

Hermeneutical Injustice in the Context of Settler Colonialism

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Abstract

The search for justice in Aotearoa New Zealand will depend, in part, on how we contend with and overcome the settler-colonial situation—in a word, it will be based on the struggle for decolonisation. This thesis aims to show how epistemic goals and hermeneutical practices are not incidental, but intrinsic to such political struggles. Focusing on the epistemic dimension of Indigenous–settler relations, I discuss the asymmetrical practices of interpretation and understanding across these groups, and specifically across te ao Māori and the Western worldview.

In the context of settler colonialism, when Indigenous peoples are wronged in their capacities as knowers and knowledge holders, they experience “epistemic injustice” (Fricker 2007). More precisely, the thesis demonstrates how “hermeneutical injustice” occurs due to deficiencies, dysfunctions, and distortions maintained in the dominant hermeneutical resources, which settlers in turn impose onto Indigenous peoples while simultaneously marginalising them from shaping dominant interpretations and understandings in a way that draws upon Indigenous knowledge and ways of knowing.

I further demonstrate that cross-cultural knowledge practices are socio-politically motivated such that the marginally situated make genuine efforts at interpretation and understanding, whereas dominantly situated interlocutors practice what I term “disingenuous interpretive charity.” Correspondingly, reflecting on questions of blameworthiness and responsibility, I suggest that settlers’ individual and collective responsibility for hermeneutical *justice* should be conceived as forward-looking and solidarity-oriented. Finally, I propose “unsettling” as a possible method, which opens to ontologico-epistemic shifts, and helps clear the space for thinking through what is unthinkable under the logics of settler colonialism.

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Introduction

I.1 Topic

In 2002, the New Zealand Transport Agency was required to halt work on a section of State Highway 1 near Meremere due to the presence of the taniwha Karutahi. The road building was delayed while the Transport Agency and local hapū Ngāti Naho entered deliberations, which ensued amicably. Although a resolution was swiftly reached, news media took the tone of mockery and ridicule, with the BBC running a report with the headline, “Māori swamp monster delays road.”¹ Such an event presents a dialogical interface between te ao Māori and the Western worldview, and an example of a wrong to Māori in their capacities as knowers and knowledge holders.

In 2020, another dialogical interface across te ao Māori and the Western worldview featured in news media: The Supreme Court allowed an appeal against charges of sexual offending to continue even after the death of the convicted person, Peter Ellis. His counsel Natalie Coates put forward an argument that drew on the Māori concept of mana, which a person has even in death and which affects the mana of whānau. That tikanga Māori is part of the common law of Aotearoa New Zealand was not in dispute during the deliberations, but concerns were raised by Supreme Court Justice Joe Williams about knowledge of tikanga and the effects of “handing this body of law over to judges,”² especially those who might not be immersed in te ao Māori. Williams’ comment pre-empted a later argument by the Crown, which also used mana to argue that “the victims’ mana had suffered enough, and the case shouldn’t go further.”³

The decision to consider the concept of mana reflects the general direction the judiciary is taking towards recognising and upholding tikanga Māori as an integral strand of Aotearoa New Zealand’s common law. Williams cautions that the success of this will depend on *epistemic* and *hermeneutical* matters—i.e., the requisite knowledge of tikanga and mātauranga Māori, and the doxastic attitudes and cognitive tendencies of both tangata whenua and tangata tiriti. However, lawyer Annette Sykes warns that this will depend on *social* and *political* matters—i.e., “if tikanga is to be truly incorporated in any way in the Pākehā legal structures of this nation, we [Māori] need the power and respect to define how that is to occur.”⁴

When describing the deliberations on the concept of mana in connection with the Ellis case, Coates said that the process itself was tikanga-based, “where the two opposing sides considered the matter together, rather

¹ This example is borrowed from Justine Kingsbury, “Taniwha Ontology,” May 20, 2021, University of Waikato, video file, 51:33, <https://waikato.au.panopto.com/Panopto/Pages/Viewer.aspx?id=28462ae3-ffb9-4386-97a7-abc10165e5c6>

² Meriana Johnsen, “Supreme Court hears why appeal of deceased sex offender Peter Ellis should go ahead,” *Radio New Zealand*, June 25, 2020, <https://www.rnz.co.nz/news/national/419833/supreme-court-hears-why-appeal-of-deceased-sex-offender-peter-ellis-should-go-ahead>

³ Radio New Zealand, “Death, mana and Peter Ellis: lawyer Natalie Coates,” Saturday Morning, September 19, 2020, audio file, 25:12, <https://www.rnz.co.nz/national/programmes/saturday/audio/2018764725/death-mana-and-peter-ellis-lawyer-natalie-coates>

⁴ Annette Sykes, “The myth of tikanga in the Pākehā law,” *E-Tangata*, February 7, 2021, <https://e-tangata.co.nz/comment-and-analysis/the-myth-of-tikanga-in-the-pakeha-law/>

than the traditional adversarial approach typical of the courts.”⁵ Coates’ statement suggests that what is at stake at the interface of te ao Māori and the Western worldview is not primarily that Māori concepts become available for the judicial system to draw upon; rather, that there can be a restructuring of the judicial system based on tikanga Māori as Aotearoa New Zealand’s first laws.

In Aotearoa New Zealand, practices of interpretation and understanding across te ao Māori and the Western worldview are asymmetrical, and they take place against the backdrop of asymmetrical relations of power across Indigenous and settler groups in the settler-colonial context. My contention is that epistemic and hermeneutical practices are not incidental to political struggles, but intrinsic to them. A foundational example is given by incommensurable conceptions of land across te ao Māori and the Western worldview. The destructive enterprises of the New Zealand Company and the British government were based on the Western ideas of private property and resource extraction, without which the deceitful acquisition of Indigenous territories could not have been pursued. For Māori, on the other hand, land is a source of identity based on whakapapa, a source of belonging and continuity “shared between the dead, the living and the unborn.”⁶ When Indigenous peoples are required to frame their relationship to land through the concept of property, this can “stifle their ability to articulate that relation, thus amounting to a hermeneutical injustice.”⁷

Here is a final example of cross-cultural interaction from medicine, where hauora (Māori philosophy of health and wellbeing) is increasingly being incorporated into health infrastructure. This effort is, for the most part, being made by tangata whenua working within institutions not immersed in te ao Māori. Psychiatrist Mason Durie compares hauora to the four walls of a whare in his Te Whare Tapa Whā model: taha tinana (physical), taha hinengaro (mental, emotional), taha whānau (family, social), and taha wairua (spiritual).⁸ As in the construction of a whare, the strength and symmetry of all four are required for a person’s health and wellbeing. In recent years, whenua (land, connection) has been incorporated as a fifth dimension, as the foundation for the former four.

With its four or five-fold focus, hauora as a holistic model of health is changing how Western medicine ordinarily diagnoses and treats ailments, especially across mental health and addiction support. In order to determine whether the uptake of hauora in mainstream (i.e., white and Western) health infrastructure is emancipatory for tangata whenua or simply an appropriation of Indigenous knowledge—i.e., if it is justice-based and truth-oriented, or if it is a kind of disingenuous interpretive charity—requires us to work discerningly at the interface of mātauranga Māori and Western knowledge.

At the reformist end, the holistic approach of hauora promises to make it possible for policy makers and medical industries to reprioritise better health and social outcomes for all people. At the radical end, the intervention of hauora in the mainstream could remedy and even destructure the techno-centric focus that treats bodies as machines, which the Western tradition has arrived at by following René Descartes’ principle

⁵ Radio New Zealand, “Death, mana and Peter Ellis: lawyer Natalie Coates.”

⁶ Ministry of Justice, *He Hīnātore ki te Ao Māori A Glimpse into the Māori World: Māori Perspectives on Justice*, 2001, 2.

⁷ Dina Lupin Townsend and Leo Townsend, “Epistemic Injustice and Indigenous Peoples in the Inter-American Human Rights System,” *Social Epistemology* 35, no. 2 (November 2020): 147.

⁸ Mason Durie, *Whaiora: Māori Health Development* (Auckland: Oxford University Press, 1994), 70.

of separating thought from extension, mind from body. The promise at the radical end might be that the concept of hauora could put bio-chemical treatments into larger perspectives of the health of cultures and societies, where a patient might not need to fragment their life across the medical-industrial complex on the one hand, and social welfare departments on the other.

Each of the examples described above highlights the search for justice at the interface of te ao Māori and the Western worldview. Taking its orientation from these examples, this thesis looks at epistemic and hermeneutical practices that are intrinsic to political struggle in the settler-colonial context.

1.2 Aim of the thesis

The search for justice in Aotearoa New Zealand will depend, in part, on how we contend with and overcome the settler-colonial situation—in a word, it will be based on the struggle for decolonisation. Underlying settler colonialism is the “logic of elimination” of Indigenous difference,⁹ which makes both necessary and urgent the project of decolonisation for any hope of just Indigenous–settler relations. As Māori scientist Ocean Ripeka Mercier writes, “In a country such as Aotearoa, in which Te Tiriti o Waitangi has mediated settler–native relations, we might say decolonisation is underpinned by a commitment to making cohabitation work.”¹⁰

My thesis is framed with an eye to the aims and activities of the decolonial movement, which I describe in the first chapter of this thesis. From within the disciplinary confines of Western philosophy, my thesis is an attempt at solidarity with the struggles and wishes of tangata whenua and decolonisation. Specifically, this project’s contribution is to understand injustice across Indigenous and settler groups by focusing on the epistemic dimension of these relations. That is, by focusing on the asymmetrical recognition of knowledge claims between Indigenous and settler groups, and on the asymmetrical practices of interpretation and understanding across te ao Māori and the Western worldview.

The epistemic and the socio-political are intertwined in complicated ways. That is to say, our epistemic goals and hermeneutical practices are never far from socio-political matters. To develop this analysis, I turn to the concept of “hermeneutical injustice” introduced by Miranda Fricker in 2007 as part of her work on the theory of “epistemic injustice.”¹¹ Epistemic injustice is “a wrong done to someone specifically in their capacity as a knower.”¹² And in the case of hermeneutical injustice, that someone is wronged due to deficiencies, dysfunctions, and distortions in the dominant resources for interpretation and understanding. The concept of

⁹ See section 1.2.3 *The logic of elimination* for more discussion. Australian scholar of settler-colonial studies Patrick Wolfe argues that the logic of elimination underlies settler colonialism. I am using “logics” in Wolfe’s sense of the word to describe a coherent set of judgements, beliefs, and attitudes that can be called colonising. Theorising settler colonialism’s logics philosophically is outside the scope of this project—as in formal languages, deductive systems, model-theoretic semantics, the study of correct reasoning, and the like.

¹⁰ Ocean Ripeka Mercier, “What is Decolonisation?” *Imagining Decolonisation* (Wellington: Bridget Williams Books, 2020), 41.

¹¹ Miranda Fricker, *Epistemic Injustice: Power & the Ethics of Knowing* (New York: Oxford University Press, 2007).

¹² Miranda Fricker, *Epistemic Injustice*, 1.

hermeneutical injustice will be useful for analysing Indigenous–settler relations because it enables us to examine the epistemic dimension of the socio-political injustices at stake. I contend that hermeneutical injustice plays a part in the maintenance of settler colonialism, which we ought to demystify for the prospects of decolonisation. My wager is that an account of hermeneutical injustice in the settler-colonial context will be central to future situations for the decolonial movement.

In the course of this thesis, I explain Fricker’s concept of hermeneutical injustice in greater detail, and consider critical responses to her work. In view of the critical literature, I argue that we should understand the concept of hermeneutical injustice somewhat differently to Fricker. This recasting of hermeneutical injustice gives the concept greater explanatory power to diagnose efforts at interpretation and understanding across te ao Māori and the Western worldview in the context of Indigenous–settler relations in Aotearoa New Zealand. Drawing on the concept of hermeneutical injustice, I sketch some of the features of unhelpful doxastic attitudes and cognitive tendencies that are linked to the maintenance of the hegemonic discourses of the West,¹³ and the simultaneous subordination of Indigenous knowledge and ways of knowing.

Overall, I aim to demonstrate how the concept of hermeneutical injustice, properly understood, allows us to see how epistemic and hermeneutical practices go together and are connected with socio-political goals of justice. My reworked account of hermeneutical injustice demystifies how attempts at interpretation and understanding can go wrong, and how they can end up reproducing the very logic of elimination of Indigenous difference that they seek to overcome. In addition, I intend to chart a course for overcoming hermeneutical injustice at the interface of te ao Māori and the Western worldview. In this way, the special contribution of this thesis is both to the literature on hermeneutical injustice and the broader movement of decolonisation.

I.3 Situating the project

This thesis joins the efforts of Aotearoa New Zealand scholars who are not immersed in te ao Māori to find ways of relating justly to the fact of Indigenous difference. As Pākehā sociologist Avril Bell asks, “If Indigenous difference is necessary for Indigenous survival, how should I, and other Pakeha, interact with Maori in ways that support that project rather than repeat the colonial practices of reducing Indigenous difference to primitivist and racist frames of thought?”¹⁴ Arguably, to set the bar at survival is too low. More is asked of us non-Māori for the flourishing of Indigenous epistemologies against the backdrop of the perpetual practices of erasure. But a way forward on Bell’s question will help us to recover ourselves from the cognitive tendencies of settler colonialism. As I suggest, a method of “unsettling” interpretations might allow

¹³ Following Antonio Gramsci, the idea of hegemony is that the dominant ideologies of a society reflects that of the powerful. Hegemony is the dominance of one group over another, and whose power is maintained through a legitimating set of norms and beliefs. In the settler-colonial context, Pākehā narratives borne out of Western philosophical frameworks explain the socio-political status quo as inevitable and necessary, rather than as social constructs that are primarily for the benefit of white settlers, and secondarily to the complicit members of colonised peoples, such as Indigenous elites, subaltern interlocutors, and Westernised people of colour.

¹⁴ Avril Bell, “Recognition or Ethics? De/centering and the legacy of settler-colonialism,” *Cultural Studies* 22, no. 6 (November 2008): 852.

us to open ourselves up to ontological-epistemic shifts, and clear the space for thinking through what is unthinkable under the settler-colonial set-up. After all, this has very practical implications for how we do jurisprudence, create public policy, build institutions, and the like. All this is of tremendous consequence for just Indigenous–settler cohabitation.

I am using the term Western as a broad descriptor for a dominant way of thinking with roots in the project of modernity-coloniality from the Western European period usually known as ‘the Enlightenment’. While it is true that the centre of gravity of this project shifted to the United States in the 20th Century, the term ‘Euro-American’ does not accurately describe its pervasiveness in all parts of the globe today. For this reason, philosopher Georgina Tuari Stewart suggests the term global: “The alternative modifier ‘global’ is more accurate; less tied to origins. The term ‘global philosophy’ then refers to ways of thinking that underpin contemporary ‘global culture.’”¹⁵ But I adopt the term Western against the backdrop of Indigenous–settler relations in Aotearoa New Zealand where the term functions in a binary relationship with Māori. In some instances, I use the term mainstream, which should be read as continuous with white and Western.

Of course, there are nuances across Indigenous and settler communities. It would be a falsification to imagine Indigenous and settler groups as neatly divisible along the lines of te ao Māori and the Western worldview. On the one hand, this would ignore the fact that many Māori inhabit a balance beam across both inheritances, and whose hyphenated lives require an altogether different shape of thought to a regrettable binary. On the other hand, it would risk overlooking the diversity and mixture of cultural perspectives across settler communities, such as my own position as an Indian migrant, which is distinct from and different to a descendent of the British Isles.¹⁶

But the truth remains that I am largely outside of te ao Māori and mātauranga Māori. Even as I am tauwiwi and a person of colour, my philosophical orientations are nevertheless desperately Western. I take guidance from Indigenous scholars such as Tina Ngata when they address the role of tangata tiriti: “Be tau (at peace) with your position. You need to be able to speak frankly about the process of colonization that created the space for you to be here in Aotearoa.”¹⁷ Although Indigenous and settler cultures are not neat binaries and neatly bifurcated, the imagined “we” that I refer to and write for are Westernised peoples. We are most likely Pākehā and other tangata tiriti—although, not compulsorily or exclusively, since State education in Aotearoa New Zealand Westernises Indigenous and settlers alike. Our appreciation of non-Western knowledge and our decolonial efforts go through Western philosophical frameworks. We arrive at the crossroads of Indigenous knowledge by travelling on pathways lined by Western concepts, knowledge traditions, and worldviews. For

¹⁵ Georgina Tuari Stewart, *Māori Philosophy: Indigenous Thinking from Aotearoa* (London: Bloomsbury Academic, 2021), 4.

¹⁶ My family migrated from Hyderabad, India to Aotearoa New Zealand in June 2000. My reason for identifying as tangata tiriti (people of the Treaty) or tauwiwi (foreigner—cf. Pākehā, foreigner of European descent) is in respect to Te Tiriti o Waitangi/The Treaty of Waitangi. Non-European immigrants to New Zealand are as much a part of the Treaty as Pākehā, since it is an agreement between Māori and the Crown with the Crown representative of settlers by right of the Treaty. Even if non-European settlers were not signatories to the Treaty, we are under its purview just as much as the iwi and chiefs in Aotearoa who were also non-signatories—e.g., Taranaki iwi, or Tāraia Ngākuti chief of Ngāti Tamaterā in the Coromandel.

¹⁷ Tina Ngata, “What’s Required From Tangata Tiriti,” website, accessed March 3, 2022, <https://tinangata.com/2020/12/20/whats-required-from-tangata-tiriti/>

this reason, my study is neither Indigenous theorising (it cannot be; I am not an Indigenous person), nor does it claim to be proper decolonial scholarship, even as my motivations are figured out in relation to, and in broad support of, these two movements. This thesis is offered from the position of a settler from India with an immigrant consciousness, from the point of view of a Westernised person seeking respect, fairness, and equality in our epistemic and hermeneutical practices across cultures and worldviews.

For those of us not immersed in te ao Māori, we often receive non-Western ideas as incongruous and uninterpretable within our present-day, scientifically underwritten contexts. We receive them in cross-cultural dialogue and social interaction—in testimonial settings, in the form of others' say-so—as speeches of resistance in politics, as cultural narratives and retellings, as artistic works. Situated squarely outside of Indigenous frameworks, we are without the philosophical inheritances and orientations to take up, let alone dwell, in these other modes of thought—in non-Western manners of reasoning and relating. This gap motivates my philosophical project. And herein, my account of hermeneutical injustice aims to bring to light the pitfalls and the blind spots in our hermeneutical efforts, which end up reproducing disrespect and discrimination of tangata whenua and te ao Māori.

Let me further clarify what my thesis does *not* intend to cover so that the topic comes more sharply into focus: Firstly, situated as I am outside of te ao Māori, I do not presume to translate mātauranga Māori. The focus is not on mātauranga but on hermeneutical injustice in the settler-colonial context. As Tina Ngata recalls her aunt telling researchers when they had wanted to work with her community, it is important to know one's boundaries: "Stop trying to be Maori, I don't need you to be Maori – I've got that covered. I need you to be a good treaty partner."¹⁸ Secondly, I do not purport to know what kaupapa Māori requires for its flourishing. My project aims at Western frameworks and asks what we require of them on the basis of Māori testimony and the frameworks of He Whakaputanga of 1835 and Te Tiriti o Waitangi of 1840. To take heed from Tina Ngata again, "There is a perverse situation right now where pakeha do not want to do the work on themselves, but they DO want to do the work of telling Maori how to be Maori. [...] There is an important space for Tangata Tiriti right now, and it's not teaching Maori – it's working with each other on how to reckon with the historical injustice of their establishment, and what to DO about that, now."¹⁹ Thirdly, my thesis does not offer methodologies for correct cross-cultural interpretation; instead, it aims to show how relations among Indigenous and settler people are undermined at the epistemic and hermeneutical level.

I.4 Outline

In the first chapter, I provide the context of settler colonialism and disambiguate what I mean by the decolonial project, especially its epistemic dimension. Key anti-colonial and decolonial scholars orient us to what is at stake in our hermeneutical practices across Indigenous–settler relations. Although the context of colonialism reproduces parallel patterns of power relations and comparable struggles for self-determination across the globe, I limit myself to Indigenous–settler examples from the settler-colonial contexts of Aotearoa

¹⁸ Tina Ngata, "What's Required From Tangata Tiriti."

¹⁹ Tina Ngata, "What's Required From Tangata Tiriti."

New Zealand, Australia, and broadly, the Americas. I describe how epistemic practices across cultures are wounded by colonisation, and how present-day settler colonialism produces miscognition so as to inhibit the real possibilities for just Indigenous–settler relations.

Secondly, I introduce Miranda Fricker’s theory of epistemic injustice, including an overview of her two main ideas—testimonial injustice and hermeneutical injustice. I then consider renegotiations of her theory, drawing not only from responses to her work but also from decolonial thought and practice. I contend that hermeneutical injustice plays a part in the maintenance of settler colonialism, which we ought to demystify for the prospects of just Indigenous–settler cohabitation and relations.

Chapter three aims to understand the nature of the disrespect experienced by tangata whenua, including dismissive attitudes towards te ao Māori against the backdrop of settler-colonial power relations. Using Fricker’s concept of hermeneutical injustice, I describe how Indigenous people may be wronged in their capacities as knowers and knowledge holders. Here, I strive to understand the relationship between interpretation and injustice, hermeneutics and harm, and our failure to hear non-Western claims to other ways of knowing and relating in the world. This part centres on hermeneutical injustice within the ongoing context of settler colonialism and asks, how do we suffer lapses in our interpretive judgements that renders unintelligible, unbelievable, or un-credible the knowledge of Indigenous peoples?

I then propose the idea of unsettling as a possible way forward. I take the example of *Te Awa Tupua (Whanganui River Claims Settlement) Act 2017*. Drawing on this case, which granted legal personhood to the Whanganui River, I suggest a way of overcoming hermeneutical injustice. The way forward allows us to open ourselves to ontologico-epistemic shifts, and clear the space for thinking through what is unthinkable under the logics of settler colonialism.

1. The Context: Settler Colonialism and Decolonisation

1.1 Introduction

Even as decolonisation is a political vision in the first instance, this chapter aims to show that there is an epistemic dimension to it. In other words, the struggle over epistemologies and hermeneutical frameworks is intrinsic to the decolonial struggle. Beginning with a sketch of settler colonialism as it exists in Aotearoa New Zealand and more broadly, I mention the discourse of race as the foremost instrument of social classification, and an example of how the powerful have an unfair advantage in structuring collective understandings. Patrick Wolfe's concept of the "logic of elimination" is introduced to distinguish settler colonialism's specific, irreducible element: territoriality, or the desire for land. The logic of elimination forms a broad range of practices and cognitive tendencies that make possible the displacement and erasure of Indigenous peoples through settlement. The cognitive and cultural practices that make up the logic of elimination and support its political aims form what I call the epistemic dimension of settler colonialism. This includes the organisation of knowledge, circulation of ideas, upholding of beliefs, discourses of communities, frameworks of interpretations, reproductions of understandings, and so on.

The discussion of decolonisation begins with a definition: Decolonisation is the recognition of settler colonialism as an unjust situation, and a reclamation "of the right of Indigenous peoples to once again govern themselves in their own lands."²⁰ Among its many meanings, aims, and activities, I proceed to understand decolonisation as a movement oriented to justice against the backdrop of manifest injustice. Specifically, I discuss the idea of egalitarian justice to clarify that oppressed social positions do not come about through unlucky "cosmic injustices" to be remedied by helping those in need, but as a result of the logic of elimination. Decolonisation can be understood, I assert, as a constructive project to bring about a future in which people stand in relations of equality, on the basis of He Whakaputanga and Te Tiriti o Waitangi. The following chapters of this thesis take inspiration from a wider field of literature that foregrounds the epistemic dimension of decolonisation, represented by authors such as Ngūgĩ wa Thiong'o, Frantz Fanon, Ashis Nandy and Linda Tuhiwai Smith.

1.2 Settler Colonialism

1.2.1 *What is settler colonialism?*

The story of European colonialism is oftentimes told in the past tense—as a period that spans the 15th to the 20th Centuries, beginning with the European exploration of the Americas and the establishment of entrepôts in South Asia, and ending with the creation of many independent nation-states in the continents of Africa and Asia and elsewhere. Similarly, in Aotearoa New Zealand, the "official" account of colonisation is retold as

²⁰ Moana Jackson, "Where to Next? Decolonisation and the Stories in the Land," *Imagining Decolonisation* (Wellington: Bridget Williams Books, 2020), 135.

bygone episodes from the 18th and 19th Centuries, when British settlers introduced muskets and diseases, and dispossessed Māori of their lands and lives.

But from the perspective of tangata whenua, colonialism is a perpetual system. Its injustices are continually reproduced in the present day, and its effects are visible in the manifold forms of inequalities and unfairnesses maintained within our society—e.g., the stolen and deceitfully acquired Māori land in the holdings of the State and in private ownership; the disproportionate representation of Māori “at every stage of our criminal justice system, both as offenders and as victims;”²¹ the arbitrary overwriting of landscapes named by Māori; the sculptures and statues glorifying colonial administrators; the questionable acquisitions of Indigenous art and objects in museums; and the unequal recognition or non-recognition of kaupapa, tikanga and kawa, mātauranga, te reo and te ao Māori across the Western mainstream. In Aotearoa New Zealand, colonisation takes the form of an oppressive perpetual system called settler colonialism.

Settler colonialism is not a historical event. It is a perpetual system of power relations resulting in the oppression of Indigenous peoples and cultures for the maintenance of the hegemonic West. Unanga scholar Eve Tuck and collaborator K. Wayne Yang describe settler colonialism as two modes of coloniality operating simultaneously: External colonialism, in which the exploitation of resources at peripheries feeds and enriches the metropole, and internal colonialism, in which forms of control, imprisonment, and surveillance regulate people and land within “domestic” borders. Settler colonialism encompasses both modes simultaneously “because there is no spatial separation between metropole and colony.”²²

As a concept, oppression makes sense of much of the contemporary social experience for people under settler colonialism—especially, Indigenous peoples, subaltern populations, Dalits and “other backward castes,” and others at “the margins of the margins.” Oppression is the structural inhibition of a people’s abilities, capacities, and potentialities. Marilyn Frye describes it as “an enclosing structure of forces and barriers which tends to be the immobilization and reduction of a group or category of people.”²³ Many people understand oppression as referring only to the conscious tyranny of colonists or white supremacists—e.g., the situation of Black South Africans under apartheid, but in the context of settler colonialism, oppression continues in the absence of tyrants, as a systemic and structural phenomenon, through a vast network of every practices, attitudes, assumptions, behaviours, and institutional rules. Iris Marion Young offers an explanation of the “five faces of oppression,” which are a useful set of categories and distinctions to think through the interrelated experiences of oppression under settler colonialism: Exploitation, marginality, powerlessness, cultural imperialism, and violence.²⁴

²¹ Andrew Little, “Speech to United Nations Human Rights Council for the third Universal Periodic Review,” speech delivered at the United Nations, Geneva, January 21, 2019, 9am local time, <https://www.beehive.govt.nz/speech/andrew-little-speech-united-nations-human-rights-council-third-universal-periodic-review>

²² Eve Tuck and K. Wayne Yang, “Decolonization is Not a Metaphor,” *Decolonization: Indigeneity, Education & Society* 1, no. 1 (2012): 1–40.

²³ Marilyn Frye, *The Politics of Reality: Essays in feminist theory* (Freedom, California: The Crossing Press, 1983), 10.

²⁴ Iris Marion Young, “Five Faces of Oppression,” *Rethinking Power*, ed. Thomas E. Wartenberg (New York: State University of New York Press, 1992), 174–195.

Some scholars contend that settler colonialism is fundamentally linked with capitalist exploitation. After all, it was the merchants and adventurers of Europe that began the devastating project in order to satiate the appetite for profit of the burgeoning capitalist class. Scholar Nelson Maldonado-Torres writes, “For it was in the context of this massive colonial enterprise, the more widespread and ambitious in the history of humankind yet, that capitalism, an already existing form of economic relation, became tied with forms of domination and subordination that were central to maintaining colonial control [...]”²⁵ Others draw out the self-appointed authority of a settler-State that oppresses Indigenous peoples on Indigenous lands as the operative part of settler colonialism—the Crown, as in the case of Aotearoa New Zealand. Peruvian sociologist Aníbal Quijano discusses European colonial domination and the formation of nation-states in his .²⁶ Some others emphasise the heteropatriarchal dimension that regulates gender identities, sexuality, and sociality. In *Heterosexualism and the Colonial/Modern Gender System*,²⁷ Argentine feminist philosopher María Lugones reads the coloniser–colonised relation in terms of gender, race, and sexuality. As she clarifies in a later essay, “By this I did not mean to add a gendered reading and a racial reading to the already understood colonial relations. Rather I proposed a rereading of modern capitalist colonial modernity.”²⁸

Others still foreground settlers’ relationships to Indigenous land and territories, and the normalisation of continuous settler occupation of a place to which tangata whenua have genealogical relationships. Tuck and Yang support this viewpoint from a North American perspective, arguing that the irreducible element of settler colonialism is the desire for land. As settlers make Indigenous land their new home and source of capital, and insist on sovereignty over all things in their new domain, Indigenous relationships to land, water, air, and subterranean earth are disrupted. This disruption produces a profound epistemic, ontological, and cosmological violence for Indigenous people which is not “temporally contained in the arrival of the settler[,] but is reasserted each day of occupation.”²⁹ It is for this reason that settler colonialism is best perceived as a perpetual oppressive structure, not an event.

