: Emily McWilliams' work focuses on epistemic injustice and specifically epistemic oppression. On today's episode, she helps us link the Me Too movement to a form of epistemic injustice known as hermeneutical injustice.

Regular listeners of the show will no doubt be familiar with the concept known as epistemic injustice, but for our newer listeners, let's give ourselves a quick rundown. If you want to go straight to our discussion of hermeneutical injustice, you can just skip ahead to about four minutes and 30 seconds.

The philosopher, Miranda Fricker coined the term epistemic injustice in 2007. Epistemic injustice is a kind of umbrella term that describes all the ways that people can be treated unfairly as knowers or epistemic agents. And being a knower or an epistemic agent just means that you can gain knowledge and share that knowledge with other people. You can also do things like talk about your beliefs or your understanding of the world. The injustice comes into play when you face some kind of unfair disadvantage that's related to your knowledge or knowing. And

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most often it's members of communities that have been historically marginalized or kept to the sidelines who face epistemic injustice.

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Let's say you're in college chatting with some of the other people in your seminar. One of the women you're talking to, complains that on our way to class a man cat called her from his car. Slowing down and saying sexually inappropriate things about the skirt she's wearing. She rolls her eyes and says something about her morning being ruined. One of the people in the conversation says to her, "I'm sure it's not what you thought it was. Maybe the guy was just joking." The woman telling the story is being questioned about her experience and her interpretation of events. Her knowledge of the story is doubted. She isn't being respected as a knower or as a person who is reliable about her interpretation of her experience.

Let's say the same classmates are talking the next day. One of the men says, "My Biology 101 teacher gave me my grade this morning and I got a B. He said I needed to stop talking so much during the class, but it's not me. It's the guy sitting behind me who's doing all the talking." The people he's in conversation with say things like, "Man, that sucks. You must feel awful." In this instance, the speaker is believed. He's respected in his capacity as someone who can reliably share his knowledge and experience of the world. You could argue that the woman telling her story is facing epistemic injustice because the reason she's not believed might have to do with her gender and the fact that historically women have been given less credibility than men. But gender isn't the only category where epistemic injustice regularly takes place. People of color, people in the LGBTQ community and people with disabilities often face epistemic injustice as well.

There are two main forms that epistemic injustice can take. There's testimonial injustice, which we've talked about on episode six, 13 and 22. The other form is hermeneutical injustice, which is going to be our focus for today.

Hermeneutical means having to do with interpretation or explanation, so it's basically about how you understand and explain your experiences in the world. Let's get into our conversation with Eleanor and Emily McWilliams. Starting with Emily's formal definition of hermeneutical injustice.

Emily McWilliams: A person is subject to hermeneutical injustice when because they're in a position of social powerlessness or at least relative social powerlessness, some experience of theirs, some social experience is not reflected by our collective vocabulary. Perhaps it's not reflected by our collective vocabulary in our society at large or perhaps just by someone or some group of people that the person has an interest in communicating it to. And perhaps even to themselves it's difficult to understand.

The other important thing to say about the definition is that for Fricker, a precondition for hermeneutical injustice is what she calls hermeneutical marginalization. Hermeneutical injustices are, they're like the result of hermeneutical marginalization. And she explains that non-dominant groups in society are hermeneutically marginalized when members of those groups don't get to fully participate in the process of meaning making as we develop sort of our shared pool of concepts through which we communicate. Collectively then our shared pool of

concepts fails to reflect the experiences of those marginalized groups because they're excluded from making meaning in the way that dominant groups are allowed to.

Christiane: What's a kind of an example of that?

Emily McWilliams: There's a couple kinds of examples, but one kind of example is where a dominant group or the mainstream or just some important audience has not no concept but the wrong concept in mind. If you think of the concept of disability, suppose we're at a social location and maybe we are at that social location where the dominant meaning of disability builds in ideas like unfortunate or pitiable or something like that. That would be a case where the mainstream then has the wrong concept. I think this also comes up with concepts of racism and sexism. In some dominant social locations, people will deny that something counts as racist or as sexist unless it's explicitly race or gender based violence or just vitriol or something that the perpetrator will themselves avow as being race or gender based. And so those concepts then won't count things like institutional racism or structural racism or bias and microaggressions, things like that as being racist. In those cases, these concepts are problematically narrow and so they exclude certain kinds of experiences from counting.

Christiane: Emily explained that if hermeneutical justice is to be served, then the definition of things like racism, sexism, or ableism have to be broader. For example, the definition of racism can no longer just be about things like members of the KKK burning crosses on a lawn. It has to include subtle things like a black woman consistently having less time than her white male colleagues to talk in meetings at work.

