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Arlene Lo

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ARTICLE



# Hermeneutical Injustice and Child Victims of Abuse

Arlene Lo \*

Independent scholar, London, United Kingdom of Great Britain and Northern Ireland

## ABSTRACT

This article analyses how child victims of abuse may be subjected to hermeneutical injustice. I start by explaining how child victims are hermeneutically marginalised by adults' social and epistemic authority, and the stigma around child abuse. In understanding their abuse, I highlight two epistemic obstacles child victims may face: (i) lack of access to concepts of child abuse, thereby causing victims not to know what abuse is; and (ii) myths of child abuse causing misunderstandings of abuse. When these epistemic obstacles cause the child victims to fail to see themselves as being abused and/or to get adults to recognise that they are being abused, I argue that this constitutes hermeneutical injustice. While some may justify obstructing epistemic access to concepts of abuse on the grounds of parental rights and protection of children's innocence, I reply that both grounds are unjust in light of children's basic rights and the fact that children can easily be taught such concepts in a child-appropriate manner. The case of child abuse prompts important reflections on existing epistemic injustice literature, particularly on the ways in which hermeneutical injustice materialises, the epistemic responsibilities of institutional bodies and individuals, and the interrelationship between testimonial and hermeneutical injustice.

## KEYWORDS

Hermeneutical injustice; epistemic injustice; child abuse; philosophy of childhood

As children are positioned as dependants in most societies, our social institutions are designed in such a way that child abuse victims are dependent on sympathetic adults to intervene and protect them. Such an arrangement turns the attainment of justice for child abuse victims into a series of weighty epistemic processes: the child needs to *know* they have been abused and *confer this knowledge* on an adult. The adult listener needs to *believe* the child and respond appropriately to the child's report.<sup>1</sup>

When child victims systematically fail to receive help due to the failure to communicate their abuse to adults, I propose that we should investigate this injustice from an epistemic perspective. In her book *Epistemic Injustice: Power and the Ethics of Knowing*, Fricker (2007) introduces two variants of epistemic injustice – testimonial injustice, in which one is wronged in their capacity as 'a giver of knowledge', and hermeneutical injustice, in which one is wronged in their capacity as 'a subject of social understanding' (7). Existing literature primarily focuses on testimonial injustice against children, specifically that adult listeners perceive children's testimony as not credible by virtue of the speaker being a child.<sup>2</sup> This article focuses on the other variant, hermeneutical injustice – the injustice that child victims may sometimes fail to see themselves as being abused.

To investigate this phenomenon, I look at Fricker's theory of hermeneutical injustice as well as some critical developments on her work in [section 1](#). In [section 2](#), I argue that child victims of abuse

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**CONTACT** Arlene Lo  [arlene.lny@gmail.com](mailto:arlene.lny@gmail.com)  Independent scholar, London, United Kingdom of Great Britain and Northern Ireland

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are hermeneutically marginalised. In [section 3](#), I argue that child victims face two epistemic obstacles in understanding their abuse: lack of access to conceptual resources, and societal myths of child abuse. In [section 4](#), I show that these epistemic obstacles may lead to instances of hermeneutical injustice. In [section 5](#), I address the objection that the obstruction of epistemic access is a just exercise of parental rights to protect children's innocence. [Section 6](#) assesses the harms of this hermeneutical injustice. [Section 7](#) delineates the implications of the case of child abuse for the epistemic injustice literature.

## 1. Introduction

Fricker (2007) defines hermeneutical injustice as 'the injustice of having some significant area of one's social experience obscured from collective understanding owing to hermeneutical marginalisation' (158). Her notion of hermeneutical marginalisation is a 'moral-political one indicating subordination and exclusion from some practice that would have value for the participant' (Fricker 2007, 153). Fricker offers Carmita Wood's experience of sexual harassment as an illustrative example: due to systematic sexism, women were hermeneutically marginalised. This led to a conceptual gap in hermeneutical resources on 'sexual harassment' in the 1970s. As there was no such concept, Wood could not understand her experience of sexual harassment on those terms to protest her workplace maltreatment (Fricker 2007).

Medina (2012), however, objects to Fricker's contention that the socially marginalised are *always* lacking self-understanding. Instead, Medina introduces the concept of hermeneutical dissent: the phenomenon in which marginalised groups have produced their own interpretative tools for making experiences intelligible to themselves, despite remaining systematically misunderstood by dominant groups. He offers the example of white ignorance – Black communities have developed alternative hermeneutical resources to understand racial exclusion, but white communities fail or even wilfully refuse to understand this due to their privileged societal positions. Although the entire society is communicatively handicapped by the hermeneutical lacunae, cognitive disablement in dominant subjects is significantly disadvantageous for the hermeneutically marginalised.

