



# Against hermeneutical gatekeeping: or, how to be a materialist about (some) epistemic injustices

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## Abstract

Recently David Ludwig has argued that spending finite attentional resources on the question of how to achieve epistemic justice can contribute to sidelining the question of how to achieve material justice, even though achieving material justice is often what is most pressing. I respond to this ‘challenge of distorting agendas’ on behalf of work on at least some epistemic injustices of two widely-discussed sorts, namely hermeneutical injustices and contributory injustices. I show that key is to recognize that many epistemic injustices of both these sorts originate in practices of *hermeneutical gatekeeping*, by which I mean people’s access to needed goods being made contingent on their first rendering intelligible various things about themselves. Significantly, recognizing the origin of many epistemic injustices of both these sorts in practices of hermeneutical gatekeeping not only grounds a response to the challenge of distorting agendas, but also points towards a range of novel materialist strategies for tackling these epistemic injustices.

**Keywords** Epistemic injustice · Hermeneutical injustice · Contributory injustice · Gatekeeping · Miranda Fricker · Kristie Dotson

## 1 Introduction: The challenge of distorting agendas

An ever-increasing number of philosophers are working on the topic of epistemic injustice (McGlynn, 2025b). In a recent paper, David Ludwig questions the choice made by many of this literature’s contributors to ‘focus on epistemic injustice in contexts of deep material inequality’ (forthcoming, p.2). Ludwig’s concern is that expending finite attentional resources on the question of how to achieve epistemic justice ‘can contribute to sidelining’ the question of how to achieve ‘material jus-

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time', even though it is often material justice which 'affects livelihoods more directly' (forthcoming, p.4) and is thus 'most pressing' (forthcoming, p.2).<sup>1</sup> In particular, Ludwig argues, focusing on the achievement of epistemic justice is liable to have this distorting effect when it is approached solely as 'a problem of recognition' (McConkey, 2004; see e.g.; Fricker, 2018; Giladi, 2018; Hänel, 2020) and not also as a problem of the distribution of material resources (forthcoming, p.4; compare Fraser 1997). After all, if the dominant have to make a concession to the marginalized and they can *choose* between conferring recognition on the marginalized and providing them with access to material resources they are liable to choose the former as the 'cheapest' option (Táiwò, 2022a, p.18; quoted in Ludwig forthcoming, p.3). Ludwig calls this concern 'the challenge of *distorting agendas*' (p.3). My aim in this paper is to set out one way at least some epistemic injustices of two of the most-discussed sorts can be approached as in part a problem of the distribution of material resources and not solely as a problem of recognition, and hence how work on at least these particular epistemic injustices can meet the challenge of distorting agendas. Otherwise put, my aim is to go some way towards assuaging certain 'recent misgivings about the liberatory potential of the scholarship on epistemic injustice' (Mitova forthcoming, p.11) by demonstrating one way at least some work on this topic can explicitly align itself with, rather than risk distracting from, the project of achieving greater material justice.<sup>2</sup>

The two sorts of epistemic injustice I have in mind are hermeneutical injustice and contributory injustice. On the accounts I offer in Sect. 2, both hermeneutical and contributory injustices consist in the unfair non-satisfaction of an interest a person *A* possesses in something about themselves being intelligible to a person *B*. Call this

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<sup>1</sup>Note moreover that what we decide to expend finite attentional resources on is arguably itself a question of epistemic justice (compare Smith & Archer, 2020).

<sup>2</sup>Other recent misgivings about the epistemic injustice literature from a Left perspective include concerns that the literature has neglected class and classism (Spiegel, 2022; Novis, 2024), and what Veli Mitova calls the 'white-people stuff' challenge (forthcoming, pp.2–5): the idea that the literature's concepts have been appropriated by members of dominant groups from members of marginalized groups (compare Dotson, 2014b; Berenstain, 2020), and/or that the literature's concepts have been institutionalized so as to serve the interests of members of dominant groups rather than the interests of members of marginalized groups (compare Collins, 2017), and/or that the literature has theorized using these concepts from the points of view of dominant groups rather than from the points of view of marginalized groups (see also Pohlhaus, 2020). I do not have space here to address these other misgivings, which others have already done much to allay (Mitova, forthcoming) – my focus will be on addressing the challenge of distorting agendas.

sort of interest a *transparency interest*.<sup>3</sup> In both sorts of injustice, *A*'s transparency interest goes unsatisfied because they have at best ill-fitting hermeneutical resources available to them with which to render the relevant thing about themselves intelligible to *B*.<sup>4</sup> What differentiates these sorts of injustice is what accounts for *A* having at best ill-fitting hermeneutical resources available to them for this purpose, and thus what accounts for the non-satisfaction of *A*'s transparency interest being unfair: when *A* suffers a hermeneutical injustice, it is hermeneutical marginalization that explains their having at best ill-fitting hermeneutical resources available to them for this purpose; whereas when *A* suffers a contributory injustice, it is instead *B*'s willful hermeneutical ignorance that explains their having at best ill-fitting hermeneutical resources available to them for this purpose.

In Sect. 3 I turn to the question of how people come by their transparency interests in the first place, a question strangely neglected by the literature on these sorts of epistemic injustice. I argue that often, a person *A* only has a transparency interest in something about themselves being intelligible to a person *B* because some good that *A* needs is subject to *hermeneutical gatekeeping* by *B*. By this I mean that *B* is in a position to grant *A* access to the good in question, and will do so only if *A* first renders the relevant thing about themselves intelligible to *B*. Think here for example of a bureaucrat who will provide welfare benefits to a claimant only if they first render intelligible to him their eligibility for those benefits.

In Sect. 4, I use this account of how people come by many of their transparency interests to provide a response to the challenge of distorting agendas. My idea is that widespread practices of hermeneutical gatekeeping make people's access to an array of needed material goods dependent on their successfully rendering various things about themselves intelligible. Hermeneutical injustice and contributory injustice are both ways in which people are sometimes unfairly blocked from rendering the relevant things about themselves intelligible. Thus even if what you prioritise politically is ensuring that people have access to something like this array of needed material goods, it makes sense to pay considerable amounts of attention to at least some epistemic injustices of both these sorts; the project of achieving epistemic justice and the project of achieving material justice are at least to this extent 'aligned' (Ludwig, [forthcoming](#), p.13).

<sup>3</sup>This choice of label is loosely inspired by Byung-Chul Han's book *The Transparency Society*, and in particular by his observation that often '[t]he demand for transparency grows loud precisely when trust no longer prevails' (Han, 2015, p.48). My thought here (though nothing in what follows hangs on it) is as follows: to subject a good people need to a practice of hermeneutical gatekeeping is to demand that they first render something about themselves intelligible before granting them access to the relevant good; often the reason for this demand is to ensure that access is granted only to those people who do actually need the relevant good or who are actually entitled to it; when this is the reason (as seems to me to be the case with all the practices of hermeneutical gatekeeping I discuss in Sect. 3), the demand that people first render something about themselves intelligible in effect expresses a refusal simply to trust them when they claim actually to need the relevant good or actually to be entitled to it; from which it follows that people often only possess transparency interests because at some level they are not trusted (following Clanchy, 2024, p.700).

<sup>4</sup>I clarify how to understand the key notions of a hermeneutical resource's *fittingness* and *availability* in Sect. 2.