With so many entry points into the topic, it is no wonder if the discussion of settler colonialism feels disorienting. It often feels broad and all encompassing—so much so that settler colonialism reads synonymous with contemporary, everyday life. From white-collar crime to corporate land-grab, environmental disaster to discrimination against non-binary people—it is sometimes rendered as if all wrongful and possibly injurious behaviour has directly to do with colonisation, and all efforts toward justice are necessarily “decolonial.”

But a reason why such divergent ills and injustices of contemporary life are professedly connected with and back to settler colonialism is because the experience of contact with settlers has been all-pervasive for Indigenous peoples, touching on all aspects of an Indigenous community’s culture and relationship to land. The ensuing experiences of colonial domination and subordination, which were informed by settler contact

²⁵ Nelson Maldonado-Torres, “On the Coloniality of Being: Contributions to the Development of a Concept.” *Cultural Studies* 21, nos. 2–3 (2007): 243.

²⁶ Aníbal Quijano, “Coloniality and Modernity/Rationality,” *Cultural Studies* 21, nos. 2–3 (2007): 168–178.

²⁷ María Lugones, “Heterosexualism and the Colonial/Modern Gender System,” *Hypatia* 22, no. 1 (2007): 186–219.

²⁸ María Lugones, “Toward a Decolonial Feminism,” *Hypatia* 25, no. 4 (2010): 742.

²⁹ Tuck and Yang, “Decolonization is Not a Metaphor,” 5.

with Indigenous peoples—not to mention involuntary settlers, who were actually enslaved or indentured labourers—continues to shape present-day culture, race relations, labour practices, knowledge production, and more. Under settler colonialism, capitalist, racist and white supremacist, heteropatriarchal and other forms of oppression interpenetrate and coalesce around the dispossession of Indigenous lands and the destruction of Indigenous lives.

1.2.2 Race and settler colonialism

Race is a paradigmatic example of collective understandings instituted by colonialism. As a theoretical discourse that is contiguous with colonialism, considering the discourse of race can help us to foreground the epistemic part of the perpetuation of injustice in the settler-colonial context.

Social identities across Indigenous-settler groups are foremostly identified on the basis of race. “Race conflict,” Ranginui Walker writes, “was a primary element in the definition of the [Māori-Pākehā] relationship.”³⁰ As an invention of Modernity, from the European period usually known as the Enlightenment, the idea of race and racial identity codified differences not in anything intrinsic, or across anything biological, but between the conquerors and the conquered, which authorised Europeans’ ideological justification for genocide and enslavement. To be sure, to say that race was foremostly an idea is not to deny the existence of race as a socio-political truth. The experience of a racialised society, and whole swathes of injustices on the basis of racial identity, is very real. As Charles W. Mills explains, the proper metaphysics of race is as a social ontology, not a “natural” or biological ontology.³¹

As an instrument of social classification, race continues to serve a socio-political purpose—namely, the domination of peoples identified as non-white. It determines the proper relations among people, but proper according to the colonising classes. Within a network of forced relations—the exploitation of labour, the regulation of sexuality, and so on—any possibility of other shared identities across Indigenous-settler groups is superseded by the socio-political category of race.

In the context of 17th Century North America, white farm labourers from Europe under serfdom began to identify with their white masters under the processes of race-making, instead of siding with coloured farm labourers against their common oppressor. In fact, the introduction of whiteness in Virginia law was directly in response to the alliance between European indentured servants, enslaved Africans, and free Black people of the Bacon’s Rebellion of 1675–1676. The colonial project is served and strengthened by the category of race. The unjust and untruthful notion of white superiority has since, and everywhere, become a deeply-embedded notion. Note how injustice becomes instituted through the seeding of ideas, and how the justification for inequality runs along the cognitive lines of the social classification of races. It goes to show how the powerful have an unfair advantage in structuring collective understandings. Nancy Hartsock makes

³⁰ Ranginui Walker, *Ka Whawhai Tonu Matou: Struggle Without End* (Auckland: Penguin Books, 2004 [1990]), 186.

³¹ Charles W. Mills, “Race and Liberalism,” *Conceptions of Race in Philosophy, Literature and Art* (lecture, University of King’s College, Halifax, September 16, 2010).

this point about asymmetrical relations of power from a feminist standpoint: “The dominated live in a world structured by others for their purposes—purposes that at the very least are not our own and that are in various degrees inimical to our development and even existence.”³²

There arise ambiguities when we draw upon the North American context to assess relations in Aotearoa New Zealand. There are unambiguous forms of racial injustice functioning in our own society, but the racialised history of the United States does not neatly map onto our context. For this reason, some Pākehā scholars, like sociologist of education Alison Jones, are sceptical about the relevance of the discourse of whiteness in Aotearoa New Zealand.³³ In their view, it blurs the primacy of the Indigenous–settler distinction. What is more, whether or not the term Pākehā is continuous with whiteness and the racial identity of European settlers is a contentious matter. On the one hand, some use the term to refer to white settlers exclusively, reserving other terms like tauiwi for non-white settlers. On the other hand, Pākehā is used by some to refer to all settlers, with the Crown representing all non-Indigenous people here by the right of Te Tiriti. The latter position would parallel the Indigenous–settler divide, but the risk would be that the identity would not capture the nuance of racialised relationships and subjugation between different settler groups. After all, the first Indians in Aotearoa New Zealand were ship jumpers who found refuge in Māori communities after escaping their indentured employment as sailors and soldiers on British ships. In any case, this debate need not detain us. We can remain agnostic in respect to the application of these terms since it does not impact upon our primary point.

I want to show how systems of race-based classification (socio-politically unjust, and by and large, untruthful beliefs) inaugurated by colonialism are embedded and reproduced within our contemporary, everyday life in Aotearoa New Zealand. Consider an example of a criminal act: The 2004 arson of Tōrere, a whare wānanga in Howick. Jan Corbett’s report on the arson in *Metro* magazine exposes the link between settler colonialism and racism. In her article, Corbett recalls the *raison d’être* of British settlement in Howick: To protect the fledgling settlement of Auckland from a possible Māori attack during the 19th Century New Zealand wars. “Grey appealed to England for a defence force and was rewarded with retired soldiers who had fought in various parts of the empire. [...] As many as 721 men and their families arrived on 10 ships between 1847 and 1852, settling in Otahuhu, Panmure and Howick—outposts from which Auckland could be defended.”³⁴ The ongoing racial hostility in these neighbourhoods means that in the present day, the rebuild of Tōrere after its 2004 arson was impeded at every stage of the process by Pākehā. In fact, members of the Howick Residents and Ratepayers Association made it somewhat of a crusade to oppose the rebuild with the support of their fellows elected onto the Howick Local Board. When Corbett frames the question in terms of race and puts it to kaumātua Pita Turei, he has no doubt that what impedes Indigenous–settler cohabitation is racism: “Racism is when you use your power to deny someone something. It won’t just evaporate when a few old pensioners die off. You have to dismantle it.”³⁵

³² Nancy Hartsock, *The Feminist Standpoint Revisited and Other Essays* (Boulder, Colorado: Westview Press, 1998), 241.

³³ Alison Jones and Te Kawehau Hoskins, “Māori and Pākehā in conversation about relationships,” *St Paul St Curatorial Symposium 2019: It’s as if we were made for each other* (lecture, Auckland University of Technology, Auckland, October 4, 2019)

³⁴ Jan Corbett, “Fire and Loathing in Howick,” *Metro* 317, December 2007, 53–59.

³⁵ Jan Corbett, “Fire and Loathing in Howick.”

This example helps to pull into focus how racial injustice, including the threat of violence and other discriminatory acts, connects with settler colonialism. Whether it is the United States, Aotearoa New Zealand or even the different post-colonial nations in South Asia, there is a commonness of a struggle against injustice on the basis of race, and for racially oppressed peoples everywhere, there is the further commonness of our struggles against the ideology of white supremacy.

In describing the social relations between people, we can say that the logic of settler colonialism is a much broader set of logics, within which the concept of race plays a part. Settler colonialism is structural and systemic and relational. To be sure, by emphasising that it is structural it is not to excuse individuals. It is to properly locate the systemic and relational part, which the person-to-person element functions against the backdrop of. The mere fact that whiteness can be upheld by non-whites points to how insidious the notion of race is, how wide-ranging and deeply embedded. As Charles W. Mills reminds us, “the ‘white’ in ‘white ignorance’ does not mean that it has to be confined to white people. Indeed, as the earlier Du Bois discussion emphasized, it will often be shared by nonwhites to a greater or lesser extent because of the power relations and patterns of ideological hegemony involved.”³⁶ As well as Mills, anti-colonial activists such as Frantz Fanon and anti-racism activists such as James Baldwin also caution that bearing the identity of the oppressed does not immunise or exempt one from propping up and perpetuating the logics of colonialism or racism. And elsewhere, Aimé Césaire writes, “Europe has gotten on very well indeed with all the local [non-white] feudal lords who agreed to serve, woven a villainous complicity with them [whites], rendered their tyranny more effective and more efficient, and that it has actually tended to prolong artificially the survival of local pasts in their most pernicious aspects.”³⁷ And in Aotearoa New Zealand, Linda Tuhiwai Smith writes, “A new generation of Indigenous elites also walk across the landscape with their cell phones, briefcases and assets. Corporate chiefs and corporate warriors attempt to make deals with the new brokers of power and money. [...] Other Indigenous leaders have become separated from their own Indigenous value system and have been swept up into the games and machinations of a world they only partly understand.”³⁸ The underlying logics of colonialism operate in such a way as to create a situation in which colonised peoples end up endorsing logics of colonialism against their/our own interests. The threads of complicity together form the web of settler colonialism, weaving together race relations, the State’s regulations, the heteropatriarchal condition, ways of earning a living, and being accorded human dignity.

1.2.3 *The “logic of elimination”*

As a historian and anthropologist who focuses on both Australian settler society and Indigenous resistance, Australian settler scholar Patrick Wolfe’s work has ongoing importance. I read Wolfe’s orientation to

³⁶ Charles W. Mills, “White Ignorance,” *Race and Epistemologies of Ignorance*, ed. Shannon Sullivan and Nancy Tuana (Albany, New York: State University of New York Press, 2007), 22.

³⁷ Aimé Césaire, “Discourse on Colonialism,” transl. Joan Pinkham, *Monthly Review Press: New York and London*, 1972 [1955], 8.

³⁸ Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples* (Dunedin: Otago University Press, 2012 [1999]), 102.

Aboriginal communities as an expression of solidarity, which is unlike his contemporaries who focus on Aboriginal communities as the objects of study from the vantage point of settler anthropology. In his seminal work *Settler Colonialism and the Transformation of Anthropology* (1999), Wolfe distinguishes between different types of exploitative colonialisms and extractivist neocolonialisms of the present day. In the case of settler colonialism, he theorises that underlying this perpetual system is the “logic of elimination.”³⁹

To begin with, Wolfe reconsiders the role of settlement in colonisation. He explains, “territoriality is settler colonialism’s specific, irreducible element. [...] settler colonialism destroys to replace.”⁴⁰ In other words, this perpetual system of unequal power relations is based upon the *erasure* of the Indigenous. Settler colonialism does not merely *exploit* Indigenous peoples for labour and *extract* Indigenous lands for resources, as in the contexts of neocolonialism, but it actually seeks to *displace* the Indigenous through settlement. In the contexts of neocolonialism, extraction and exploitation can function without the presence of the coloniser on the ground. Through transnational corporations and multilateral institutions, the coordinated effort of the erstwhile Empire blocks the growth of, and creates situations of dependency in, “developing” countries. In the case of settler colonialism, on the other hand, and as Indigenous scholars like Ranginui Walker observe, the continued existence of Indigenous peoples as “dispossessed owners of the soil” is seen as a problem from the viewpoint of the colonists.⁴¹ The logic of elimination is then furthered by the replacement of Indigenous peoples with settlers from around the world, and is fulfilled, according to Wolfe, by the programme of neoliberal multiculturalism.

The logic of elimination includes within it a broad range of practices and cognitive tendencies. They span a spectrum from overt to covert, obvious to insidious, straightforward to subtle. Compare, for example, the invasion of the pacifist settlement at Parihaka on 5 November 1881, and the official adoption in the 1930s of the New Zealand Native Schools system under adaptationist and assimilationist policies for Māori schooling in rural areas.⁴² On the one hand, elimination and erasure may be the result of practices like direct destruction, denigration, and denial, but equally, on the other hand, discreet practices like what I term “disingenuous interpretive charity,” as well as co-optation and control, surface accommodation, assimilation, and lip-service also progress the settler-colonial logic of elimination.

To take a more recent example, an independent report by the Center for Culture-Centered Approach to Research and Evaluation (CARE) at Massey University has argued that mainstream approaches to the prevention of family violence and sexual violence treat Indigenous cultures and communities as pathologies in need of fixing by the imposition of Eurocentric approaches. The report, addressed to the Ministry of Justice, states that “the power and control wheel (the Duluth Model) is uncritically reproduced in prevention approaches, which circulates whiteness, reinforcing concepts developed from within a largely white

³⁹ Patrick Wolfe, *Settler Colonialism and the Transformation of Anthropology: The Politics and Poetics of an Ethnographic Event* (London: Cassell, 1999), 27.

⁴⁰ Patrick Wolfe, “Settler colonialism and the elimination of the native,” *Journal of Genocide Research* 8, no. 4 (2006): 388.

⁴¹ Ranginui Walker, “Reclaiming Māori Education,” *Decolonisation in Aotearoa: Education, Research and Practice*, ed. Jessica Hutchings and Jenny Lee (Wellington: NCER Press, 2016), 23.

⁴² Judith A. Simon, “Anthropology, ‘Native Schooling’ and Maori: The Politics of ‘Cultural Adaptation’ Policies,” *Oceania* 69, no. 1 (1998): 61–78.

mid-western U.S. context.”⁴³ The report suggests that care providers, in an effort to develop approaches to violence prevention, commonly impose dominant, hegemonic perspectives that eliminate and erase Māori thought. As a consequence, community-based and cultural conceptions of violence prevention go unheard, and tangata whenua are denied agency to develop their own approaches. This occurs in a perpetual system that fails to recognise—and indeed aims to eliminate, I argue—Indigenous difference.

1.2.4 *The epistemic dimension of settler colonialism*

My contention is that the logic of elimination, which might be seen to operate most clearly at the socio-political level, has cognitive and cultural parts that are continuous with it. I demarcate the latter as the epistemic dimension of settler colonialism, within which I include any organisation of knowledge, circulation of ideas, upholding of beliefs, discourses of communities, frameworks of interpretations, reproductions of understandings, and so on. The link between the epistemic and the socio-political is elsewhere articulated by sociologist and decolonial scholar Boaventura de Sousa Santos in the slogan, “There is no global justice without global cognitive justice.”⁴⁴ The conviction is that the epistemic and the socio-political are interconnected, and together perpetuate unjust relations of power in the settler-colonial context across Indigenous and settler groups.

Take, for example, the rapid dispossession of Māori land: The stolen and deceitfully acquired Indigenous territories in the holdings of the State and in private ownership are based upon the Western idea of ownership of property, and its predominance required the simultaneous displacement of Māori understandings of kaitiakitanga (guardianship). Land has an altogether different function in Māori society, as is stated in a Ministry of Justice report on Māori perspectives of justice: “The relationship Māori have with their land is based on whakapapa. Land was not viewed as a commodity, rather it was perceived as a source of identity, belonging and continuity to be shared between the dead, the living and the unborn.”⁴⁵

In the present-day context of Aotearoa New Zealand, the logic of elimination is perpetuated at the epistemic level, as the erasure of Indigenous epistemic difference—i.e., Indigenous ways of knowing and relating in the world. It includes the elimination or erasure of community voice and agency, and is perpetuated by the Eurocentrism of the settlers—including settlers of colour, and sometimes also by Indigenous elites who assume the inevitable and “natural” superiority of the hegemonic West.⁴⁶ Settlers draw upon Eurocentric values of the West to legitimise ideas, justify narratives, uphold beliefs, and perpetuate the logic of the elimination of Indigenous epistemic difference. Simultaneously, the *mis*-cognition and *de*-valuing of Indigenous knowledge forms the basis for epistemic erasure—i.e., through the delegitimation, distortion,

⁴³ Mohan J. Dutta, et. al., *Community-led culture-centered prevention of family violence and sexual violence*. (Palmerston North: Center for Culture-Centered Approach to Research and Evaluation (CARE), Massey University, 2021), 6.

⁴⁴ Boaventura de Sousa Santos, *Epistemologies of the South: Justice against Epistemicide* (London: Routledge, 2016 [2014]), viii.

⁴⁵ Ministry of Justice, *He Hīnātore ki te Ao Māori A Glimpse into the Māori World*, 2.

⁴⁶ Frantz Fanon discusses colonised peoples’ internalisation of the complex of inferiority in his *Black Skin, White Masks* (New York: Grove Press, 2008 [1952]).

disruption, displacement, disenfranchisement, and destruction of kaupapa, tikanga and kawa, mātauranga, te reo, and te ao Māori across the “mainstream.”

Elsewhere, Santos theorises *epistemicide*, a portmanteau of epistemology and genocide, to describe the destruction of Indigenous knowledge as a consequence of colonisation. Although Santos’ idea of epistemicide is broadly sympathetic with Wolfe’s logic of elimination, I draw on Wolfe’s work for two reasons: Firstly, Wolfe focuses particularly on the context of *settler* colonialism, and secondly, the logic of elimination allows us to see how the epistemic dimension that relates to the erasure and elimination of Indigenous difference is continuous with the socio-political part of the erasure and elimination of Indigenous lands and lives.

The logic of elimination is not, however, the inevitable consequence of cross-cultural contact. Taking seriously non-Western knowledge claims is the prerequisite to overcoming the logic of elimination. But this is made deceptively difficult by the fact that collective, dominant understandings have been structured along the lines and logics of the hegemonic West, which simultaneously distort and disrespect Indigenous epistemologies. I discuss these issues in subsequent chapters of this thesis.

1.3 The Demands for Decolonisation

1.3.1 Decolonisation against the backdrop of settler colonialism

The demand for decolonisation is based on the recognition of settler colonialism as an unjust situation, which makes impossible Indigenous–settler cohabitation based on Te Tiriti o Waitangi’s normative principles of partnership. Particularly, the demand opposes the continuing agenda of settler colonialism in the present day. If we see settler colonialism and its attendant logic of elimination as indefensible, then how do we go about untangling and delinking ourselves from the situation in Aotearoa New Zealand?

In this section, I want to clarify what is meant by decolonisation. From its multiple aims and articulations, I particularly want to extend on the framework of decolonisation as one that is oriented to justice against the backdrop of settler colonialism as manifest injustice. I then want to argue for the conception of justice as relational equality, supported by the normative framework provided to us by Te Tiriti o Waitangi. Oriented thusly to justice as relational equality, I will be asking, what is required of settlers in dialogic interaction with tangata whenua, specifically for interpretations and understandings across te ao Māori and the Western worldview, for decolonisation and the search for justice? What does political equality mean from an epistemic point of view? How do we relate to one another as epistemic agents? For those of us not immersed in te ao Māori, what is the right way to contribute to decolonisation? What would it mean to progress the project of decolonisation at an epistemic level? While my thesis cannot hope to answer all of these questions, they loom in the background and motivate this inquiry.

1.3.2 What is decolonisation?

The narrow definition of decolonisation favoured by Western storytellers refers to the post-World War Two period when European colonists were forced to forfeit administrative control and were compelled to “quit” their colonies.⁴⁷ It names the difficult process through which local elites acquired control of the institutional levers of power for the self-determination of their territories. The transfer of power reorganised European empires into independent nation states, like the transition from the British Raj to India and Pakistan, or the overthrowing of French rule in Algeria. By and large, the historical view of decolonisation is that of a nascent nation state “at the peripheries” disconnecting from the violently imposed imperial governance set up for the benefit of people headquartered “at the centre.” Decolonisation, according to this view, is the reseizing of land and lives, and the creation of a new independent state, which includes the politico-administrative, diplomatic, economic, and militaristic spheres.

Following these narrow criteria, some storytellers even include the 1776 North American colonists’ rebellion against British rule as the first modern decolonial moment, or “New World decolonisation.”⁴⁸ But this is not Indigenous peoples’ definition of decolonisation in the Americas. Their experience of oppression continues in the present day under the settler-colonial state of the United States of America. What is more, the Western story of decolonisation would be considered an untruth from Indigenous perspectives even across the oceans in Aotearoa New Zealand. Here, the term does not mean “An Orderly British Withdrawal” as in the context of Quit India and other 20th Century movements. Mercier writes, “While some Pākehā fear that decolonisation will require removal of the coloniser (whoever that coloniser is), the decolonisation we want to talk about will rarely if ever call for that.”⁴⁹ Quitting would be a misreading of the demand that is specific to Aotearoa New Zealand where Te Tiriti o Waitangi of 1840 mediates settler relations with Māori. As Moana Jackson writes, the story of decolonisation, as told by the Western historian, is an example of how “the colonisers have tried to control the meaning of decolonisation in a different story archive.”⁵⁰ For tangata whenua and Indigenous peoples everywhere, the struggle for recognition and the search for justice continues against the backdrop of ongoing settler colonialism and neocolonialism, or what is referred to as *coloniality*.⁵¹

Although it is a movement encompassing a variety of processes and projects, decolonisation begins with the recognition of the injustices connected to this ongoing, oppressive settler-colonial situation that is wrongful and harmful to tangata whenua and others. The aims of decolonisation are variously expressed: In the vocabularies of te reo Māori, it is based on the demands of tino rangatiratanga (absolute chieftainship) and mana motuhake (self-determination). In te reo Pākehā, it is sometimes articulated in emancipatory terms, as

⁴⁷ Presenjit Duara, ed., *Decolonization: Perspectives from Now and Then* (London: Routledge, 2004); Dietmar Rothermund, *The Routledge Companion to Decolonization* (London: Routledge, 2006); Todd Shepard, *Voices of Decolonization: A Brief History with Documents* (Boston: Bedford/St. Martin’s, 2015).

⁴⁸ Dane Kennedy, *Decolonization: A Very Short Introduction* (New York: Oxford University Press, 2016), 8–14.

⁴⁹ Mercier, “What is Decolonisation?” 50.

⁵⁰ Moana Jackson, “Where to Next?” 135.

⁵¹ Walter D. Mignolo, *The Darker Side of Western Modernity: Global Futures, Decolonial Options* (Durham, North Carolina: Duke University Press, 2011).

freedom from oppression and domination, and at other times, the aims are oriented to the search for justice, as equality and fairness against the backdrop of manifest injustice.

Let me provide a few examples of what is encompassed within the movement ordinarily known as decolonisation: In respect to the history of land theft, dispossession, and consolidation by the State, the justice-oriented goal of decolonisation includes the repatriation of Māori land and lives. As Moana Jackson explains, “in its simplest sense decolonisation is the reclaiming of the right of Indigenous peoples to once again govern themselves in their own lands.”⁵² The political dimension of decolonisation is expressed in projects like Matike Mai, which charts a path for constitutional transformation for Aotearoa based on tikanga and kawa, He Whakaputanga of 1835, Te Tiriti of 1840, “and other Indigenous human rights instruments which enjoy a wide degree of international recognition.”⁵³ Whereas Western reformist approaches might ask how Te Tiriti is incorporated within the current Westminster system, as in Geoffrey Palmer’s *A Constitution for Aotearoa New Zealand*,⁵⁴ decolonisation prioritises a deconstructing, reimagining, and restructuring of our institutions for the equal standing of peoples and perspectives across tangata whenua and tangata tiriti.

Some Indigenous scholars have pointed to a trend in which the meaning of decolonisation is expanded to encompass a variety of movements for social justice. The call to decolonising schools, and even decolonising perspectives often occur in contexts where there is little acknowledgement of actual Indigenous peoples and their contemporary struggles.⁵⁵ The broad use of the concept may seem empowering, but Tuck and Yang argue that without recognition of Indigenous sovereignty and the contributions of Indigenous intellectuals, such uses can dilute the concept’s ability to bring about the repatriation of Indigenous land and life. Their article “Decolonization is not a metaphor” suggests that many movements for social justice are in fact incommensurable with the repatriation of Indigenous land and life. The use of decolonisation as a metaphor, then, “makes possible a set of evasions, or ‘settler moves to innocence’, that problematically attempt to reconcile settler guilt and complicity, and rescue settler futurity.”⁵⁶ Although dressing up in the language of decolonisation may not be as obviously offensive as other forms of cultural appropriation, it still enacts an enclosure, performs a dangerous domestication, and attempts a premature reconciliation that limits more meaningful alliances.⁵⁷

1.3.3 Decolonisation as justice-oriented

⁵² Moana Jackson, “Where to Next?” 135.

⁵³ Matike Mai Aotearoa, *He Whakaaro Here Whakaumu Mō Aotearoa: The Report of Matike Mai Aotearoa – The Independent Working Group on Constitutional Transformation* [New Zealand, 2016], 7, <http://www.converge.org.nz/pma/MatikeMaiAotearoaReport.pdf>

⁵⁴ Geoffrey Palmer, *A Constitution for Aotearoa New Zealand* (Wellington: Victoria University Press, 2016)

⁵⁵ “At a conference on educational research, it is not uncommon to hear speakers refer, almost casually, to the need to ‘decolonize our schools,’ or use ‘decolonizing methods,’ or ‘decolonize student thinking.’ Yet, we have observed a startling number of these discussions make no mention of Indigenous peoples, our/their struggles for the recognition of our/their sovereignty, or the contributions of Indigenous intellectuals and activists to theories and frameworks of decolonization. Further, there is often little recognition given to the immediate context of settler colonialism on the North American lands where many of these conferences take place.”—Tuck and Yang, “Decolonization is Not a Metaphor,” 2–3.

⁵⁶ Tuck and Yang, “Decolonization is Not a Metaphor,” 1.

⁵⁷ Tuck and Yang, “Decolonization is Not a Metaphor,” 4.

Among its many meanings, aims, and activities, I want to foreground decolonisation as a demand that is oriented to egalitarian justice against the backdrop of settler colonialism as manifest injustice. Ranginui Walker's seminal work on anti-colonial resistance, *Ka Whawhai Tonu Matou: Struggle Without End*, calls such movements "the endless struggle of the Maori for social justice, equality and self-determination whereby two peoples can live as coequals."⁵⁸ The work of anti-colonial figures like Āpirana Ngata and Te Puea Hērangi are described as stimulating efforts by Māori to "recover their stolen humanity," and "recover their mana from the trauma of colonisation."⁵⁹ Walker's book takes its title from chief Rewi Maniapoto, whose words spoke of "the indomitable desire of the human spirit for freedom and justice [that] can not be denied by repression."⁶⁰

In Aotearoa New Zealand, He Whakaputanga of 1835 and Te Tiriti o Waitangi of 1840 give us a normative framework for the topic of justice, which forms the backbone of the demand for decolonisation. The Declaration and the Treaty orient us to "the principles of partnership and equal treatment and the duty of active protection."⁶¹ The founding documents oblige us to actively work in partnership to uphold equality across Indigenous-settler relations, however far from realising this our current situation may be. Veronica Tawhai, one of the facilitators of the decolonisation project Matike Mai that aims to bring about the constitutional transformation, writes of people's difficulty imagining justice: "It's the deeply entrenched white coloniser view that the way things are might be unjust, but they can never change. [...] For many in wider New Zealand, there's just no comprehension that things might or could be different."⁶²

The orientation to justice for decolonisation finds resonance in researcher and activist Tina Ngata's work. She writes, "I've been asked a few times 'What do Maori want' – its a rude and reductive question, and not one that I recommend anyone ask... because WE are not the problem and what we WANT is not the point. The real question to be asked is – what does justice demand of us? And what follows are just a few things that justice requires of Tangata Tiriti."⁶³

Here, I want to bring the idea of *egalitarian justice* into the discussion, which I find productive for clarifying what conception of justice might be assumed by "partnership." However, too much of the literature on justice and equality is concerned with the distribution of divisible goods in order to correct for perceived deficiencies in societies, of which the worry is that the lazy and talentless become the beneficiaries of egalitarian concern.⁶⁴ Elizabeth S. Anderson terms this "equality of fortune,"⁶⁵ which underlies theories of distributive

⁵⁸ Walker, *Ka Whawhai Tonu Matou*, 10.

⁵⁹ Walker, *Ka Whawhai Tonu Matou*, 187; 202.

⁶⁰ Walker, *Ka Whawhai Tonu Matou*, 219.

⁶¹ Waitangi Tribunal Te Rōpū Whakamana i te Tiriti o Waitangi, *The Ngātiwai Mandate Inquiry Report: WAI 2561* (Lower Hutt, Legislation Direct, 2017), 3.3, accessed March 7, 2022, <https://waitangitribunal.govt.nz/publications-and-resources/waitangi-tribunal-reports/ngatiwai-mandate-inquiry/chapter-3/#H2561.3.3>

⁶² Dale Husband, "Veronica Tawhai: Building hope that there can be change," *E-Tangata*, October 7, 2017, <https://e-tangata.co.nz/korero/veronica-tawhai-building-hope-that-there-can-be-change/>

⁶³ Tina Ngata, "What's Required From Tangata Tiriti."

