PHENOMENOLOGY AND MIND

2024 | 27

PHENOMENOLOGY AND MIND

STRUCTURAL INJUSTICE: REFLECTIONS ON SOCIAL GROUPS, IDENTITY AND INTERSECTIONALITY

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CONTENTS

INTRODUCTION

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INTRODUCTION[1]

In the late 1990s, the growing awareness of the persistence of injustices targeting groups stigmatized because of ascriptive characteristics such as sex, gender, skin color, ethnicity, disabilities, age and so on, spurred new trends of philosophical investigation over these matters. These new research strands promoted a renovated scholarly interest in identity-based justice, as for some time, instead, injustices based on agents' traits had seemed "largely a thing of the past" (Essed and Goldberg, 2005, p. 4; Manne, 2018).

From a philosophical point of view, the renewed attention towards these types of injustice has marked, if not a paradigm shift, at least the emergence of a field of inquiry characterized by an intense internal dialogue among scholars wishing to investigate the nature of these injustices, and the rationale for their persistence. A crucial and widely acknowledged contribution in this sense was made by Iris Marion Young. Her 1990 book, *Justice and the Politics of Differences*, which drew attention to the centrality of power relations, played a paramount role in the theoretical articulation of the widespread and growing feeling that social theory had overlooked important dimensions of injustice for some time. Young urged political philosophers to re-focus on structural forms of oppression and domination, stressing the role of power relations among identity-based social groups as key for diagnosing persistent injustices and proposing reforms for tackling them. Young, as it has been noted, "tapped into the zeitgeist of the time" (MacKeown, 2021, p. 2).

What attracted the theoretical interest of scholars was the stubborn resistance of these forms of injustice, especially as they occurred in well-established constitutional democracies that were, seemingly, engaged in countering them (Sunstein, 1993). The awarness that the policies designed to give substance to a broader spectrum of anti-discrimination principles fought for by the social movements of the 60ies and 70ies proved indeed moot in countering many instances of injustice in real-world democracies can be employed as a proof of the resilience of these systemic injustices. The realization of the ineffectiveness of such policies has pushed theorists to wonder whether mistakes were made in the very conceptualization of these injustices (Young, 1990; Shelby, 2016).

The recognition of such conceptual shortcomings grew hand in hand with a discomfort with the approach to normative social theory which dominated philosophical debates at the time, fueling the *critical turn in social theory* of the 1990s. Although the range and depth of these criticisms vary widely, two main sources of unease are consistently present in different theories looking at these issues. First, up to that time, the dominant focus of normative social theory concerned the redistribution of socially produced wealth, as well as pro- and anti-

market debates. The emphasis on the distributive dimension of social justice, however, as we have seen, obscured justice issues related to ascriptive characteristics, leaving large spheres of injustice unexplored or poorly theorized. These spheres of justice are connected, but irreducible to the distribution of social wealth (Okin, 1989; Young, 1990, 2011; Shelby, 2016). The second source of discomfort is related to the first. Because of its emphasis on distributive issues, normative social theory has mostly concentrated on theoretical disagreements concerning different ways of conceiving social justice (Rawls, 1971). This focus on theoretical disagreements, however, favored a methodological approach that looked at theories of justice as different proposals to be tested and criticized with the goal of establishing the best argument to resolve social conflicts.

This way of theorizing has proven ill-equipped to scrutinize the injustices that this Special Issue focuses on, and even less adequate to deal with the problem of their persistence. Racism and sexism cannot be properly understood just in terms of racist or sexist individuals defending white supremacy or the inferiority of women in the public forum against an a-problematic institutional and structural framework. This conclusion does not mean that there are not white supremacists or men who seriously theorize about male supremacy. The natural superiority of man over women, of whites over blacks, of the West over the Orientalized East, of the Global North over the Global South indeed have perdured as common beliefs held not only of 'the man in the street', but also by enlightened philosophers, thinking for example of thinkers as Locke or Kant, or Hume and Rousseau, to Mill. Textual analyses by cultural anthropologists, feminist historians and philosophers, postcolonial scholars and critical theorists of race have shed light on the racist and sexist roots of our cultural tradition.

