

Justice and Doxastic Handicaps

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ABSTRACT *It is tempting to suppose that the reason why the world remains profoundly unjust is that not enough of us hold the correct beliefs about the demands of justice and/or are motivated to bring it about. As Allen Buchanan shows, however, this is to miss a crucially important part of the picture: agents' mistaken beliefs about what it takes to achieve justice can seriously hamper prospects for such achievements. In this article, I expand on Buchanan's taxonomy of mistaken beliefs about what it takes to achieve justice, and I bring his account (so expanded) to bear on the notion of epistemic justice.*

1. Introduction

Suppose that some agent – call her Ann – endorses a particular view about justice (\mathcal{J}): a just world, Ann holds, is one in which principles P s obtain. So stated, Ann's view is purely theoretical. She can consistently hold \mathcal{J} and be indifferent as to the prospects for its realization. But one would be hard pressed to say that Ann is *committed* to \mathcal{J} . For a commitment to justice is more than a set of beliefs about what justice requires: it includes a motivation to do one's share to bring it about.

It is tempting to suppose that the reason why the world remains profoundly unjust is that not enough of us hold the correct beliefs about the demands of justice and/or are motivated to bring it about. As Allen Buchanan shows, however, this is to miss a crucially important part of the picture. For 'when people have either falsely optimistic or falsely pessimistic beliefs about the achievement of justice, they may acquiesce in and even actively contribute to injustices even if they have a firm grasp of correct principles of justice and a robust commitment to their realization'.¹ As he also shows, this key insight gives us a better understanding of the role which ideologies play in supporting unjust social orders. They do so not merely (as we know from Marxism) in so far as they mask injustices but also when they incorporate such false beliefs.

In this article, I focus on falsely pessimistic and falsely optimistic beliefs about justice – what I shall call doxastic handicaps. I agree with much of what Buchanan says. Accordingly, rather than finding holes in his account, I aim to develop it along two dimensions. Section 2 sketches out and expands on his taxonomy of beliefs about justice. Section 3 argues that doxastic handicaps can stymie one form of epistemic justice, to wit, the fulfillment of our epistemic duties as instrumentally necessary for the realization of justice *simpliciter*. Section 4 argues that doxastic handicaps stymie another form of epistemic justice, to wit, testimonial and hermeneutic justice. Section 5 concludes.

2. Expanding the Taxonomy

Return to Ann who, let us suppose, correctly believes that a just society is one in which individuals are not discriminated against on grounds of ethnicity and gender. Let us also suppose that she is robustly motivated to do her share in achieving justice so construed. She is neither normatively mistaken nor motivationally deficient. However (Buchanan persuasively argues), if she is factually mistaken in specific ways about achieving justice, she will not succeed in helping to bring it about.²

Suppose, first, that she is unduly optimistic about the progress which her society has made so far towards achieving racial and gender justice. For example, she has no direct experience of being discriminated against on either ground, does not have clear evidence of others being discriminated against in this way, and is not really aware of how persistent and pervasive race- and gender-based structural injustice is. As far as she can tell, her society is by and large a just one along those dimensions, and other goals should therefore be given priority. Given that she is mistaken about how much progress has been made so far, and so long as many of her fellow citizens have the same beliefs, racial and gender injustice persists.

Suppose, second, that she is unduly pessimistic about prospects for bringing about racial and gender justice. For example, she mistakenly believes that the overwhelming majority of her fellow citizens are not properly motivated to achieve racial and gender justice, that there are powerful political and economic forces at play which have a vested interest in preserving existing social hierarchies, and so on. She – and her similarly committed and pessimistic fellow citizens – give up, at the cost of justice.

As Buchanan's examples suggest, our mistaken beliefs about achieving justice can be evaluated alongside two dimensions: their *valence* (falsely pessimistic vs. falsely optimistic) and their *temporal direction* (what has been done so far vs. what can be done next.)³ Unduly pessimistic and unduly optimistic beliefs about achieving justice are doxastic handicaps. The term is of my coinage, but it echoes Buchanan's wonderfully apt description of ideologies as 'doxastic immune systems'. (Compare: I correctly judge that I have good reasons to go running and I am properly motivated to do so, but I have a busted knee. My busted knee is a handicap which stands in the way of my going running.)