In Sect. 5, I turn to the question of what can be done to prevent hermeneutical and contributory injustices in light of this response to the challenge of distorting agendas. Most previously proposed strategies for preventing hermeneutical and contributory injustices take people's possession of all their various transparency interests for granted, and aim only to enable them to satisfy those interests. When strategies of this sort are pursued to enable people to satisfy transparency interests that they possess only as a result of practices of hermeneutical gatekeeping, we can say that they are aimed at *neutralizing* the harmful effects of these practices. The neglected possibility I want to explore is that of preventing at least some hermeneutical and contributory injustices by pursuing strategies which are aimed instead at *transcending* these practices.<sup>5</sup>

One way to go about transcending these practices is by *dismantling* them, by which I mean getting institutions and/or individuals to cease subjecting goods under their control to practices of hermeneutical gatekeeping. That it is possible to go about preventing hermeneutical injustices in particular by dismantling practices of hermeneutical gatekeeping is something I have argued before, though not in so many words (see Clanchy, 2024, p.704). Here I build on that previous discussion in two main ways. First, in response to a cluster of worries concerning the top-down nature of strategies aimed at dismantling practices of hermeneutical gatekeeping I argue that there is frequently another way to go about transcending practices of hermeneutical gatekeeping to which this cluster of worries does not apply, namely *circumventing* these practices. By this I mean finding ways to access goods other than from particular institutions and/or individuals subjecting those goods to hermeneutical gatekeeping. Second, I argue that strategies aimed at transcending practices of hermeneutical gatekeeping have at least one significant advantage over previously proposed strategies aimed only at neutralizing these practices' harmful effects, namely that they are uniquely capable of preventing both hermeneutical *and* contributory injustices.

## 2 Two sorts of epistemic injustice

### 2.1 Hermeneutical injustice

To get a grip on the idea of a hermeneutical injustice, it will be helpful to begin with Fricker's best-known example (2007, pp.150–151). This is the story of Carmita Wood, as recounted by Susan Brownmiller in her memoir of second-wave feminism in the United States, *In Our Time*. In 1974 Wood was an administrative assistant in the physics department at Cornell. There she worked with a professor who 'seemed unable to keep his hands off her' (Lin Farley's words, quoted in Brownmiller, 1999, p.280). With no other way to extricate herself from this situation, Wood quit her job and applied for unemployment benefits. Yet when asked by a bureaucrat from the New York Department of Labor to explain why she had resigned, she found herself

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<sup>5</sup>I borrow the distinctions between *neutralizing* and *transcending* and between *dismantling* and *circumventing* (though he calls the latter *escaping*) from sociologist Erik Olin Wright's work on strategies for overcoming capitalism (Wright, 2019, p.56).

‘at a loss to describe the hateful episodes’ (Brownmiller, 1999, p.280). In the end, at least on Brownmiller’s telling, Wood managed to say only that her reasons for quitting had been ‘personal’ (Brownmiller, 1999, p.280). The bureaucrat was unsatisfied by this answer, and consequently rejected her application for unemployment benefits. Wood then turned for help to a feminist consciousness-raising group run by a former colleague, Lin Farley. It was at a meeting of this group that the concept **SEXUAL HARASSMENT** was first formulated, as a label for the way in which the professor had mistreated Wood.<sup>6</sup>

Fricker wants to say that in her interaction with the bureaucrat, Wood suffered a hermeneutical injustice. Her mistreatment by the professor was ‘significant’, in the sense that she had an interest in it being intelligible to the bureaucrat (Fricker, 2007, p.151). Yet she had ‘at best ill-fitting’ hermeneutical resources available to her with which to render the professor’s behaviour intelligible to him, as a result of which this interest went unsatisfied (Fricker, 2007, p.148).<sup>7</sup> In talking of *hermeneutical resources* Fricker primarily has concepts in mind, though she also means to include among other things the ‘characteristic expressive style[s]’ of different social groups (Fricker, 2007, p.160). The notions of a hermeneutical resource’s *fittingness* and *availability* also require some unpacking. On Fricker’s account, a hermeneutical resource is available to you for the purpose of rendering something about yourself intelligible to someone if it appears in ‘the *collective* hermeneutical resource’ (Fricker, 2007, p.155; my emphasis).<sup>8</sup> Fricker clarifies in later work that in talking of the collective hermeneutical resource she means the set of hermeneutical resources ‘held *in common*’, such that ‘just about anyone can draw upon’ them (Fricker, 2016, p.163). Yet it seems to me that often, more hermeneutical resources are available to you for the purpose of rendering something about yourself intelligible to someone than this account would seem to recognize. For instance, suppose you and another person are both *early adopters* of a new concept. This new concept is surely available to you for the purpose of rendering something about yourself intelligible to them, even if this is not yet a concept that just about anyone can draw upon (compare Mason, 2011, p.300; Dotson, 2012, p.31). Or again, suppose you and another person are both familiar with a concept that is specific to a niche subject area in which you both happen to be *experts*. Again, this concept is surely available to you for the purpose of rendering something about yourself intelligible to them, even if this is not a concept that just about anyone can draw upon. These considerations lead me to think we should instead adopt a less restrictive account on which a hermeneutical resource is available to you for the purpose of rendering something about yourself intelligible to someone so long as both of you are familiar with it. This less restrictive account looks better-placed to integrate José Medina’s insight that when it comes to herme-

<sup>6</sup> Too late, however, for Wood herself to secure unemployment benefits (Baker, 2007, p.28).

<sup>7</sup> For a defense of this reading of Fricker, see Clanchy (2023, pp.834–835).

<sup>8</sup> I have replaced Fricker’s talk of rendering one of your “social experiences” intelligible to someone with talk of rendering “something about yourself” intelligible to someone because it seems to me that this better gets at what Fricker really has in mind, given that she means to count not just the events of a person’s life but also such things as a person’s moods, desires, and social identities among their “social experiences” (Fricker, 2007, Ch.7).

neutical injustice, ‘it is of the utmost importance *who* is communicating (or trying to communicate) *what* to *whom*’ (Medina, 2012, p.207).

As for the notion of a hermeneutical resource’s fittingness for the purpose of rendering something about yourself intelligible to someone, Fricker herself says little by way of elucidation. Here progress has been made in subsequent work, with Rachel Fraser making a persuasive case for understanding the fittingness of a concept for the purpose of rendering something about yourself intelligible to someone in terms of the inferences which that person is liable to draw to and from claims in which the concept appears (Fraser, 2018, pp.735–737; similarly Foster & Ichikawa, 2025). As an illustration, consider the concepts which Wood had available to her for the purpose of rendering what had happened to her intelligible to the bureaucrat, such as EXCESSIVE-FLIRTING or BEING-MADE-TO-FEEL-UNCOMFORTABLE (Fricker, 2007, p.153). The bureaucrat would likely not have been liable to infer “Wood was seriously wronged” from a claim such as “the professor flirted excessively with me” or “the professor made me feel uncomfortable”, and thus these concepts were likely ill-fitting for this purpose. At the same time, we can easily imagine the bureaucrat being liable to infer “You were seriously wronged” from the claim “The professor sexually harassed me”. In other words, we can easily imagine the concept SEXUAL HARASSMENT being a well-fitting one for Wood to use for the purpose of rendering what had happened to her intelligible to the bureaucrat. Yet this concept was not available to Wood for this purpose, since at the time of her meeting with the bureaucrat it had not yet been coined. Unfortunately, it is not immediately obvious how to extend this promising account of the fittingness of concepts to the fittingness of other sorts of hermeneutical resources, such as characteristic expressive styles. In part for this reason I will restrict myself in what follows to giving examples of hermeneutical injustice in which what the victim suffers from is specifically the unavailability of well-fitting concepts, so setting aside the question of how exactly to understand the fittingness of other sorts of hermeneutical resources for a later date.