Even though there are people left in our societies who still hold this kind of ideologies, according to the philosophical perspective considered here, it would be wrong, as some have done, to conceive racism, sexism, and other forms of social discrimination and stigmatization as a matter of bigotry, prejudice, or harmful beliefs of wrong-meant individuals, sort of 'lonely wolves' (Bonilla-Silva, 2018; Manne, 2018). On the contrary, social discrimination against members of racialized, sexualized, or otherwise stigmatized and oppressed groups must be understood as institutional, structural, or systemic phenomena deeply embedded in the social system of our political societies. Institutional, structural, and systemic injustice are not synonymous, and there are different ways of conceptualizing them and understanding how they intersect. However, what is essential to point out here is that the wrongs that some people suffer because of institutional, structural, and systemic injustice are not attributable to people's considered beliefs or doctrines and the actions they take individually. Rather, these forms of injustice take stock of the constrained position in which members of disadvantaged groups find themselves given the "unintended consequences of the combination of the actions of many people" (Young, 2011, p. 53). This critical approach stresses that agents are compelled to make fundamental life decisions within the constraints of unjust social structures that restrict their options and capacity for critical reflection. A paradigm of social justice that aims to provide normative guidance for actual people, situated within their complex lives and interacting with societal structures and imperfect political institutions, must consider these aspects to provide satisfactory and efficacious proposals for tackling injustices.

To call attention to the institutional, structural, or systemic nature of social injustice is not to deny that institutions are created by individuals, nor is it to overlook the fact that institutions do not 'act' independently of our doing (Coleman, 1990). While this is obviously true, institutional, structural, and systemic forms of injustice indicate that we do not have full 'control' over institutions and complex social systems (Haslanger, 2022). Whether in collective social interactions or as institutional actors, we must always be aware that "agents in a social system, are shaped by it" (Haslanger, 2022, p. 9). Through processes of socialization, we

internalize ways to behave that make us able to "navigate a social world without even needing to represent to oneself what one is doing" (Haslanger, 2018, p. 235). If our society is unjust, we can reproduce injustice without knowing or wanting to. This allows injustices to persist even when a society ostensibly rejects oppression and discrimination; even when its members vote for and support anti-discrimination laws and sincerely profess adherence to principles of equal moral worth of all the citizenry. Further, a strictly neutral viewpoint of social justice, assuming that all differences ought to be treated as equally indifferent from a public sphere perspective, may end up being counterproductive in fighting social injustices. A neutralist approach tends to obscure the reality that some differences are more significant than others. For instance, differences based on race, ethnicity, sexual orientation, and culture are markers of oppressed and/or excluded collective identities, often accompanied by various forms of disadvantage exemplified by a second-class membership in the polity. The difference-blind attitude defended by some strands of liberalism, far from neutralizing the exclusionary effect of certain differences, actually reinforces it. For instance, a 'group blind' policy framed as 'neutral' may produce disproportionate negative effects on a specific social group, reinforcing its social disadvantage (Shelby, 2016, p. 24).

The emphasis on unintended consequences as well as on the role of society in shaping our behavior beyond our considered beliefs and individual willingness marks a shift in the prevailing interests of normative social theory, moving the inquiry from models of social justice to analyses of real-world social injustices. This shift has spurred significant theoretical expansion into under-analyzed dimensions of justice, two of which are worth mentioning here. A first effect of this shift toward an embedded and critical analyses of injustices has been the fertile research on previously uninvestigated or 'peripheral' forms of structural injustices, sometimes from branches of philosophy not traditionally focused on questions of justice, such as philosophy of language and epistemology. One issue unveiled in this context is that of the epistemic and hermeneutical injustice that members of stigmatized groups suffer when social prejudices deprive them of credibility, or when the cognitive tools to make sense of their experiences are not available (Fricker, 2007, 2013). A second issue that this new orientation has brought to prominence concerns linguistic forms of injustice, that is, the exclusionary effects prompted by the use of a single 'lingua franca' (e.g. in contemporary times English), or the stigmatization toward certain accents or how gender-unfair language gives rise to injustice (Eckert and McConnell-Ginet, 2003; Lippi-Green, 2012).