There are other doxastic handicaps, such as (*inter alia*) the implicit biases which get in the way of our successfully bringing about justice notwithstanding our commitment to it. Indeed, the persistence of implicit inegalitarian biases, including amongst ostensible egalitarians, is one of the most depressing findings of the relevant literature.⁴

That aside, Buchanan's concern is with false optimism and false pessimism. Yet there are only two of a possible four handicaps along the dimensions of valence and temporality, to wit, backward-looking false optimism and forward-looking false pessimism. Yet, backward-looking false pessimism and forward-looking false optimism can also get in the way of achieving justice. Suppose that Ann falsely believes that hardly anything has been achieved in the realm of racial and gender justice. She dismisses civil and reproductive rights gains as inconsequential or attributes such gains solely to cynical and self-interested concessions on the part of the White and male establishment to ethnic minorities and women. Or (if the example seems too far-fetched) suppose that, although she is deeply and correctly committed to the view that justice requires the eradication of global poverty, she falsely underestimates the gains achieved so far. There are two ways in which her backward-looking false pessimism might get in the way of the realization of

justice. First, it is likely to foster and deepen her similarly false *forward-looking* pessimism, with aforementioned consequences. Second, her belief in serious lack of progress to date in a given domain of justice – say, economic justice – might lead her to neglect other justice-related goals – for example, environmental justice. Even if she is correct that under conditions of scarcity and/or of motivational failures, justice all-things-considered demands a trade-off – T – between economic justice and environmental justice, her falsely pessimistic belief about the facts of the case will lead her to promote a different and in fact unjust trade-off – T^* – thereby contributing to an all-things-considered unjust state of affairs.

With a more complete taxonomy of doxastic handicaps in hand, I now turn to the ways in which those handicaps get in the way, not merely of achieving the various forms of justice mentioned so far, but also of achieving epistemic justice.

3. Epistemic Goods

We are under epistemic duties to find out the facts which are relevant to implementing nonepistemic justice. For example, we are under a duty to find out how scarce resources are; whether other agents are robustly committed to cooperating with us; whether the institutions through which we implement our justice-related goals are effective; and so on. It is in the light of our beliefs about those facts that we will form beliefs about how hard or easy it is to achieve those goals and about how much or how little progress has been made so far. Willful ignorance and willful refusal to change our beliefs in the light of countervailing evidence are derelictions of duties. As Buchanan notes, however, there are limits to our ability to discharge those duties. First, as epistemic agents, we are biased in favor of endorsing beliefs which conform to our existing beliefs. Second, empirical inquiry is costly: it demands time and cognitive resources. Unless we have some evidence (what he calls ‘irritants’) to suggest that our beliefs are false or that we ought to question the testimony of those who are widely regarded by our shared epistemic norms as credible authorities, we cannot be expected to engage in such inquiry. By implication, however, we sometimes are under a duty to do so.

Buchanan argues that most people who are constrained by doxastic handicaps – in particular those who are prone to false backward-looking optimism – are not derelict in their epistemic duties: it would be excessively costly for many of them to embark on the kind of corrective empirical inquiry which would lead them to change their beliefs. On this count, I am less generous than he is. Setting that aside, I broadly agree with his brief account of epistemic responsibility, if not with his application thereof to the case of racial and gender justice. I would also say, more strongly, that the aforementioned epistemic duties are aptly construed as duties *of justice*. If implementing a principle of justice P requires that certain facts obtain and if I cannot implement P unless I know whether those facts do obtain, my failure to acquire that knowledge is a failure at the bar of justice.

There are complicated questions here about the relationship between normative principles in general and principles of justice in particular, and facts in general and facts about feasibility in particular. I cannot address these questions here. It is worth noting however that in the article under discussion, Buchanan seems to endorse the meta-theoretical view that whether P counts as a principle of justice (or, put differently, is a requirement of justice) is independent of whether P is feasible. For if P were fact dependent in that sense, Ann could not at the same time be described as committed to *correct* principle P and as

falsely pessimistic about prospects for achieving *P*. To say that Ann is falsely pessimistic about the feasibility-facts of the matter is to say that the facts are such that *P* is feasible, and thus to imply (on the fact-dependence view of the relationship between justice and feasibility-facts) that *P* is a requirement of justice. If so, however, then Ann cannot be described as endorsing the correct principle.