Eleanor Price, producer: It sounds like the definition is based on the person in more power and how they're defining the experience and less so on the person of color in the meeting room.

Emily McWilliams: Yeah, because of the hermeneutical marginalization it's defined by the dominant group and so yeah, that's right. It would exclude those kinds of things from counting. And that's just kind of, there's this kind of plausible deniability about whether that counts as racist and the dominant concept of racism being one that excludes those experiences would continue to perpetuate that idea.

Christiane: Hermeneutical injustice can take a couple of different forms. The first is when someone has an experience, but has no words or concepts to explain what they're going through. The second form of hermeneutical injustice is when you are able to name your experience, but the way you think about your experience isn't widely acknowledged or accepted. Let's think about the example I gave earlier of a black woman in a meeting mostly being ignored or passed over in favor of her white colleagues. She might recognize that being ignored is racist. However, her coworkers might not acknowledge it as racism. She's experiencing hermeneutical injustice because the majority group she's interacting with doesn't see her experience in the same way that she does.

Emily McWilliams: There's a question about how far across the social fabric some conceptual gap extends. Sometimes you can communicate about an experience within your own social

group that shares that experience, but you can't communicate with some out group and maybe that's a group whom it's in your interest to communicate.

Christiane: But the idea is that the person who is experiencing the racism in the workplace, they couldn't necessarily pick anybody at random in their office to talk to about it. They would probably have to find another sympathetic person of color or somebody who shared the same kind of language about racism that they did.

Emily McWilliams: Right. Yeah, they couldn't, yeah, they couldn't communicate about it with just anyone and in particular they might not be able to communicate about it with the people in power within their workplace or within the legal sphere if it gets taken there.

Christiane: Emily explained that one of the examples often used to demonstrate hermeneutical injustice is sexual harassment.

Emily McWilliams: Prior to the 1970s, the concept of sexual harassment didn't exist, at least in the US. Instances of sexual harassment that were happening were things that were likely to be interpreted as something else for which we did have a readily available concept. Things like flirting or flattery or just what comes with the territory of being a woman in the workplace. And as a result of that, it was really hard for women, for some women to understand their own experiences of being harassed and also to describe those experiences to others and to articulate the unfair burdens and limitations that that placed on them as they were negotiating these behaviors within the workplace.

Christiane: I imagined that if I were in the workplace in the 50s and a male coworker of mine was brushing against me in kind of a creepy way and commenting on my body, that might make me feel bad. But if I ever tried to talk about it with somebody else, it probably would have been framed in terms like, "Oh, but it's just, he's just flattering you and you should feel good. And he just likes you the way you look and you're so lucky to be a pretty person." Or something like that. And so these bad feelings would kind of not be able to be reconciled with the positive language that was used around it.

Emily McWilliams: Yeah, absolutely. Yeah. For Fricker, that is a central case of hermeneutic injustice because it's an example, like you said, of a case where the concept that you would need to be able to communicate why this is problematic and how it's related to power, that's all packed into the concept of sexual harassment. That concept just wasn't available or at least readily.

Christiane: And so the idea is then that when the term sexual harassment was coined and when people started putting a name to what for most women was, or in men too I'm sure, it was a bad experience. That's when maybe hermeneutical justice happened?

Emily McWilliams: Yeah. Well at least in that particular instance. I guess one other thing to say about the case is that it has received a little bit of pushback. The first kind of response to it is well, look, women and other victims of sexual harassment have always had ways of understanding and talking about it amongst themselves, but because they didn't have this concept of sexual harassment to help them communicate about it, that that communication was

harder. I think that may well be true and I think it's worth sort of reiterating what we've said before, that hermeneutic and conceptual resources are going to be available to differently situated knowers or epistemic agents.

It could have been the case that there were people in positions of power, again with whom it would have been in women's interest to communicate about these experiences, but that those people who are in power had never had that kind of experience and so didn't have the concept or the shared understanding. What the concept does is it builds in an understanding of the ways in which the behavior is connected to power and the ways in which it's morally problematic. And then I guess the other thing to say is that for some women having the concept, the explicit concept of sexual harassment themselves really does change the experience. Even if they had sort of an implicit understanding of the wrongness of what was happening to them before.

Christiane: The term sexual harassment gained wider acceptance and use after the 1970s and laws prohibiting it went on the books in the decades after. Many workplaces require that new employees watch or read training simulations that include the rules about sexual harassment. But as we ended up discussing, addressing hermeneutical injustice in a human resources video doesn't necessarily mean justice is served.