⁶⁴ Contemporary literature on justice in the West, at least in the Anglosphere since John Rawls' *A Theory of Justice* (1971), ordinarily begins with concerns about the distribution of advantages. Rawls' theory is underpinned by a conception of justice as fairness, and guided by the principle of impartiality, Rawls proposes a type of contractarian theory for a modern, liberal society whereby the state and its institutions consider the position of the worst-off social groups in order to distribute the benefits and burdens of social life.

⁶⁵ Elizabeth S. Anderson, "What is the Point of Equality?" *Ethics* 109, no. 2 (January 1999), 289.

justice, but which misrepresents the goals of justice as such. Theories of distributive justice would have it that justice is a matter of correcting inequalities in the natural order, of being born in a social situation that might be considered misfortunate—Black in a racialised society, Dalit in a caste-based society, queer under heteropatriarchy. The literature then focuses on filling in lacks and helping those in need against background conditions conceived not as unjust but rather as misfortunate. It takes the inferiorities and deficiencies of people as pitiable, since with better luck, so the theory presumes, they may have otherwise been born to affluent parents in the Double Grammar Zone, as the case may be in Tāmaki Makaurau Auckland.

However, this view misconstrues the social nature of injustice and inequality. The fact of settlers' affluence and influence over tangata whenua is no cosmic accident when we recall Patrick Wolfe's diagnosis of the settler-colonial situation as underwritten by the logic of elimination. The above discussion of settler colonialism is a reminder that inequality does not arise from the natural order or but in human arrangements. Anderson, again: "This helps us see that people, not nature, are responsible for turning the natural diversity of human beings into oppressive hierarchies."⁶⁶ The perpetual logic of elimination that undergirds settler colonialism is not a cosmic dysfunction but a socio-political one.

Although fair distribution of resources is a central part of creating the conditions for equality, the underlying point of egalitarian justice has to do with, in the first instance, equal standing among people. In her essay, "What is the point of equality?" Anderson clarifies the distinctively political aim of egalitarian justice. She refocuses egalitarianism to conceive of justice as not to do with compensating for inequalities in the natural order, but rather to address human arrangements. She writes, "citizens make claims on one another in virtue of their equality, not their inferiority, to others."⁶⁷ That is to say, egalitarian justice is based on the demand for equal standing, which involves the equal right to, and respect, of difference—in the context of settler colonialism, of Indigenous difference.

To take the case of racism: If racism asserts inequality as "natural," then the resistant challenge put forward by critical race theory is on the basis of equality—i.e., equal standing of people of colour to whites. This idea of equality is relational; it is the equal standing of people of colour in relation to whites *a priori*, before the fact of anything whatsoever. It is besides qualifications and credentials, and instead concerns equality as standing and human dignity. I contend that equal standing is what is assumed by the normative framework of partnership. In this way, egalitarian justice is not misfortune that is corrected by distributing fortunes. It is instead something that one does with a view to correcting unequal, and ultimately wrongful and harmful, human arrangements. Decolonisation is a constructive and a positive project, and includes within it questions of redress and restorative justice in order to create Indigenous–settler relations of equality. From a settler perspective, decolonisation is the work of solidarity with Indigenous difference and demands for equal standing. Negatively put, it is to end relations of oppression and domination.

⁶⁶ Anderson, "What is the Point of Equality?" 336.

⁶⁷ Anderson, "What is the Point of Equality?" 289.

1.3.4 *The epistemic dimension of decolonisation*

Decolonisation is a political vision of justice in the first instance. But there are underlying epistemic assumptions. This is most clearly expressed when the aim is articulated as a process of *decolonising knowledge* or *decolonising the mind*. But what is meant by “the mind” in the context of the decolonial struggle is not always equivalent to how a Western philosophy of the mind would understand it. Following Ngūgĩ wa Thiong’o, it refers to the constructive role a language plays in the formation of a cultural identity and ideation. Following Frantz Fanon and Ashis Nandy, it includes the practices of healing from psychological wounds like self-hatred and community resentment. Following Linda Tuhiwai Smith, it encompasses methodologies of reclaiming, representing, reframing... ultimately, Indigenising the research agenda.

“Very basically,” writes Ocean Ripeka Mercier, “decolonisation involves rethinking and then action.”⁶⁸ The following thesis is a contribution to the first part—the epistemic dimension of decolonisation. It is based on the conviction that the socio-political goals are mirrored by struggles at the epistemic and hermeneutical levels. My attempt is to unearth the embedded settler-colonial approaches often taken by New Zealanders not immersed in te ao Māori, which are wrongful and harmful to tangata whenua in their capacities as knowers and knowledge holders.

⁶⁸ Mercier, “What is Decolonisation?” 42.

2. The Concept: Hermeneutical Injustice

2.1 Introduction

Miranda Fricker identifies hermeneutical injustice as one of two types of epistemic injustice, with the other being testimonial injustice. In the first part of this chapter, I provide an overview of the two concepts as they appear in Fricker's theory. Drawing on the work of José Medina, I argue that the two types interrelate in such a way that it is difficult to distinguish the impact of one in isolation from the other. However, even as they are intertwined, I suggest there is good reason to pursue the hermeneutical variety: Firstly, since it is under-theorised in comparison; secondly, since it occurs *prior* to testimonial injustice; and thirdly, since it is of particular significance for making sense of injustice within dialogical encounters across Indigenous–settler groups and cultures.

In the second part of the chapter, I draw on the critical literature on hermeneutical injustice to recast the concept for greater explanatory power in the settler-colonial context. Specifically, there are three important and interlocking parts to the definition of hermeneutical injustice which I examine closely: The notion of “collective” resources for interpretation and understanding; the notion that a “gap” within the shared hermeneutical resources gives rise to a form of epistemic injustice; and the notion that hermeneutical injustice deprives someone of “self-understanding.” Each of these are problematised to broaden the scope and applicability of the concept of hermeneutical injustice for the settler-colonial context. I then discuss the concept of incommensurability across worldviews, since cross-cultural dialogue frequently turns on this topic.

In the third part of the chapter, I recast the scope of hermeneutical injustice by taking into account the part of actors and agents. Specifically, I aim to determine the cause of hermeneutical injustice and where best to locate injustices of this kind: Is it the result of a person's hermeneutical efforts or lack thereof? Or is it rather because prejudice is built in to the concepts and narratives people draw on for interpretation and understanding? And if it is the latter, can people be blameworthy? Can they be held responsible for their inadequate understandings arrived at through a mal-interpretive horizon?

2.2 Defining the Concept

2.2.1 Two types of epistemic injustices

In a sentence, epistemic injustice is “a wrong done to someone specifically in their capacity as a knower.”⁶⁹ Testimonial injustice and hermeneutical injustice are the two types of epistemic injustice Miranda Fricker identifies. They are *epistemic* since they represent two ways in which wrong and possible harm can be done

⁶⁹ Fricker, *Epistemic Injustice*, 1.

to someone specifically their capacity as a knower and knowledge holder.⁷⁰

In mainstream epistemology, and in contrast with its use in law, testimony refers to any instance where we form a belief, and possibly acquire knowledge, on the basis of others' say so. "Whenever we believe what a trusted friend tells us, learn about the world events by reading the newspaper, accept a stranger's answer to our request for directions, receive a medical diagnosis from our doctor (etc.), we rely on the testimony of others."⁷¹ Insofar as we are able to form coherent judgements, we are epistemically dependent on others. Our reliance on the testimony of others is pervasive and deep. It is "*pervasive* because *many* of our beliefs are testimonially based; *deep* because such beliefs are often central to our cognitive and practical projects."⁷²

But when there is prejudice circulating in testimonial settings, then there is likely to be distrust and dysfunctional dialogue. Prejudice negatively impacts on assessments of the credibility and believability of our interlocutor so that "testimonial injustice occurs when prejudice causes a hearer to give a deflated level of credibility to a speaker's word."⁷³ Fricker's analysis of testimonial injustice connects credibility mis-appraisals with the possibility of an epistemic injustice occurring. In testimonial settings, including in the settler-colonial context of cross-cultural dialogue and social interaction, the Indigenous speaker suffers, in Fricker's words, an "identity-prejudicial credibility deficit."⁷⁴ "An example might be," Fricker writes, "that the police do not believe you because you are black."⁷⁵ And for this testimonial reason, a person is wronged in their capacities as a knower.

Fricker states that hermeneutical injustice occurs at a prior stage to testimonial injustice.⁷⁶ The word hermeneutical refers to interpretation, the fulfilment or failure of which is connected with understanding. "When we say that we understand, what we mean is that we have really gotten at something through an attempt at interpretation; and, when we say we do not understand, we mean that we have not really gotten anywhere at all with our interpretation."⁷⁷ By attaching the part of hermeneutics to epistemic injustice, Fricker indicates that failures in interpretation and lapses in understanding can contribute to "a wrong done to someone specifically in their capacity as a knower."⁷⁸ Fricker gives the example of a woman suffering sexual harassment prior to the existence of it as a concept, as the case would have been before the 1960s in the United States. Lacking the concept of sexual harassment, she is unable to articulate to others, in a way intelligible to them, her experience of this kind of wrong and harm. For this hermeneutical reason, a person is wronged in their capacities as a knower.

In the recent literature on epistemic injustice, the wrong of the testimonial kind is well defined, better

⁷⁰ Fricker, *Epistemic Injustice*, 1.

⁷¹ Axel Gelfert, "Testimony," *Encyclopaedia of Philosophy* (Taylor and Francis, 2018), <https://www.rep.routledge.com/articles/thematic/testimony/v-2>.

⁷² Rachel Fraser, "Narrative testimony," *Philosophical Studies* 178 (April 2021): 4025. Italics in the original.

⁷³ Fricker, *Epistemic Injustice*, 28.

⁷⁴ Fricker, *Epistemic Injustice*, 4.

⁷⁵ Fricker, *Epistemic Injustice*, 1.

⁷⁶ Fricker, *Epistemic Injustice*, 1.

⁷⁷ Theodore George, "Hermeneutics," *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta (Winter 2021), <https://plato.stanford.edu/entries/hermeneutics/>

⁷⁸ Fricker, *Epistemic Injustice*, 1.

understood, and more straightforward. This is not to diminish the significance of the topics encompassed in its remit—e.g., the issue of trust and responsibility; the politics of expertise and research practices (i.e., whether Indigenous people are treated simply as informants whose knowledge might be extracted and examined, or whether they are participants in the joint production of knowledge and understandings). But of the two types of epistemic injustices, we can understand testimonial injustice a little more readily: When there are negative and prejudiced judgments about speakers' credibility, then they are blocked, as if before the fact, from knowledge sharing. Persistent and patterned testimonial injustice marginalises whole social groups from fair and equal contribution to shared meanings, collective understandings, and common beliefs—in Fricker's language, "collective hermeneutical resources."⁷⁹

Hermeneutical injustice, on the other hand, has received insufficient and somewhat unsatisfactory discussion. At the very least, its contours are inadequately delimited, creating a bit of confusion about how the concept maps onto everyday efforts at interpretation and understanding, including in our instances across te ao Māori and the Western worldview. Hermeneutical injustice is a slippery concept. It is hard to pin down, not because there is any dispute about whether or not it is occurring, but because it is unclear how.

2.2.2 Miranda Fricker's definition

According to Fricker, hermeneutical injustice occurs "when a gap in collective interpretive resources puts someone at an unfair disadvantage when it comes to making sense of their social experiences."⁸⁰ Fricker offers this definition of hermeneutical injustice alongside a couple of cases drawn from *In Our Time*, Susan Brownmiller's memoir of the US women's liberation movement.

In the first example, Fricker recounts the story of Wendy Sanford, who, during a group discussion at a university workshop in the late 1960s, realised she was blaming herself for an altogether common struggle among women after childbirth—e.g., struggles with intense irritability and difficulty bonding with the baby; mood swings and panic attacks; fatigue and the loss of appetite; anger and anxiety. Up to that point, there was a gap in her repertoire of available concepts, a gap where the concept of postnatal depression ought to have been. For this reason, Fricker contends, Sanford was cognitively disadvantaged and was consequently disabled from self-understanding.

The example of Sanford helps Fricker explain that this sort of epistemic injustice stems from a cognitive *gap*. Specifically, what is missing for Sanford is the name of a concept in her interpretive resource. Or in Fricker's words, "blanks where there should be a name for an experience [...]."⁸¹ Using a second example drawn from Brownmiller's memoir, Fricker develops this idea of how existing hermeneutical resources can have gaps where the name of a distinct social experience should be.

⁷⁹ Fricker, *Epistemic Injustice*, 6.

⁸⁰ Fricker, *Epistemic Injustice*, 1.

⁸¹ Fricker, *Epistemic Injustice*, 160.

In 1975, Carmita Wood quit her job at Cornell University where she was experiencing persistent, unwanted advances upon her at a time when sexual harassment was an unavailable concept. Since the concept was lacking in the pool of collective understandings, Wood was unable to communicate intelligibly her experience of the wrongful and harmful situation. Consequently, she was unsuccessful in her application to transfer to a different department and her unemployment benefit was turned down. Wood then went on to work with a group of other women to create and circulate the concept of sexual harassment.

Fricker locates the experience of hermeneutical injustice not only as expressed through an interpersonal interaction, as in when Carmita Wood might have tried to make her experiences intelligible to others, but also as a persistent and patterned experience of cognitive disadvantage, as in the case of Wendy Sanford.

That hermeneutical injustice is structural, hovering in the background of someone's life in an all-encompassing way, is supported by another example Fricker gives, this time from *A Boy's Own Story*, a semi-autobiographical novel by Edmund White. The cognitive disadvantage the unnamed protagonist experiences is in making sense of his sexual desires—i.e., of wanting to love and be loved by men, while at the same time wanting *not* to be homosexual in the United States midwest of the 1950s. Hermeneutical injustice is a disadvantage that is specifically cognitive because the gaps in our conceptual resources wrong someone specifically in their capacities as a knower and knowledge holder, including oneself.

However, in all three cases so far, the cognitive disadvantage is connected with social powerlessness—women in a sexist society, a gay man in a homophobic society. Fricker provides one more example to suggest that her concept of hermeneutical injustice need not always be connected with a subordinate social position.

Through the novel *Enduring Love* by Ian McEwan, Fricker posits that hermeneutical injustice is not solely structural and systemic, it can also be *incidental*. The protagonist Joe is stalked by a religious fanatic named Jed Parry, but Joe's attempts to communicate the seriousness of the matter are met with derision and disbelief from his partner and the police. Joe is neither structurally inhibited nor hindered by his social identity; his social position is that of a white, educated, straight man. Nevertheless, Fricker argues that he experiences hermeneutical injustice since he is unable to render his experience intelligible to others due to lacunae in collective interpretive resources. With the example of Joe's experience, Fricker aims to secure hermeneutical injustice as essentially an *epistemic* injustice, even as hermeneutical injustice necessarily intersects with the background conditions of society, and even as it is connected with more-than-epistemic harms and wrongs, such as being driven out of work and having your unemployment benefit turned down, as in the case of Carmita Wood. However, upon critical reflection on Fricker's work, I attempt to motivate a departure from Fricker's position in section 2.4.2 *Social conditions*, where I argue that we have to take background social conditions seriously for a recast definition of hermeneutical injustice in the settler-colonial context.

Concluding our preliminary sketch of the concept as it appears in Fricker's theory, hermeneutical injustice is

a type of epistemic injustice since it is “a wrong done to someone specifically in their capacity as a knower.”⁸² Specifically, hermeneutical injustice occurs “when a gap in collective interpretive resources puts someone at an unfair disadvantage when it comes to making sense of their social experiences.”⁸³ The disadvantage should not be underestimated, since sense-making and meaning-sharing are crucial aspects of a dignified human life.

For greater clarity on how the concept maps on to the settler-colonial context, however, we will need to further develop the intuition that not only deficiencies but *dysfunctions* in people’s sense-making capacities can result in a wrong done to someone. It is also, as yet, unclear how relations of power impact upon our hermeneutical efforts, no less our exchanges across Indigenous and settler groups, and across cultures and worldviews. I now turn to the critical literature that responds to Fricker’s theory, which will help us recast the concept for greater explanatory power for the settler-colonial context.

2.2.3 Hermeneutical and testimonial injustices are mutually reinforcing

José Medina’s reflection on Fricker’s theory of epistemic injustice leads him to the conclusion that testimonial and hermeneutical injustices often occur at once. He writes, “hermeneutical and testimonial injustices are often interrelated so intimately that we cannot understand one without the other.”⁸⁴ How does Medina argue for their interrelatedness? And if testimonial and hermeneutical injustices are so intimately interrelated, then what is the use in differentiating between the two?

Medina draws on Fricker’s own example of the trial of Tom Robinson from Harper Lee’s novel *To Kill a Mockingbird*, which Fricker uses to explain testimonial injustice. The scene is from 1935, in the courtroom of the fictional town of Maycomb in Alabama, where Tom Robinson, a Black man, is accused of raping Mayella Ewell, a white woman. Against the backdrop of extreme asymmetries in power across racial identities, what the courtroom scene demonstrates, for Fricker, is a struggle between, “the power of evidence and the power of racial prejudice, with the all-white jury’s judgement ultimately succumbing to the latter.”⁸⁵ It is a paradigmatic case of testimonial injustice since Robinson is altogether blocked from a proper and just hearing due to the gross prejudice against Black people in the United States of the 1930s. In Fricker’s words, Robinson sustains testimonial injustice since he receives a “credibility deficit” owing to identity-prejudice in the hearers.⁸⁶

In order to inquire into how reflex judgements of credibility occur, Fricker uses the conceptual framework of stereotypes. In the case of Robinson, the stereotype of a Black man in the social imagination of the all-white jury falsely and wrongfully justifies the credibility deficit accorded to Robinson in his trial. But in contrast to

⁸² Fricker, *Epistemic Injustice*, 1.

⁸³ Fricker, *Epistemic Injustice*, 1.

⁸⁴ José Medina, “Hermeneutical Injustice and Polyphonic Contextualism: Social Silences and Shared Hermeneutical Responsibilities,” *Social Epistemology* 26, no. 2 (April 2012): 206.

⁸⁵ Fricker, *Epistemic Injustice*, 23.

⁸⁶ Fricker, *Epistemic Injustice*, 28.

Fricker, what Medina offers as an explanation is an account of the *mal*-cognition of the all-white jury as formed out of a cluster of communicative environments based on the interrelatedness of testimonial and hermeneutical injustices.

Medina is in agreement with Fricker that Robinson's is a central case of testimonial injustice—i.e., Robinson is wronged as a knower because he suffers credibility deficit as a Black man. What is more, Medina is also broadly supportive of Fricker's method for constructing a theory of epistemic injustice, which he defines as "a contextualist approach."⁸⁷ What this phrase captures is Fricker's attentiveness to situated, social factors of relations of power across individuals and social groups that shape possibilities of rightness and fairness in our epistemic exchanges.⁸⁸ In the case of Robinson, an asocial or a non-contextualist approach would imagine that the consensus of the all-white jury was formed out of each member's own introspective reasoning. This approach would imagine aggregating separate, distinct opinions that are each formed as if unencumbered by the influence of others, and the background conditions of society. However, such a scenario would ultimately misdescribe, and wilfully ignore, the influence of prejudice functioning in society, no less the United States of the 1930s, which expresses itself in and through the social group of the all-white jury. As Medina writes, "Credibility never applies to subjects individually and in isolation from others, but always affects clusters of subjects in particular networks and environments."⁸⁹ The strength of Fricker's theory of epistemic injustice is that it wants to consider the social factors in our epistemic practices—or, as in the subtitle of her book, the *Power & the Ethics of Knowing*.

Medina's argument is that Robinson's experience of testimonial injustice is supported also by hermeneutical factors. Here is the hermeneutical part: The obstacle the all-white jury finds impossible to overcome is to comprehend Ewell's sexual agency as a white woman in relation to Robinson. It is not only that the prejudicial stereotype of a Black man is to blame, but equally to blame is the excessive credibility afforded the all-white jury who are entirely uncooperative cognitive and communicative partners. The all-white jury's *mal*-interpretations are underscored by the ideology of white supremacy, which disable Robinson from communicating the truth of the dynamics of interracial sexual desire and Ewell's sexual attraction to him. As Medina writes, "For listeners such as these to become more charitable and virtuous, they would have to improve, simultaneously, their hermeneutical and testimonial sensibilities."⁹⁰ In other words, Robinson's voice is discredited through testimonial injustice, and rendered irrational and unintelligible through hermeneutical injustice. In this way, the all-white jury fails on both accounts—they sustain white supremacist interpretations and understandings (hermeneutical injustice), which in turn reinforces their perception of Robinson as not

⁸⁷ Medina, "Hermeneutical Injustice and Polyphonic Contextualism," 219. Note 1.

⁸⁸ Social factors have ordinarily fallen outside the scope of mainstream epistemology until recently. The focus of the discipline was hitherto on the self-reliant cognition of individuals aimed at notions of truth and true belief. As John Locke put it, "The floating of other men's opinions in our brains, makes us not one jot the more knowing, though they happen to be true." The fact and impact of social life on reasoning fell outside of the purview of mainstream epistemology—factors such as the standing of people in relations of power and their participation within social institutions. In the middle part of the 20th Century, social epistemology as a movement, alongside sociology and certain streams in the continental tradition of philosophy, challenged and remedied, as it were, individualistic orientations to truth-seeking, reasoning, factuality, and other presumed desiderata of epistemology.—John Locke, *An Essay Concerning Human Understanding*, ed. Roger Woolhouse (London: Penguin Books, 1997 [1690]), 105.

⁸⁹ José Medina, "The Relevance of Credibility Excess in a Proportional View of Epistemic Injustice: Differential Epistemic Authority and the Social Imaginary," *Social Epistemology* 25, no. 1 (January 2011): 18.

⁹⁰ Medina, "Hermeneutical Injustice and Polyphonic Contextualism," 219. Note 1.

credible (testimonial injustice).

According to Fricker, the two types of epistemic injustice occasionally converge in special cases when the speaker is doubly wronged.⁹¹ But Medina's analysis demonstrates a communicative interaction that is mutually reinforcing. Although it is nowhere made explicit, I believe the interaction that Medina ascribes across testimonial and hermeneutical lines is primarily on the basis of interaction across agential and structural factors. By focusing on individual moments of testimonial exchanges among particular subjects, testimonial injustice aims to depict epistemic harm in the most immediate ways.

However, the structures that create and maintain injustices are sustained "over time and across interactions, and cannot, therefore, be confined to a single moment of testimonial exchange."⁹² This is the work of hermeneutical injustice. The hermeneutical part allows us to properly analyse what happens before the particularities of that exchange, in frameworks of interpretations and structurations of understandings of society as a whole. In fact, our hermeneutical practices can cause testimonial injustice, because prejudice can be born from persistent and patterned hermeneutical failings. Prejudice is enculturated; it is structural. We can use Medina's analyses to understand epistemic injustice as the interaction between structures and agents. In other words, hermeneutical injustice can help assess the harms and wrongs born out of cognitive tendencies, doxastic attitudes, enclosing ideologies, prejudicial structures and systems, ontologico-epistemic orientations, available conceptual resources, all of which can converge and result in the immediate interpersonal wrongs and harms of the testimonial kind.

It is easy to see how the interaction between testimonial and hermeneutical injustice can come together in the settler-colonial context, in the asymmetrical relations of power across Indigenous and settler groups. In the introduction, where an example was given of dismissive attitudes toward the taniwha Karutahi, we sense the functioning of both of these forms of epistemic injustice. An Indigenous person who inhabits te ao Māori, who draws on and speaks from non-Western conceptualisations, can be wronged as a knower specifically when her articulations are *mal*-interpreted and *ill*-understood, and thereby marked as nonsensical by the hearer. Non-understandings in themselves, however, do not constitute an injustice. But what if the hearer's dysfunctional interpretations and understandings are used to justify prejudice against the speaker? If the hearer consequently affords the Indigenous speaker little credibility, then epistemic injustice in the settler-colonial context is interrelated and reinforcing across both testimonial and hermeneutical lines. Testimonial injustice deepens the effects of hermeneutical injustice, and vice versa. Dismissive attitudes toward taniwha may, in these two ways, wrong people in their capacities as knowers and knowledge holders.

But the issue of which of these two types of epistemic injustice to foreground matters, because it informs how we theorise possible ways forward—i.e., how we think about what epistemic *justice* might look like. While I turn to this issue at the end of the thesis, I want to preliminarily add another reason for foregrounding the hermeneutical part. It is a reason specific to the cross-cultural context: If hermeneutical injustice is *prior*

⁹¹ Fricker, *Epistemic Injustice*, 159.

⁹² Medina, "The Relevance of Credibility Excess in a Proportional View of Epistemic Injustice," 17.

to testimonial injustice, and if testimonial and hermeneutical injustices are mutually reinforcing, then the problem is not solved at the testimonial level. Fricker suggests that to overcome epistemic injustice of the testimonial kind, “the virtuous hearer neutralizes the impact of prejudice in her credibility judgements.”⁹³ The hearer is required to neutralise the impact of prejudice by giving the speaker her due. But within testimonial settings across Indigenous and settler groups, and across cultures and worldviews, the epistemic injustice is not overcome when prejudice is overcome. No matter how much we correct our credibility judgements to compensate for the deficit, there still remains the question of our inability to take up Indigenous knowledge claims in a way that matters to our Indigenous interlocutor, situated as we are outside of *te ao Māori*. The hermeneutical part persists beyond credibility judgements and appraisals since a person situated squarely outside of Indigenous frameworks is without the philosophical inheritances and orientations to take up, let alone dwell, in these other modes of thought—in non-Western manners of reasoning and relating.

2.3 Recasting Hermeneutical

2.3.1 “Collective”

The notion that conceptual resources are *in common* and *collectively held* appears prominently in Fricker’s theorising of hermeneutical injustice. In a later book chapter, Fricker expands on her idea of the collective hermeneutical resource as “the shared pool of concepts and interpretive tropes.”⁹⁴ She argues that this shared pool “contains only meanings that just about anyone can draw upon and expect those meanings to be understood across social space by just about anyone else. The collective hermeneutical resource contains those concepts and conceptualizations that are held *in common*.”⁹⁵ But to what extent is this “shared pool” accessible as if uniformly across a social context by “just about anyone”? And how compelling is the idea of “the shared pool of concepts and interpretive tropes” in the context of dialogical encounters across *te ao Māori* and the Western worldview?

I identify two key issues with the notion of a collectively held resource for interpretation and understanding. Firstly, Fricker presumes a common *culture* of her interlocutors, and in so doing, she narrows the bandwidth of the concept’s applicability and analytical possibilities. Specifically, the narrow bandwidth is unable to account for a society in which people are situated asymmetrically in position and in relation across cultural groups, and who do not always share the same cultural resources for sense-making and meaning-sharing. Secondly, the notion of the collective is conflated with *dominant* hermeneutical resources, and as a consequence of the conflation, Fricker claims that, across asymmetrical relations of power, subordinated members do not adequately understand the social experience. Let us take each issue in turn.

My first contention hinges on the idea of culture. By positing that conceptual resources are held in common, Fricker assumes a shared cultural context of her dialogical partners. This is reason enough to recast the

⁹³ Fricker, *Epistemic Injustice*, 92.

⁹⁴ Fricker, *Epistemic Injustice and the Preservation of Ignorance*, 163.

⁹⁵ Fricker, *Epistemic Injustice and the Preservation of Ignorance*, 163. Italics in the original.

concept for a decolonial focus in the context of settler colonialism. Even though setting down a theory of culture is beyond the scope of this thesis, let us briefly elaborate on the term, because a note on culture will help to clarify why the notion of collectively held hermeneutical resources is problematic.

Patti Tamara Lenard identifies four main interpretations of culture: “As an encompassing group, as social formation, in dialogic terms, and in identity terms.”⁹⁶ Each offers a different sense of how a culture is formed, and what is essential or core to the concept. For our purposes, we can remain agnostic of the differences and keep our definition of culture broad and inclusive of the nuances across these four interpretations. Let us say that culture is human thought and activity, which is perceptibly and imperceptibly transmitted in such a way as to form a spatio-temporally specific sociality. What is epistemically and hermeneutically relevant about culture is that it allows for its members a common and contestable framework for sense-making and meaning-sharing.

Take, for example, the case of Carmita Wood and her harasser. Despite their asymmetrical social positions in a sexist and racist society, and their differences along the lines of gender and racial identities, they both broadly share a common culture that allows such a notion as “a gap in *collective* interpretive resources”⁹⁷ to make sense. That there is such a contestation that requires conceptual gaps to be filled in and sketched out does not make a culture any less meaningful for its members. As Lenard puts it, “cultures are sites in which members can contest and deliberate their meaning with *enough* shared assumptions about the way the world works that they can recognize each other as engaged in the same project.”⁹⁸ In such a definition of culture, members can be in disagreement as to which of the group’s norms and values are the defining ones. And yet, even as the main elements are endlessly under negotiation, there still exists the common context which can be called a shared culture.

So, although relations of power figure centrally in Fricker’s theory of epistemic injustice, she does not include within the scope of her work the types of exchanges that take place across cultures and worldviews. Within the cross-cultural context of settler colonialism, Indigenous and settler groups are unevenly and asymmetrically placed in position and in relation, such that they do not always share the same cultural resources for sense-making and meaning-sharing.