I said above that as a result of having at best ill-fitting hermeneutical resources available to her, the interest Wood had in what she had gone through being intelligible to the bureaucrat went unsatisfied. By definition, the non-satisfaction of an interest is a harm (Fricker, 2007, p.162). Yet as Fricker notes, if a harm is to constitute an injustice it must also be wrongful, ‘whether because discriminatory or because otherwise unfair’ (2007, p.151). Fricker’s plausible suggestion is that the non-satisfaction of Wood’s interest was unfair because her having at best ill-fitting hermeneutical resources available to her resulted at least in part from women’s *hermeneutical marginalization*, by which she means women’s ‘exclusion’ from and/or ‘subordination’ within those practices that generate and/or propagate hermeneutical resources (2007, p.153). Fricker offers as examples of such practices those ‘sustained by professions such as journalism, politics, academia, and law’ (2007, p.152). Fricker’s idea is that women would likely have generated and propagated a concept like SEXUAL HARASSMENT sooner if only they had the means to do so – given that doing so would have been in their interest, and that in general ‘[o]ur interpretive efforts are naturally geared to interests, as we try hardest to understand those things it serves us to understand’ (2007, p.152). If Fricker’s plausible suggestion in this regard is

accepted, then we can say that Wood was harmed at least in part *qua* woman – which seems straightforwardly discriminatory.

Generalizing from this case gets us to the following definition of hermeneutical injustice: a person, *A*, suffers a hermeneutical injustice iff both ‘(i) *A* has an interest in something about themselves being intelligible to *B*; and (ii) this interest goes unsatisfied because *A* has, at least in part as a result of hermeneutical marginalization, at best ill-fitting concepts available to them with which to render this thing about themselves intelligible to *B*’ (Clanchy, 2024, p.691).<sup>9</sup>

## 2.2 Contributory injustice

In introducing the notion of a contributory injustice, Dotson states that there are ‘two salient differences’ between an injustice of this sort and a hermeneutical injustice (2012, p.31). The first difference is that the victim of a contributory injustice is always a member of marginalized group who has no difficulty in rendering the relevant thing about themselves intelligible to themselves, because well-fitting hermeneutical resources are in circulation among that marginalized group and so are available to them for this purpose. The victim’s difficulty is only in rendering the relevant thing about themselves intelligible to a member of a dominant group, who is either unfamiliar with the resources in question (in the terms of this paper, such that these resources are unavailable to the victim for the purpose of rendering the relevant thing about themselves intelligible to the member of the dominant group) or who uses them differently (in the terms of this paper, such that these resources are ill-fitting for the victim to use for the purpose of rendering the relevant thing about themselves intelligible to the member of the dominant group). The second difference is that the victim of a contributory injustice is left with at best ill-fitting concepts available to them for the purpose of rendering the relevant thing about themselves intelligible to this person at least in part as a result of this person’s *willful hermeneutical ignorance* (a notion drawn from Pohlhaus 2012). In other words, it is this person’s deliberate refusal to familiarize themselves with the victim’s hermeneutical resources, or to use these resources in the way that the victim uses them, that accounts for the non-satisfaction of the victim’s transparency interest being unfair.<sup>10</sup>

This gives us the following definition: a member of a marginalized group, *A*, suffers a contributory injustice iff (i) *A* has a transparency interest in something about

<sup>9</sup>Note that though I am concerned in this paper only with cases of hermeneutical injustice in which *A* and *B* are different people, it is perfectly consistent with this definition for them to be one and the same person (compare Goetze, 2018, p.78) – as indeed is the case in a number of Fricker’s own examples (e.g. Fricker, 2007, pp.148–149 and pp.163–167).

<sup>10</sup>For clarity: willful hermeneutical ignorance is not merely a way to hermeneutically marginalize members of a group. After all, hermeneutical marginalization specifically concerns a group’s subordination within and/or exclusion from hermeneutically powerful *practices*. By contrast, willful hermeneutical ignorance directed towards members of a group is at least in principle compatible with the group’s full participation in hermeneutically powerful practices. That is, members of a group could occupy prominent positions within hermeneutically powerful practices such as those sustained by the arts and professions including journalism, academia, politics, and the law, and yet find that some people nevertheless deliberately refuse to take up the hermeneutical resources they generate and attempt to disseminate by participating in these practices.

themselves being intelligible to a member of a dominant group,  $B$ , which (ii) goes unsatisfied because  $A$  has, at least in part as a result of  $B$ 's willful hermeneutical ignorance, at best ill-fitting concepts available to them with which to render this thing about themselves intelligible to  $B$ .<sup>11</sup>

### 3 The origin of various transparency interests in practices of hermeneutical gatekeeping

Both these much-discussed sorts of epistemic injustice, then, consist in the unfair non-satisfaction of a person's transparency interest. Surprisingly, the literature on these sorts of epistemic injustice has generally been incurious about how people come to possess their transparency interests in the first place. Yet getting clear on this is, it seems to me, key to responding to the challenge of distorting agendas. Thus in this section I argue that often, a person  $A$  only has an interest in something about themselves being intelligible to another person  $B$  because some good that  $A$  needs is subject to hermeneutical gatekeeping by  $B$ .<sup>12</sup> Recall that by this I mean  $B$  is in a position to grant  $A$  access to the good in question, and will do so only if  $A$  first renders the relevant thing about themselves intelligible to  $B$ . Then in the next section I show how the origin of this wide variety of transparency interests in practices of hermeneutical gatekeeping constitutes grounds for a response to the challenge of distorting agendas.

#### 3.1 Welfare state

Though the hermeneutical injustice suffered by Carmita Wood has been almost endlessly discussed, little has generally been made of its having arisen in the specific

<sup>11</sup> Dotson's own definition of contributory injustice is as 'the circumstance where an epistemic agent's willful hermeneutical ignorance in maintaining and utilizing structurally prejudiced hermeneutical resources thwarts a knower's ability to contribute to shared epistemic resources within a given epistemic community by compromising her epistemic agency' (Dotson, 2012, p.32). This may at first look to be a long way from the definition given in the main text. Yet it is not just anything that Dotson's 'knower' is prevented from contributing on her account; rather, it is specifically 'articulations' of their 'experiences' (Dotson, 2012, p.32). Moreover, a knower's 'experiences' are supposed to include such things as what they were attempting to achieve in a particular piece of writing, and their identity as a 'grassroots intellectual' (Dotson, 2012, p.32). Thus it seems to me reasonable to replace Dotson's talk of a 'knower' 'contributing' 'articulations' of their 'experiences' with talk of a person rendering things about themselves intelligible. Furthermore, Dotson's talk of 'an epistemic agent's willful hermeneutical ignorance' thwarting a person's 'ability' to contribute to 'shared epistemic resources' is misleading insofar as it obscures what her surrounding discussion makes clear, namely that what she in fact has in mind is a person's attempt to render something about themselves intelligible to a particular epistemic agent (or 'perceiver') being thwarted by (or 'fail[ing] to gain appropriate uptake' as a result of) that same epistemic agent's willful hermeneutical ignorance (Dotson, 2012, p.32). This strongly suggests that the primary harm of contributory injustice is the same as that of hermeneutical injustice, namely the non-satisfaction of a transparency interest (see Fricker, 2007, p.162). Indeed, if the primary harm were *not* the same then one would have expected Dotson to have listed this among the 'salient differences' between hermeneutical injustice and contributory injustice – which notably she does not (Dotson, 2012, p.31). Thus my definition of contributory injustice seems to me to be in fact a reasonable reconstruction of Dotson's.