The investigation of structural forms of injustice as a fundamental dimension of the critical inquiry within contemporary societies has brought normative theory closer to social analysis. First, for the centrality assumed by social structures for capturing specific loci of injustices. Second, for the relevance played by social groups, both in their interaction with social systems and practices and for the critical analysis of their nature and identification. The investigation of social groups must make sense of the multiple memberships that each of us, as embodied social beings, black or white, heterosexual, or queer, young, or old, rich or poor, experiences. From the perspective of disadvantaged social groups, multiple belonging invites intersectional philosophical and sociological investigation into how individuals can be victims of multiple injustices (Crenshaw, 1989). But it also requires deeper philosophical research on personal identity and group belonging (Appiah, 1990, 2005). Existing social groups are largely the product of social injustice. This suggests that, in a just society, groups, just like classes, should not exist. On the other hand, groups are also a source of identity, prompting demands for recognition (Young, 1990; Fraser, 2003; Dembroff, 2020).

Given the variety of perspectives from which the topic of the institutional, structural, and systemic forms of injustice can be tackled, as we have just illustrated in this brief introduction, we decided to divide the volume into three thematic parts. The first section,

The Structural Dimension of Justice, has the goal to frame the debate along the lines previously introduced, that is, looking at the often-overlooked impact of social structures (Haslanger, 2016; Young, 2011) – formal and informal – on patterns of behaviors and on actual instances of mistreatment. The contribution by P.B. Hope, "Social Connection and Complexity: On Two Kinds of Social Injustice and Responsibility", illustrates the notion of systemic injustice, partly distinguishing it from the most-discussed one of structural injustice (Haslanger, 2022), and problematizes the notion of moral responsibility, with a specific focus on two kinds of forward-looking responsibility: systemic responsibility grounded in complex social dynamics and structural responsibility grounded in the roles and relations that make up social structures. The contribution, in line with the general aim of this volume to be attentive as much as possible to the real-life instances of oppression and mistreatment, discusses a concrete case to illustrate how systemic and structural injustice and responsibility can diverge, showing how racialized systemic injustices can emerge even from a structurally just housing lottery.

The second essay of this section "Structural Injustice and Supra-Individual Alienation" by Eleonora Piromalli discusses the relations between structural injustice and objective alienation (Jaeggi, 2014; Schaff, 1980), that is, a type of social alienation where human-established norms and practices are perceived by individuals as unchangeable external forces, requiring adaptation. Interestingly, Piromalli approaches these topics from a critical theory perspective, coupling it with an intersectional methodology. In her analysis, with the support of fictional, but realistic examples taken from literary and philosophical works, she presses us to realize that rigidified and "naturalized" norms and practices tend to reinforce relations of structural injustice, and, in turn, are sustained by them. Piromalli concludes that, as in a vicious circle, supra-individual alienation both strengthens structural injustice and is, in turn, strengthened by it.

The third contribution of this first section concentrates on clarifying the deep connection between feminicide as a phenomenon and structural injustice as a general framework to account for systemic forms of oppression. Elena Libera, in her "The structural dimension of femicide", ponders why, quite counter-intuitively, a decrease in sexism in liberal democracies has not resulted in a decrease in the number of killings of women. Libera stresses that making sense of this empirical fact requires a conceptual clarification of femicide, a term whose definition is widely contested both at the juridical and political levels. The essay, drawing on Kate Manne's (2018) distinction between sexism and misogyny, defends the view that feminicide is the most extreme form of the latter and does not necessarily require the former. Further, Libera shows the need to rely on the concept of patriarchy – that is, the broader socio-economic and political structure within which both misogyny and sexism play a distinct role –, in order to adequately account for the structural dimension of feminicide.