Take, for example, Indigenous opposition to oil exploration activities. In response to the 2019 tender around Mount Taranaki, Debbie Ngarewa-Packer’s dissent appealed to the sacredness of the place: “What happens if they are irresponsible around our wāhi tapu?”⁹⁹ Such a claim is consistent with Indigenous–settler encounters in other settler-colonial contexts. To find out about the Sarayaku peoples’ opposition to oil exploration activities on their traditional territory, the Inter-American Court of Human Rights heard the

⁹⁶ Patti Tamara Lenard, “Culture,” *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta (Winter 2020), <https://plato.stanford.edu/entries/culture/>

⁹⁷ Fricker, *Epistemic Injustice*, 1. Emphasis added.

⁹⁸ Lenard, “Culture.”

⁹⁹ Leigh-Marama Mclachlan, “Māori disappointed ancestral land up for tender for oil and gas drilling in Taranaki,” *Radio New Zealand*, May 5, 2019, <https://www.rnz.co.nz/news/te-manu-korihi/388521/maori-disappointed-ancestral-land-up-for-tender-for-oil-and-gas-drilling-in-taranaki>

testimony of *yachak* Sabino Gualinga, a spiritual leader of the Sarayaku people. Gualinga said, “Beneath the ground, *ucupacha*, there are people living as they do here. There are beautiful towns down there, and there are trees, lakes, and mountains.”¹⁰⁰ The President of the Sarayaku people José Gualinga also emphasised the interrelatedness of the forest system, claiming that the forest gives “the power, potential and energy that is vital to our survival and life. And everything is interconnected with the lagoons, the mountains, the trees, the beings and also us as an exterior living being.”¹⁰¹

Dina Lupin Townsend and Leo Townsend argue that the testimony of the Sarayaku people did not receive the proper treatment by the Court. They contend that “the Court fails to hear them as they are meant, or indeed as they deserve, to be heard.”¹⁰² What do Townsend and Townsend mean by *deserve* to be heard? The idea is that even when the Court succeed in *legally* hearing the Sarayaku testimonies, they nevertheless failed to hear them *epistemically*. The Inter-American Court’s progressive body of jurisprudence aims to empower the speech of Indigenous communities with *the right to consultation* and *right to property*. While this helps with the legal recognition of Indigenous testimonies, it does not automatically equip the Court to *epistemically* hear Indigenous peoples such that the speakers are justly treated as knowers and knowledge holders. “Their claims are not taken as bearing on the nature of the environment and the impacts of the drilling on that environment, nor are they added to or weighed against the testimony of environmental scientists.”¹⁰³ Situated squarely within the hegemonic discourses of the West, the Court treats Sarayaku testimony as an expression of cultural identity, rather than as veridical statements. Since the Court does not hear the Sarayaku testimony in the proper epistemic key, the spokespeople are wronged specifically in their capacities as knowers and knowledge holders.

To bring Fricker’s frameworks to bear on the incident, the Sarayaku spokespeople experience testimonial and hermeneutical injustice in a single stroke: On the one hand, the Court assigns lower epistemic credibility to the Sarayaku spokespeople as compared with scientist William Powers, and on the other hand, the Court does not see the testimonies in the proper epistemic light, let alone engage in the culturally specific epistemologies of the Sarayaku people.

The Court simply finds that ‘the Kichwa People of Sarayaku have a profound and special relationship with their ancestral territory, which [...] encompasses their own worldview and cultural and spiritual identity’ (*Sarayaku v Ecuador*, para 155). [...] This is particularly apparent when one views this treatment side by side with the way the Court treats the statements of, for example, the environmental engineering expert, William Powers. In his testimony, Powers described the likely impacts of drilling in the forest, including the clearing of vegetation, impacts on water courses, soil erosion, etc. These claims were not taken by the Court as expressive of William Powers’ ‘worldview’, but simply as straightforward assertions about the likely impacts of the proposed activities

¹⁰⁰ Townsend and Townsend, “Epistemic Injustice and Indigenous Peoples in the Inter-American Human Rights System,” 149.

¹⁰¹ Townsend and Townsend, “Epistemic Injustice and Indigenous Peoples in the Inter-American Human Rights System,” 149.

¹⁰² Townsend and Townsend, “Epistemic Injustice and Indigenous Peoples in the Inter-American Human Rights System,” 149.

¹⁰³ Townsend and Townsend, “Epistemic Injustice and Indigenous Peoples in the Inter-American Human Rights System,” 149.

on the environment in question (*Sarayaku v Suriname*, para 174).¹⁰⁴

Clearly, culturally specific counter-hegemonic epistemologies have a central role in processes of communication in the contexts of settler colonialism. Forms of human thought and activity that have been socially contested and created in specific spatio-temporal sites diverge in such a way as to not always be compatible across cultural contexts.

If we pursue the idea of cultural difference as not incidental to knowledge but intrinsic to sense-making and meaning-sharing, then there arises the issue of squaring-off culture in relation to knowledge. For example, what is the relationship between culture and cognition? Is there a specifically *epistemic* case, in contrast with a moral case, to be made for why it is important that cultural differences be recognised? How do we develop the idea of *epistemic cultures* as the cultures of knowledge settings? There is more to say on this, especially on the problem of conflicts of interpretations across cultures in the context of political struggle. We will return to some of these questions in section 3.3.1 *Incommensurability*. For now, the example helps to sufficiently problematise Fricker's notion of collectively held hermeneutical resources. If members across cultures do not share the same frameworks for interpretation and understanding, then they cannot then be said to be inhabiting a "shared pool" from which they collectively draw upon concepts and interpretive tropes that can be understood and taken up in the proper epistemic light as if uniformly by "just about anyone."

My second contention is that Fricker conflates "collective" with *dominant* hermeneutical resources, which leads her to the conclusion that subordinated groups suffer epistemically due to their socio-political powerlessness. Fricker writes:

[...] relations of unequal power can skew shared hermeneutical resources so that the powerful tend to have appropriate understandings of their experiences ready to draw on as they make sense of their social experiences, whereas the powerless are more likely to find themselves having some social experiences through a glass darkly, with at best ill-fitting meanings to draw on in the effort to render them intelligible.¹⁰⁵

However, it is not always the case that social oppression translates to epistemic disadvantage. In some instances, oppression might be the very reason for a kind of truthful perception of social reality that is not possible from a privileged standing. This is an important idea from the Marxist tradition—that social position can be *inversely* related to epistemic position, as in the case of the working class' richer and truer understandings of the relations of exploitation to which they are subjected. In such instances, oppressed groups understand social reality better than those in power. This idea in the literature is referred to as the epistemic privilege of the oppressed, and is further developed in feminist standpoint theory and critical race theory. The engagements of feminists and critical race theorists, and their corresponding focus on the lives of women and people of colour, leads to an epistemically privileged standpoint on social reality from which to enact a politics of resistance.¹⁰⁶

¹⁰⁴ Townsend and Townsend, "Epistemic Injustice and Indigenous Peoples in the Inter-American Human Rights System," 149..

¹⁰⁵ Fricker, *Epistemic Injustice*, 148.

¹⁰⁶ Heidi Grasswick, "Feminist Standpoint Epistemology," *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta (Fall 2018), <https://plato.stanford.edu/archives/fall2018/entries/feminist-social-epistemology/>

In our previous example of cross-cultural dialogue, the Sarayaku and the tangata whenua spokespeople alike draw upon Indigenous epistemologies to register their opposition to oil exploration activities—i.e., the concept of wāhi tapu in the case of Debbie Ngarewa-Packer’s dissent, and the narrative testimony of the life-force of forest systems in the cases of the Sarayaku *yachak* and President. In these dialogical encounters across cultures, wholesale differences in world-orientations mean that the claims are not always mutually intelligible. The background assumptions about the world are not shared in these settler-colonial contexts. Even though the concepts and narratives that they draw on are not readily intelligible in the hegemonic contexts, clearly the Indigenous groups know very well their experiences and are in no way cognitively hindered. We will have more to say about the concept of incommensurability in a subsequent section of this chapter (3.3.1), but what the example helps to show is that we are not working with a single collectively held hermeneutical resource but with interpretations and understandings across ontological options and epistemic cultures. There is a communicative interaction across plural interpretive communities who coexist in the single—asymmetrical, contested—social context of settler colonialism.

My critique that Fricker misdescribes dominant hermeneutical resources as collective can be corroborated by Rebecca Mason’s analysis. Mason writes, “Fricker fails to countenance the possibility that marginalised subjects have non-dominant interpretive resources from which they can draw to understand and describe their experiences despite absences or distortions that exist in so-called collective hermeneutical resources.”¹⁰⁷ Clearly, Indigenous communities’ social subordination does not mean that their perception is as if “through a glass darkly, with at best ill-fitting meanings.”¹⁰⁸

In summary, we are misled in our aims to analyse the hermeneutical injustice of Indigenous–settler relations if we pursue the notion of resources in common. As such, the people assumed by Fricker as “just about anyone” fall in a narrow bandwidth of the single hegemonic culture in the settler-colonial context—the privileged and dominantly placed white and Western mainstream. Let us not imagine that conceptual resources and interpretive tropes are buoyant in a shared pool as if uniformly accessible by just about anyone, but rather as scattered across striated surfaces and separate spaces.

Why is this an important piece of criticism? Why is it important to assert the plurality of interpretive communities and expressive practices within a given social context? Or to borrow Medina’s phrasing, why should the social context be “pluralized and rendered relational in more complex ways”?¹⁰⁹

Firstly, if *dominant* hermeneutical resources are misdescribed as collective, then the dominantly placed hearers are required to assume a singular framework for interpretation and understanding. In the context of settler colonialism, this would mean that the hegemonic discourses of the West are assumed as *the* credible framework within which Indigenous knowledge claims have to be hashed out. Fricker’s assumption effectively silences non-dominant articulations since the idea is that subordinated people perceive as if

¹⁰⁷ Rebecca Mason, “Two Kinds of Unknowing,” *Hypatia* 26, no. 2, (Spring 2011): 295.

¹⁰⁸ Fricker, *Epistemic Injustice*, 148.

¹⁰⁹ Medina, “Hermeneutical Injustice and Polyphonic Contextualism,” 201.

“through a glass darkly, with at best ill-fitting meanings.”¹¹⁰ Importantly, by not recognising a plurality of interpretive communities and expressive practices, the theory overlooks the epistemic difference, as well as the epistemic *agency* of the oppressed.

Secondly, the reason an oppressed person is unable to make her claim intelligible in hegemonic contexts might not be because she herself is conceptually ill-equipped, but because of sustained interpretive mal-practice on the part of the dominant hearers. Mason argues that Fricker “fails to locate the ethically bad epistemic practices that maintain gaps in dominant hermeneutical resources even while alternative interpretations are in fact offered by non-dominant discourses.”¹¹¹ And so, not only are dominant resources misdescribed as collective, the dominant group’s hermeneutical *failings* are mis-described as *a gap in collective interpretive resources*. This point is especially pertinent for the settler-colonial situation and its underlying logic of elimination. As Dina Lupin Townsend and Leo Townsend suggest, although the Sarayaku spokespeople were *legally* consulted, they were not *epistemically* recognised. So even as the gesture of consultation aims to recognise the voice of the Indigenous peoples, because they are unheard in the proper epistemic register, the consequence is the erasure of their culturally specific ways of knowing and knowledge holding. And indeed, William Powers’ testimony as a scientist is overlaid onto the Sarayaku testimony, effectively muffling the meanings of the Sarayaku people on their own terms. Since these Indigenous articulations clearly offer alternative hermeneutical resources that intervene in dominant discourses, what would it mean to recognise the speakers *epistemically*?

We will expand on these points in the third chapter, but let us examine the remaining two tenets of the concept of hermeneutical injustice: that a “gap” within the shared hermeneutical resource gives rise to a form of epistemic injustice; and that hermeneutical injustice deprives someone of “self-understanding.”

2.3.2 “Gaps”

By hermeneutical resources, Fricker means words or concepts as tools for cognition and communication. In her view, these resources are linguistic. The concept of sexual harassment, for example, enables us to cognise the situation and communicate the experience. Fricker claims that without the concept, Carmita Wood remains in a sort of hermeneutical darkness. Presumably, she can neither think about it nor talk about it and is therefore deprived of self-understanding. Consequently, Fricker explains that hermeneutical injustice arises when there is a “gap” within the shared resource.

But to what extent are we mortgaged to concepts for understanding? And to what extent can we pin hermeneutical injustice down to conceptual gaps? Suppose a concept is readily and equally available for dialogical partners to draw on, does it then mean that hermeneutical injustice is impossible? And how do we understand the role of narratives, since it is more common that cross-cultural testimonies take narrative

¹¹⁰ Fricker, *Epistemic Injustice*, 148.

¹¹¹ Mason, “Two Kinds of Unknowing,” 294.

forms rather than as neat propositional statements pinned to the transmission of concepts across cultures?

I suggest that there is more we can include in the scope of hermeneutical injustice, beyond the idea that it arises due to gaps in the hermeneutical resources. Firstly, I argue that it is possible to recognise that a situation may be wrongful and harmful despite missing linguistic resources. Secondly, even in instances where a concept exists and is readily available to be drawn upon, dysfunctional use of concepts or distortions in the hermeneutical resources can cause hermeneutical injustice. Let us take each in turn.

Fricker's insight is that concepts traffic between cognition and communication. Missing words and concepts mean that cognition and communication is in some way hindered. This intuition is based on the idea that reality is not wholly external to, and independent of, how we conceptualise the world. That is, concepts and words play a major part in the construction of social reality, which cannot be separated from sign systems in which they are framed.

But it can be problematic to link intelligibility too strictly along the lines of linguistic labels. We need not mortgage experiences and our understanding of them to linguistic tools. Imagine the difficulty a new migrant settler has in negotiating a life in Pākehā contexts if they do not already speak English. While communication in these contexts may be curtailed due to the migrant's lack of labels in the language of the mainstream, we cannot assume that she does not understand her social experience. As Medina writes, "We should be careful not to tie too closely people's hermeneutical capacities to the repertoire of readily available terms and coined concepts, for oppressed subjects often find ways of expressing their suffering well before such articulations are available."¹¹²

In order to substantiate the claim that extant linguistic tools and understandings can come apart, we can draw on the body of philosophical literature that is sceptical of the idea of linguistic determinism. An extreme form of linguistic determinism risks committing us to a view of sense-making and meaning-sharing as intrinsically linguistic. However, this seems not to recognise preconceptual, embodied, performative, and socially constructive forms of knowing and understanding. While our cognition is shaped to a great extent by the linguistic resources of our culture, it is not unavoidably determined by them. To be sure, this does not reject the influence of language, and it certainly does not reject the notion of certain incommensurabilities across worldviews; rather, it situates our enquiries in the contingent, the circumstantial, and the constructive part of our socio-political lives. A critique of linguistic determinism is to show that labels can come apart from notions of intelligibility.

Furthermore, even as we are dependent on our capacities to know in order to make sense of who we are, "knowing" is not just one in kind. It is not only the conceptual sense of propositional knowledge, but it is also preconceptual and more-than-conceptual knowing. Enactivism is one such emerging perspective that aims to take pre-reflection as a basic form of knowing, and suggests that propositional knowledge happens when

¹¹² Medina, "Hermeneutical Injustice and Polyphonic Contextualism," 208–209.

individuals disengage from embodied sense-making to engage rationally with the world.¹¹³ Sometimes knowing takes narrative form, like in the testimony of Sabino Gualinga, but it can also include instances of non-verbal expressions like performance and protest. Even the linguistically focused literature on hermeneutical injustice alludes to possible kinds of experiential and non-discursive forms of knowing. Although Fricker's concept focuses on the filling-in and sketching-out of hermeneutical resources as a way of communicating experience, this happens against the backdrop of preconceptual knowing that the dominant group has little access to—e.g. Carmita Wood's bodily knowing about the wrongful and harmful situation, or *A Boy's Own Story's* knowing of love and desire.

To take up the case of Carmita Wood, Fricker contends that Wood's experience of hermeneutical injustice is linked to her inability to make sense of her own social experience, because there is a concept missing in her sense-making and meaning-sharing capacities. But it is entirely plausible that Wood *did* recognise the wrong and harm, even if she was unable to communicate it to others. After all, when her unemployment insurance claim was turned down, she enlisted the help of Lin Farley to coordinate speak-outs. As Rebecca Mason has reflected, "These were not the actions of a woman mystified by her experiences of a yet-to-be-named phenomenon; rather, the silencing to which she had previously been subject was exploded by the coalition she formed with other women who both corroborated and supplemented her experiences with their own."¹¹⁴ Wood was communicatively disempowered within the discursive spaces at the North American university. If Wood's early attempts at communication were unsuccessful, it need not mean that she was unaware that what was happening to her was wrongful and harmful.

But it is not only that a *gap* within the shared hermeneutical resources wrongs someone as a knower. Malfunctions and distortions can also contribute to hermeneutical injustice. This argument is developed by Rebecca Mason through the lens of a social and political philosophy of language. Mason suggests a definition of hermeneutical injustice that aims to take conceptual malfunctions into account. She argues that someone suffers a hermeneutical injustice not only when resources are *deficient* but also when they are *distorted*.

The examples of Carmita Wood and Wendy Sanford help Fricker to sketch how the *deficiency of* concepts can contribute to hermeneutical injustice: For Wood, the shared pool of concepts and interpretive tropes did not contain the concept of sexual harassment for her to draw upon. When she tried to explain why she resigned from her job, she was "at a loss to describe the hateful episodes."¹¹⁵ Similarly, Sanford was unable to understand her experiences of suffering because the concept of postpartum depression was not widely shared.

But to make a case for hermeneutical injustice as the result of *distorted* hermeneutical resources, let us recall another example from Fricker's paradigm cases. In Edmund White's *A Boy's Own Story* (1983), the unnamed protagonist is prevented from self-understanding because he is unable to properly conceive of his

¹¹³ Hubert Dreyfus and Charles Taylor, *Retrieving Realism* (Cambridge, Massachusetts: Harvard University Press, 2015)

¹¹⁴ Mason, "Two Kinds of Unknowing," 297.

¹¹⁵ Susan Brownmiller, *In Our Time: Memoir of a Revolution* (New York: Dial Press, 1999), 280–281.

sexual desires to love men and be loved by men. This example is not a case of conceptual impoverishment since homosexuality is in fact available as a linguistic label; rather, this is a case of *distortion* and *dysfunction* in the available hermeneutical resources. The key point has to do with how the concept of homosexuality was in circulation in a homophobic society. The boy in White's novel is loath to apply the concept to himself since what he infers from the concept is deviance, illness, and illegality—rather than inferring, perhaps, love and boyfriend. The result is a dissonance between his own experience and the *mal*-interpretive horizon he has inherited from societal structures, which wrongs a person in his capacities as a knower—in this instance, his own knowing of love and desire.

If this is an example of hermeneutical injustice—since Fricker provides us with it, we can take it that it is a paradigmatic example—then I think we would want to understand hermeneutical injustice to include those instances not only where there are gaps in hermeneutical resources, but also when the hermeneutical resources are distorted and dysfunctional, and when there is poor applications of them like in this case of mal-interpretation. As Rebecca Mason puts it, “hermeneutical injustice arises not [only] from a failure of concept possession but [also] from a failure of concept application.”¹¹⁶ Such instances ought to count as hermeneutical injustice. And so, let us expand the scope of hermeneutical injustice to include mal-interpretation as well as non-interpretation.

The example of homosexuality as a concept helps us note that linguistic labels are not so neatly tethered to experiences that a sketching-out and filling-in of concepts allows a person to overcome hermeneutical injustice. Concepts travel across space and time. Their sense-making and meaning-sharing capacities alter across contexts. They are punctured and punctuated by the background conditions of society. And so, placing the onus of explaining hermeneutical injustice on “a gap within the shared hermeneutical resource” elides a greater range of possibilities that contribute to the wronging of a person in their capacities as a knower and knowledge holder.

If hermeneutical injustice is always caused by conceptual deficiency, then the boy's case from White's novel would not count. But there are conceptual distortions and dysfunctions even in Carmita Wood's paradigmatic case of hermeneutical injustice. If we take it that Wood was well aware of her own experiences of harm and wrong, but was thwarted in her ability to make them intelligible to others, then we might want to assess which of the conceptual resources the hearers drew upon to make sense of Wood's experiences. And indeed, Wood experienced hermeneutical injustice not simply because of gaps but also because there is a persistent and pernicious concept that does a lot of hermeneutical heavy-lifting in situations of harmful sexual behaviour: the concept of flirting. Wood's embodied experiences of harassment are interpreted in the context of a sexist society that misperceives experiences of women in the workplace. The extant interpretation of flirting in dominant discourse means that Wood is not taken seriously, such that repeated sexual advances are “never anything more than a form of ‘flirting’, and their uneasy rejection by the recipient only ever a matter of her ‘lacking a sense of humour’.”¹¹⁷

¹¹⁶ Rebecca Mason, “Hermeneutical Injustice,” *The Routledge Handbook of Social and Political Philosophy of Language*, ed. Justin Khoo and Rachel Sterken (New York: Routledge, 2021), 299.

¹¹⁷ Fricker, *Epistemic Injustice*, 152–153.

And so, Carmita Wood's experience cannot simply be chalked up to the lack of the concept of sexual harassment. A notion of hermeneutical injustice ought to account for the disproportionate influence that other existing concepts like flirting might have in sense-making and meaning-sharing capacities. Realities are contested, and the representation of reality through interpretation and understanding is thus a site of struggle. This is pertinent for the settler-colonial situation, where it is not usually *gaps* in the hermeneutical resources but conflict over interpretation in the context of political struggle. The example from White's novel and Wood's experiences can bolster our argument that hermeneutical injustices arise not only from conceptual impoverishment and gaps, but also from distortions and dysfunctions in the hermeneutical resources. If our hermeneutical resources are malfunctioning or if they are distorted or even derailed by hegemonic discourses of dominantly placed groups, then the subordinated group or persons are thwarted and disempowered in their ability to communicate.

2.3.3 "Knowing" and "self-understanding"

Fricker's conceptualisation of hermeneutical injustice has a powerful idea at its core that links human dignity with knowing. That is, to be a person is to be a knower. The idea of personhood attaching to knowing is a significant theoretical move that is not explained or expanded on in the broader literature. It will be germane to discuss knowing and understanding for the settler-colonial context since appeals to *other ways of knowing* are at the heart of the demand for decolonisation. Specifically, the assertion and active protection of Indigenous epistemologies often function as counter-hegemonic insofar as they resist white and Western settler thought and activities.

Building on the discussion of a person as a knower, I motivate two further departures from Fricker's conceptualisation of hermeneutical injustice. I question, firstly, the individualism of Fricker's account, and secondly, the concept's orientation to self-understanding. I suggest that hermeneutical injustice should be understood more broadly so as to include the problem of justly understanding others and other ways of knowing, where others refers not only to individuals but social groups.

Recall that epistemic injustice is a wrong done to someone specifically in their capacity as a knower. When we mistreat a person in their capacity as a knower, then that person is treated as less than human. As Fricker writes, "To be wronged in one's capacity as a knower is to be wronged in a capacity essential to human dignity."¹¹⁸ This idea of personhood attaching to knowing, as I infer it from Fricker's work, is powerful. It is unlike Descartes' thought and extension; Kant's rational being or agent; it is different to Heidegger's being-in-the-world; and it is certainly not Spinoza's idea of a person as a modification of one substance, God or Nature. While this thesis cannot provide a full account of a person as a knower, I want to touch on its significance for cross-cultural dialogical interactions in order to help us recast the concept.

¹¹⁸ Fricker, *Epistemic Injustice*, 44.

While I am compelled by this groundwork for the concept of hermeneutical injustice, I want to raise a question around its individualism. The theory of epistemic injustice already pushes us out of the framework of an individualistically focused epistemology by taking into account such things as identity-prejudice in the testimonial case and shared conceptual resources in the hermeneutical case, so why not pluralise this idea of personhood attaching to knowing so as to include social groups? As a matter of fact, I contend that the hermeneutical case ought to be primarily oriented to social groups, as well as institutional structures and systemic processes. I think this reorientation is possible without losing any of the concept's legibility.

Groups can be said to know or hold knowledge in much the same way as an individual. In fact, some forms of knowing arise specially out of group contexts and are held collectively. For example, Ngāti Whātua know the taniwha Horotiu, even as an individual from that rohe might not; or that the working class know capitalist exploitation, even as a rideshare driver might say she is flourishing; or that Black people in the United States know racism and police brutality, even as a Black man was once the President. Even if an individual is ignorant of a form of knowing held by their social group, it does not make the claim any less legible that knowing can be as a group. So to extend Fricker's idea, we can say that human dignity for individuals and groups alike is bound up with knowing and knowledge-holding.

Recall the example of opposition to oil and gas exploration around Mount Taranaki and in Ecuador. We would not pin the testimonies of dissent to Debbie Ngarewa-Packer, and Sabino Gualinga and José Gualinga in particular, but to tangata whenua and the Sarayaku peoples in general. And we might do this even as an individual from their respective groups might foreseeably be in favour of ancestral land coming up for tender for drilling on account of job-creation and such. If Sabino Gualinga and José Gualinga's testimonies are systematically unheard in the context of the Inter-American Court, then we would say that Sarayaku as a people were wronged as knowers and knowledge holders, not just the testifiers.

The argument here begins to parallel the testimonial case. But as we have discussed, hermeneutical and testimonial injustices are mutually reinforcing. However, the important point is that the orientation of hermeneutical injustice ought to broaden from individuals and individual instances to social groups, systems and structures. In the case of the Inter-American Court, even as testimonial *justice* was arguably achieved for the Sarayaku peoples, since their narratives were taken seriously enough so as to disallow oil exploration, they nevertheless experienced hermeneutical injustice because their narratives were not taken up in a way that mattered to them. Their narrative testimony was treated by the Court as an expression of Sarayaku cultural identity, rather than as veridical statements bearing on truth and reality. In other words, even as their point was taken up, their point of view was delegitimised. In this instance, hermeneutical injustice is the wrong Sarayaku as a people experienced as a knowers since their culturally specific epistemologies were systematically rendered unintelligible and uninterpretable within the hegemonic discursive space.

And so, even as the example of Sarayaku opposition to oil exploration parallels the testimonial case, the register and orientation of hermeneutical injustice is quite different. Compare this with the case Fricker provides of a Black testifier, who is disallowed from providing a witness account because of credibility deficit

and gross identity prejudice against Black people in the United States. This is a paradigmatic instance of testimonial injustice, but there are also background hermeneutical questions. Fricker writes, “hermeneutical injustice occurs at a prior stage.”¹¹⁹ What should we take this to mean?

The socially oriented hermeneutical point has to do with Black peoples’ knowing and knowledge-holding, as a social group, of racism and police brutality. The hermeneutical point both includes and is beyond that particular instance of the Black testifier’s disempowerment. Regardless of whether or not he was able to testify, the hermeneutical question orients us to the point of view of Black people as a group wherein the social knowledge of racism and police brutality is held. Put differently, the question orienting the hermeneutical part ought to be: How can Black people’s social knowledge of racism and police brutality touch upon and interrupt racialised hegemonic discourse? How can the social knowledge of asymmetrical relations of power across gender and sexuality in the workplace held among women and rainbow communities intervene in the cis-heteropatriarchal hegemonic discourse? How can the knowing and knowledge of whakapapa (genealogy) and kaitiakitanga (guardianship) held among Māori dismantle hegemonic discourses of land as a natural resource and as property for private or public ownership?

I contend that the explanatory power of hermeneutical injustice properly comes to light and in full force when it is broadened outward from its individualistic focus. Not only individuals but social groups can be wronged as knowers and knowledge holders when their point of view does not register in the dominant hermeneutical resource. How does this bear on the settler-colonial context? The idea of a person as a knower framed contextually and oriented to groups rests on the intuition that people are shaped by the attitudes of their culture and the activities of their communities. They are embedded within culturally specific epistemologies; simultaneously, they participate in community activities with access to a specific set of practices, resources, and institutions that shapes their cognition. The upshot of this view suggests a deep interplay between personhood and knowing, such that being robbed of land and livelihood is to be robbed of sense-making and meaning-sharing capacities.

If what you are able to know is affected by what you have access to, then the consequence of having been dispossessed of land, livelihoods, and lives for Māori means that Pākehā can perversely come to see themselves as constituting the world, in the ontological sense. That is, the powerful can come to see themselves as coextensive with the world—whites in a racialised society, heterosexual men within patriarchy. These groups control the means of interpretation and communication in society.

During the period of Indigenous contact with settler-colonists, the treatment of non-European peoples as primitive and barbaric was continuous with the treatment of their knowledge systems as unknowing. Fricker alludes to this when she writes, “The undermining of someone as a knower is, conceptually and historically, closely related to their being undermined as a practical reasoner.”¹²⁰

¹¹⁹ Fricker, *Epistemic Injustice*, 1.

¹²⁰ Fricker, *Epistemic Injustice*, 137.

For this reason, in the present-day settler-colonial context, the imposition of Pākehā frameworks in instances of communication and interaction between plural interpretive communities continues to threaten the coherence of Māori lives. This line of reasoning corroborates Patrick Wolfe's analysis of settler colonialism at an epistemic level, as a perpetual situation underwritten by the logic of elimination. What is more, social institutions can favour dominant groups to maintain the asymmetrical power relations and reproduce the hegemonic discourse of the dominant culture. Seen from the perspectives of the oppressed group, their experiences and interpretations of social life find no interpretability, legibility, or register within the context of the dominant culture.