<sup>12</sup> This fact will then play an important role in the *structural explanation* of subsequent hermeneutical and contributory injustices (compare Ayala-López, 2018; Catala, 2025, Ch.2).

context of the welfare state. Yet in fact this injustice was just as much a result of one of the rules under which the welfare state operated as it was a result of women's hermeneutical marginalization. This was the rule that anyone who quit their job entirely voluntarily was ineligible for unemployment benefits.<sup>13</sup> From this it followed that the bureaucrat would grant Wood access to unemployment benefits only if she first rendered intelligible to him that her resignation had been less than entirely voluntary. Now, suppose that there had been a suitably generous scheme of universal basic income in place such that Wood's access to the income she needed to get by were not dependent in this way on her first rendering intelligible to the bureaucrat that her resignation had been less than entirely voluntary. In this scenario, Wood would not have had a transparency interest in the reasons for her resignation being intelligible to the bureaucrat and thus would not have suffered the hermeneutical injustice constituted by this interest's unfair non-satisfaction (Clanchy, 2024, p.694).<sup>14</sup>

The neoliberal remodelling of welfare states in the intervening decades has proliferated such practices of hermeneutical gatekeeping, with the rules governing the distribution of welfare benefits 'changed to exclude more and more people from eligibility' (Spade, 2015, p.23). The subjection of welfare benefits to these practices of hermeneutical gatekeeping results not only in claimants suffering hermeneutical injustices akin to that suffered by Wood, but also in claimants suffering contributory injustices. An admittedly fictional but nevertheless realistic example of the latter phenomenon is the subject of Ken Loach's award-winning film *I, Daniel Blake*.<sup>15</sup> Daniel Blake is a carpenter in late middle-age living in Newcastle in the north-east of England. At the start of the film he is recovering from a recent heart attack, and his doctor has told him he should take some time off before going back to work. So he applies for Employment and Support Allowance, a benefit meant for those with a disability or health condition that affects their ability to work. His application is assessed by a bureaucrat, who wants to know whether there are any visible signs of his disability. To this end she asks him questions such as whether he can walk unassisted, lift his arms above his head, and dial a telephone number. Blake answers that he can do all these things, from which she concludes that his disability does not in fact affect his ability to work. His application for Employment and Support Allowance is conse-

<sup>13</sup> An argument could even perhaps be made for saying that in instituting this rule (in putting this piece of structure in place), the New York government helped *perpetrate* the hermeneutical injustice suffered by Carmita Wood – *contra* Fricker (2007, p.163).

<sup>14</sup> It is worth emphasizing my claim here is that in this scenario Wood would not have had a transparency interest in the reasons for her resignation being intelligible *to the bureaucrat*. This is compatible with thinking that in this scenario she would still have had transparency interests in what had happened to her being intelligible to certain other people, including herself. It follows that while strategies aimed at transcending practices of hermeneutical gatekeeping can prevent *some particular* hermeneutical injustices, namely those where the unfairly unsatisfied transparency interests are held only in virtue of needed goods being subjected to practices of hermeneutical gatekeeping, they cannot prevent *all* hermeneutical injustices, since not all transparency interests are held only in virtue of needed goods being subjected to practices of hermeneutical gatekeeping. In drawing attention to the possibility of pursuing strategies aimed at transcending practices of hermeneutical gatekeeping, then, my ambition is merely to add to the '*repertoire* of strategies for preventing hermeneutical injustices' (Clanchy, *forthcoming*, p.21).

<sup>15</sup> For similar real-life cases, see Ryan (2019, Ch.2). As Ryan aptly summarizes the situation: 'Death has become part of Britain's benefits system, in which people who have life-threatening illnesses can be deemed 'fit for work'' (2019, p.51).

quently denied, leaving him with no choice but to start looking for a job. Doing so causes him to suffer a fatal second heart attack.

The practice of hermeneutical gatekeeping to which Employment and Support Allowance is subjected gives Blake a transparency interest in his need to take time off from work being intelligible to the bureaucrat. Yet the concept *DISABILITY* turns out to be ill-fitting for the purpose of rendering this need intelligible to her, since she is liable to infer “your disability does not affect your ability to work” from “there are no visible signs of your disability”.<sup>16</sup> Experiences of this sort are familiar to many people with invisible disabilities (Samuels, 2014, Ch.6). Moreover, when Blake attempts to explain why he is unable to work despite there being no visible signs of his disability, the bureaucrat refuses to listen. This strongly suggests the ill-fittingness of the concept *DISABILITY* is a result at least in part of her willful hermeneutical ignorance. As such, Blake suffers a contributory injustice in his interaction with the bureaucrat.

### 3.2 Asylum

In international law, the rights of refugees are governed by the 1951 UN Convention Relating to the Status of Refugees and the subsequent 1967 UN Protocol Relating to the Status of Refugees. The Convention defines a refugee as:

any person who [...] owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events is unable or, owing to such fear, is unwilling to return to it. (1951, Article 1)

The 1980 Refugee Act introduced this definition of a refugee into US domestic law (McKinnon, 2016, p.9). The Act requires that a person meet this definition of a refugee in order to be granted asylum. Thus anyone applying for asylum in the US has a transparency interest in it being intelligible to the immigration judge deciding their case that they have a well-founded fear of being persecuted for one or more of the

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<sup>16</sup>On an alternative reading the bureaucrat does not really infer that Blake’s disability does not affect his ability to work, but rather merely pretends to do so. On this reading, the bureaucrat is determined to grant as few people as possible access to Employment and Support Allowance and so cynically uses the fact of Blake’s disability having no visible signs as a convenient excuse to turn down his application. (An anonymous reviewer suggests that cynicism of this kind is increasingly common where the far-right has taken power.) On this reading, Blake suffers neither a hermeneutical nor a contributory injustice since his difficulties do not stem from his having at best ill-fitting concepts available to him for the purpose of rendering his need to take time off work intelligible to the bureaucrat – though the harm he suffers is still surely ‘discriminatory or otherwise unfair’ (Fricker, 2007: p.151), so constituting an injustice of some other kind. Practices of hermeneutical gatekeeping thus leave people vulnerable not only to suffering hermeneutical or contributory injustices, but also to gatekeepers exploiting their power in such a cynical manner. All I claim for the reading offered in the main text is that this is a plausible reading of what happened to Blake. In other words, all I need to be accepted at this point for my argument to go through is that benefits claimants at least sometimes have their applications turned down as a result of suffering contributory injustices.

reasons cited in this definition. For our purposes, what matters is that they only possess this transparency interest as a result of the practice of hermeneutical gatekeeping instituted by the Act. After all, there are other possible legal regimes under which they would not possess this transparency interest. If for instance the US were to implement a policy of open borders (as advocated for by e.g. Sager, 2020), a refugee's rights to entry and residence in the US would no longer be contingent on their well-founded fear of persecution being intelligible to an immigration judge.<sup>17</sup>

A number of scholars have recently described hermeneutical and/or contributory injustices suffered by refugees applying for asylum on the grounds of their membership of a particular social group (Sertler, 2018, 2022; Boncompagni, 2021; Hänel, 2021). Sometimes a refugee has difficulty in rendering it intelligible to an immigration judge that they are a member of the relevant particular social group at all. For instance, legal scholar Sara L. McKinnon in her monograph *Gendered Asylum* describes the cases of several lesbian refugees who struggled to render it intelligible to immigration judges that they were gay because they were at one point married to a man or because they only came to think of themselves as lesbian later in life (McKinnon, 2016, p.112). The judges in these cases were seemingly liable to infer "you're not gay" from "you were at one point married to a man" or from "you only came to think of yourself as lesbian later in life". McKinnon argues that the judges were liable to think this way because their conception of what it is to be GAY had been overwhelmingly shaped by gay men, who are both more likely to be able to decide for themselves whether to marry and less likely to only come to think of themselves as gay later in life (McKinnon, 2016, pp.108–120). In other words, the concept GAY was ill-fitting for these lesbian refugees at least in part as a result of lesbians' hermeneutical marginalization.<sup>18</sup> As such, they would seem to suffer hermeneutical injustices.