I mention this for two reasons. First, to highlight some important connections between Buchanan's article and a lively debate in recent normative political theory about the relationship between facts and principles.⁵ Second, to draw attention to the fact that doxastic handicaps present an even more formidable challenge to justice than they appear in Buchanan's article, in the light of his view (to be found elsewhere) on the relationship between obligations of justice and institutions. For on his view, obligations of justice have to be made determinate by and through institutional mechanisms. For example, we are in a position to say, absent and prior relevant institutions, that there is an obligation of justice to ensure fair access, worldwide, to COVID-19 vaccines. But what this implies for specific actors (citizens, governments, or as the case may be pharmaceutical companies) cannot be settled in the abstract. It has to be ascertained via institutions which can set up effective collaborative and deliberative processes involving relevant actors. It is only if those institutions so determine that we can say, for example, that pharmaceutical companies are under an obligation of justice not to make bilateral sales contracts with some countries to the exclusion of others, to contribute to vaccine-sharing international mechanisms, to cap prices, and so on. The determination of our obligations of justice is fact dependent in this sense. Accordingly, if Ann entertains false beliefs about the relevant facts, and is correspondingly falsely pessimistic or optimistic about prospects for achieving justice in respect of vaccine allocation, she is *ipso facto* holding mistaken normative beliefs about justice itself.

If this is correct (and there are good reasons to believe that it is), doxastic handicaps get in the way of achieving justice not only because they make it hard for us to determine whether this is a feasible task, but also because they block us from developing the correct account of our specific obligations of justice in the first instance. Put differently, those handicaps are not merely factual handicaps: they are normative handicaps as well.⁶

Suppose that this is not correct – that all our obligations of justice, however determinate, are fact independent. In the remainder of this section, with that assumption in hand, I scrutinize the interaction between doxastic handicaps and epistemic justice.

To be committed to nonepistemic justice such as racial justice or justice in health, I argued above, is to be committed to fulfilling the relevant epistemic duties. Fulfilling those epistemic duties, in turn, requires that one have access to epistemic goods, such as education, an open and free press, testimonial evidence as to progress made so far towards realizing those nonepistemic justice goals and providing epistemic goods, and so on. It is easy to see how doxastic handicaps can get in the way of realizing epistemic justice so construed. Suppose that Ann is robustly committed to epistemic justice. She believes that she is under epistemic duties to acquire the correct factual beliefs not just about what it takes to achieve (e.g.) a just vaccine distribution and racial justice but also about what it takes to achieve epistemic justice itself. She is also appropriately motivated to fulfill her epistemic duties. However, she believes, backward looking, that much progress has already been made towards achieving epistemic justice – justice as access to epistemic goods. For example, she believes that reforms to the education system to date have rendered the latter up to the task of ensuring such access. She also believes, forward looking,

that Internet and social media giants will take adequate steps so as to considerably reduce the spread of fake news and racial hatred. Let us suppose that her beliefs are false and that she is not alone in entertaining them. She and her fellow unduly optimistic citizens will do less, as a result, to achieve epistemic justice so construed. False optimism, whichever its temporal direction, stymies the realization of epistemic justice and, thereby, of racial and health justice. The same goes with false pessimism.

4. Testimonial and Hermeneutic Justice

In the preceding section, I have construed epistemic justice as access to epistemic goods. But as Miranda Fricker argues in her seminal work *Epistemic Injustice*, there is another form of epistemic justice, to wit, justice in the way agents are treated as both 'knowers' and producers of social meanings.⁷ To treat someone unjustly as a knower is to commit testimonial injustice. The wrong is particularly severe when it can be traced to relationships of domination. Paradigmatic and all too frequent cases are when someone's views are discounted on the grounds that she belongs to an ethnic minority or is a woman. To treat someone unjustly as a producer of social meanings is to commit hermeneutical injustice. This occurs when a society's interpretive resources are structured in such a way that some agent cannot begin to make sense of a significant dimension of her personal and social life and is harmed as a result. The paradigmatic case – in Fricker's works – is that of women who suffered from what we now call sexual harassment but which, until the term and its negative valence entered public discourse, was described as harmless flirting.