Christiane, in interview: The HR simulation has nothing to do with the actual lived reality of most workspaces. Sometimes it does help, but other times it's like, what's the use of it if it's not actually doing any work?

Eleanor: Well, it seems like the institutional understanding then is very different than the people who work within the institution and that's maybe where it breaks down of, you and other women or people who might have been harassed feel this is pretty clearly a case. And even if HR in terms of rules would agree with you, the people–typically men, who work within those categories–they still don't have the understanding of it. Even hearing the language, I don't think it processes. How do you make the language process for someone who hasn't experienced it I guess?

Emily McWilliams: Right? Yeah. Yeah. It sounds like it's sounding like another case where we still, we have a concept of sexual harassment, but we don't have the right concept or at least we don't have the right concept sort of across all social locations. I don't know what the solution is. I think more conversation about it is a start and to sort of not try to put everything in one conceptual bucket and say, "Well, this is all sexual harassment and it's all the same." But to develop concepts that show the ways in which some instances of this that might seem more benign to men or to those in dominant social locations are in fact not.

Christiane: In the last half of our discussion, we drew some connections between the Me Too movement and hermeneutical injustice. The activist movement known as Me Too was started in 2006 by a woman named Tarana Burke who had been working with survivors of sexual assault and sexualized violence for decades. She started it as a way of encouraging survivors to share their stories so that others could know that they weren't alone. In October of 2017 the movement went viral on social media after the actress Alyssa Milano suggested that people share their

stories of sexual harassment, assault, and abuse using the #MeToo. In late 2017, the hashtag was shared and used millions of times on social media.

At the same time, there was a wave of investigative reporting about systemic sexism and harassment in Hollywood, public radio and other big media organizations. Many powerful and famous men have resigned or were forced to resign after multiple allegations of sexual harassment and assault came to light. There's a clear connection to hermeneutical injustice here because stories of sexual abuse and harassment have circulated amongst survivors basically since the beginning of time. However, many men and most people in power haven't always acknowledged or taken action against widespread sexual abuse and harassment until fairly recently. Instead of being secluded to survivors' therapy sessions or whispered confidences between friends, the stories and the vocabulary are now finally getting a spotlight in the media.

{news clip}

Speaker 1: Millions of women sharing their own stories online saying sexual harassment and assault isn't just a problem for Hollywood.

Speaker 2: It took me a while to really be able to say the word sexual assault to myself.

Speaker 3: Maureen, like so many other women is finding a supportive community on social media.

Speaker 4: We're encouraged by it. We think we're seeing a cultural shift, which is what needs to happen because we live in a culture that tolerates sexual violence.

Speaker 3: The fallout from the Weinstein scandal is reverberating in countless other industries as women feel empowered to tell their stories for the first time.

Christiane: It's this media spotlight that might be a way of addressing the longstanding hermeneutical injustice around sexual abuse, assault and harassment. Let's get back to our discussion starting with Eleanor's thoughts on how sharing stories could be a way to make the concept sexual harassment feel more real to people who haven't experienced it.

Eleanor: The problem is okay, sure, I as a man believe that it exists, but I don't believe it exists as a lived experience by people that I might know. It's still hermeneutical injustice, but it's a weird, it seems like it's a weird kind of paradoxical disconnect from all that I've seen of the movement and talking to people that I know it breaks down very quickly in terms of how people believe that it might exist in the world generally, but versus how it exists to people personally.

Christiane: The thing I like about Me Too, or the Me Too movement, is that it kind of puts a nice spotlight or people are willing to look at this problem now, whereas they maybe weren't before. And I think people are realizing that sure sexual harassment might be kind of low level and benign in some cases, but what you have to realize is that the person who's experiencing it might've experienced it 10 times that day.

Emily McWilliams: Yeah, I think that's a really important point. Just that the nature of oppression in general is systematic and that we've got all this evidence that it's for that reason linked to poor mental health and other health outcomes. The systematic nature of it, yeah, should really be sort of kept in our minds as central.

Eleanor: I'm happy that Me Too has continued and that the discussion has continued because I haven't experienced anything truly terrible. I've had the average amount of catcalling I suppose. And it was weird in some ways that it was all women have had terrible experiences and it was almost invalidating of I'm also a woman but I don't share these same kind of dreadful stories and that was a confusing binary to exist in. I appreciate that it's gone further than that. And that we can talk about nuances within just the high level I guess sexual assault versus maybe lower level aggressions that build up over time.

Emily McWilliams: Yeah. It's being low level doesn't take away from it's being systematic. I think that's an important feature of oppression and what defines it is that you can't sort of walk away from this one experience and then be free from it in the rest of your life. It's not a one off thing. It's something that follows you through different facets of your life.