To parse this out in Fricker's parlance, Pākehā structure the experience of social life along the lines of their hermeneutical resources. Their cultural hegemony is consolidated by the universalisation of these dominant hermeneutical resources as "collective," which works to erase Indigenous knowledge and ways of knowing. To constrain the sense-making and meaning-sharing capacities of someone or some group is to injure their humanity. And so, wronging someone specifically in their capacity as a knower is, in the end, a matter of injustice, since nothing short of the definition of personhood, of what it means to be human, is at stake.

The testimonial case has a type of a social character where if you see someone being treated prejudicially based on their social identity, and you are part of the same social group, then it is foreseeably a slight that you share in. What is different with hermeneutical injustice is that it brings world-orientations to bear on questions of wrongs and harms. It brings into view the cultural competencies and stock of knowledge that a person can be embedded within and share in common with others. Since our sense of self and self-worth is tied up with the cultural competencies that make up the life-world of a culture, the active protection of these things becomes important for individuals to flourish.

Here, our discussion finds overlap with the theoretical framework of cultural imperialism. This is the sense in which political theorist Rajeev Bhargava uses the term epistemic injustice. For Bhargava, epistemic injustice is a type of cultural and cognitive imperialism. "It occurs when the concepts and categories by which a people understand themselves and their world are replaced or adversely affected by the concepts and categories of the colonizers."¹²¹ Hermeneutical injustice is irreducibly social in this way, as a concept that can attend to the type of cognitive and communicative imperialism that erases culture.¹²²

The second question I want to raise in this section, which marks a further departure from Fricker's conceptualisation of hermeneutical injustice, is around the concept's orientation to self-understanding. Given the intrinsically social character of hermeneutical injustice, it is not convincing that the concept ought only concern instances when someone is unsuccessful when it comes to understanding their own social experiences. In other words, I want to question the concept of hermeneutical injustice as being, foremost, a deprivation of someone's self-understanding, and instead argue that it ought to also include the problem of

¹²¹ Rajeev Bhargava, "Overcoming the Epistemic Injustice of Colonialism," *Global Policy* 4, no. 4 (2013): 413.

¹²² Although the literature on cultural imperialism grapples with the deep epistemic effects of empire that erases culture, I find Fricker's framing of epistemic and hermeneutical matters in terms of an injustice differently conducive to analysing the relations of power between knowers and knowledge holders, including across cultures and worldviews.

justly understanding others and other ways of knowing.

When Carmita Wood was not equipped with the concept of sexual harassment, Fricker suggests that she was wrongfully deprived of an important aspect of self-understanding, because she could not make sense of her social experience. We have questioned the latter point elsewhere, but consider now the same case of sexual harassment retold from the perspective of her harasser or the officers at the unemployment insurance desk. Retold from the harasser's point of view, we decentre the notion of hermeneutical injustice as having to do with self-understanding being thwarted; instead, we seek after the problem the harasser and the insurance officers foreseeably had in justly interpreting and understanding Wood and her experience of social reality. While the shift in register begins to parallel the testimonial cases, we can still maintain, from this perspective, that Wood experienced hermeneutical injustice. And in doing so, we broaden the concept so as to include the problem of justly understanding others and other ways of knowing. How can the cognitive and communicative interaction with Wood allow the insurance officers and the unemployment benefits they administer to intervene in the cis-heteropatriarchal hegemonic frameworks underlying their workplace?

From the broader literature on the theory of epistemic injustice, our recast definition of hermeneutical injustice for the settler-colonial context finds a parallel with, and now tracks now close to, Gaile Pohlhaus, Jr.'s concept of "willful hermeneutical ignorance." Pohlhaus argues that for knowers across asymmetrical relations of power, situatedness and interdependence work in tandem. "Knowers are situated insofar as they are confronted by a world from particular positions within it. In contrast, knowers are *interdependent* insofar as the epistemic resources or tools *with which* we know operate collectively, not individually."¹²³ Pohlhaus then develops the concept of willful hermeneutical ignorance to describe instances when dominantly situated knowers willfully ignore and even outright refuse to acknowledge the tools for sense-making and meaning-sharing developed from the world-experience of those situated marginally. "Such refusals allow dominantly situated knowers to misunderstand, misinterpret, and/or ignore whole parts of the world."¹²⁴ While Pohlhaus' willful hermeneutical ignorance is sympathetic with our recast concept of hermeneutical injustice, what distinguishes ours is the placement of culture and culturally specific frameworks of knowing within communicative interaction. Hermeneutical injustice in our sense not only attaches to asymmetrical relations of power between dominant and marginally situated knowers, but also attends to the practices of interpretation and understanding that are asymmetrically motivated across cultures and culturally specific ways of knowing within the hegemonic contexts of the West.

This reorientation of hermeneutical injustice better parallels cases in the settler-colonial context where our concern as people engaging with Indigenous knowledge from the outside is not to do with "self-understanding." Rather, our concern is to do with interpretations aimed at solidarity against the backdrop of settler colonialism as manifest injustice: Specifically, solidarity with the struggles and wishes of tangata whenua and movements toward decolonisation.

¹²³ Gaile Pohlhaus, Jr., "Relational Knowing and Epistemic Injustice: Toward a Theory of 'Willful Hermeneutical Ignorance,'" *Hypatia* 27, no. 4 (Fall 2012): 717–718.

¹²⁴ Pohlhaus, "Relational Knowing and Epistemic Injustice," 720.

Let us bring this discussion to a head and take stock of the departures from Fricker's original work. Our recast definition of hermeneutical injustice describes a knowing that is bound up with the human dignity of individuals and groups, and is concerned as much with understanding others and other ways of knowing as self-understanding:

Within the settler-colonial context, hermeneutical injustice occurs due to deficiencies, dysfunctions, and distortions maintained in the dominant hermeneutical resources, which settlers in turn impose onto Indigenous peoples while simultaneously marginalising them from shaping dominant interpretations and understandings in a way that draws upon Indigenous knowledge and ways of knowing.

In light of this recast concept of hermeneutical injustice for the settler-colonial context, the decolonial task can be seen more clearly: The active protection of Indigenous knowledge and ways of knowing, and a reorientation to the same. For settlers, the decolonial task is to orient to solidarity with tangata whenua as they develop Indigenous ways of knowing as a counter-hegemonic movement to settler thought and activities. As we move forward through this thesis, our task will be to figure out what interpretation aimed at solidarity looks like in order to actively resist epistemic domination.

2.4 Recasting Injustice

2.4.1 People are wronged

We humans are interpretive creatures. One of our core activities consists in the construction of meanings sturdy enough to support social life. Recognising the fundamentally social character of our knowledge practices, Miranda Fricker writes, "our knowledge of the social world is basically interpretive, and it is put at risk if the hermeneutical tools that we have to make sense of things are unevenly informed by the experiences of different social groups."¹²⁵ In other words, we depend on each other for sense-making and meaning-sharing, truth-determination and belief-formation.

However, in the settler-colonial context, hermeneutical injustice is reinforced by asymmetrical relations of power across Indigenous and settler groups. In the following sections, I clarify the specific nature of the injustice of hermeneutical injustice: Firstly, the injustice is to claimants, not the claim; secondly, background social conditions matter to a concept of hermeneutical injustice; and thirdly, victims of hermeneutical injustice experience hermeneutical marginalisation.

While debates about truth and matters of beliefs have to do with knowledge, the question of injustice is in relation to other people. The former concepts are proper to epistemology, whereas the latter concept belongs to ethics and political philosophy. Following Fricker, the concept of hermeneutical injustice allows us to consider wrongs and harms in our relations as knowers. That is, how people may be wronged in their

¹²⁵ Fricker, *Epistemic Injustice*, 145–146.

capacities as knowers and knowledge holders as a result of hermeneutical deficiencies, distortions, and dysfunctions.

If the knowledge of taniwha is dismissed as something unintelligible by those not immersed in te ao Māori, then the literature tells us that the wrong is to the holders of the knowledge. That is, the possible hermeneutical injustice is to the claimants, not the claim and its contents.

I want to pre-empt a point of contention: Why does the taniwha fall outside the scope of hermeneutical injustice? Cannot the concept include our non-human relations? After all, present-day use of the concept of injustice is far reaching. It is frequently engaged in reference to more than human interactions—e.g., the rights-based theory of justice for animals, or the topic of climate justice, which brings an ethico-political dimension to the fact of climate change.

The upshot of this idea may seem a little contentious if not altogether controversial—that rendering the taniwha ignorable wrongs not the taniwha but the claimants. After all, Māori orientations depend upon the taniwha's reality, and the suggestion that a different way of engaging with the world matters not to the world itself seems not to take heed of Māori world-orientations. Carl Mika and Georgina Tuari Stewart write,

Māori philosophy suggests that how one represents things has consequences for everything at once. One does not often see such importance attached to the thing-in-itself in Western philosophy, apart from, perhaps, in the thinking of the English and Early German Romantics, who noted that there were ethical ways of conceiving of things. In Māori thought, however, this is precisely what is at stake when one makes proclamations about the world. It is possible that this phenomenon is not unique to the human world, either, with all entities having equal connection to the world at large. It seems that any particular gesture towards the world whether from rock, tree or human—can have profound consequences.¹²⁶

The two are of course connected: Claims on the one hand and claimants on the other. The epistemic and the socio-political go together. But the specific point is in respect to how the concept of hermeneutical injustice attaches to our epistemic and ethical lives.

Imagine a new migrant settler to Aotearoa New Zealand. Her non-recognition and non-comprehension of the taniwha at the time of her arrival is no cause in and of itself for an appeal to injustice. We would not call it an injustice if she did not know about the taniwha or if she could not comprehend its reality. All the while, the taniwha continues to exist independently of her doxastic attitudes, even though its influence in the settler's life is minimal at this stage. But as knowledge of the taniwha on the basis of Māori testimony mingles with the settler's ways of being and relating with others, then questions of justice and injustice are possible to ask.

I argue that the remit of *hermeneutical* injustice does not extend beyond human relations. The reason

¹²⁶ Carl Mika and Georgina Stewart, "Lost in translation: western representations of Māori knowledge," *Open Review of Educational Research* 4, no. 1 (2017): 142.

depends upon our understanding of relations and of those *in* the relations.

Firstly, the scope of hermeneutical injustice is in respect to, on the one hand, interpretation and understanding, and on the other hand, wrongs and harms. There is a difference between interpreting the world and interpreting each other's worlds. Whereas the former might be a central part of the continental philosophical tradition of hermeneutics, the concept of *hermeneutical injustice* has to do with the second.

To repeat an earlier point, hermeneutical injustice attaches to relations between speakers and hearers, claimants or interlocutors—not to claims. As a wrong, it is to people in their capacities as knowers and knowledge holders, including the knowledge of *taniwha*. We may employ scientific means or artistic methods to produce world-understandings, but the question of injustice arises at moments of exchange in social and political situations, within testimonial settings, or as part of systems and structures of communication. Although the contents of the entire world, including animals and the changing climate, may be brought into our epistemic exchanges, the point of hermeneutical injustice is to bring normative claims of rightness to bear on our social relations, on how we are treated as knowers.

Put another way, hermeneutical injustice is not to do with the whether or not of *x*, but when someone or some community articulates the situation of/as *x*. If *x* falls outside the listener's or the listening community's hermeneutical frameworks, then we can say, *x* is not immediately intelligible to the listeners in those discursive relations. When the result is that the speaker and/or the community is unduly discredited and disrespected on account of their expressions of/as *x*, then that speaker and/or the community suffers an hermeneutical injustice, but *x* does not.

For this reason, hermeneutical injustice does not name a brute event—e.g., greenhouse gases surpassing *n*, or *n* number of animals slaughtered needlessly. To be sure, these are grave injustices, but they are not *hermeneutical* in kind. Rather, hermeneutical injustice is a normative ascription that attaches the dimension of interpretation and understanding to the ethical part of our interpersonal lives.

The second reason why our non-human relations fall outside the scope of hermeneutical injustice is based on the idea of reciprocity. This is the suggestion that justice involves a kind of reciprocity. A person, a social group or an institution to whom justice is due must also, in principle, be able to dispense justice to others, by virtue of having the relevant capacity, even if for epistemic reasons—such as suffering from deficient or dysfunctional hermeneutical resources—they cannot do so in practice. That is to say, although our warming world and companion species show conflagrations and suffer ill treatment, they cannot exercise and make intelligible what is owed to them and what is not in the frameworks and on the principles of justice. Rather, we as interpreters and interlocutors fold in entire world-experiences and world-readings to appeal to justice and injustice. In the case of *Te Awa Tupua (Whanganui River Claims Settlement) Act 2017*, for example, human actors must speak on behalf of the voiceless Whanganui River within decision-making: “Te Awa Tupua is to be represented by a two-person committee (Te Kōpuka nā Te Awa Tupua) made up of one person who represents local *iwi* and the other a person nominated by the Crown. The committee is meant to act as

‘the human face of Te Awa Tupua.’¹²⁷

Returning to the case of our imagined settler, hermeneutical injustice arises not when she disbelieves in the taniwha in the first instance, but when there is harm and wrong done to its knowledge holders. This may transpire because the conceptual resources she draws on structures her cognition and communication of the taniwha in a prejudicial way, or because her interpretive practice marginalises the knowledge holders epistemically and socially, with the result that her interlocutor is not really heard, and indeed wronged as a knower.

2.4.2 Social conditions

Would it be fairer to say of our imagined settler that her non-comprehension of Māori testimony was due to the deficient and dysfunctional dominant hermeneutical resource, and we accordingly let her off the hook? Or might we want to assign her the responsibility of conducting rightful interpretation, and thereby allocate blame for anything short of this? And if she falls short of this task, is the settler herself prejudiced? Or is the structuring ideology of settler colonialism to blame for the obstacles and obfuscations against which the migrant settler struggles to make sense of her Indigenous interlocutors? We will tackle the question of blameworthiness in a subsequent section, but let us first make headway on these questions by looking next to a debate in the literature on what part social conditions play in our epistemic practices.

In respect to knowledge claims, matters of injustice arise in instances of sharing and socialisation. There is no question of fairness or rightness when knowledge is ostensibly obtained asocially and kept to oneself—such as when, through introspection, I arrive at the true belief about the state of my mind: I have a headache. But suppose the doctors refuse to make any diagnosis since they believe I am after pain medication for illicit reasons? When knowledge claims mingle with our ways of relating with others, then the question of injustice becomes possible.

Fricke’s theory shows how our epistemic practices have ethical import. However, Laura Beeby worries about Fricke’s way of “putting the ethical and political together with the epistemic.”¹²⁸ The crux of Beeby’s argument is that “background social conditions” should not matter for the concept of hermeneutical injustice. She suggests cleaving the epistemic apart from the social in order to delineate hermeneutical injustice as specifically an epistemic problem. “I suggest we move away from a reliance on background social conditions. Why lean on social conditions like sexism or racism, when the important thing is that individuals in this scenario do not understand their experiences?”¹²⁹ Perhaps the risk Beeby sees in trying to account for social conditions is that it would mean hermeneutical injustice becomes subsumed by or secondary to social injustice. If disadvantages such as sexism and racism take centre-stage, then

¹²⁷ Meg Parsons, Karen Fisher, and Roa Petra Crease, *Decolonising Blue Spaces in the Anthropocene* (London: Palgrave Macmillan, 2021): 258.

¹²⁸ Laura Beeby, “A Critique of Hermeneutical Injustice,” *Proceedings of the Aristotelian Society* 111, no. 3 (2011): 483.

¹²⁹ Beeby, “A Critique of Hermeneutical Injustice,” 485.

hermeneutical injustice will become as if mortgaged to social injustice as whole, and then we become reliant on ethical and moral evaluations, rather than identifying what is required epistemically.

Recalling the case of Carmita Wood's sexual harassment, Beeby suggests that Fricker ought to ascribe hermeneutical injustice equally to Wood and her harasser. Elinor Mason summarises Beeby's argument in this way: "[...] insofar as we are focusing on *epistemic* injustice rather than more general injustice, we should allow that both the victim and the perpetrator are suffering an epistemic injustice."¹³⁰ This is not to excuse the harasser's behaviour, but rather to suggest that both of them are victims of hermeneutical injustice insofar as they could not understand the social experience as wrongful and harmful. In other words, Beeby contends that Wood and her harasser are epistemically on a par with each other, even though they are socially asymmetrical. On Beeby's account, a concept of hermeneutical injustice ought to look for a wrong that does not depend on social conditions, only epistemic. This is Beeby's open-ended suggestion, but what this would look like is not at all clear.

There is something unsatisfying about this conclusion, about putting the victim and the perpetrator epistemically on a par. Beeby's view sidelines the asymmetry between those who are privileged by hermeneutical deficiencies and dysfunctions, and those who are oppressed by them. As Fricker points out, "the harasser's cognitive disablement is not a significant disadvantage to him."¹³¹ The consequent harm and wrong endured by Wood is a crucial way in which the victim and perpetrator are not on a par. Although Wood and her harasser are equally without the concept of sexual harassment, Wood is the one who is communicatively disempowered, and it is Wood who endures sexual harassment as a Black woman living in a racist and sexist society. For this reason, Fricker attends to the social conditions of the 1970s. Her assessment of the context helps her explain how Wood is harmed and wronged by the deficiencies, dysfunctions, and distortions in the dominant hermeneutical resources, whereas her harasser is not.

We have earlier challenged the presumption that the missing concept of sexual harassment in the dominant hermeneutical resource means that somehow "Carmita and her harasser share an equal cognitive handicap."¹³² Let us take seriously the idea from section 2.3.2 "Gaps," that Wood was communicatively disempowered—not that she was ignorant or unknowing of her own experience as wrongful and harmful. Let us further accept that subordinated people sometimes cognise the situation corresponding to truth and reality in ways not possible from a privileged standing. On this view, contrary to what Beeby suggests, Wood and her harasser are both epistemically and socially asymmetrical: Epistemic because Wood was thwarted in her abilities to communicate due to the deficiencies and dysfunctions in the dominant hermeneutical resource, and social because she undergoes sexual harassment. When engaging with Beeby's work with our recast concept of hermeneutical injustice, we find that the attempt to cleave apart the epistemic from the social looks precarious. Our recast concept, which acknowledges preconceptual knowing of a social group, helps us see how inextricably intertwined the epistemic is with the social.

¹³⁰ Elinor Mason, "What is Hermeneutical Injustice and Who Should We Blame?" *Social Epistemology Review and Reply Collective* 10, no. 4 (2021): 17.

¹³¹ Fricker, *Epistemic Injustice*, 151.

¹³² Beeby, "A Critique of Hermeneutical Injustice," 482.

I think Fricker is right to assess social conditions to identify how hermeneutical injustice comes about. “In order to find the deeper source of the intuition that there is an epistemic injustice at stake in the examples from Brownmiller, we should focus on the background social conditions that were conducive to the relevant hermeneutical lacuna.”¹³³ The social context matters to the *injustice* part of hermeneutical injustice. Even as the primary harm the concept attaches to might mean that we are interested in how the victim is wronged as a knower, there are secondary harms, which are arguably more important since it is through them that the victim encounters practical disadvantages such as being unable to report about the sexual harassment, as well as the loss of livelihood. As Elinor Mason observes, “Fricker reserves the notion of injustice for the victim—on Fricker’s view, harm is essential to whether or not there has been an injustice.”¹³⁴ In other words, that Wood suffered hermeneutical injustice means that she correspondingly suffered very real social and material disadvantages, including the loss of her livelihood. In this way, hermeneutical injustice is linked with other forms of injustices, so how can we not take background conditions into account? The persecution of Tom Robinson, for instance, is due to the hate structure of the all-white jury’s whiteness. As Fricker writes, “the psychology is subtle, and there is great complexity of social meanings at work in determining the jury’s perception of Tom Robinson as a speaker.”¹³⁵ Robinson does not sustain epistemic injustice simply on epistemic terms, but structural and systemic disadvantages too. He is sentenced to Enfield Prison Farm in Chester County, where he is shot to death when attempting to escape.

Are there instances in which the social conditions are on a par, but not epistemic? That is, when hermeneutical deficits and dysfunctions do not transpire as an injustice? When someone may even be harmed, but not wronged? Fricker gives the example of a medical condition affecting someone’s behaviour in a time when the condition is misunderstood and remains largely undiagnosed. It helps to show how, “For something to be injustice, it must be harmful but also wrongful [...]”¹³⁶ In respect to a sufferer in such a case, Fricker says, “theirs is a poignant case of circumstantial epistemic bad luck.”¹³⁷ Even as they suffer a hermeneutical disadvantage that is, while collective, especially damaging to them in particular, they are not subject to hermeneutical *injustice*. The medical example helps explain how non-comprehension is not in itself an injustice, and neither is harm in itself. There is something in the combination of wrongs and harms coming together for a situation to count as a hermeneutical injustice.

And so, hermeneutical injustice is not automatically the consequence of deficient and dysfunctional concepts. There are many possible conceptual gaps a person is disadvantaged by in their day-to-day life, but it does not automatically flow into daily injustices. That cognition and communication is constrained is not solved through a kind of epistemology severed from background social conditions, as Beeby would have it. And indeed, sidelining the social character of knowledge would return us to the kind of cul-de-sac of logical positivism, which situated and social philosophies helped to tow the discipline of epistemology out of in the 20th Century.

¹³³ Fricker, *Epistemic Injustice*, 152.

¹³⁴ Mason, “What is Hermeneutical Injustice and Who Should We Blame?” 17.

¹³⁵ Fricker, *Epistemic Injustice*, 23.

¹³⁶ Fricker, *Epistemic Injustice*, 151.

¹³⁷ Fricker, *Epistemic Injustice*, 152.

Social conditions have to be central to the concept of hermeneutical injustice. The proper assessment of power and ethics is necessary. This insistence is based on the intuition of social epistemology, that the fundamental character of knowledge and knowing is social. We are dependent on our social contexts and on others in order to determine both the nature and the extent of knowledge. On the one hand, seen from the point of view of an individual who is enmeshed within a social setting, we ought to look at the many social routes she takes, consciously or not, to belief formation (interactions and institutions), as contrasted with private or asocial routes (perception, introspection, memory, and reason). And on the other hand, seen from the point of view of a social group, we ought to make sense of the distribution of knowledge, or conversely, ignorance, across a social setting or within that group, which aids or hampers sense-making and meaning-sharing. And so, to demand that the social conditions be put aside will deviate us in our aim to provide an account of hermeneutical injustice in the context of settler colonialism. Putting aside social conditions will mean that we obscure how such things as racism and sexism and settler colonialism motivate mal-interpretive practices. In other words, and in contrast to what Beeby suggests, I argue that we need to take more of an account of our social contexts, not less.

However, Beeby's position is useful as a caution not to treat hermeneutical injustice as simply an ethical problem. A strictly socio-political or ethical account of hermeneutical injustice would mean that the epistemic part is not doing much work. Equally, on the other hand, hermeneutical injustice is not simply an epistemic problem. In fact, I doubt that you can have a hermeneutical *injustice* without the notion of social wrongs and harms. I think the idea would be incoherent, since then the *injustice* part would not be doing much work. What is attractive about the concept of hermeneutical injustice is that it is interested in a kind of unjustified wrong and harm that is both epistemic and ethical. Our theory aims at a kind of interactionism between power relations and knowledge. What matters is that someone is wronged specifically in their capacities as a knower, and this is dehumanising. As Elinor Mason observes, "crucial to the asymmetry of the victim and perpetrator is that members of oppressed groups have ignorance imposed on them in a fundamentally disrespectful manner."¹³⁸ Settler-colonial relations of power incentivise settlers to neglect or claim interpretive authority over the experiences of Indigenous peoples. As Mason writes, "hermeneutical marginalization of oppressed groups is dehumanizing. The concepts that they would need to explain their plight are non-coincidentally obscured, because their needs and interests are not taken seriously."¹³⁹ Disrespect and injury to human dignity, which is inextricably tied up with knowing, is the outcome of this kind of hermeneutical injustice, which makes it count as fundamentally an injustice.

2.4.3 Hermeneutical marginalisation

Being at a loss to describe an experience does not in itself result in hermeneutical injustice. Rebecca Mason gives the example of a wealthy CEO of a multinational corporation who finds himself unable to describe "that

¹³⁸ Mason, "What is Hermeneutical Injustice and Who Should We Blame?" 20.

¹³⁹ Mason, "What is Hermeneutical Injustice and Who Should We Blame?" 19.

je ne sais quoi of drinking a particular expensive wine at a lavish dinner.”¹⁴⁰ Even as he is without words to communicate the experience intelligibly to others, he does not suffer a hermeneutical injustice. His inability to express himself does not translate into wrong and harm. Conversely, non-comprehension of another’s experience does not automatically transpire as a hermeneutical injustice. Say that the unfortunate person at the lavish dinner with the CEO cannot make sense of “that *je ne sais quoi*,” there is still no wrong or harm done, either the CEO or herself, even though there may be deficiencies and dysfunctions in the hermeneutical resource.

So what does it mean to count someone or some group as a victim of hermeneutical injustice? The key concept in Fricker’s work that provides an explanation is hermeneutical marginalisation, which is a matter of both epistemic and social disadvantage. Fricker writes, “Let us say that when there is unequal hermeneutical participation with respect to some significant area(s) of social experience, members of the disadvantaged group are hermeneutically marginalized. The notion of marginalization is a moral-political one indicating subordination and exclusion from some practice that would have value for the participant.”¹⁴¹ Recall the case of Carmita Wood, who experienced marginalisation both epistemically and socially. There was no hermeneutical injustice in Wood’s case until she failed to communicate the experience within the dominant sexist and racist frameworks that would undo the grip of the concept of “flirting” or “chasing around the desk.” To be sure, it was not that Wood “failed” to come up with the appropriate concept, but that her perspectives were systematically and structurally marginalised, and made unknown in the discursive environment at the North American university. In the context of asymmetrical relations of power, hermeneutical marginalisation names how Wood was prevented from full participation in developing understandings and meanings of social experience.

There are a number of things that remain to be said about hermeneutical marginalisation. How is marginalisation a form of injustice? To answer this question, I demonstrate marginalisation’s connection with two concepts that it shares a family resemblance with: Powerlessness and erasure. Bringing these two points together, I suggest that hermeneutical marginalisation negatively impacts upon the agency of individuals and social groups.

Firstly, Fricker’s idea of hermeneutical marginalisation is intertwined with the concept of powerlessness. She writes, “Hermeneutical marginalization is always a form of powerlessness, whether structural or one-off.”¹⁴² What does it mean to be powerless? In the socio-political sense, it is when there is an absence of privilege, lack of status, or loss of autonomy that disables people’s sense of progressive development.

There is an epistemic and hermeneutical correlation to this social and political conception of marginalisation as a form of powerlessness. The disempowerment that marginalised people experience in the epistemic and hermeneutical sense is in the context of their capacities for communicating and meaning-sharing. In other words, the victim of hermeneutical injustice is someone or some group who is barred from discursive

¹⁴⁰ Mason, “Hermeneutical Injustice,” 250.

¹⁴¹ Fricker, *Epistemic Injustice*, 153.

¹⁴² Fricker, *Epistemic Injustice*, 153.

participation, and thereby who is denied access or rights to shape the interpretations and understandings at play in the dominant discourse. It goes without saying that the socio-political marginalisation of a person or a group is at the same time the marginalisation of their interpretations and understandings from the dominant frameworks. As Hänel writes, "These sufferings are mostly due to their social position of power and the very structural ways in which their experiences cannot access the dominant hermeneutical resource."¹⁴³ And so, within the settler-colonial context, the hermeneutical marginalisation of Indigenous peoples means that their culturally specific ways of knowing do not find expression within hegemonic socio-political contexts.

I want to clarify a possible ambiguity: Is a group disempowered because their culturally specific resources do not touch upon the dominant discursive contexts, or is it instead because of the deficiencies, dysfunctions, and distortions maintained in the hegemonic hermeneutical resources? In other words, and for the settler-colonial context, is the issue that the Indigenous culture is barred from shaping dominant frameworks, or is Western culture itself problematic?

That Western culture and its epistemologies are deficient, dysfunctional, and distorted is not controversial from the perspective of critical race theory and decolonial theory. This has been powerfully argued by Charles W. Mills in *The Racial Contract* (1997):

[...] *white misunderstanding, misrepresentation, evasion, and self-deception on matters related to race* are among the most pervasive mental phenomena of the past few hundred years, a cognitive and moral economy psychically required for conquest, colonization, and enslavement. And these phenomena are in no way *accidental*, but *prescribed* by the terms of the Racial Contract, which requires a certain schedule of structured blindnesses and opacities in order to establish and maintain the white polity.¹⁴⁴

Mills argues that, in a racialised society, an epistemology of ignorance distorts the powerful groups' understanding of the world, which will in turn be validated by white epistemic authority based upon the maintenance of deficiencies and dysfunctions.