At other times, a refugee has difficulty in rendering it intelligible to an immigration judge that they have a well-founded fear of persecution on the grounds of their membership of a particular social group. For instance, Ezgi Sertler notes that women who have been subjected to domestic violence often have difficulty rendering this intelligible to US immigration judges as an instance of persecution on the grounds of their womanhood. By contrast, women who have been subjected to female genital mutilation do not often have difficulty rendering this intelligible to US immigration judges as an instance of persecution on the grounds of their womanhood. Sertler argues that US immigration judges tend to recognize female genital mutilation as a form of persecution because it is a relatively uncommon practice in the US, and thus in recognizing it as a form of persecution they are able to affirm the US's 'moral and political superiority' (Sertler, 2022, p.175). Conversely, US immigration judges tend not to recognize domestic violence as a form of persecution because it is a relatively common practice in the US, and thus to recognize it as a form of persecution would call the US's moral and political superiority into question (Sertler, 2022, p.175). In

<sup>17</sup>Someone might question whether the rights associated with asylum are meaningfully *material* goods. To this I would reply that these ultimately are rights held against being subjected to coercive violence by border enforcement – and coercive violence is certainly meaningfully material. On this point, see Graeber (2015, Ch.1).

<sup>18</sup>And perhaps also in part as a result of *migrants'* hermeneutical marginalization – see Milioni (forthcoming).

other words, the concept PERSECUTION is often ill-fitting for women who have been subjected to domestic violence applying for asylum in the US at least in part as a result of immigration judges' willful hermeneutical ignorance. As such, these women would seem to suffer contributory injustices.

### 3.3 Gender-affirming healthcare

Many healthcare providers that offer gender-affirming healthcare (hormones, genital reconstruction surgeries, and so on) to trans people do so under the so-called gatekeeping model. The National Health Service (NHS) in England is illustrative in this regard (Pearce, 2018, p.60). There, a trans person hoping to access gender-affirming healthcare must first attend two appointments at a Gender Identity Clinic (GIC), each with a different psychiatrically-trained doctor (Pearce, 2018, p.64). These (usually cis) doctors will interrogate them about 'their gendered feelings, past and present experiences of gender presentation, their relationship with their body and (often) sexual fantasies and experiences', with a view to deciding whether or not they need gender-affirming healthcare (Pearce, 2018, p.64). This 'assessment procedure is one in which practitioners exercise their *judgement* as to whether or not a patient should receive treatment' (Pearce, 2018, p.66).

It follows that any trans person hoping to access gender-affirming healthcare on the NHS in England has a transparency interest in their need for that healthcare being intelligible to these two doctors. Again, what matters for our purposes is that they only possess this transparency interest as a result of the practice of hermeneutical gatekeeping instituted by the gatekeeping model. For consider what would happen if the NHS instead provided gender-affirming healthcare under an informed consent model. Under this alternative model, what gender-affirming medical interventions a suitably informed trans person capable of consent received would be up to them, rather than up to a pair of psychiatrically-trained doctors (Pearce, 2018, p.46). Their access to those interventions would then no longer be contingent on their need for those interventions being intelligible to these doctors (Clanchy, 2024, p.703).

It is also worth noting that as things stand, trans people seeking access to gender-affirming healthcare on the NHS in England do sometimes struggle to render their need for that healthcare intelligible to the relevant doctors. For instance, sociologist Ruth Pearce finds that non-binary people sometimes have difficulty rendering their need for gender-affirming healthcare intelligible to doctors working with non-binary-exclusionary conceptions of what it is to be TRANS (2018, pp.114–115). In the recent past, this could well have been explained by non-binary people's hermeneutical marginalization. But non-binary people now occupy a much more prominent position in the culture than they did in even the recent past. Moreover, (especially cis) doctors working in gender-affirming healthcare ought to be going out of their way to educate themselves about trans issues. Thus when a non-binary person struggles to render their need for gender-affirming healthcare intelligible to a doctor today, this is more likely to be explained by that doctor's willful hermeneutical ignorance (*contra* Clanchy, 2024, p.699). When this is the case, such a person suffers a contributory injustice.

I could go on giving examples: think for instance of what trans people often have to render intelligible about themselves before the state will agree to change the gender marker on their birth certificate (Currah, 2022, Ch.1), or of what disabled people often have to render intelligible about themselves before institutions with which they regularly interact will agree to suitable everyday accommodations for their disabilities (Ienni, 2023; Price, 2024). What I hope to have established in this section is that in our society a wide variety of material goods (including income in the form of welfare benefits, the rights associated with asylum, and certain forms of healthcare) are subjected to practices of hermeneutical gatekeeping, and that it is often only as a result of these practices that people possess certain of their transparency interests. This puts me in a position to respond to the challenge of distorting agendas with which I began.

#### 4 Responding to the challenge of distorting agendas

Recall that ‘the challenge of distorting agendas’ is the name Ludwig (forthcoming, p.3) gives to his concern that expending finite attentional resources on the question of how to achieve epistemic justice ‘can contribute to sidelining’ the question of how to achieve ‘material justice’, even though it is material justice which arguably ‘affects livelihoods more directly’ (Ludwig, forthcoming, p.4). I want now to provide a response to this challenge on behalf of work on at least some hermeneutical and contributory injustices.<sup>19</sup> My starting point is that widespread practices of hermeneutical gatekeeping lead to both hermeneutical and contributory injustices being much more common than they otherwise would be. This is so because widespread practices of hermeneutical gatekeeping cause people to possess various transparency interests that they otherwise would not have possessed. As the examples of the previous section illustrate, these people are often members of groups who are hermeneutically marginalized and/or about whom the relevant gatekeepers are willfully hermeneutically ignorant. As a result, at least some of these transparency interests go unfairly

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<sup>19</sup>Michael Doan’s work (Doan, 2017, 2018), unmentioned by Ludwig, can be read as providing a similar response on behalf of work on at least some testimonial injustices. Doan argues that an important class of testimonial injustices takes the form of *epistemic redlining*, ‘the practice of denying conferrals of credibility to residents of specific municipalities, generally because those municipalities are deemed to be in a state of ‘financial emergency’’ (Doan, 2017, p.183). For instance, when the city of Flint was financially distressed the governor of Michigan appointed emergency managers to take over Flint’s local government. What Michigan’s emergency management law ‘says, in effect, is that *being in a state of financial emergency is a mark of a local population’s inability to govern themselves*. Since competent epistemic agents are generally capable of self-governance, being in a state of financial emergency has also become an indirect indicator of being less than fully competent, and so not worthy of credibility, on matters of public policy’ (Doan, 2017, p.183). As a result, the emergency managers did not assign a proper degree of credibility to local people in Flint reporting that the water supply was contaminated. What Doan points out is that this only matters as much as it does because the emergency managers’ ‘assessment’ of the local people’s credibility ‘plays a mediating role’ in determining their ‘access’ to ‘safe drinking water’, a material good which they ‘need’ but the emergency managers ‘control’ (Doan, 2018, p.11). Such a case of epistemic redlining thus similarly needs to be approached not only as a problem of recognition but also as a problem of the distribution of material resources – Ludwig would say that the projects of achieving water justice and of achieving testimonial justice are ‘aligned’ (Ludwig, forthcoming, p.13).