It is impossible in the scope of this short article to do justice to the richness and subtlety of Fricker's account and to the literature it has since generated. While there are reasons to disagree with some of her arguments (notably with respect to her account of hermeneutical injustice), her central claims are beyond doubt.⁸ It is beyond doubt that some of the mistakes we make, when discounting others' testimonies or overlooking alternative interpretations of social phenomena to the ones we hold (thus entrenching ourselves in our conformity biases), are not honest mistakes. They are wrongs committed to agents *qua* epistemic agents. In some cases, those wrongs are not merely parasitic on nonepistemic injustice as suffered by the epistemic agent herself: they compound it – as when the testimony of a woman about the wrongful treatment to which she is subject *qua* woman is discounted because of her gender. But even in cases in which the wrong does not compound a wrong already done to that agent, she is wronged in her capacity as a knower.⁹ Put more abstractly, she is denied the respect owed to moral and rational agents *qua* members of and participants in a shared communicative and epistemic enterprise. Not only is she wronged intrinsically *qua* such agent: she may well suffer further epistemic harms as a result, as when repeated denials of respect lead her to lose confidence in her intellectual abilities and, in turn, to silence herself when it would be in her interest, at the bar of justice, to speak up.

Testimonial and hermeneutical injustice in general and credibility deficits suffered by otherwise already dominated epistemic agents in particular require that we all strive to develop the epistemic virtues of humility and open-mindedness in our ordinary lives; they also require structural remedies in the form of the aforementioned epistemic goods such as a decent education system, a free and fair press, etc.¹⁰ To realize epistemic justice so construed, it is not enough that we should be robustly committed to it. We must also form correct factual beliefs as to what has been done to date and what can be done in the future.

Suppose that Ann and her fellow privileged citizens falsely believe that enough progress has been done with respect to racial justice that the testimonies of African-American males are not discounted in the criminal justice system. Or suppose that they optimistically but falsely believe that, thanks to self-regulation by social media companies, from now on the spread of fake racist news will be sufficiently stymied as to eradicate or at least significantly erode the bases for race-based testimonial injustice. In both cases, however robustly committed they are to realizing both nonepistemic and epistemic justice, their false beliefs will get in the way of doing so.

Let me end with a final general remark. If my arguments in this section – indeed this article – are correct, they straightforwardly lead to the conclusion that, likewise, awareness of doxastic handicaps (be they those described here or other doxastic handicaps such as implicit biases) and commitment to overcoming them are not enough: for we also need not to be hampered, in those efforts, *by those handicaps themselves*. Thus, being aware that we are likely to be implicitly biased (about gender, race, etc.) is one thing. Not being unduly pessimistic or optimistic about our ability to overcome such biases is another thing altogether. And, of course, being aware that we are unduly pessimistic or optimistic about *any* of this is one thing: if we are unduly pessimistic or optimistic about our ability to overcome those very same doxastic dispositions, prospects for justice will be very dim indeed.

5. Conclusion

Buchanan is right to alert us to the fact that a robust commitment to justice is not enough to achieve the latter, even if substantial numbers of us are so committed. The beliefs we form as to progress to date and what remains to be done are crucial. In this article, I have argued that the worry is not just that we may, indeed often do, form falsely optimistic beliefs with respect to the past and falsely pessimistic beliefs with respect to the future: it is also that we may and often do form falsely optimistic beliefs with respect to the future and falsely pessimistic beliefs with respect to the past. Furthermore, we must also remain alert to the fact that false beliefs of those kinds hamper, not only the realization of what we naturally think of as justice (racial justice, gender justice, justice in health, in immigration, etc.) but also of a less familiar form of justice, to wit, epistemic justice both as access to epistemic goods and as treatment of other agents as epistemic agents.

I see no reason why Buchanan would disagree with any of this – on the contrary. The upshot of my argument is this. Injustice in all of those forms is rife. False backward-looking and forward-looking beliefs as to the facts which are relevant to bringing about a just world and to overcoming doxastic handicaps themselves present formidable obstacles. Then again, perhaps I am, in so saying, unduly pessimistic myself – though, I hope, not culpably so.