Consider an example across different linguistic groups: A case where two migrant settlers arrive in Aotearoa New Zealand. The first is a white person from Europe with no facility with the English language, whereas the second is a brown or Black English-speaking person, and all else is equal. Even when the European settler struggles with access to institutions due to her limited capacities in the linguistic frameworks of the dominant group, she does suffer structural and systemic prejudice against her racial identity in the context of a racialised, settler-colonial polity that privileges whites. On the other hand, there is a deliberate and perverse minoritisation that occurs against Indigenous, brown and Black people, which results in a kind of disempowerment. For this reason, critical race theorists and decolonial theorists alike have focused on the perversity of white-Western culture insofar as they are predicated on white supremacist and culturally

¹⁴³ Hilke C. Hänel, "Who's to Blame? Hermeneutical Misfire, Forward-Looking Responsibility, and Collective Accountability," *Social Epistemology* 35, no. 2 (2021): 177.

¹⁴⁴ Charles W. Mills, *The Racial Contract* (Ithaca, New York: Cornell University Press, 1997), 19. Italics in the original.

imperialist ideas.

In this way, the two forms of disempowerment come together: Western culture maintains deficiencies, dysfunctions, and distortions in the dominant hermeneutical resources, while simultaneously disallowing Indigenous epistemologies to touch upon the discursive contexts of the dominant. Mills would further emphasise that this is not innocent or accidental; rather, it is deliberately prescribed in order for the powerful to uphold the “racial contract.”

To return to our question of how marginalisation constitutes an injustice, I contend that marginalisation is intrinsically linked, secondly, with erasure. It forms a part of the process that underwrites settler colonialism’s logic of elimination. The connection between marginalisation and erasure is found in the work of Iris Marion Young: “Marginalization is perhaps the most dangerous form of oppression. A whole category of people is expelled from useful participation in social life, then potentially subject to severe material deprivation and even extermination.”¹⁴⁵ Young’s analysis is focused on racialised labour relations in capitalist societies. She links racial oppression with a form of marginalisation that unjustly renders a people without life and livelihood because, in Fricker’s way of putting things, they experience structural identity-prejudice. Within the system of labour markets in an advanced capitalist society like the United States, the marginalisation of Black, Indigenous and Latinx people from employment can result in, as Young puts it, “material deprivation and even extermination.”¹⁴⁶

Young’s material analysis of racialised labour relations is congruent and continuous with hermeneutical marginalisation at the epistemic level. If the dominant hermeneutical resource is centred unfairly against the interests of the subordinated group, then the discursive context across cultures will issue interpretations and understanding that will be structurally biased and prejudicial. “Thus, for instance, sexual harassment as flirting, rape in marriage as non-rape, post-natal depression as hysteria, reluctance to work family-unfriendly hours as unprofessionalism, and so on.”¹⁴⁷ In other words, victims of hermeneutical injustice find the dominant culture’s experiences and interpretations of social life imposed upon them, which wrongs the subordinated groups in their capacities as knowers and knowledge holders. In the settler-colonial context, Annette Sykes describes how the experience is felt for Indigenous people who find themselves hermeneutically marginalised: “When you fail to sustain your beliefs, sovereignty and freedom, you become lost in yourself as you are subsumed by those whose customs and practices you must now serve.”¹⁴⁸

And finally, bringing together the above two points about powerlessness and erasure, we can say that hermeneutical marginalisation thwarts the agential capacities of individuals and social groups. Put differently, hermeneutical marginalisation is a form of communicative disempowerment and the erasure of voice. It removes the agency of individuals and groups from discursive environments. Iris Marion Young writes, “If justice requires that every person have the opportunity to develop and exercise his or her

¹⁴⁵ Young, “Five Faces of Oppression,” 186.

¹⁴⁶ Young, “Five Faces of Oppression,” 186.

¹⁴⁷ Fricker, *Epistemic Injustice*, 155.

¹⁴⁸ Sykes, “The myth of tikanga in the Pākehā law.”

capacities, finally, then marginalization is unjust primarily because it blocks such opportunity to exercise capacities in socially defined and recognized ways.¹⁴⁹ The agential capacities we are particularly interested in are epistemic in kind.

In other words, we are concerned about hermeneutical marginalisation because it negatively impacts upon epistemic agency. The issue of epistemic agency concerns the relationship between socio-political standing and the rights to participate in the processes of cognition and communication. Epistemic agency fundamentally is what affords someone or some group to pursue epistemic and hermeneutical goals of sense-making and meaning-sharing. It is the result of a relational process, and it depends not only on the capacities of actors and agents but also on the structures and cultures they are embedded within.¹⁵⁰

Although we are required to further develop this relational view of epistemic agency, we can nevertheless see in the example of Carmita Wood that agency and discursive power both flow in the direction of the harasser and the insurance office, thereby creating an environment where Wood is disempowered in her cognitive and communicative abilities. And so, we ought to be able to tell the story in the opposite direction: That is, from the point of view of the harasser, or from the point of view of someone at the unemployment insurance office. A story told from their perspective will allow us to take into account their agential capacities. If epistemic agency is the capacity to produce and use knowledge, then the harasser and the insurance officer are situated in an environment that is empowering for them. Obfuscating the part of their agency will keep us in the dark as to how hermeneutical resources actually retain deficiencies and dysfunctions.

Not all groups are marginalised to the same degree or in the same ways. But this analysis is important for the settler-colonial context since it exposes the underlying logic of elimination or erasure that we are concerned by. Specifically, it is the erasure of agency and voice from the practices of communication across cultures. Within the context of settler colonialism, hermeneutical marginalisation concerns the infringements upon the epistemic agency of Indigenous peoples. Hermeneutical marginalisation effectively erases a person or a community's participation from the practices of cognition and communication that structures a society; simultaneously, it erases forms of articulations and ways of knowing that are culturally specific, and oftentimes resistant to dominant frameworks of interpretation and understanding. The key point is that hermeneutical marginalisation affects both Indigenous people and Indigenous epistemologies. It works across the socio-political level, as well as the epistemic. In this way, voices of the margins are systematically and structurally rendered unintelligible and un-credible in the hegemonic contexts of the West.

There need not be conscious settler-colonial tyrants or white supremacists for a group to experience hermeneutical marginalisation, since the processes of marginalisation, disempowerment, and erasure can transpire in the absence of tyranny, as a systemic and structural phenomenon. And yet, for every marginalised group there is a group that is privileged in relation to that group, and whose position forms the

¹⁴⁹ Young, "Five Faces of Oppression," 187.

¹⁵⁰ The interrogation of culture, structure and agency is at the heart of a social change methodology in communication research called the culture-centered approach. See Mohan J. Dutta, *Communicating Social Change: Structure, Culture, and Agency* (New York: Taylor and Francis, 2011)

centrepoint of a hegemonic structure. Against the backdrop of such processes, what is required is the assertion of the rights of Indigenous peoples' full participation in the processes of cognition and communication, even as, and especially because, Indigenous epistemologies form counter-hegemonic and resistant movements.

3. Hermeneutical Injustice in the Settler-Colonial Context

3.1 Introduction

Where does the will to interpret come from—specifically, cross-cultural interpretation with the possibility of making a culture’s beliefs and meanings heard from across or within the other’s frameworks? What doxastic attitudes and cognitive tendencies underwrite interpretation across Indigenous and settler groups? How should interpretation happen in such a way that it does not perpetuate settler colonialism through the logic of elimination of Indigenous difference?

The doxastic attitudes and cognitive tendencies shaping our interpretations and understandings are never neutral. Linguistic forms, conceptual schemes or grids, and other hermeneutical tools we draw on to make sense of things are always informed—unevenly, unequally—by the social context we are enmeshed within, the criss-crossing relations of power, and the experiences, opportunities and wants of individuals and social groups. Interpretation and understanding licence judgements of comparative importance and interest, which give shape to our sociality. And so, from the perspective of settlers committed to the search for justice and the project of decolonisation, I suggest that what we require is a hermeneutics aimed at solidarity.

In the first part of this chapter, I introduce the topic of blameworthiness and responsibility. Insofar as we are acknowledging an injustice, and not simply oversight or something weaker to that effect, we are compelled to figure out the part for which we are responsible. After all, the very idea of injustice is built upon the recognition of a wrong, and apportioning blame to someone or something is a common response to wrongdoing. Drawing on the work of Charles W. Mills, I argue that cross-cultural knowledge practices are socio-politically motivated such that genuine efforts at interpretation and understanding are made by marginally situated people, whereas in the other direction, dominantly situated interlocutors practice what I term *disingenuous interpretive charity*.

In the second part of this chapter, drawing on Hilkje Hänel’s reading of Iris Marion Young’s work, I argue that blame and responsibility should be conceived by settlers as collective, forward-looking, and oriented to solidarity with the hermeneutically marginalised in the settler-colonial context. Discussing the example of *Te Awa Tupua (Whanganui River Claims Settlement) Act 2017*, I propose “unsettling” as a possible method for hermeneutical *justice*: a way to open ourselves to ontologico-epistemic shifts, and clear the space for thinking through what is unthinkable under the logics of settler colonialism.

3.2 The Asymmetry

3.2.1 What or who’s to blame?

If hermeneutical injustice is epistemic and structural in kind, then what part do people play? How is injustice

of this kind perpetuated by agents and actors? Let us set aside the extreme cases of deliberate malicious intent and imagine the case of the migrant whose well-meaning attempts at understanding go wrong.¹⁵¹ It is difficult to pin down whether or not she is at fault for her inabilities at interpretation and understanding. If we share her perspective as someone embedded in the hegemonic frameworks of the West, we might ask: Can we be blamed if our sincere hermeneutical efforts lead us astray or misfire? And besides, why do we need to figure out blameworthiness? Does not blame demotivate our efforts to move out of the fog of wrongdoing?

As Hilke Hänel reminds us, "In mainstream philosophy, moral responsibility and blameworthiness are often coupled. Roughly, we are held morally responsible for our action if we are blameworthy for it."¹⁵² And so, the part of responsibility is important in order to substantiate our intuition that it is not innocent to mishear or play ostrich to the knowledge claims of our Indigenous interlocutors in the settler-colonial context. Yet our goal is not to calculate punishments or inspire self-flagellation. We need to make sense of blameworthiness not for its own sake, but to identify our responsibilities, and thereby locate our individual and collective agencies to overcome hermeneutical injustice, and find fruitful ways to dismantle settler-colonial dynamics.

On Fricker's account of hermeneutical injustice, people cannot be blameworthy. She argues that if there are gaps in a person's repertoire of available theories and concepts, then that person is not in a position to adequately interpret and understand the experience. In the case of Carmita Wood's sexual harassment, the harasser is not epistemically blameworthy on Fricker's account because he was unable to access the concept of sexual harassment. "The suggestion rests on the idea that one cannot be blamed for failing to do something if one was not in a position to access the reason to do it."¹⁵³ Moreover, he is prevented from clearly conceiving of his wrongdoing because of the ideological fog of the racist and sexist society he is embedded within.

To be sure, Fricker is not excusing the harasser for his wrongdoing; instead, she is suggesting that his failure is moral-ethical, not epistemic-hermeneutical. She clarifies that even if we accept that someone is not blameworthy for something, "that is not to say that their life will not be ethically tarnished (in an extreme case someone might be torn apart by what they have done [...])."¹⁵⁴ Insofar as we are focused on the epistemic dimension of the injustice, Fricker's suggestion is that interpreters cannot access what is not there; the hermeneutical deficiencies and distortions do not allow their sense-making and meaning-sharing activities to get off the ground. In this way, for Fricker, hermeneutical injustice is always and strictly structural. What is more, it is impersonal; it involves no culprit. According to Fricker, hermeneutical injustice flows not from any one actor or agent but from asymmetrical relations of power in society. In order to account for hermeneutical injustice as a structural injustice, Fricker removes blame off centre stage, and along with it, the attendant concept of responsibility.

¹⁵¹ New migrants, it is commonly understood, are subject to laws not of their own making and can experience significant racial prejudice in settler-colonial societies. But to the Indigenous, they are also settlers. –Tuck and Yang, "Decolonization is not a Metaphor."

¹⁵² Hänel, "Who's to Blame?" 178.

¹⁵³ Fricker, *Epistemic Injustice*, 101.

¹⁵⁴ Fricker, *Epistemic Injustice*, 101.

In the examples Fricker gives of the protagonist from *A Boy's Own Story* and Wendy Sanford's struggle with postnatal depression, it makes sense that there is no one to blame. But the same cannot be said of the Carmita Wood case. And, as I argue, the same cannot be said of communicative interaction across Indigenous and settler groups. In these instances, the speech and communication of interlocutors perpetuates hermeneutical injustice. I do not find it convincing that we let Wood's harasser totally off the hook on account of a missing concept from the shared pool of hermeneutical resources. This is for the same reason why I find it odd that Laura Beeby places Wood and her harasser on par epistemically. The reason is that we should intuitively like to accord epistemic-hermeneutical as well as moral-ethical responsibility to the harasser. I contend that Fricker is reluctant to find the harasser epistemically culpable because of how she characterises his ignorance.

Let us turn, then, to the topic of ignorance. With the help of Rebecca Mason's analysis, and drawing on Charles W. Mills' discussion of white ignorance, we can see that the concept of hermeneutical injustice is ambiguous with regard to a distinction between two kinds of unknowing: non-culpable hermeneutical injustice, as proposed by Fricker, and epistemically and ethically blameworthy ignorance, captured by Mills' concept of white ignorance.

3.2.2 *Motivated ignorance*

In this section, I turn to Charles W. Mills' epistemology of ignorance in order to argue three interrelated points: Firstly, I argue that we take doxastic attitudes and cognitive tendencies as the background *cognitive* conditions from which hermeneutical injustice emerges. Secondly, I contend that there is a correlating group that is privileged by hermeneutical injustice, and insofar as there is motivated ignorance in the privileged group, there is culpability. This is in contrast to Fricker's suggestion that there are no culprits in cases of hermeneutical injustice. Thirdly, I demonstrate that there is a motivational component to knowledge practices across asymmetrical relations of power, which reinforces hermeneutical injustice. This point is both descriptive and normative. That is to say, the asymmetry is undesirable from a justice perspective. Let us take each point in turn, beginning with a sketch of the concept of white ignorance.

Like hermeneutical injustice, Charles W. Mills' concept of white ignorance is cast from the mould of Marxist standpoint theory. Departing from the veritistic social epistemology of W. V. O. Quine within mainstream white and Western epistemology, Mills names the domination that occurs in a racialised polity, and which is buttressed cognitively—in belief systems, conceptual frameworks, and normative assumptions. With the pernicious spread of misinformation, distribution of error, and structural miscognition within the social practices of society, Mills theorises an epistemology of ignorance—white ignorance—that works to retain white supremacy.

Mills turns to the topic of motivated group interest to examine ways in which race affects cognition. Specifically, he demonstrates a link between miscognition and the self-interest of whites as a social group. Mills writes that “the dynamic role of *white group interests* needs to be recognized and acknowledged as a

central causal factor in generating and sustaining white ignorance."¹⁵⁵ Dominantly situated whites put their own interests over those of others in order to maintain their social position of power as well as their ignorance. Although it might be argued that it is, in fact, in the interest of whites to overcome racial ignorance in order to improve their self-understanding and social knowledge, from the perspective of how asymmetrical relations of power are perpetuated, it is not in their interest insofar as it makes them vulnerable, and undermines their self-declared supremacy. Mills writes, "white ignorance has been able to flourish all of these years because a white epistemology of ignorance has safeguarded it against the dangers of an illuminating blackness or redness, protecting those who for 'racial' reasons have needed not to know."¹⁵⁶ In other words, the maintenance of white ignorance requires the powerful group to inoculate themselves against the experiences of others, particularly racially oppressed peoples.

The self-deception and motivated irrationality on the part of whites is reinforced through the use and misuse of concepts. Mills gives "colour blindness" as a contemporary example of a concept that is crafted by white social miscognition. The concept is anchored in the refusal of whites to "perceive systemic discrimination, the convenient amnesia about the past and its legacy in the present, and the hostility to black testimony on continuing white privilege and the need to eliminate it to achieve racial justice."¹⁵⁷ The vested group interests of whites means that they are disincentivised and discouraged from educating themselves about social reality. Furthermore, and crucially for the topic of hermeneutical injustice, the miscognition of various kinds are reinforced by the maintenance of deficiencies, dysfunctions, and distortions in the dominant hermeneutical resources.

On Fricker's account of hermeneutical injustice, the unknowing that she assigns the sufferers in her paradigm cases is strictly conceptual. That is, Fricker locates the failures at the level of labels and linguistic tools. In the paradigmatic case of a racist cogniser in the United States context, Fricker argues that conceptual resources are available to him to know better than to be racist. However, if he is unwilling to apply them, then he is blameworthy. Charles W. Mills characterises Fricker's position in this way: "[Fricker] is not at all denying that interested group ignorance is an injustice, but insisting that it is not a *hermeneutical* one. Hermeneutical injustices for her are, while structurally unjust, epistemically non-culpable, unlike wrongful epistemic practices like 'wishful thinking, denial, self-interested selectiveness as regards the evidence' etc."¹⁵⁸ In other words, Fricker argues that while it is unjust for whites to cause harm or to wrong people of colour on account of white ignorance, this is not a *hermeneutical* injustice. According to Fricker, the racist cogniser is blameworthy, but not in a hermeneutical way, since the conceptual gaps *have* been sufficiently filled-in and sketched-out in the background social condition.

I concede that what we are dealing with is not ignorance of concepts in the case of a racist cogniser. However, as I have argued in section 2.3.2 "Gaps," it can be problematic to link intelligibility too strictly along the lines of linguistic labels. For this reason, we have to take doxastic attitudes and cognitive tendencies into

¹⁵⁵ Mills, "White Ignorance," 34. Italics in the original.

¹⁵⁶ Mills, "White Ignorance," 35.

¹⁵⁷ Mills, "White Ignorance," 35.

¹⁵⁸ Charles W. Mills, "White Ignorance and Hermeneutical Injustice: A Comment on Medina and Fricker," *Social Epistemology Review and Reply Collective* 3, no. 1 (2013): 40.

account. Hermeneutical injustice is connected with motivated use of dysfunctional concepts, and an incentivised maintenance of deficiencies in the hermeneutical resources. In other words, white ignorance functions in such a way as to reinforce hermeneutical injustice.

In the context of settler colonialism, Mills' work on ignorance helps us identify crucial differences between the kinds of unknowing of settler groups on the one hand, and Indigenous peoples on the other. Settlers, due to motivated ignorance created by their subscription to white and Western hegemonic discourses, are unable to hear and find Māori knowledge intelligible, and perhaps even to recognise it as knowledge, because of distortions and dysfunctions maintained in dominant hermeneutical resources.¹⁵⁹ For this reason, I do not find it convincing that we separate conceptual resources from doxastic attitudes and cognitive tendencies, for the same reasons I do not find Beeby's suggestion convincing that we try to find an exclusively epistemic injustice by setting aside social conditions and concerns.

Whereas in section 2.4.2 "*Social conditions*," I argued that background *social* conditions matter for an account of hermeneutical injustice, the discussion of Mills demonstrates that doxastic attitudes and cognitive tendencies form the background *cognitive* conditions which issue hermeneutical injustice, an injustice that is cognitive and communicative in kind. In suggesting that we take doxastic attitudes and cognitive tendencies as the background *cognitive* conditions from which hermeneutical injustice emerges, we find an overlap with Rebecca Mason's view:

On my view, white ignorance and hermeneutical injustice are distinct because white ignorance *causes* deficits and distortions in the collective hermeneutical resource, whereas hermeneutical injustice is *caused* by deficits and distortions in the collective hermeneutical resource. [...] To put the point another way, white ignorance, willful hermeneutical ignorance, and contributory injustice are done by members of dominant groups. When members of dominant social groups perpetrate white ignorance, willful hermeneutical ignorance, or contributory injustice, they produce and maintain deficits and distortions in the collective hermeneutical resource that give rise to instances of hermeneutical injustice. By contrast, hermeneutical injustice is something that happens to members of oppressed and marginalized social groups because the collective hermeneutical resource is deficient or distorted.¹⁶⁰

Let us turn now to our second point: There is a correlating group that is privileged by hermeneutical injustice. Insofar as the privileged group's ignorance is motivated by self-interest, then there is culpability. In Fricker's use, hermeneutical injustice can only describe a sufferer's experience; it cannot extend outward and be used to point to a correlating oppressor group, or a group who broadly benefits from the maintenance of ignorance. On the one hand, I am in agreement with Fricker that it does not make sense to use the concept of hermeneutical injustice for a cogniser who is in the grip of white ignorance and employs deficient,

¹⁵⁹ A salient example of disrespect to mātauranga Māori on the pretence of defending science was provided by a letter signed by seven University of Auckland academics published in the *New Zealand Listener*, July 23, 2021. Subsequently, an open letter in dissent of their view has been signed by 2,059 people, mostly their academic peers, and among them prominent scientists including Shaun Hendy, Siouxsie Wiles, Tara McAllister, Ocean Ripeka Mercier, Dan Hikuroa et. al.—*An open response to 'In defence of science' New Zealand Listener (July 23)*, website accessed March 14, 2022, <https://docs.google.com/forms/d/e/1FAIpQLSdRwHTSKURHaalXZSNo2oluN90juDxK6UDG4gb6t7NhAPO3Zg/viewform>

¹⁶⁰ Mason, "Hermeneutical Injustice," 255.

dysfunctional and distorted hermeneutical resources, and who actually benefits from the same. (Or at least benefits in the immediate sense, in that it suits their immediate purposes and leaves their conduct unchallenged.) On the other hand, I contend that we can meaningfully use the concept of hermeneutical injustice to point out a correlating oppressor group or individual, and even institutional structures or systemic processes. The cogniser is part of a communicative environment. In the context of a racist polity, whites maintain white ignorance so as to cause hermeneutical injustice that non-whites suffer from.¹⁶¹ When Fricker suggests that ignorance may excuse someone of blame, she has in mind the unknowing only of the sufferer of hermeneutical injustice. What about the ignorance of the correlative group? In the case of Carmita Wood, the harasser and the unemployment benefits processes are responsible for their part in the maintenance of background socio-political and cognitive-communicative conditions that perpetuate hermeneutical injustice.

However, if we permit that hermeneutical injustice concerns not only deficient but also distorted and dysfunctional hermeneutical resources (as argued in section 2.3.2 "*Gaps*"), and if we permit that knowers may be thwarted in their communicative efforts but not always in their ability to cognise the situation as wrongful and harmful (as argued in section 2.3.1 "*Collective*"), then we can argue that hermeneutical injustice can have a correlating oppressor group that perpetuates ignorant, wrongful, and harmful understandings supported by background cognitive tendencies and doxastic attitudes. In our context, the question is whether settlers can overcome the grip of white and Western hegemonic frameworks in order to hear the voices of Indigenous peoples in order to shape interpretations and understandings in a way that draws upon Indigenous knowledge and ways of knowing.

If we can recognise that faulty doxastic attitudes and cognitive tendencies in the background of a society perpetuate causes for hermeneutical injustice, and that instances of mal-interpretation and dis-interpretation arise out of contexts such as those of racist, sexist, or settler-colonial societies, then we should allow hermeneutical injustice as a concept to name instances where the white cogniser in a racist polity or a settler in a settler-colonial society is part of a perpetual system that gives occasion for such an injustice.

Finally, let us turn to our third point: There is asymmetry in our epistemic and hermeneutical practices across Indigenous and settler groups and cultures, which reinforces the effect of hermeneutical injustice. Drawing on Mills' concept of white ignorance, I argue that this form of non-accidental, motivated ignorance underwrites many of the disrespectful attitudes towards Indigenous peoples in the settler-colonial societies. Hermeneutical and epistemic practices are asymmetrically motivated in the settler-colonial context such that Indigenous people will generally have, firstly, a fluency with Western frameworks as compared with settlers who will not in the same way be engaged in Indigenous frameworks, and secondly, veridical perceptions of social reality in contrast to their settler-interlocutors. Let me clear an ambiguity: Am I discussing Indigenous peoples and settler groups' engagement with each others' culturally specific epistemologies, or am I discussing veridical perception of social realities? Insofar as the asymmetry is concerned, it is both.

Take the example of the persistent racist belief that the disproportionate representation of Māori "at every

¹⁶¹ And, let it be said, whites too, although the manner of suffering that results for whites is different.

stage of our criminal justice system, both as offenders and as victims”¹⁶² is caused by a supposed culture of violence among Māori.¹⁶³ Books and films such as Alan Duff’s *Once We Warriors* manifest this stereotype and have been hugely successful both in New Zealand and internationally, perpetuating “a deficit view of Māori.”¹⁶⁴ As recently as 2006, mainstream news media platforms reported that “research” linked a warrior gene with aggressive behaviour in Māori.¹⁶⁵ This is an example of motivated ignorance at play among settlers. It is a type of structural, group-based cognitive dysfunction wherein settlers are unwilling to unmask white settler crime in order to understand the ways in which their society is structured by the oppression of Indigenous peoples for the benefit of settlers. Simultaneously, the injustices experienced by Māori are rendered unintelligible.

From the perspective of marginally situated knowers within the context of settler colonialism, the motivation to engage with dominant frameworks is, among other things, to acquire veridical perceptions on the nature of social reality. Specifically, the incentive is to know the frameworks of the dominant group that contribute to their own marginalisation and injustice—e.g., the notion of land as property for private ownership and natural resource for extraction, which contribute to the ongoing dispossession of Māori land and lives. For this reason, Indigenous peoples do, as a group entity, have veridical perceptions of social reality, including forms of oppression and settler-colonial domination, at the same time as they have fluency with Western concepts.

But the inverse is not always true. Settlers, as a group, are actively disincentivised from interpreting and understanding Indigenous knowledge. Moreover, in Indigenous and settler dialogical interactions, settlers maintain deficiencies, dysfunctions and distortions in dominant hermeneutical resources that render Indigenous peoples’ culturally specific knowledge incomprehensible. It is for this reason that asymmetry is of concern. The asymmetry represents a form of motivated ignorance on the part of settlers that limits or occludes the production and transmission of knowledge by marginally situated groups. As Hänel observes, “Mostly, it is not in the interest of the privileged to understand the suffering of the oppressed in accurate terms. And it is this asymmetry that Fricker focuses on in her theory.”¹⁶⁶ In Fricker’s case study of Carmita Wood’s sexual harassment, it could be argued that it is in the immediate interest of Wood’s harasser to *not* interpret and understand his wrong, while simultaneously casting himself in the best possible light through narratives of good-humoured flirting.

Recalling Mills’ analysis of Black peoples in a racist polity such as the United States, it is my contention that genuine interpretation occurs only in one direction across a stark power dynamic. By virtue of their social position, marginally situated people have to exercise interpretive charity in a way that the powerful do not.

¹⁶² Andrew Little, “Speech to United Nations Human Rights Council for the third Universal Periodic Review.”

¹⁶³ Treaty Resource Centre He Puna Mātauranga o Te Tiriti, “Theme 8 ‘Māori Violence,’” Kupu Taea Media and Te Tiriti Project, Auckland, website, accessed March 8, 2022, <https://trc.org.nz/theme-8-m%C4%81ori-violence>

¹⁶⁴ Alan Duff, *Once Were Warriors* (Auckland: Tandem Press, 1990); Nadine Ann Hura, “The Sunday Essay: Waharoa – an (indigenous) hero’s journey into the world of publishing,” *The Spinoff*, November 7, 2021, <https://thespinoff.co.nz/the-sunday-essay/07-11-2021/the-sunday-essay-waharoa-an-indigenous-heros-journey-into-the-world-of-publishing>

¹⁶⁵ Treaty Resource Centre He Puna Mātauranga o Te Tiriti, “Theme 8 ‘Māori Violence.’”

¹⁶⁶ Hänel, “Who’s to Blame?” 176.

This is W. E. B. Du Bois' point about double-consciousness in the context of racial domination: "It is a peculiar sensation, this double-consciousness, this sense of always looking at one's self through the eyes of others, of measuring one's soul by the tape of a world that looks on in amused contempt and pity."¹⁶⁷ We can draw on this insight for the settler-colonial context to see that Indigenous people have to exercise interpretive charity to make sense of their own experiences in a world that is structured along the lines and logics of the hegemonic West. In other words, there is a greater burden placed upon Māori to construct new realities for their very survival, but the same is not true in the other direction.

In this way, we can see that the exercising of interpretation in a sincere and charitable way is not innocent and accidental, but socially motivated and incentivised. The onus usually falls on colonised peoples to make their claims intelligible to settlers, in languages acceptable to them, rather than the onus falling on settlers to correctly interpret Indigenous interlocutors. When settlers *do* engage in the interpretation of Indigenous knowledges it often follows a pattern that I term "disingenuous interpretive charity."

3.2.3 *Disingenuous interpretive charity*

In the preceding two sections of this chapter, I discussed the asymmetries in hermeneutical practices across Indigenous-settler groups and cultures, and the motivated ignorance maintained by dominantly situated settlers, which means that genuine interpretation and understanding happens mostly in one direction, by Indigenous knowers and knowledge holders.

In this section, I suggest that when hermeneutical practices do happen in the other direction, they often occur disingenuously. I argue that hermeneutical injustice is reinforced by settlers' practice of "disingenuous interpretive charity," which prevents Indigenous knowers and knowledge holders from shaping mainstream understanding while simultaneously assimilating or co-opting Indigenous knowledge into the hegemonic frameworks of the dominant group. Angus Macfarlane and Sonja Macfarlane worry that "marginalisation has a bad habit of sneaking through the back door [...]."¹⁶⁸ This term intends to name the misfiring hermeneutical efforts that end up reproducing the erasure of Indigenous difference that the practices seek to overcome.