The second section of this volume, *Epistemic and Linguistic Injustice*, concentrates on the dynamics of systemic discrimination related to one specific aspect of individual agency, that is, the way in which individuals are wronged specifically in their capacity as knowers and as producers of testimonies of experiences and information (Fricker, 2007). These dynamics are fueled by asymmetries of power and visibility in political societies (Catala, 2015), as well as by an unequal distribution of the social markers of credibility (Anderson, 2012), both for lack of educative resources and because of unwarranted biases directed toward individuals qua members of a specific social group (Alcoff, 2010). The first essay of this section "Epistemic Injustice and Standpoint Theory: A Proposal for Understanding Epistemic Harm", by Noemi Paciscopi, provides a useful conceptual distinction between epistemic advantage and privilege and investigates the perspectival resources possessed by those who are subjected to systemic forms of epistemic injustices. Paciscopi expands this analysis relying on standpoint

epistemology (Haraway, 1988; Tanesini, 2019), concluding that, since marginalized groups possess a unique privilege in understanding phenomena that directly affect them, when their testimonies are systematically dismissed through forms of epistemic injustice, society loses valuable insights and severe epistemic harms are provoked.

The second and third contributions of this section concentrate on ways through which the language can be discriminatory. Martina Rosola, in her "Which is the fairest of them all? Evaluating gender-fair strategies in Italian", illustrates how gender-unfair language gives rise to injustice towards both women and non-binary people. Coherently with the approach underlying this volume, Rosola's investigation rests on a normative perspective, taking into account practical and ethical aspects in assessing strategies for remedying the discriminatory effects of linguistic injustices. Rosola shows that, when considering ethical aspects, most strategies turn out inadequate. She concludes that only gender-neutral paraphrases, namely what she calls "conservative neutrality", are truly fair towards both women and non-binary people.

Matilde Graziano, in her "Confining words an analysis of misogynistic slurs and their subordinating force", examines misogynistic slurs, focusing on terms such as 'slut' and 'bitch', and distinguishing them from racial or homophobic slurs. Graziano investigates why misogynist slurs might not initially seem to qualify as actual slurs, concluding that if misogynistic slurs are indeed slurs (Bianchi, 2014), then they have the power to subordinate, significantly impacting processes of gender discrimination already at work in patriarchal societies. Through concrete examples, Graziano shows that misogynistic slurs are extremely oppressive, supporting already gender-unfair institutions and norms in most contemporary societies: they classify members of the target group as inferior, legitimize discriminatory behaviors towards them, and deprive them of important rights and powers.

The final contribution of the second section of the volume proposes an original expansion of the conceptual analysis of the notion of *himpathy* (Manne, 2018) by examining the courtrooms' environment. Margherita Grassi and Eleonora Volta, in their "Controlling the Narrative: The Epistemology of Himpathy in Sexual Assault Trials", explore cases in which the testimony of rape survivors is believed, but nevertheless misinterpreted due to the hegemonic conceptual resources that obscure women's experience of sexual violence. Here we see at play instances of hermeneutical injustice in which epistemic and emotional dysfunctions are deeply intertwined and sustained by forms of *meta-blindness* (Medina, 2013) that establish by default the male standpoint as neutral. Once they have outlined this critical framework, Grassi and Volta test their conclusions by analyzing some judicial proceedings in Italian criminal trials for sexual violence. They conclude that the phenomenon of himpathy plays a relevant role in framing, without being questioned, biased epistemological stances as *impartial* in judicial reasoning.

The third and final section of this volume, *Power, Social Oppression and Recognition*, has a double goal: on the one hand, it is interested in illustrating concrete instances of group discrimination related to specific ascriptive characteristics possessed by groups' members and in proposing some justice-oriented remedies (Cudd, 2006; Young, 1990); on the other hand, this section will delve into an analysis of the normative notion of recognition (Honneth, 1996), illustrating how helpful the recognition framework is in identify instances of social injustice in contemporary societies. The article by Christian Tewes, "Reconsidering the Double Empathy Problem", addresses the exclusionary mechanisms directed towards autistic individuals, showing the deeply discriminating side-effects of neurotypical individuals and institutions projecting their implicit normative rules of behavior and assumptions onto autistic individuals, ascribing to them a lack of empathetic understanding that is frequently inaccurate, resulting in their exclusion, stigmatisation, and even traumatisation (Milton,

2012). This analysis, employing a range of embodied-phenomenological perspectives, is illuminating in showing the often-overlooked exclusionary mechanisms activated, sometimes even involuntarily, by social norms and social conventions that are established mirroring the preferences, costumes, and ascriptive characteristics of members of the cultural majority (Galeotti, 2017). A critical analysis, that we defend in this volume as an essential tool to dismantle these mechanisms – first and foremost by pushing for a critical appraisal of their genesis –, is in order to both establish individual and institutional loci of responsibility and propose concrete remedies.