unsatisfied in such ways as to constitute hermeneutical and/or contributory injustices. Crucially, when a person suffers one of these injustices they additionally miss out on access to a good that they need.<sup>20</sup> This is the good to which the gatekeeper would have granted them access had a lack of well-fitting hermeneutical resources not prevented them from rendering intelligible some relevant thing about themselves. Particularly when the good a person misses out on is a minimum amount of income, or the rights associated with asylum, or a certain sort of healthcare, the consequences for that person can be truly dire – even life-threatening.<sup>21</sup> Putting this together gives us the following response to the challenge of distorting agendas. Widespread practices of hermeneutical gatekeeping make people’s access to an array of needed material goods dependent on their successfully rendering various things about themselves intelligible. Hermeneutical injustices and contributory injustices are two ways in which people are sometimes unfairly blocked from rendering the relevant things about themselves intelligible. Thus even if what you prioritise politically is ensuring that people have access to something like this array of needed material goods as a matter of ‘material justice’ (Ludwig, *forthcoming*, p.4), it makes sense to pay considerable amounts of attention to at least some epistemic injustices of both these sorts.<sup>22</sup> The projects of achieving epistemic justice and of achieving material justice are here ‘aligned’ (Ludwig *forthcoming*, p.13).

This response to the challenge of distorting agendas is significant for at least three reasons. First, it suggests an interesting analogy between the ability (or lack thereof) to render various things about oneself intelligible to someone and the ability (or lack thereof) to pay someone. After all, why does it matter as much as it does that some people are unfairly poor? One Walzer-inspired answer is that widespread practices of *monetary gatekeeping* make people’s access to an array of important material goods dependent on their ability to pay for them (see Walzer, 1983, Ch.1). A good which *A* needs is subject to monetary gatekeeping by *B* in this sense when *B* is in a position to grant *A* access to the good in question and will do so only if *A* first pays for it. This is just a way of saying that in our societies, people generally have to pay to access needed material goods including housing, food, and heating. If people did not have to pay to access these needed material goods, it would not matter quite as much as it does that some of them are unfairly poor. What my response to the challenge of distorting agendas suggests is that unfairly finding oneself in what we might call hermeneutical poverty matters as much as it does for roughly the same kind of reason. That is, if people did not have to render certain things about themselves intelligible to access needed material goods including minimum amounts of income and life-saving forms of healthcare, it would not matter quite as much as it does that some of them unfairly have at best ill-fitting hermeneutical resources available to them for the purposes of rendering these things about themselves intelligible.

<sup>20</sup> Fricker would describe this as a *secondary harm* of the injustice in question (2007, p.162).

<sup>21</sup> For instance, delays in their access to gender-affirming healthcare have repeatedly been found to be correlated with increases in suicidal ideation amongst trans people (Pearce, 2018, p.152).

<sup>22</sup> Ludwig does not explicitly define ‘material justice’, but I take it that that any plausible conception of material justice will involve ensuring that people are not unfairly denied access to needed material goods such as a minimum amount of income or certain sorts of healthcare, even if this is not exhaustive of what material justice requires.

Another form of gatekeeping worth thinking about in this context is *temporal gatekeeping*. A good which *A* needs is subject to temporal gatekeeping by *B* in this sense when *B* is in a position to grant *A* access to the good in question and will do so only if *A* first waits for it. In his widely-read *What Money Can't Buy*, Michael Sandel (in effect) recognizes the injustices caused by subjecting certain goods to monetary gatekeeping, and argues for subjecting these goods to temporal gatekeeping instead (Sandel, 2012, Ch.1). Yet as Elizabeth Cohen points out in reply (again in effect), subjecting these goods to temporal gatekeeping is still likely to result in injustices insofar as many of the people who need these goods unfairly do not have the time to wait (Cohen, 2018, p.149). Something highlighted by my response to the challenge of distorting agendas is that hermeneutical gatekeeping is similarly unlikely to be the answer to the problems caused by subjecting goods to monetary gatekeeping, insofar as subjecting those goods to hermeneutical gatekeeping is similarly likely to result in injustices.

Second, this response to the challenge of distorting agendas points towards a way for work on at least some epistemic injustices to avoid falling afoul of a related concern articulated by Olúfẹ́mi O. Táíwò in his book *Elite Capture*. Táíwò worries that in the epistemic injustice literature:

Communication is often described in overly intellectual terms that take its role as information exchange a bit too seriously. On such views, to have one's offer of public information unfairly rejected is to be harmed in some special "epistemic" way "as a knower." The systems of injustice that show up in our communicative interactions are then frequently treated as a special ideological kind of injustice, rooted in a belief system that stands apart from or even behind other systems of injustice. But another possibility is that communication is simply a kind of action, and thus that the way we act in conversation is largely governed by the exact same forces, norms, and incentives that explain everything else we do. (Táíwò, 2022b, p.43)

Consider in this regard those hermeneutical and contributory injustices which result from practices of hermeneutical gatekeeping. It strikes me that one reason we might want to emphasize that these are distinctly epistemic injustices is just to mark that here it is an epistemic task (rendering something about themselves intelligible) that people are being required to perform in order to access a needed good, as opposed to for example a monetary task (paying) or a temporal task (waiting) (cf. Pohlhaus, 2017). If this is what we have in mind in emphasizing that these are distinctly epistemic injustices then this does not seem 'overly intellectual', nor does it commit us to holding that these injustices are 'rooted in a belief system that stands apart from or even behind other systems of injustice' (Táíwò, 2022b, p.43). Emphasizing that these are distinctly epistemic injustices thus need not involve denying that 'the way we act in conversation is largely governed by the exact same forces, norms, and incentives that explain everything else we do' (Táíwò, 2022b, p.43).

Third and perhaps most importantly, this response to the challenge of distorting agendas also points towards a range of novel materialist strategies for preventing both hermeneutical and contributory injustices – to which I will now turn.

## 5 Materialist strategies for preventing epistemic injustices

### 5.1 Neutralizing vs. Transcending

To begin with, consider what previous contributors to the literature have proposed when it comes to preventing hermeneutical injustices in particular.<sup>23</sup> Taking for granted people's possession of all their various transparency interests, most previously proposed strategies aim only at enabling people to satisfy these interests. Recall I said in Sect. 2.1 that a person, *A*, suffers a hermeneutical injustice iff both '(i) *A* has an interest in something about themselves being intelligible to *B*; and (ii) this interest goes unsatisfied because *A* has, at least in part as a result of hermeneutical marginalization, at best ill-fitting concepts available to them with which to render this thing about themselves intelligible to *B*' (Clanchy, 2024, p.691). In terms of this definition, we can think of most previously proposed strategies as 'interests-as-given strategies' which allow condition (i) to obtain and aim only to prevent condition (ii) from obtaining (Clanchy, 2024, p.688).

Usually, the idea is to enable people to satisfy their transparency interests by making available to them hermeneutical resources well-fitting for the purposes of rendering the relevant things about themselves intelligible. Sometimes this is a matter of generating and then propagating new well-fitting hermeneutical resources. For instance, we might seek to generate new well-fitting hermeneutical resources through engaging in practices of consciousness-raising and then to propagate these new well-fitting hermeneutical resources *via* political activism, as for instance happened historically with the concept SEXUAL HARASSMENT (Fricker, 2007, pp.150–151).