I begin by offering three clarifications of what I mean by disingenuous interpretive charity. Then, using an example at the interface of scientific explanation and Indigenous knowledge, I demonstrate its functioning. The consequences of disingenuous interpretive charity are many faulty things, all of which are aimed at the erasure of Indigenous epistemic difference: surface accommodation, tokenism, lip service, appropriation, extraction, co-optation, instrumentalism, assimilationism, chic radicalism, etc. In other words, I argue that the logic of elimination, theorised by Patrick Wolfe as underlying the settler-colonial situation, is exercised at the hermeneutical level through disingenuous interpretive charity.

¹⁶⁷ W. E. B. Du Bois, "The Strivings of the Negro People," *The Atlantic Monthly*, August 1897, retrieved from <https://www.theatlantic.com/magazine/archive/1897/08/strivings-of-the-negro-people/305446/>

¹⁶⁸ Angus Macfarlane and Sonja Macfarlane, "Listen to culture: Māori scholars' plea to researchers," *Journal of the Royal Society of New Zealand* 49, no. S1 (October 2019): 55.

Firstly, to be disingenuous means to be lacking in the basic requirement of trust that is necessary for rightful interpretations and understandings. Whereas the epistemology of trust ordinarily is oriented to the trustworthiness of dominantly placed *speakers*, disingenuous interpretive charity is connected with the idea of the untrustworthiness of dominantly placed *hearers*. The central issue is that settlers are untrustworthy hearers if we are not vulnerable—really and radically vulnerable—in our sense-making, with the possibility of deconstructing our existing frameworks.

Secondly, disingenuous interpretive charity is not the same as dis-interpretation. Dis-interpretation is to narratives what disinformation is to facts. In other words, dis-interpretation is the deliberate misinterpretation of narrative with exploitative and antisocial intentions. The intention to deceive is straightforwardly immoral, even if it is not always easy to pinpoint. But our account of hermeneutical injustice is less concerned by bad faith interpretations, and more concerned by the circulation of systemic and structural mis-interpretations and mal-interpretations. My use of the word *disingenuous* intends to capture non-deliberate practices that perpetuate structural injustices. I prefer it over *insincere* in order to point to the subtler, structural nature of what might be going on that is duplicitous or dishonest. Although it makes little sense to say that a structure is disingenuous or that it has disingenuous intentions, people's disingenuity play into existing asymmetrical relations of power. What is deliberate about disingenuous interpretive charity is not the intention to deceive, but rather the intention to maintain the status quo. After all, the right markers of charitable interpretation may be outwardly present in a disingenuous charitable interpretation, but the understandings that are produced do not intend to destructure the status quo of the hegemonic West.

Thirdly, disingenuity is knowledge-as-regulation: the regulation of beliefs so as to uphold the status quo of Western hegemonic frameworks. Through a number of interpretive tricks and hermeneutical burlesque, Indigenous knowledge claims are folded back into hegemonic settler discourse. In hearing the claims of Indigenous knowers and knowledge holders, the practice of disingenuity finds confirmation of that knowledge claim in the world of already-held beliefs and ontologico-epistemic orientations. In other words, a recourse to Western frameworks is often taken to recognise Indigenous knowledge as knowledge, and a way to "prove" validity. Through the process of disingenuous interpretive charity, although the enquirer arrives at a *sympathetic* understanding of the knowledge claim, it is not a *genuine* understanding because Western hegemonic frameworks prevent Indigenous knowledge from touching upon and shaping common understandings.

In the settler-colonial context of Aotearoa New Zealand, a disingenuous interpretation of *mātauranga Māori* is an instance wherein non-Māori hearers adopt outward markers of understanding, and aim to modify settler practices not for decolonial ends, but to perpetuate existing asymmetrical relations of power.

Imagine a museum director making a last-minute phone call to a respected Māori *kuia* with a petition to open an important event with a *karakia*. There is something disingenuous going on in the director's claim that a

ceremony at formal occasions fulfils an institution's obligations to Te Tiriti o Waitangi.¹⁶⁹ As Ocean Ripeka Mercier writes, "Mātauranga Māori is seen to have economic benefits to the colony and is thus subsumed within current colonial and capitalist practice."¹⁷⁰ It seems to me that if this dial-a-pōwhiri phenomenon is indeed dysfunctional at the socio-political level, then it is because of disingenuity at the hermeneutical and epistemic level. An Indigenous practice is adopted and adhered to, but the gesture fails to reflect an attitude of openness and solidarity with Indigenous peoples and culture.

Disingenuity is important to point out since it plays a key role in how power is maintained and how hegemony plays out in the settler-colonial context. Disingenuous interpretive charity covertly continues the agenda of the status quo, and seeks to adapt mātauranga to the epistemic standards of the Western hegemony. Let us take a subtler example of disingenuous interpretive charity: the uptake of taniwha pūrākau by those not immersed in te ao Māori through recourse to scientific explanation.

At the outset, remembering feminist epistemologies, I want to note the plurality of sciences. And to be sure, my argument is in no way anti-science. After all, understanding non-scientific knowledge does not entail discarding scientific explanations. Rather, what I am referring to is the monopolistic project which mortgages the notion of truth to scientific explanation undergirded by the political economy of global colonial-capitalism. The form of science that claims, as Santos writes, "an absence of prejudice, the prejudice of pretending to have no prejudices."¹⁷¹ Linda Tuhiwai Smith frames such a concern in the seminal work *Decolonizing Methodologies* where she writes of how Western science is deeply implicated in the colonial project, to the detriment of Indigenous peoples and knowledges: "Underpinning all of what is taught at universities is the belief in the concept of science as the all-embracing method for gaining an understanding of the world. [...] New colonies were the laboratories of Western science. Theories generated from the exploration and exploitation of colonies, and of the people who had prior ownership of these lands, formed the totalizing appropriation of the Other."¹⁷² However, there is a counter-hegemonic science grounded in Indigenous epistemologies and concerns that can be found today through the work of Dan Hikuroa, Ranginui Matamua, Ocean Ripeka Mercier, and many others.

My concern with settlers' disingenuous interpretive charity in the adoption of Māori knowledge is the way the process upholds hegemonic settler discourse *in the name of* scientific explanations. A disingenuous uptake of taniwha pūrākau by those not immersed in te ao Māori presumes that the scientist will find confirmation in Indigenous knowledge what is true in the already-held beliefs and methods of Western science; that the knowledge claims in Indigenous narratives may simply be cruder expressions of scientific truths. In other words, from the disingenuous interlocutor's point of view, retellings of taniwha pūrākau can only be

¹⁶⁹ I am borrowing this example from comments made by the Director of Auckland Art Gallery Toi o Tāmaki: "The gallery upholds Te Tiriti through formal occasions – opening mihi at events, pōwhiri to welcome new Māori staff and senior team members, and a staff waiata group."—Ella Stewart and Te Aorewa Rolleston, "Auckland gallery Māori arts curator calls out colonial institutions after resigning," *Radio New Zealand*, January 19, 2021, <https://www.rnz.co.nz/news/national/434775/auckland-gallery-maori-arts-curator-calls-out-colonial-institutions-after-resigning>

¹⁷⁰ Mercier, "What is Decolonisation?" 71.

¹⁷¹ Santos, *Epistemologies of the South*, 158.

¹⁷² Smith, *Decolonizing Methodologies*, 68–69.

recognised as knowledge practices to the extent that they are the mirror image of scientific knowledge.

Why call this disingenuous interpretive charity? It is disingenuous insofar as the *taniwha pūrākau* becomes reframed as knowledge that is knowable from Western epistemologies. It decontextualises Indigenous understandings, and reinscribes Māori knowledge into the hegemonic discourses of the West, inevitably distorting Māori knowledge and wronging Māori specifically in their capacities as knowers and knowledge holders. Carl Mika and Georgina Tuari Stewart are concerned by such recursive readings of Māori knowledge through Western frameworks:

At a broader level, science clearly operates in this colonising way in contact with indigenous knowledge, extracting useful 'facts' from their traditional cultural contexts and meanings. [...] This Translation-entity that is so active in Western thought assumes that ideas that are 'other' to this hardened worldview are imaginary and translucent. It alone has its internal validity –not the Māori world! –and other modes of expression are to be transformed into itself. From a Western perspective, free-floating Māori discourse can only be made solid, and in that act made dense with 'truth' and hence 'true', via that Translator: digested and disgorged in opaque form.¹⁷³

Whatever does not fit a scientific image of truth as valid from the Western hegemonic perspectives is rendered as poetic licence. But there is a different problem with calling such a knowledge *poetry*, too.¹⁷⁴ The recourse to poetry is equally disingenuous, since the framework of poetry disallows Indigenous knowledge to bear on the nature of reality, as in the case of the Sarayaku peoples' testimony to the Inter-American Court. In other words, the recourse to poetry from the point of view of hegemonic discourse discredits Indigenous knowledge by not taking its contents seriously.

Ultimately, the result is a dismissive attitude toward the Indigenous knower and knowledge holder whose voice is rendered poetic and valuable, but not from a veridical perspective. Settler disingenuity is demonstrated by behaviours that are borne out of a subtle sense that *mātauranga Māori* is *not really* true or congruent with reality.¹⁷⁵ It is well documented that, in hegemonic contexts, Indigenous narratives are interpreted as expressions of cultural identity, in contrast with Western narratives, which are taken up as expressions of knowledge claims—e.g., recall the Sarayaku peoples' testimony at the Inter-American Court.

¹⁷³ Mika and Stewart, "Lost in translation," 141.

¹⁷⁴ There is something else to be said about the prejudice internal to Western frameworks that connects poetry with insight but not knowledge. The classifications have already been classified: arts, science, humanities, sport, performance etc., so that when you say something is mythology, art, or poetry, there are value judgements at play. There's prejudice functioning in our white-Western terminologies that other cultures may not hold: Inferential links across concepts, e.g., mythology as non-realist, and therefore, un-true. Or, science as the domain of truth seeking, etc.

¹⁷⁵ The notion of truth has always had a central role in anti-colonial and decolonial struggles. For example, truth was a central topic in the letters shared between Rabindranath Tagore and Mohandas K. Gandhi. They frequently invoked the idea against the backdrop of the 19–20th Century anti-colonial movement against the British Raj in South Asia. Particularly, their appeal was to the notion of being on the side of truth. I think we cannot afford to trivialise the notion of truth by making it extremely relative or discounting its significance, because people's appeal to truth—and conversely, claims to a people as unknowing—has always been a matter of life and death. In the colonial context, the false classifications of certain populations as inferior, according to the category of race developed by the Europeans, meant a direct threat to violence on Black and brown lives that were rendered dispensable. Even outside anti-colonial and decolonial struggles, the contestation around truth is of tremendous consequence, such as the truth of the claim to the efficacy of vaccines for determining a public response to the pandemic, or the truth of climate change. The debate about justice often turns on this issue.

At its core, disingenuous interpretive charity is a form of hermeneutical injustice. Through its process, the wrong and harm is to Indigenous peoples in their capacities as knowers and knowledge holders. Indigenous knowledge is regulated so as to uphold the status quo of the Western epistemic hegemony. Simultaneously, counter-hegemonic possibilities of Indigenous knowledge and ways of knowing are neutered by Western hegemonic scientific explanations that lay claim to know, as if in advance, what Indigenous epistemologies ought to be saying. The asymmetrical relationship between Western and Indigenous knowledge is strengthened when there is nothing risked by and within the hegemonic structures, and aspirations of the Indigenous culture on the basis of their own knowledge and ways of knowing are rendered unpronounceable. Finally, the process of disingenuous interpretive charity functions as a form of erasure through assimilationism Indigenous difference is erased by subsuming epistemological difference into the existing hegemonic frameworks of the dominant.

However, if what allows the outsider to take up taniwha pūrākau seriously is because of the disciplinary power of science, and furthermore, if the knowledge contained in taniwha pūrākau is accessible by science, then what is the need for non-Māori to take up taniwha pūrākau? What would compel a settler if she is able to access insights through scientific methodology? Her indifference to te ao Māori is made possible by the fact of her not needing to see truths in the taniwha pūrākau that she doesn't already have access to through science. The wrong and harm of disingenuous interpretive charity is just such a maintenance of the status quo. And so, the question for me remains: How to take up Indigenous knowledge on its own terms, without disingenuous interpretive charity through recourse to poetry, science, and the like?

What is of concern is the erasure of Indigenous difference by subsuming it under the framework of hegemonic science—including how Indigenous knowledge is oriented to the world and constructs its knowledge as knowledge. Insofar as there is a hermeneutical gap in the dominant discourse, to borrow Fricker's phraseology, it is not a matter of filling it in and sketching it out, but rather to fall through in order to see the epistemic horizons of Indigenous knowers and knowledge holders. Fundamentally, we are dealing with an invitation to see the world differently.

3.3 The Way Forward

3.3.1 Incommensurability

Throughout this thesis, I have alluded to aspects of epistemic and hermeneutical exchanges across Indigenous-settler groups and cultures that need direct addressing. Interpretations and understandings happen across ontological options and epistemic cultures, across divergent interpretive communities which coexist in the single-asymmetrical, contested-social context of settler colonialism. As such, some might contend that this fundamental cleavage means we cannot go far in our discussion of social knowledge. Since forms of human thought and activity that have been socially created and contested in specific

spatio-temporal sites have always diverged in ways as to not always be compatible *across* cultural contexts, it might be objected that *incommensurability* across cultures and worldviews limits efforts at reaching mutual understanding. We might ask: Notwithstanding our interpretive efforts, is reorientation to the other's perspective at all possible? After all, are there not distinct concepts that cannot be translated, one into the other? And, following the Sapir-Whorf hypothesis, if different languages carve up the world differently, and have different inbuilt worldviews shaping our cognition, then how do we entrust ourselves to what we might find incompatible?

Indeed, Indigenous–settler interactions are replete with incommensurables since our settler-colonial situation is not only across cultural groups, but also across conceptual schemes or grids of interpretations and understandings. Recall, for example, the incongruity between the Western idea of land as property for private ownership and as natural resource for extraction, compared with Māori understandings centred on ideas of *whakapapa* and *kaitiakitanga*. Dialogue across *te ao Māori* and the Western worldview frequently turns on this issue. However, I will argue that incommensurability does not nullify the possibility of engaging in constructive and responsible practices of interpretation across the cultural divisions.

Incommensurability is the absence of a common measure. When a set of beliefs are not immediately congruent in the terms of another, then the two frameworks are said to be incommensurable. However, what concerns us is not *moral* incommensurability—for example, weighing up fairness against friendship. Rather, we are interested in epistemic practices across Indigenous–settler groups and cultures. And so, we might also describe this problem as one of translation: the possibility of making one's beliefs and meanings intelligible and heard across or within the other's frameworks. Furthermore, the issue of incommensurability is not only an external one, to do with knowledges across distinct cultures, but it is also internal. In respect to Western cultures, one of the most controversial topics since the 20th Century has been the propping-up of scientific explanation into a hegemonic and monolithic structure that demarcates itself *vis-à-vis* other ways of knowing and relating to the world, which, from its point of view, are deemed irrational, such as the arts, the humanities, and religion.

The first and most important point to make about incommensurability is that, far from making interpretation impossible, its existence is what calls forth efforts of interpretation. Since interpretation is aimed at understanding, it is frequently frustrated by what at first sight appears unintelligible and incompatible across worldviews. And yet, it is exactly this difference that makes hermeneutical activity necessary and central.

I want to outline three distinctions in the way we understand incommensurability across cultures. Firstly, incommensurable does not mean incomprehensible. One of the ways in which hermeneutical marginalisation works is by the dominant group punishing as incomprehensible or unintelligible the knowledge of marginally situated knowers. The result is non-acknowledgement and non-recognition of culturally specific knowledge as *knowledge*. The unequal status of knowledge claims in the settler-colonial context impacts upon how seriously we take them: “Indigenous knowledge as a valid claim of identity versus

scientific knowledge as valid claim of truth."¹⁷⁶ We have seen from the example of Sarayaku peoples' opposition to oil exploration activities that their testimony was treated as an expression of cultural identity by the Inter-American Court, and not as knowledge.

Recounting Donald Davidson, Eli Dresner writes, "In order for a conceptual system to be diagnosed as commensurable with my own, it must be acknowledged as a conceptual system, i.e., it must be acknowledged as interpretable."¹⁷⁷ So the first step requires a background agreement, however tenuous or slight, to the foreground of difference and disagreement. In the case of Indigenous opposition to oil exploration activities, the background agreement or acknowledgement is that when the two parties are discussing the issue of natural resource versus ancestral land, they are doing so pointing roughly in the same direction. It is the acknowledgement of a territory as comprehensible that allows discussion about incommensurability. We may think that it is the big picture stuff that we have to agree on so as to disagree on certain smaller details, or that we have to build the picture in an arborescent manner. But as this example shows us, the opposite can be true. We might agree on the small stuff (such as the boundaries of a territory), but disagree entirely on the bigger picture (such as whether the territory contains resources for extraction or is an ancestor).

Secondly, incommensurable does not mean incomparable. The risk in the suggestion of incomparability is affirming a pernicious kind of relativism based in essentialist characterisations of culture. Although incommensurability across cultures aims to recognise different norms and standards, we should be careful not to characterise it in essentialist terms. That is, we should not prescribe the kind of cultural essentialism that attempts to fix a group along the lines of attributes. Cultures and culturally specific ways of knowing are changeable and adaptable. The point is that different types of knowledge are incompatible and disparate in different ways, but they are comparable. And indeed, comparison is already instituted in the settler-colonial context underwritten by the logic of elimination, which allows the dominant culture to impose on subordinated groups its experiences and interpretations of social life.

Thirdly, the point of incommensurability is not in order to "overcome" it. That is, for the purposes of our account of hermeneutical injustice in the settler-colonial context, cross-cultural or intercultural dialogue is not aimed at agreement but rather at justice and injustice. And in fact, framing incommensurability from the point of view of the dominant group as something to be overcome forms part of the settler-colonial logic of elimination.¹⁷⁸ Against the backdrop of incompatible and disparate views, the point is sense-making and meaning-sharing. To be sure, understanding in and of itself does not lead to justice, because settlers might be able to expertly reconstruct culturally specific world-understandings of Indigenous peoples, but without commitments to redress the dispossession of Indigenous land and lives. In other words, settlers may understand world-orientations of Māori, but without any commitment to deconstructing and restructuring the status quo. What is required of us is to work amongst such incompatibilities with an orientation to

¹⁷⁶ Santos, *Epistemologies of the South*, 212–213.

¹⁷⁷ Eli Dresner, "The Principle of Charity and Intercultural Communication," *International Journal of Communication* 5 (2011): 973.

¹⁷⁸ Tuck and Yang, "Decolonization is Not a Metaphor."

decolonisation as a search for justice.

Ultimately, I contend that it is socio-political concerns that assert the greatest influence in getting our epistemic and hermeneutical practices off the ground in the midst of incommensurables. To illustrate this point, I want to recount the narrative of Thomas S. Kuhn's discovery of incommensurability from the philosophy of science, which is foundational to the concept of incommensurability.

As a graduate student in the 1940s, Kuhn was said to be struggling with what appeared to be nonsense passages in Aristotle's physics. "He could not believe that someone as extraordinary as Aristotle could have written them."¹⁷⁹ Gradually, discerning patterns in the disconcerting passages, sense emerged as if suddenly from a change in the meaning of the central concepts. On a reflective note four decades later, Kuhn writes, "An important clue to problems in reading Aristotle's physics is provided by the discovery that the term translated 'motion' in his text refers not simply to change of position but to all changes characterised by two end points"¹⁸⁰—such as, growth and diminution, alternation, and generation and corruption. To paraphrase Kuhn's central thesis: When radical shifts occur in conceptual meanings after a scientific revolution, the same concepts cannot be expressed intelligibly in the sense of the pre-revolutionary theory.

Here, let us be careful not to adopt the successivist narration of scientific advance for cross-cultural or intercultural dialogue. The very idea of progress distorts cognition. The important point, for our purposes, is in respect to cognitive incompatibilities as they manifest in the structural differences of worldviews.

Reflecting on this story, we might say that Kuhn exercises the principle of charity in his interpretation of Aristotle—i.e., he takes Aristotle seriously, even as his first response is dismissive. Upon realising that his early interpretation of Aristotle was distorted by the tendency to project contemporary meanings into the historical source, Kuhn adjusts his approach to understand Aristotle on his own terms. While the methodology, here, might be noteworthy, I would instead like to draw our attention to something more fundamental that allows Kuhn a shift in perspective. Put another way, what gives Kuhn reason, in this instance, to adopt charity as a cognitive tendency?

The answer to this question is at the centre of the theory of epistemic injustice offered by Fricker: Aristotle is not lacking in credibility. To use Fricker's phrase, he does not suffer an "identity-prejudicial credibility deficit," which in turn allows Aristotle a proper hearing. If his system comes across, at first blush, as unintelligible or incomprehensible, erroneous or superstitious, we are not satisfied to call it a day and leave it at that; instead, we build up our interpretive repertoires to reorient ourselves to Aristotle, to understand him by rethinking the very terms of our reference. This narrative shows that hermeneutical practices, which allow us to work in midst of incommensurabilities, are socio-politically motivated in the first instance.

¹⁷⁹ Eric Oberheim and Paul Hoyningen-Huene, "The Incommensurability of Scientific Theories," *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta (Fall 2018), <https://plato.stanford.edu/archives/fall2018/entries/incommensurability/>

¹⁸⁰ Thomas S. Kuhn, *The Road Since Structure: Philosophical essays, 1970–1993, with an autobiographical interview*, ed. James Conant and John Haugeland (Chicago: University of Chicago Press, 2000), 60.

3.3.2 Forward-looking responsibility

It might be tempting to absolve settlers of responsibility, because we do not know the extent to which we maintain deficiencies, distortions, and dysfunctions in the dominant hermeneutical resources so as to mis-cognise Indigenous knowledge and wrong our interlocutors in their capacities as knowers and knowledge holders. But to jettison blameworthiness and responsibility from the discussion entirely would not be satisfactory from a decolonial perspective because, as we have seen in section 3.2 *The Asymmetry*, there is a sense in which we non-Māori are responsible for our misfiring efforts at interpretation and understanding given a context that is underwritten by the logic of elimination. Yet if hermeneutical injustice is nonetheless structural, how do we hold accountable actors and agents who are located at discursive sites of power? How might settlers, under conditions of ignorance, be responsible for wronging people as knowers and knowledge holders? If the part of blameworthiness has to do with identifying our responsibilities, then what kind of responsibility do settlers have?

It is hard to make headway on settlers' responsibilities in the context of settler colonialism if the discussion is methodologically individualistic. Although we have argued that settlers are morally responsible for acts of hermeneutical injustice, it is not plausible to place the blame on individuals for structural and societal failures. Moreover, that hermeneutical injustice is structural means even genuine attempts by individuals at interpretation and understanding can go wrong, so as to wrong people specifically in their capacities as knowers and knowledge holders. In this section, I borrow Hilkje Hänel's discussion of hermeneutical injustice and blameworthiness in the context of sexual violence and the difficulties of conceptualising experiences of such violence. Following Hänel's reading of Iris Marion Young's work, I argue that blame and responsibility can be conceived collectively, and as "forward-looking" in the settler-colonial context.

Against the backdrop of settler colonialism and its attendant logic of elimination, decolonial theorists Eve Tuck and K. Wayne Yang describe "settler moves to innocence" as a deliberate strategy. The moves are excuses, distractions, and diversions from decolonisation and its demands. Central to such moves are appeals to innocence—or ignorance and unknowing, as we might prefer. This appeal functions "to relieve the settler of feelings of guilt or responsibility without giving up land or power or privilege, without having to change much at all."¹⁸¹

As we have seen, Charles W. Mills' epistemology of ignorance shows that ignorance can be an active social practice, not an excuse. In the settler-colonial context, it is a choice settlers make to take or not take up routes to social knowledge through genuine engagements with Indigenous interlocutors. Cases of ignorance that prevail against the backdrop of settler colonialism are wilful insofar as they are actively maintained and happen in a context where settler groups control the institutional levers of power and retain social positions of privilege marginalising and even excluding Indigenous groups. Holding on to the notion of ignorance in light of communicative interaction across Indigenous and settler groups becomes an active practice that

¹⁸¹ Tuck and Yang, "Decolonization is not a metaphor," 10.

functions to maintain the status quo of settler dominance. Therefore, I argue that we hold settlers as a group responsible for the lacunae maintained in the dominant hermeneutical discourse, since ignorance is insufficient in a context where communicative interaction across settler and Indigenous groups is ongoing and fraught, and even mandated by our founding documents.

But what kind of responsibility should this be? Iris Marion Young, who Hänel draws on, conceptualises the notion of forward-looking responsibility. This is part of her larger theory of political responsibility, which is useful for our discussion because of its attention to actors and agents embedded within social practices, institutional structures, and systemic processes. Hänel writes:

Young argues that we should turn to a concept of shared (future) responsibility. An agent is responsible in this manner “if (a) the agent is causally embedded in processes that produce a problematic result and (b) the agent is in a position to assume ongoing forward-looking responsibility (in cooperation with others) for ameliorating those conditions.” In other words, “to ascribe responsibility to a person is to say that they have a job to do.”¹⁸²

In respect to Young’s first point, settlers are embedded within socio-political and epistemic processes that disempower Indigenous peoples. The emphasis is no longer on blameworthiness for injustices that are structural in kind, but on the causal relationships that link settlers with the perpetual injustices of settler-colonialism. This gives reason for taking up forward-looking responsibility, as Hänel writes, “for ameliorating these problematic conditions.”¹⁸³ Situated as many settlers are at discursive sites of power, their voices count. Their contributions to the dominant hermeneutical resources can inaugurate change in socio-political conditions.

In respect to Young’s second point, the notion of forward-looking responsibility allows settlers sympathetic to the aims and activities of decolonisation to commit ourselves to “bringing about a state of affairs which we as a community take to be desirable.”¹⁸⁴ Forward-looking responsibility is both epistemic and ethical in kind, and is oriented towards redressing the structural injustices of settler colonialism. If the inverse of blame is praise, then praise-worthy hermeneutical practice is one that is oriented to justice, a practice whose character I will discuss in more detail below.

In summary, an individualistic account of blame and responsibility is insufficient. Forward-looking responsibility at the level of a settler community at large highlights that whole societies and their institutional structures and systemic processes are involved in changing background conditions. It becomes the settler *group’s* responsibility to redress wrongs and harms. And in the epistemic and socio-political context, it becomes a matter of inaugurating change in social conditions at the same time as restructuring dominant hermeneutical resources.

¹⁸² Hänel, “Who’s to Blame?” 180; Iris Marion Young, *Responsibility for Justice* (New York: Oxford University Press, 2011), xx.

¹⁸³ Hänel, “Who’s to Blame?” 180.

¹⁸⁴ Marion Smiley, “Future-Looking Collective Responsibility: A Preliminary Analysis,” *Midwest Studies in Philosophy* 38, no. 1 (2014): 1.

3.3.3 Hermeneutical justice as solidarity-oriented

An insight into hermeneutical injustice and settler colonialism is not in itself an insight into hermeneutical justice and decolonisation. So what does overcoming hermeneutical injustice in the settler-colonial context look like? Here, I suggest a path toward justice in our cross-cultural hermeneutical and epistemic dialogical exchanges: not by mortgaging knowledges to colonial terms of reference, which necessarily renders other knowledges primitive or barbaric, but by way of a transgressive epistemic and hermeneutical practice that takes us to a different place, to a different beginning and end. How can we open ourselves up to ontologico-epistemic shifts, and clear the space for thinking through what is unthinkable under the genealogy of modernity and colonialism?

In the previous sections, reflecting on blameworthiness and responsibility, I suggested that responsibility should be thought of as forward-looking in order to respond to a “general problem of benefiting from injustices for which we are not individually culpable.”¹⁸⁵ In order to take up such a forward-looking responsibility for hermeneutical justice, I suggest in this section that we take *solidarity* seriously. We cannot transcend our situatedness, but we can change the direction of attention and interests. Attending to the perspectives of those harmed by hermeneutical injustice allows us to see the need for, and make arguments toward, the dismantling of settler-colonial structures and systems that exclude Indigenous knowers and knowledge holders from shaping common interpretations and understandings. And so, in this final section of my thesis, I propose that hermeneutical justice is solidarity-oriented. Specifically, I discuss the idea of our hermeneutical efforts as settlers aimed at solidarity with Indigenous peoples in dialogical interactions across te ao Māori and the Western worldview.

Solidarity is a distinctively political ideal. “Most simply, it is the attitude that characterises those who are engaged in collective political action.”¹⁸⁶ From the vantage point of collective political action aimed at egalitarian justice, solidarity is understood as a principle whereby the better-off stand with the less well-off.

What does it mean to be better-off in epistemic-hermeneutical contexts? It means to have cognitive-communicative power in discursive interactions across Indigenous-settler groups and cultures. It means to be located centrally as a participant in shared processes of sense-making and meaning-sharing at sites of discourse and dialogue. Conversely, what does it mean to be less well-off? Recall from section 2.4.3 *Hermeneutical marginalisation* that the consequence of hermeneutical injustice in the settler-colonial context is the marginalisation of Indigenous knowers and knowledge holders. To be less well-off means to be oppressed by the settler-colonial logic of elimination, and to be barred from shaping and structuring common understandings. Since it is not viable for settlers to maintain innocence about our causal connection with the hermeneutical marginalisation of Indigenous knowers and knowledge holders, the notion of solidarity gives us a way to respond to the wrongs and harms experienced by Indigenous peoples.