On similar lines, Donata Chiricò and Maria Tagarelli De Monte, in their "Hearing perspectives on deafness: a century-long form of power", illustrate the kind of structural exclusion and discrimination historically suffered by deaf and hear-impaired individuals. Through the powerful example of Charles-Michel L'Épée (1776), who founded a school where deaf individuals were treated equally to hearing individuals, the authors problematize the exclusionary dimension of spoken language for subjects precluded from it and the enduring implicit stigmatization that characterizes the historically established notion of "physical and cognitive normality".

The third essay of this final section, "Moral Recognizers and Social Injustice: Expanding Axel Honneth's Theory of Recognition" by Alex-Flavius Deaconu, delves into the notion of recognition, specifically focusing on the processes of (moral) self-development of recognizers. Drawing on Axel Honneth's theory of recognition, the essay highlights the role of socially engendered misrecognition in generating experiences of injustice. The author reasons upon three important dimensions of the recognition framework: the emphasis on the role of intersubjective recognition processes in identity development; a view of society as an order of recognition that reveals the social conditions for self-development; and a concept of social justice tied to promises of recognition derived from underlying principles of recognition in different social spheres. Deaconu concludes that social barriers to processes of self-confirmation as moral recognizers may constitute a form of social injustice, at least in contemporary societies. As a paradigmatic example, the author argues that a recognition-based account of the world of work, taken as a specific social sphere, must presuppose self-confirmation as a foundational premise.

Hauke Behrendt, in "Resolving the Puzzle of Affirmative Action", argues that a nuanced consideration of different types of social groups can provide a solution to the Puzzle of Affirmative Action. According to the puzzle, affirmative action, establishing policies that favor members of specific social groups, is inherently discriminatory because it results in preferential treatment for individuals based on a specific characteristic, comparatively disadvantaging those who do not share that trait. Looking at the growing legal and academic literature on affirmative action, with reference to the recent US Supreme Court decision in *Students for Fair Admissions vs. Harvard* (June 29, 2023) to declare unconstitutional the well-established practice of considering applicants' race as one factor in college admissions decisions, Behrendt undertakes a precise analysis of the concept of discrimination, emphasizing its nature as a form of group-based injustice. The author, relying on a key distinction between oppressed social groups and egalitarian social groups, defends the view that affirmative action does not constitute discriminatory treatment in certain cases, particularly when it involves measures aimed at rectifying oppression.

Finally, Valeria Fabretti, in "Exploring Intersectionality in Anti-Discrimination Work. Representations and Practices of Social Workers in Northern Italy", directly tackles the issue of intersectionality, which represents a recurrent critical and interpretative methodological tool of this volume. In fact, the intersectional framework encourages strategies to enhance the identification of and interventions against specific forms of discrimination along the

different, and intertwined axes of disadvantage (Crenshaw, 1994; Hancock, 2007; McCall, 2005) investigated at length by many contributions of the volume. The article discusses the results of a recent sociological study that has investigated the extent to which intersectionality tools are considered and employed by social workers involved in the anti-discrimination sector in specific geographic areas of Italy. The essay concludes that a more consistent and wide employment of the intersectional approach in the field of social work will help in challenging the often a-problematized relationships with victims, requiring the de-construction of operators' stereotyped representations of vulnerabilities and the valorization of victims' subjectivity and agency. Further, a more systematic employment of the intersectional approach, Fabretti argues, will help in fostering a more radical interpretation of processes of social work networking and political mobilization.

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