At other times this is a matter of making existing hermeneutical resources better-fitting. For instance, a victim of rape might find the concept RAPE ill-fitting for the purpose of rendering their experience intelligible to a jury member because the jury member is liable to infer "she was not raped" from a claim such as "she did not physically resist". One way to make the concept RAPE better-fitting for this purpose could then be to educate the jury about common rape myths at the start of the trial, in the hope that the jury member would thereby learn to cease to draw this inference (Jenkins, 2017, p.201). Similarly, a disabled person might find the concept DISABLED ill-fitting for the purpose of rendering their experience of disability intelligible to an able-bodied person because the able-bodied person is liable to infer a claim such as "she must be hoping for a cure" from "she is disabled". One way to make the concept DISABLED better-fitting for this purpose could then be for disabled people to display pride in their disabilities, in the hope that this would persuade the able-bodied person to reconsider their prejudice and cease to draw this inference (Barnes, 2016, Ch.6).

As Fricker herself emphasizes in later work, diminishing a group's hermeneutical marginalization would provide members of that group with an important means both of generating and propagating new well-fitting hermeneutical resources and of making existing hermeneutical resources better-fitting, namely participation in the most hermeneutically powerful practices (2016, p.175; similarly Dotson, 2012,

<sup>23</sup>I will consider what Dotson has proposed when it comes to preventing contributory injustices in Sect. 5.3. For helpful discussion, see also McGlynn (2025a, Ch.12).

p.31). Finally, one previously proposed strategy aims instead at enabling people to satisfy their transparency interests in spite of having at best ill-fitting hermeneutical resources available to them for the purposes of rendering the relevant things about themselves intelligible. This is the cultivation of what Fricker calls the ‘virtue of hermeneutical justice’ amongst hearers (2007, pp.169–175). Suppose a speaker has a transparency interest in something about themselves being intelligible to a hearer, but is struggling to render that thing about themselves intelligible to that hearer because they have at best ill-fitting hermeneutical resources available to them for this purpose at least in part as a result of hermeneutical marginalization. The hearer would display the virtue of hermeneutical justice if they were sensitive to the possibility that this was what explained the speaker’s struggles in this regard, and increased their credence in what the speaker had to say accordingly. The hope is that this could enable the speaker to succeed in rendering the relevant thing about themselves intelligible to the hearer in spite of having at best ill-fitting hermeneutical resources available to them for that purpose.

All interests-as-given strategies have in common that when they are pursued to enable people to satisfy transparency interests which they possess only as a result of practices of hermeneutical gatekeeping, they are aimed at *neutralizing* the harmful effects of those practices. The contrast here is with ‘interests-in-question’ strategies, which seek instead to do away with certain of people’s transparency interests (Clanchy, 2024, p.689). In terms of the definition of hermeneutical injustice given above, we can say that such strategies seek instead to prevent condition (i) from obtaining. Doing away with transparency interests which people possess only as a result of practices of hermeneutical gatekeeping is a matter of *transcending* those practices – making it matter not quite so much that some people have at best ill-fitting hermeneutical resources available to them for the purposes of rendering intelligible certain things about themselves.

## 5.2 Dismantling vs. Circumventing

Perhaps the most obvious way to go about transcending practices of hermeneutical gatekeeping is by *dismantling* them, by which I mean getting institutions and/or individuals to cease subjecting goods under their control to practices of hermeneutical gatekeeping. We have already seen a number of examples of what this could look like: in the context of the welfare state, replacing certain benefits with a suitably generous scheme of universal basic income; in the context of the asylum system, doing away with restrictions on rights to entry and residence by instituting a policy of open borders; and in the context of gender-affirming healthcare, replacing the gatekeeping model with an informed consent model.

This is not, however, the only way to go about transcending such practices. This matters because dismantling a practice of hermeneutical gatekeeping proceeds *top-down*, which ought to concern us for at least two reasons. First, because dismantling a practice of hermeneutical gatekeeping proceeds top-down it requires the cooperation of people already in power, which in many cases makes it unrealistic in the short-term. For instance, no national leader in our wall-building age is likely to institute a

policy of open borders any time soon (see Brown, 2017).<sup>24</sup> When dismantling a practice of hermeneutical gatekeeping is indeed realistic only in the longer-term, we are left with the question of what to do in the ‘unjust meantime’ (Jaggar, 2019). Second, Gaile Pohlhaus points out that a ‘good deal’ of the epistemic injustice literature has been implicitly ‘oriented toward those in a position to perpetrate injustices, rather than those who historically have been harmed by them’ (2020, p.233). An over-exclusive focus on strategies requiring the cooperation of people already in power would risk perpetuating this trend.

It is worth noting, therefore, that it is at least sometimes possible to transcend practices of hermeneutical gatekeeping by instead *circumventing* them. By this I mean finding ways to access goods other than from particular institutions and/or individuals subjecting those goods to hermeneutical gatekeeping. For instance, someone in need of a minimum amount of income may on a short-term basis be able to circumvent the practice of hermeneutical gatekeeping to which the welfare state subjects this good by finding a local mutual aid group willing to support them through a particularly difficult time. Likewise, a trans person in need of gender-affirming healthcare may be able to circumvent the practice of hermeneutical gatekeeping to which certain healthcare providers subject this good by sourcing hormones without a prescription and/or crowdfunding to pay for surgeries from an alternative healthcare provider already operating under an informed consent model.<sup>25</sup> A full assessment of such strategies will have to wait for another time (cf. Clanchy, *forthcoming*, pp.18–21); what matters for my purposes here is just that such strategies do not require the cooperation of people already in power in order to succeed, and as such are often more suited to the unjust meantime.

### 5.3 Preventing hermeneutical and contributory injustices at the same time

All I have tried to show so far is that it is possible to prevent at least some hermeneutical injustices by pursuing interests-in-question strategies aimed at transcending practices of hermeneutical gatekeeping. When such strategies ought in fact to be pursued is a further question. For one thing, some practices of hermeneutical gatekeeping are simply unavoidable. For instance, a victim of sexual harassment is only ever going to be able to access certain forms of legal redress by first rendering what happened to her intelligible to the relevant authorities. These forms of legal redress simply cannot be distributed on a universal basis – unlike, for instance, income. For another thing, some practices of hermeneutical gatekeeping are less likely than others to result in hermeneutical or contributory injustices. In particular, practices of hermeneutical gatekeeping are arguably less likely to result in hermeneutical or contributory injustices when the gatekeepers are members of the same social group as the people who need the gatekept good, to the extent that their respective conceptual repertoires are more likely to overlap. For instance, a trans person is arguably likely

<sup>24</sup> Plausibly the same goes for a universal basic income – though see e.g. Standing (2017) for arguments to the contrary.

<sup>25</sup> For an autotheoretic account of DIY hormone replacement therapy, see Preciado (2013); for a more comprehensive history, see Gill-Peterson (*forthcoming*); on crowdfunding, see Barcelos (2022).

to find it easier to render their need for gender-affirming healthcare intelligible to a trans doctor who is more likely to share their conception of transness than to a cis doctor who is less likely to do so.<sup>26</sup> To be clear, then: I neither mean to condemn all practices of hermeneutical gatekeeping, nor to condemn all practices of hermeneutical gatekeeping equally.