¹⁸⁵ Avery Kolers, “The Priority of Solidarity to Justice,” *Journal of Applied Philosophy* 31, no. 4 (November 2014): 420.

¹⁸⁶ Kolers, “The Priority of Solidarity to Justice,” 425.

At the epistemic-hermeneutical level, the ideal of solidarity connects not with knowledge claims, but with claimants. It requires settlers to follow the lead of marginally situated knowers and knowledge holders, not to make moves based on knowledge claims disconnected from claimants. This means firstly deferring to Indigenous peoples' sense-making and meaning-sharing, which may be incommensurable with the hegemonic frameworks of the West. This willingness to defer to marginally situated knowers is coupled with an awareness that marginally situated knowers will generally have veridical counter-hegemonic ways of knowing and knowledge holding based upon the epistemic privilege of the oppressed.

Secondly, solidarity at the epistemic-hermeneutical level means finding ways to register the knowledge of the hermeneutically marginalised in the hegemonic discourses of the West through collective action. In the example that Fricker provides, Carmita Wood overcomes hermeneutical injustice through solidarity with a women's group who, together, coordinate speak-outs and foster discussion of women's experiences in the workplace. "Members of this group chose to name their shared experience 'sexual harassment', and they used this name in a successful campaign to make sexual harassment illegal."¹⁸⁷

From the standpoint of settlers, solidarity means to take seriously the knowledge of Indigenous groups and cultures on the terms of Indigenous peoples. The plea for settlers to take knowledge claims seriously and "listen to culture"¹⁸⁸ is frequently posited as what is required of dominantly situated interlocutors in discursive interactions across asymmetrical relations of power. But what does the cognitive and communicative labour that comes afterwards look like; how can it align our convictions and connect with the search for justice?

This question opens out to a work that is worthy of separate and fuller attention, which is outside the scope of this thesis. However, insofar as I am attempting to articulate hermeneutical justice as solidarity-oriented, I want to suggest the notion of *unsettling* as a principle. Specifically, it is the unsettling of settler interpretations and understandings, which maintain deficiencies, dysfunctions, and distortions, preventing Indigenous knowers and knowledge holders from shaping common understandings. The notion of unsettling looks at Western frameworks and asks what we require of them on the basis of Māori testimony and the frameworks of He Whakaputanga of 1835 and Te Tiriti o Waitangi of 1840.

The unsettling of hegemonic frameworks is by nature an epistemically and hermeneutically transgressive practice. Only by taking seriously what our Indigenous interlocutors mean, on their own terms, can we inaugurate epistemic shifts and clear the space for thinking through what is unthinkable under the settler-colonial logic of elimination. The principle of unsettling allows us the kind of method we need for a critical view of our own hermeneutical resources. Such a principle calls our hegemonic interpretations and understandings into question, with the aim of deconstructing and restructuring our frameworks, be they epistemic or socio-political. Justice-oriented hermeneutics unsettles hegemonic frameworks in order to

¹⁸⁷ Beeby, "A Critique of Hermeneutical Injustice," 480.

¹⁸⁸ Macfarlane and Macfarlane, "Listen to culture."

reorient ourselves to non-dominant ways of knowing.

In other words, for dominantly situated knowers, I argue that justice-based interpretation is necessarily counter-hegemonic. Interpretation aimed at solidarity ought inevitably to lead to our own unsettling, including in the sense of making settlers uneasy and uncomfortable all the while deconstructing and restructuring our systems for the possibility of justice. Otherwise, interpretation is simply assimilatory politics that serves a regulatory function to maintain the status quo. Otherwise, interpretation enacts the logic of erasure, which consolidates and strengthens settler colonialism as a perpetual system.

As I have tried to show throughout this thesis, the epistemic-hermeneutical and the socio-political are intertwined in complicated ways. Therefore, the unsettling of hegemonic cultural frameworks ought to go hand-in-hand with the unsettling of the asymmetrical relations of power across Indigenous–settler groups. However, settlers cannot seek to incorporate Indigenous knowledges with the aim of reshaping common understandings while denying Indigenous knowers and knowledge holders the power to control *how* that occurs. The power to define, develop, and even decide the uptake of Indigenous knowledge in mainstream contexts must reside with Indigenous peoples. Otherwise, the uptake of Indigenous knowledge without Indigenous peoples can easily become a case of disingenuous interpretive charity that seeks to co-opt Indigenous groups and cultures in order to uphold the status quo. The example of a 2017 governmental Act demonstrates the type of unsettling practices at the interface of Indigenous–settler groups and cultures I have in mind .

In 2017, the *Te Awa Tupua (Whanganui River Claims Settlement) Act* was passed as part of a Treaty settlement process. The Act records, among other things, acknowledgements and an apology given by the Crown to Whanganui Iwi, and records the historical claims of Whanganui Iwi as those claims relate to the Whanganui River.¹⁸⁹ The resulting Indigenous–settler co-governance arrangement is on the basis of Whanganui River being declared to be a legal person, having “all the rights, power, duties, and liabilities of a legal person.”¹⁹⁰ The iwi who whakapapa to the Whanganui River recognise the Act as a means to reconcile te ao Māori conceptualisations of the river as ancestor with Western common law.¹⁹¹

The important point of connection for our account of hermeneutical *justice* is that the Act gives an example of how hegemonic frameworks become unsettled through the intervention of Indigenous knowledge. What was hitherto a natural resource for management in dominant settler-colonial frameworks is deconstructed so as to place Māori ways of knowing, being, and interacting with more-than-human entities as common understanding. The river adopts agency–agency that it always already had, according to Māori knowledge—and is given equal status to human and corporate persons. This registers a counter-hegemonic potential in the context of colonial-capitalist resource extraction practices. In other words, the decolonial potential of an example such as *Te Awa Tupua* is “the disruption and destabilisation of the privileging of

¹⁸⁹ *Te Awa Tupua (Whanganui River Claims Settlement) Act 2017*, Part 1, 3.

<https://www.legislation.govt.nz/act/public/2017/0007/latest/whole.html>

¹⁹⁰ *Te Awa Tupua (Whanganui River Claims Settlement) Act 2017*, Part 2, 14(1).

¹⁹¹ Meg Parsons, Karen Fisher, and Roa Petra Crease, *Decolonising Blue Spaces in the Anthropocene*, 258.

Western ontologies and epistemologies and allowing space for different ways of thinking and being.”¹⁹²

However, *Te Awa Tupua* is by no means a perfect example. After all, it is a hybrid that incorporates tikanga and the common law in a less-than-ideal way. Māori lawyer Annette Sykes writes, “The vision for a decolonised Aotearoa in Matike Mai is not about a hybridised justice system, where the question is whether Māori values will be recognised within a colonial paradigm. It is about having a tikanga system of justice based on our values that work for our people.”¹⁹³ In the case of *Te Awa Tupua*, the Crown takes the agenda-setting role, defining the parameters of the Treaty settlement process and mediates Māori environmental governance. As environmental scholars Meg Parsons, Karen Fisher, and Roa Petra Crease note, it is “the settler State who determines how Māori tikanga, knowledge, and relationships with their rohe are defined and recognised.”¹⁹⁴

The Crown also retains the greater share in how hermeneutical resources are used, and the operative meanings of concepts in a given situation. This leaves open the possibility that Māori concepts may be emptied of their epistemological context, or else reinterpreted according to the interests and capacities of those working in predominantly Western institutions.¹⁹⁵ Without Māori interlocutors present to uphold, shape, and be accountable for the use of Indigenous concepts in Western legal or other such contexts, there is a risk of erasing what is incommensurable in mātauranga Māori, and undermining the integrity of Māori systems of knowledge and governance. Although non-Indigenous decision-makers in Western institutions might be encouraged to grow their understandings of concepts like kaitiakitanga, there is a danger of hermeneutical misuse if little consideration is given to the embodied expressions of such concepts in contexts such as Māori law, waiata, pūrākau, tikanga ā-iwi and other cultural practices. This interpretive risk is summed up by Parsons, Fisher, and Crease as a situation “whereby strangers to the reconciliation process interpret the meanings of terms, settlements, and statutes differently from those people who originally agreed to them.”¹⁹⁶ In other words, there is great potential for Māori political interests to be misrepresented.

In summary, the incorporation of tikanga Māori in common law is disingenuous if it does not attend to the needs of Māori. For our part as settlers, our willingness to unsettle hegemonic frameworks of interpretation and understanding must be in order to attend to the needs of the hermeneutically marginalised. Unsettling is a necessary part of the search for justice. What future configurations will look like, we cannot know or predict, but a powerful path for decolonisation at the socio-political level is provided by Matike Mai. What might epistemic and hermeneutical justice look like in the context of this work of decolonisation and constitutional transformation? That is the path ahead.

¹⁹² Meg Parsons, Karen Fisher, and Roa Petra Crease, *Decolonising Blue Spaces in the Anthropocene*, 261.

¹⁹³ Sykes, “The myth of tikanga in the Pākehā law.”

¹⁹⁴ Meg Parsons, Karen Fisher, and Roa Petra Crease, *Decolonising Blue Spaces in the Anthropocene*, 263.

¹⁹⁵ Alison Jones, “When Pākehā acquire te reo,” *E-Tangata*, July 11, 2021,

<https://e-tangata.co.nz/reo/alison-jones-when-pakeha-acquire-te-reo/>

¹⁹⁶ Meg Parsons, Karen Fisher, and Roa Petra Crease, *Decolonising Blue Spaces in the Anthropocene*, 263.

Conclusion

Although my thesis has been written from within the discipline of Western philosophy, the discipline's own decolonising is a necessary and integral part of the overall project. To echo Charles W. Mills from *The Racial Contract*, Western philosophy as a discipline is still coming to terms with broader debates over canon reform and representation, and not just for the sake of multiculturalism or diversity, but in order to remedy itself from the wilful ignorance that keeps philosophy conceptually and demographically one of the whitest disciplines.

For oppressed and marginalised peoples, decolonisation is among the most significant and urgent struggles of today, and this includes how we do philosophy—what experiences and expressions we include in its remit. As Georgina Tuari Stewart writes, “The history of lack of Māori participation in institutional philosophy in Aotearoa New Zealand is not coincidental: the discourse of philosophy that underpins the entire (Western) academy has defined itself by excluding such forms of non-Western knowledge.”¹⁹⁷ Although this thesis has not been about the decolonisation or the de-superiorisation of Western philosophy, the demands of decolonisation—especially as provided us by Te Tiriti o Waitangi’s “principles of partnership and equal treatment and the duty of active protection”¹⁹⁸—have nevertheless motivated my research questions.

Framed with an eye to the aims and activities of decolonisation, I have attempted in this thesis to show how epistemic goals and hermeneutical practices are not incidental, but intrinsic to political struggles. Focusing on the epistemic dimension of Indigenous–settler relations, I have discussed the asymmetrical practices of interpretation and understanding across these groups, and specifically across te ao Māori and the Western worldview.

Taking Miranda Fricker’s theory of epistemic injustice as a point of departure, I have argued that Indigenous peoples are wronged specifically in their capacities as knowers and knowledge holders in the context of settler colonialism. More precisely, I have aimed to demonstrate how hermeneutical injustice occurs due to deficiencies, dysfunctions, and distortions maintained in the dominant hermeneutical resources, which settlers in turn impose onto Indigenous peoples while simultaneously marginalising them from shaping dominant interpretations and understandings in a way that draws upon Indigenous knowledge and ways of knowing.

Drawing on the work of Charles W. Mills, I have further demonstrated that cross-cultural knowledge practices are socio-politically motivated such that the marginally situated make genuine efforts at interpretation and understanding, whereas dominantly situated interlocutors practice what I have termed “disingenuous interpretive charity.” In other words, I hope to have shown how the logic of elimination, theorised by Patrick Wolfe as underlying settler colonialism, is exercised at a hermeneutical level.

Reflecting on questions of blameworthiness and responsibility, I have suggested that settlers’ individual and

¹⁹⁷ Stewart, *Māori Philosophy*, 10.

¹⁹⁸ Waitangi Tribunal Te Rōpū Whakamana i te Tiriti o Waitangi, *The Ngātiwai Mandate Inquiry Report: WAI 2561*.

collective responsibility for hermeneutical *justice* should be conceived as forward-looking and solidarity-oriented. Solidarity at the epistemic-hermeneutical level means finding ways to register the knowledge of the hermeneutically marginalised in dominant communicative contexts through collective action. Insofar as there are hermeneutical deficiencies in the dominant discourse, I have suggested that it is not a matter of filling them in and sketching them out, but rather to fall through them in order to see the epistemic horizons of Indigenous knowers and knowledge holders. Fundamentally, in communicative interactions across cultures, we are dealing with an invitation to see the world differently.

Discussing the example of *Te Awa Tupua (Whanganui River Claims Settlement) Act 2017*, I have proposed “unsettling” as a possible method for a hermeneutical justice oriented to solidarity. The notion of unsettling aims at Western frameworks and asks what we require of them on the basis of Māori testimony and the frameworks of He Whakaputanga and Te Tiriti o Waitangi. This way forward, I have suggested, allows us to open ourselves to ontologico-epistemic shifts, and clear the space for thinking through what is unthinkable under the logics of settler colonialism.

Works Cited

- An open response to 'In defence of science' New Zealand Listener (July 23)*, website accessed March 14, 2022,
<https://docs.google.com/forms/d/e/1FAIpQLSdRwHTSKURHaalXZSNo2oluN9OjuDxK6UDG4gb6t7NhAPO3Zg/viewform>
- Anderson, Elizabeth S. "What is the Point of Equality?" *Ethics* 109, no. 2 (January 1999): 287–337.
- Beeby, Laura. "A Critique of Hermeneutical Injustice." *Proceedings of the Aristotelian Society* 111, no. 3 (2011): 479–486.
- Bell, Avril. "Recognition or Ethics? De/centering and the legacy of settler-colonialism." *Cultural Studies* 22, no. 6 (November 2008): 850–869.
- Bhargava, Rajeev. "Overcoming the Epistemic Injustice of Colonialism." *Global Policy* 4, no. 4 (2013): 413–417.
- Brownmiller, Susan. *In Our Time: Memoir of a Revolution*. New York: Dial Press, 1999.
- Césaire, Aimé. "Discourse on Colonialism." Translated by Joan Pinkham. *Monthly Review Press: New York and London*, 1972 [1955], 8.
- Corbett, Jan. "Fire and Loathing in Howick." *Metro* 317, December 2007, 53–59.
- Dresner, Eli. "The Principle of Charity and Intercultural Communication." *International Journal of Communication* 5 (2011): 969–982.
- Dreyfus, Hubert and Charles Taylor. *Retrieving Realism*. Cambridge, Massachusetts: Harvard University Press, 2015.
- Du Bois, W. E. B. "The Strivings of the Negro People." *The Atlantic Monthly*, August 1897. Retrieved from <https://www.theatlantic.com/magazine/archive/1897/08/strivings-of-the-negro-people/305446/>
- Duara, Presenjit, ed. *Decolonization: Perspectives from Now and Then*. London: Routledge, 2004.
- Duff, Alan. *Once Were Warriors*. Auckland: Tandem Press, 1990.
- Durie, Mason. *Whaiora: Māori Health Development*. Auckland: Oxford University Press, 1994.
- Dutta, Mohan J. *Communicating Social Change: Structure, Culture, and Agency*. New York: Taylor and Francis, 2011.
- Dutta, Mohan J., Pooja Jayan, Christine Elers, Md Mahbubur Rahman, Francine Whittfield, Phoebe Elers, Selina Metuamate, et. al. *Community-led culture-centered prevention of family violence and sexual violence*. Palmerston North: Center for Culture-Centered Approach to Research and Evaluation (CARE), Massey University, 2021.
- Fanon, Frantz. *Black Skin, White Masks*. New York: Grove Press, 2008 [1952].
- Fraser, Rachel. "Narrative testimony." *Philosophical Studies* 178 (April 2021): 4025–4052.
- Fricke, Miranda. *Epistemic Injustice: Power & the Ethics of Knowing*. New York: Oxford University Press, 2007.
- Frye, Marilyn. *The Politics of Reality: Essays in feminist theory*. Freedom, California: The Crossing Press, 1983.
- Gelfert, Axel. "Testimony." *Encyclopaedia of Philosophy*. Taylor and Francis, 2018.
<https://www.rep.routledge.com/articles/thematic/testimony/v-2>.
- George, Theodore. "Hermeneutics." *The Stanford Encyclopedia of Philosophy*, edited by Edward N. Zalta (Winter 2021). <https://plato.stanford.edu/entries/hermeneutics/>

- Grasswick, Heidi. "Feminist Standpoint Epistemology." *The Stanford Encyclopedia of Philosophy*, edited by Edward N. Zalta (Fall 2018).
<https://plato.stanford.edu/archives/fall2018/entries/feminist-social-epistemology/>
- Hänel, Hilke C. "Who's to Blame? Hermeneutical Misfire, Forward-Looking Responsibility, and Collective Accountability." *Social Epistemology* 35, no. 2 (2021): 173–184.
- Hartsock, Nancy. *The Feminist Standpoint Revisted and Other Essays*. Boulder, Colorado: Westview Press, 1998.
- Hura, Nadine Anne. "The Sunday Essay: Waharoa – an (indigenous) hero's journey into the world of publishing." *The Spinoff*, November 7, 2021.
<https://thespinoff.co.nz/the-sunday-essay/07-11-2021/the-sunday-essay-waharoa-an-indigenous-hero-s-journey-into-the-world-of-publishing>
- Husband, Dale. "Veronica Tawhai: Building hope that there can be change." *E-Tangata*, October 7, 2017.
<https://e-tangata.co.nz/korero/veronica-tawhai-building-hope-that-there-can-be-change/>
- Jackson, Moana. "Where to Next? Decolonisation and the Stories in the Land." *Imagining Decolonisation*, 133–155. Wellington: Bridget Williams Books, 2020.
- Johnsen, Meriana. "Supreme Court hears why appeal of deceased sex offender Peter Ellis should go ahead." *Radio New Zealand*, June 25, 2020.
<https://www.rnz.co.nz/news/national/419833/supreme-court-hears-why-appeal-of-deceased-sex-offender-peter-ellis-should-go-ahead>
- Jones, Alison. "When Pākeha acquire te reo." *E-Tangata*, July 11, 2021.
<https://e-tangata.co.nz/reo/alison-jones-when-pakeha-acquire-te-reo/>
- Jones, Alison and Te Kawehau Hoskins. "Māori and Pākehā in conversation about relationships." *St Paul St Curatorial Symposium 2019: It's as if we were made for each other*. Lecture at the Auckland University of Technology, Auckland, October 4, 2019.
- Kennedy, Dane. *Decolonization: A Very Short Introduction*. New York: Oxford University Press, 2016.
- Kingsbury, Justine. "Taniwha Ontology." May 20, 2021. University of Waikato. Video file, 51:33.
<https://waikato.au.panopto.com/Panopto/Pages/Viewer.aspx?id=28462ae3-ffb9-4386-97a7-abc10165e5c6>
- Kolers, Avery. "The Priority of Solidarity to Justice." *Journal of Applied Philosophy* 31, no. 4 (November 2014): 420–433.
- Kuhn, Thomas S. *The Road Since Structure: Philosophical essays, 1970–1993, with an autobiographical interview*, edited by James Conant and John Haugeland. Chicago: University of Chicago Press, 2000.
- Lee, Harper. *To Kill a Mockingbird*. New York: Harper Perennial Modern Classics, 2006 [1960].
- Lenard, Patti Tamara. "Culture." *The Stanford Encyclopedia of Philosophy*, edited by Edward N. Zalta (Winter 2020). <https://plato.stanford.edu/entries/culture/>
- Little, Andrew. "Speech to United Nations Human Rights Council for the third Universal Periodic Review." Speech delivered at the United Nations, Geneva, January 21, 2019, 9am local time.
<https://www.beehive.govt.nz/speech/andrew-little-speech-united-nations-human-rights-council-third-universal-periodic-review>
- Locke, John. *An Essay Concerning Human Understanding*, edited by Roger Woolhouse. London: Penguin

- Books, 1997 [1690].
- Lugones, María. "Heterosexualism and the Colonial/Modern Gender System." *Hypatia* 22, no. 1 (2007): 186–219.
- Lugones, María. "Toward a Decolonial Feminism." *Hypatia* 25, no. 4 (2010): 742–759.
- Macfarlane, Angus and Sonja Macfarlane. "Listen to culture: Māori scholars' plea to researchers." *Journal of the Royal Society of New Zealand* 49, no. S1 (October 2019): 48–57.
- Maldonado-Torres, Nelson. "On the Coloniality of Being: Contributions to the Development of a Concept." *Cultural Studies* 21, nos. 2–3 (2007): 240–270.
- Mason, Elinor. "What is Hermeneutical Injustice and Who Should We Blame?" *Social Epistemology Review and Reply Collective* 10, no. 4 (2021): 17–22.
- Mason, Rebecca. "Two Kinds of Unknowing." *Hypatia* 26, no. 2, (Spring 2011): 294–307.
- Mason, Rebecca. "Hermeneutical Injustice." *The Routledge Handbook of Social and Political Philosophy of Language*, edited by Justin Khoo and Rachel Sterken, 247–258. New York: Routledge, 2021.
- Matike Mai Aotearoa. *He Whakaaro Here Whakaumu Mō Aotearoa: The Report of Matike Mai Aotearoa – The Independent Working Group on Constitutional Transformation* [New Zealand, 2016].
<http://www.converge.org.nz/pma/MatikeMaiAotearoaReport.pdf>
- McEwan, Ian. *Enduring Love*. London: Jonathan Cape, 1997.
- Mclachlan, Leigh-Marama. "Māori disappointed ancestral land up for tender for oil and gas drilling in Taranaki." *Radio New Zealand*, May 5, 2019.
<https://www.rnz.co.nz/news/te-manu-korihi/388521/maori-disappointed-ancestral-land-up-for-tender-for-oil-and-gas-drilling-in-taranaki>
- Medina, José. "The Relevance of Credibility Excess in a Proportional View of Epistemic Injustice: Differential Epistemic Authority and the Social Imaginary." *Social Epistemology* 25, no. 1 (January 2011): 15–35.
- Medina, José. "Hermeneutical Injustice and Polyphonic Contextualism: Social Silences and Shared Hermeneutical Responsibilities." *Social Epistemology* 26, no. 2 (April 2012): 201–220.
- Mercier, Ocean Ripeka. "What is Decolonisation?" *Imagining Decolonisation*, 40–82. Wellington: Bridget Williams Books, 2020.
- Mignolo, Walter D. *The Darker Side of Western Modernity: Global Futures, Decolonial Options* (Durham, North Carolina: Duke University Press, 2011).
- Mika, Carl and Georgina Stewart. "Lost in translation: western representations of Māori knowledge." *Open Review of Educational Research* 4, no. 1 (2017): 134–146.
- Mills, Charles W. *The Racial Contract*. Ithaca, New York: Cornell University Press, 1997.
- Mills, Charles W. "White Ignorance." *Race and Epistemologies of Ignorance*, edited by Shannon Sullivan and Nancy Tuana, 11–38. Albany, New York: State University of New York Press, 2007.
- Mills, Charles W. "Race and Liberalism." *Conceptions of Race in Philosophy, Literature and Art*. Lecture at the University of King's College, Halifax, September 16, 2010.
- Mills, Charles W. "White Ignorance and Hermeneutical Injustice: A Comment on Medina and Fricker." *Social Epistemology Review and Reply Collective* 3, no. 1 (2013): 38–43.
- Ministry of Justice, *He Hīnātore ki te Ao Māori A Glimpse into the Māori World: Māori Perspectives on Justice*. 2001.

- Ngata, Tina. "What's Required From Tangata Tiriti." Website, accessed March 3, 2022.
<https://tinangata.com/2020/12/20/whats-required-from-tangata-tiriti/>
- Oberheim, Eric and Paul Hoyningen-Huene. "The Incommensurability of Scientific Theories." *The Stanford Encyclopedia of Philosophy*, edited by Edward N. Zalta (Fall 2018).
<https://plato.stanford.edu/archives/fall2018/entries/incommensurability/>
- Palmer, Geoffrey. *A Constitution for Aotearoa New Zealand*. Wellington: Victoria University Press, 2016.
- Parsons, Meg, Karen Fisher, and Roa Petra Crease. *Decolonising Blue Spaces in the Anthropocene*. London: Palgrave Macmillan, 2021.
- Pohlhaus Jr., Gaile. "Relational Knowing and Epistemic Injustice: Toward a Theory of 'Willful Hermeneutical Ignorance.'" *Hypatia* 27, no. 4 (Fall 2012): 715–735.
- Quijano, Aníbal. "Coloniality and Modernity/Rationality," *Cultural Studies* 21, nos. 2–3 (2007): 168–178.
- Radio New Zealand. "Death, mana and Peter Ellis: lawyer Natalie Coates." Saturday Morning. September 19, 2020. Audio file, 25:12.
<https://www.rnz.co.nz/national/programmes/saturday/audio/2018764725/death-mana-and-peter-ellis-lawyer-natalie-coates>
- Rothermund, Dietmar. *The Routledge Companion to Decolonization*. London: Routledge, 2006.
- Santos, Boaventura de Sousa. *Epistemologies of the South: Justice against Epistemicide*. London: Routledge, 2016 [2014].
- Shepard, Todd. *Voices of Decolonization: A Brief History with Documents*. Boston: Bedford/St. Martin's, 2015.
- Simon, Judith A. "Anthropology, 'Native Schooling' and Maori: The Politics of 'Cultural Adaptation' Policies." *Oceania* 69, no. 1 (1998): 61–78.
- Smiley, Marion. "Future-Looking Collective Responsibility: A Preliminary Analysis." *Midwest Studies in Philosophy* 38, no. 1 (2014): 1–11.
- Smith, Linda Tuhiwai. *Decolonizing Methodologies: Research and Indigenous Peoples*. Dunedin: Otago University Press, 2012 [1999].
- Stewart, Ella and Te Aorewa Rolleston. "Auckland gallery Māori arts curator calls out colonial institutions after resigning." *Radio New Zealand*, January 19, 2021.
<https://www.rnz.co.nz/news/national/434775/auckland-gallery-maori-arts-curator-calls-out-colonial-institutions-after-resigning>
- Stewart, Georgina Tuari. *Māori Philosophy: Indigenous Thinking from Aotearoa*. London: Bloomsbury Academic, 2021.
- Sykes, Annette. "The myth of tikanga in the Pākehā law." *E-Tangata*, February 7, 2021.
<https://e-tangata.co.nz/comment-and-analysis/the-myth-of-tikanga-in-the-pakeha-law/>
- Townsend, Dina Lupin and Leo Townsend. "Epistemic Injustice and Indigenous Peoples in the Inter-American Human Rights System." *Social Epistemology* 35, no. 2 (November 2020): 147–159.
- Treaty Resource Centre He Puna Mātauranga o Te Tiriti. "Theme 8 'Māori Violence.'" Kupu Taea Media and Te Tiriti Project, Auckland. Website, accessed March 8, 2022.
<https://trc.org.nz/theme-8-m%C4%81ori-violence>
- Te Awa Tupua (Whanganui River Claims Settlement) Act 2017*.
<https://www.legislation.govt.nz/act/public/2017/0007/latest/whole.html>

- Tuck, Eve and K. Wayne Yang. "Decolonization is Not a Metaphor." *Decolonization: Indigeneity, Education & Society* 1, no. 1 (2012): 1–40.
- Waitangi Tribunal Te Rōpū Whakamana i te Tiriti o Waitangi. *The Ngātiwai Mandate Inquiry Report: WAI 2561*. Lower Hutt, Legislation Direct, 2017.
<https://waitangitribunal.govt.nz/publications-and-resources/waitangi-tribunal-reports/ngatiwai-manda-te-inquiry/chapter-3/#H2561.3.3>
- Walker, Ranginui. *Ka Whawhai Tonu Matou: Struggle Without End*. Auckland: Penguin Books, 2004 [1990].
- Walker, Ranginui. "Reclaiming Māori Education." *Decolonisation in Aotearoa: Education, Research and Practice*, edited by Jessica Hutchings and Jenny Lee, 19–38. Wellington: NZCER Press, 2016.
- Whaipooti, Julia and Dale Husband. "Julia Whaipooti: Māorifying prisons isn't the solution to too many Māori in prison." E-Tangata, April 15, 2018.
<https://e-tangata.co.nz/korero/maorifying-prisons-isnt-the-solution-to-too-many-maori-in-prison/>
- White, Edmund. *A Boy's Own Story*. London: Picador, 1994.
- Wolfe, Patrick. *Settler Colonialism and the Transformation of Anthropology: The Politics and Poetics of an Ethnographic Event*. London: Cassell, 1999.
- Wolfe, Patrick. "Settler colonialism and the elimination of the native." *Journal of Genocide Research* 8, no. 4 (2006): 387–409.
- Young, Iris Marion. "Five Faces of Oppression." *Rethinking Power*, edited by Thomas E. Wartenberg, 174–195. New York: State University of New York Press, 1992.
- Young, Iris Marion. *Responsibility for Justice*. New York: Oxford University Press, 2011.