Christiane: Yeah, I think it's helpful to know hey, there's a spectrum of sexual assault, sexual harassment, and it all feels bad.

Emily McWilliams: Yeah. I think just as a baseline in this conversation, we should trust that women aren't complaining for no reason, or they're not alleging that something bad has happened to them for no reason. We can now afford to give women just the faith and trust that if they're complaining about something, they're complaining for a reason.

Eleanor: And it's amazing how much that's changed since September or whenever it really started getting big of at that point, it felt like there was a reaction that, oh, maybe these people are just being hysterical and now it doesn't feel like that anymore.

Christiane: Yeah. Yeah. But I wonder, am I wrong in thinking that maybe in philosophy there's a strand of philosopher who would be very troubled by what you said, Emily, when you said, we should just believe women, they're not going to lie about their experiences of sexual harassment. Most women deserve to be believed. And I feel like that's probably troubling to a lot of people. Am I wrong?

Emily McWilliams: No, I think you are right. Philosophers and sort of people, people in general. What I mean by it and what feels right to me is that we should trust women as sort of the default. And to me that seems like the opposite of the default that we've had for so long. And you might even say up to this point, the default response has been a kind of skepticism of when women try to describe these experiences and that kind of intersects with hermeneutic injustice because if the woman speaking doesn't have kind of the concepts to articulate this experience with perfect clarity, then it's perceived on the part of the speaker that that gives them even more reason to be skeptical of what she's saying because it's not coming out perfectly clearly.

And so I think it's just about shifting the default. I wouldn't go as far as to say we should throw out due process. We should just believe women 100% of the time. Their testimony is always true. But I think shifting the default culturally in that way is really important. And that, I guess that's the part that I would hope people would not take as much issue with.

Eleanor: I've certainly heard the objection of this is throwing out due process, the whole kind of movement and then the men that are suffering the consequences of their actions is a failure in some way of due process.

Emily McWilliams: Yeah, I mean I think it's less that they think that women are going to lie and say that I did something wrong and more that women are going to name what I did wrong and maybe it's something that is relatively benign and then I'm going to be labeled as a perpetrator of sexual assault or someone who did something absolutely horrible, when in fact, maybe I was just following the male sexual script that I've grown up with and it was completely unintentional and I'm not a perpetrator of sexual assault. I've had maybe you both have too, a lot of conversations with men since this started where they just kind of want to be reassured that they're not one of the bad ones or that they're okay. And so, I think it's a separate problem that it's become our job to kind of reassure them.

Eleanor: I'm interested in the reassuring men question because that's definitely happened to me as well. Kind of having to pat people on the head and saying, "It's okay." But I've been shocked a couple times if like, I do think things that my male friends have done are objectively bad and maybe they did it because of other social pressures or alcohol or who knows what the situation is. But it is always, I don't know how to reconcile those problems.

Emily McWilliams: Yeah. I think my general approach to those conversations is to take the question of blame worthiness out of it or blame out of it. And you can say, "This is a bad thing that happened. It's bad that this happened. This is a bad state of affairs." And even someone was harmed during this interaction without saying, "You're fully morally blameworthy, you're a bad person. I can no longer have the same kind of relationship with you that I did before." And so I think just kind of taking the issue and maybe even explicitly taking the issue of blame off the table can help kind of facilitate those conversations. And yeah, I think it's a good thing that men are re-examining some of the experiences that they've had in the past through this new lens and thinking maybe some of that was problematic or was harmful.

Christiane: It might look like our society is finally moving towards some kind of hermeneutical justice on this issue. But as Emily cautioned, we can't be content to stop here.

Emily McWilliams: If women in positions of relative privilege are the ones whose voices are heard most loudly in this conversation, that will perpetuate hermeneutical marginalization and as a result hermeneutical injustice. Letting individual women, particularly women who are especially marginalized set that tone and the dynamics of that conversation, of that broader conversation I think is key. Fricker does talk a little bit about things that we can do just at the individual level. There's I think a genuine and important question about how far that will go to towards making sweeping structural changes, but she does talk about sort of virtuous listening, which includes and what she calls hermeneutical openness and self critical capacities. More generally that will make us more attentive to our own hermeneutical failures.

That might include knowing when it's your turn to shut up, knowing when to suspend your judgment about someone's intelligibility, being aware of your own limited interpretive and conceptual resources, listening for silence in a conversation, letting other people set the tone and the dynamics of a communicative exchange. I think that last one strikes me at least as being really important.

Christiane: If you want to know more about Emily McWilliams and her work, we'll have links to her articles on our show notes page at examiningethics.org.

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