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NOTES

- 1 Allen Buchanan, 'When knowing what is just and being committed to achieving it is not enough', *Journal of Applied Philosophy* 38,5 (2021): 725–735.
- 2 One may wonder whether it is even possible to have the correct understanding of what justice requires. For the sake of argument, I will follow Buchanan in granting that it is possible.
- 3 In Buchanan's article, the terms 'pessimism' and 'optimism' do not refer to the agent's psychological dispositions but, rather, to the truth-value of her beliefs: if she falsely believes that things are worse than they in fact are, she is unduly pessimistic; if she falsely believes that things are better than they in fact are, she is falsely optimistic.
- 4 For a recent and comprehensive overview, see M. Brownstein & J. Saul (eds), *Implicit Bias in Philosophy. Vol. 1: Metaphysics and Epistemology* (Oxford: Oxford University Press, 2016); M. Brownstein & J. Saul (eds), *Implicit Bias in Philosophy. Vol. 2: Moral Responsibility, Structural Injustice, and Ethics* (Oxford: Oxford University Press, 2016). It might be objected that individuals who profess egalitarian commitments and yet who are biased in this way are not in fact true egalitarians – that is, they do not have a secure grasp of what justice requires (assuming it requires equality) and a robust commitment to it. Again, for the sake of argument, I will accept that they are.
- 5 For a seminal discussion of the relationship between facts and principles, see G.A. Cohen, 'Facts and principles', *Philosophy & Public Affairs* 31,3 (2003): 211–245. For illuminating discussions of the relationship between justice and considerations of feasibility, see e.g. A. Gheaus, 'The feasibility constraint on the concept of justice', *The Philosophical Quarterly* 63,252 (2013): 445–464; H. Lawford-Smith, 'Understanding political feasibility', *Journal of Political Philosophy* 21,3 (2013): 243–259; P. Gilabert & H. Lawford-Smith, 'Political feasibility: A conceptual exploration', *Political Studies* 60,4 (2012): 809–825.
- 6 The relationship between normative commitments and institutions is a recurrent theme in Buchanan's work. See, for example, A.E. Buchanan, *Human Rights, Legitimacy and the Use of Force* (Oxford: Oxford University Press, 2010); A.E. Buchanan, *Institutionalizing the Just War* (Oxford: Oxford University Press, 2017). The COVID example is inspired by conversations he and I have had in the context of two papers we are cowriting, with other philosophers, on vaccine nationalism on the one hand, and the obligations of pharmaceutical companies during the present pandemic on the other hand.
- 7 M. Fricker, *Epistemic Injustice: Power and the Ethics of Knowing* (Oxford: Oxford University Press, 2007). Fricker reserves the term 'epistemic (in)justice' for testimonial (in)justice and hermeneutical (in)justice. Her work is so influential that this conception of epistemic justice has become dominant in the literature. However, I see no reason not to use it to denote wrongful deprivation of epistemic goods, as I did in sect. 3.
- 8 For a recent state-of-the art volume, see J. Kidd, J. Medina & G. Pohlhaus (eds), *The Routledge Handbook of Epistemic Injustice* (London: Routledge, 2017). For a good critique of Fricker's account of hermeneutical injustice, see R. Mason, 'Two kinds of unknowing', *Hypathia* 26,2 (2011): 294–307.
- 9 Consider: two politicians make a public statement about what there is still to do to achieve justice in health. The society in which they operate is dominated by a largely privately educated elite. Both politicians are generally inarticulate when they speak in public. One politician has been educated in the state sector and is a woman. The other is a privately educated man. In her case, her inarticulacy is heard as lack of competence, and her pronouncement is discounted accordingly. In his case, it is heard as charmingly bumbling, and his pronouncement is treated with the same degree of seriousness as if he had been articulate. She is wronged as an epistemic agent, but not in a way that compounds the injustice of which she talks about.
- 10 See e.g. E. Anderson, 'Epistemic justice as a virtue of social institutions', *Social Epistemology* 26,2 (2012): 163–173.