I cannot hope here to provide a comprehensive answer to the question of when interests-in-question strategies aimed at transcending practices of hermeneutical gatekeeping ought to be pursued. What I want to do in the space remaining is rather point out one very general consideration in favour of pursuing such strategies. This is that interests-in-question strategies aimed at transcending practices of hermeneutical gatekeeping work to prevent contributory injustices at the same time as they work to prevent hermeneutical injustices. After all, in doing away with certain of people's transparency interests these strategies obviate the possibility of those interests going unfairly unsatisfied – regardless of whether it would be hermeneutical marginalization or willful hermeneutical ignorance that accounted for this unfairness.

This is a significant advantage over other previously proposed strategies for preventing hermeneutical injustices, all of which are powerless in the face of willful hermeneutical ignorance and hence incapable of preventing contributory injustices. For consider: political activism cannot succeed in propagating new well-fitting hermeneutical resources insofar as hearers refuse to listen; education cannot succeed in making existing hermeneutical resources better-fitting insofar as hearers refuse to learn; displays of pride similarly cannot succeed in making existing hermeneutical resources better-fitting insofar as hearers refuse to rethink their prejudices; participation in the most hermeneutically powerful practices cannot succeed either in propagating new well-fitting hermeneutical resources or in making existing hermeneutical resources better-fitting insofar as hearers refuse to engage; and any attempt to cultivate the virtue of hermeneutical justice amongst hearers who are willfully hermeneutically ignorant is unlikely to be successful (Clanchy, 2024, pp.706–707).<sup>27</sup>

This also represents a significant advance over what Dotson has to say about preventing contributory injustices. In her original discussion Dotson envisions just one way to prevent contributory injustices, namely getting hearers to cease being willfully hermeneutically ignorant (2012, p.34). Doing so is a matter of inducing them to “world”-travel (2012, p.34; citing Ortega, 2006). When pursued to enable people to satisfy transparency interests that they possess only as a result of practices of hermeneutical gatekeeping, we can think of this as another interests-as-given strategy aimed at neutralizing those practices' harmful effects. Yet as Dotson herself admits, inducing willfully hermeneutically ignorant people to “world”-travel is often ‘dif-

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<sup>26</sup> Likewise, accessing certain goods from a mutual aid network may still require first rendering something about yourself intelligible to other members of the network; but insofar as your conceptual repertoire overlaps with the conceptual repertoires of those other members of the network this is likely to present few problems, or at least fewer problems than would be presented by attempting to render that thing about yourself intelligible to a representative of the welfare state whose conceptual repertoire overlaps with yours substantially less (compare Clanchy, *forthcoming*, p.19).

<sup>27</sup> Here I am joining with a number of other contributors to the literature who have argued that the cultivation of individual virtues is on its own frequently insufficient to prevent epistemic injustices (see e.g. Anderson, 2012; Dotson, 2014a; Doan, 2018).

ficult' (2012, p.34).<sup>28</sup> Thus it should come as welcome news that there is in fact another way to prevent at least some contributory injustices, namely pursuing interests-in-question strategies aimed instead at transcending practices of hermeneutical gatekeeping.<sup>29</sup> It is an added bonus that in contrast to Dotson's proposed interests-as-given strategy, such interests-in-question strategies work to prevent hermeneutical injustices at the same time.

## 6 Conclusion: our transparency interests are often not without history

In this paper I have sought to do two things: to present a response to the challenge of distorting agendas on behalf of work on at least some epistemic injustices of two of the most discussed sorts, and then to use this response to expand our sense of what can be done to prevent these injustices. The path from a description of a particular hermeneutical or contributory injustice to the conclusion that some neutralizing strategy ought to be pursued to prevent similar injustices occurring in future is by now so well-trodden in the epistemic injustice literature that this conclusion is liable to strike many readers as simply obvious.<sup>30</sup> My hope is that in expanding our sense of what can be done to prevent at least some injustices of these sorts I will have provided such readers with some useful epistemic friction, so provoking them to think again (see Medina, 2013, p.50).

Any novelty to the arguments of this paper is due to the literature having previously neglected to ask the crucial question of how people come to possess their transparency interests in the first place. In neglecting to ask this question, the literature has in effect treated these interests as being uniformly 'without history' (Foucault, 1984, p.76). Yet as we have seen these interests are far from being uniformly without history, since often people only come to possess them as a result of a good they need

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<sup>28</sup> Compare the reasons for being concerned about the dismantling of practices of hermeneutical gatekeeping proceeding top-down, discussed above.

<sup>29</sup> In other words, Dotson is wrong to claim that epistemic oppression in the form of contributory injustices 'can *only* begin to be addressed through recognition of the limits' of dominant 'epistemological frameworks' (2014a, p.116; my emphasis) – since epistemic oppression in the form of contributory injustices can at least sometimes instead be addressed by rearranging the material world such that the limits of dominant epistemological frameworks come to matter rather less.

<sup>30</sup> Sara Ahmed: 'Sometimes use can be sufficient to maintain something. [...] The more people travel on a path, the flatter and smoother the surface becomes. When something is smoother, it is clearer; the more a path is followed, the easier it is to follow. Once something has become used, you are encouraged to go in that direction: your progression would be eased' (Ahmed, 2019, p.41).

being subjected to a historically contingent practice of hermeneutical gatekeeping.<sup>31</sup> It thus seems worth mentioning in closing that an as-yet-unspoken inspiration for asking how people come to possess their transparency interests in the first place has been Foucault's *History of Sexuality*, and in particular his description of this late-career project as a genealogical inquiry into 'how people were *led* to practice, on themselves and on others, a hermeneutics' (Foucault, 1992, p.5; my emphasis). As such, it would seem ironic that what Fricker 'hoped for from the concept of epistemic injustice and its cognates was to mark out a delimited space in which to observe some key intersections of knowledge and power at one remove from the long shadows of [...] Foucault' (Fricker 2017, p.56).

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## Declarations

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<sup>31</sup> It is perhaps worth acknowledging that not all practices of hermeneutical gatekeeping are historically contingent, or at least not equally as historically contingent as those I have focused on in this paper. For instance, an anonymous reviewer points out that infants have always been and will presumably continue to be reliant on rendering their needs intelligible to *some* caregivers in order for those needs to be met (even if the particular identities of those caregivers are subject to change), leaving infants particularly vulnerable to suffering epistemic injustices (cf. Burroughs & Tollefsen, 2016; Baumtrog & Peach, 2019). A couple of points can be made about this case. First, it matters that the particular identities of those caregivers are subject to change. Arguably, the nuclear family 'is, at root, the name we use for the fact that care is privatized in our society' (Lewis, 2022, p.4). When care is privatized in this way, just two caregivers are primarily responsible for meeting an infant's needs – their parents. This gives infants transparency interests in each of their needs being intelligible to at least one of these two caregivers. In other words, infants get only one or two shots at having their needs met. By contrast, were care to be more collectivized (e.g. through the proliferation of 'othermothering' (Collins, 2000, Ch.8)) many more caregivers would share the responsibility to meet an infant's needs. This would instead give infants transparency interests in each of their needs being intelligible to at least one of these many caregivers. In other words, infants would have several shots at having their needs met. As such, family abolition can be thought of as in part an interests-in-question strategy aimed at dismantling the particular practices of hermeneutical gatekeeping instituted by the nuclear family – even if these particular practices must then inevitably be replaced by others. Second, I have not wanted to dismiss interests-as-given strategies – only to point out that they are not exhaustive of the strategies available for preventing hermeneutical and contributory injustices. It may be that the cultivation of the virtue of hermeneutical justice, for instance, will have an important role to play especially in cases like this where it seems impossible to do away with practices of hermeneutical gatekeeping entirely.

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