Jenkins (2017) introduces a typology of hermeneutical injustice that is particularly helpful when considering the case of child abuse. Consider: person A wishes to make an experience intelligible to herself and interlocutor B, with whom A seeks to communicate. Jenkins suggests there are four ways in which A and B can be situated with respect to the relevant concepts, which I summarise in the following table:

Type	A has all the relevant concepts?	B has all the relevant concepts?	Hermeneutical injustice?	Example
0	Yes	Yes	No	A explaining the experience of breathing to B
1	No	No	Yes	Fricker's example of sexual harassment
2	Yes	No	Yes	Medina's example of white ignorance
3	No	Yes	Yes	Jenkins' example of rape myths (see below)

Type 0 is not hermeneutical injustice because the communicative process is not impaired, while types 1 and 2 represent the cases of hermeneutical injustice more widely discussed in the literature. Type 3 is a new variety proposed by Jenkins (2017): a situation where 'the relevant conceptual resources are available at some social locations but are inaccessible to the person who needs to render their experience of injustice intelligible' (200). To illustrate this type, she points to the prevalence of stereotyped understandings of what constitutes 'rape'. In Jenkins' analysis of rape myths, a rape victim (A) is unable to conceptualise her experience as rape due to the prevalence of

misleading myths about what constitutes rape. But as soon as the rape victim gives an institutional figure with the appropriate concepts (e.g. a social worker) the facts of her experience, the social worker (B) is immediately able to identify A's experience as one of rape. I argue that the case of child abuse mirrors Jenkins' theorisation (type 3). For though child abuse is a widely available concept, it may not be adequately available to a child experiencing the harm, hence victims may often find their abuse unintelligible to themselves or others.

## 2. Hermeneutical Marginalisation of Child Abuse Victims

Child abuse victims are often hermeneutically marginalised. Owing to the structural inequality of power between adults and children, children generally have 'unequal participation in communicative practices in which meanings are generated and expressed' (Medina 2012, 208). Child victims are further prevented from hermeneutical participation due to the stigma surrounding child abuse.

### 2.1. Adults' Social and Epistemic Authority

Most (Western) societies see adults as warranting social and epistemic authority over children: adults are *deemed* to have higher social status, more knowledge and social experience, more developed intellectual capacities (Archard 1993), and wider epistemic access than children. Due to adults' epistemic authority, children also trust and rely on adults as a source of knowledge and conceptual toolkits. In turn, adults have an overwhelming social power to shape children's social and epistemic worlds. This is especially true of parents, teachers, and other key authority figures. These adults often have almost complete control over what children have epistemic access to and what they do not. Although the Internet permits freer flow of information for children, adults still have control over whether children are allowed to access the Internet and what sites they are allowed to visit, for example. While children are only granted some limited autonomy, most children are 'systematically excluded from the design and implementation of their daily activities' (Baumtrog 2018, 303), including epistemic activities such as learning and meaning-making.

While children can and do generate shared social meanings with other children (e.g. in playtime, school activities, etc.), children's social meanings are rarely distributed across society at large due to structural barriers. Institutions of collective social meanings, according to Fricker (2007), are constituted by professions such as journalism, politics, academia, and law for their hermeneutical power to influence society at large. However, children could not influence collective hermeneutical resources in such a manner because they are systematically excluded from the world of work. Although there are young children counterparts of such 'professions' (e.g. student journalism, student academic work), these counterparts are often limited in reach (e.g. serving the school's student body) as they are designed by adults to be learning opportunities rather than genuine hermeneutical contributions. These children counterparts are also often highly curated by adults (e.g. teachers) who determine the subject matter and review the outputs. Moreover, even when children's hermeneutical participation is called for within the (adult) institutions of collective social meanings, adults' authority can always be exercised to obstruct children from hermeneutical participation. In Chan, Lam, and Shae's (2011) study of child abuse, the researchers must go through a 'consent pyramid' (170) before the children can finally say 'yes' to participate: the funding body must consent to this research with children being carried out; the school principals must consent to their schools' participation in the study; and the parents must consent to their children taking part in the study. There are obviously good safeguarding reasons behind all the authorisation required to do studies with children. However, this systematic arrangement undermines children's hermeneutical participation and agency. Children's non-participation in academic discourse can be especially problematic as children's first-hand experiences and unique understandings of abuse cannot be properly recognised and analysed in epistemic institutions.

Furthermore, the epistemic authority of adults makes the default world of social and communicative understanding an adult one. Baumtrog (2018) notes that even when Fricker speaks of 'collective understanding' and 'collective interpretative resources', the 'collective' is implicitly an adult one. As adults are the majority, adults rarely adapt their everyday interpretative resources for children. Thus, children's interpretative frameworks are at risk of rejection by adults who cease to readily understand the child's world. Baumtrog also points out that children must often conform to the adults' standard and mode of social communication in order to be heard and be taken seriously as hermeneutical agents by adults. Due to the identity-prejudicial stereotypes of children, children's expressive styles are pejoratively interpreted as 'irrational', leading adults to judge children unjustly to be unfit hermeneutical contributors. Child victims are therefore not treated as persons worthy of interaction themselves or as persons with valid interpretations of their experiences of abuse. For instance, in academic settings, child victims are often treated as objects to be studied, rather than meaningful subjects to engage with (Chan, Lam, and Shae 2011).

As a whole, children are hermeneutically marginalised because adults' decisions systematically exclude children from participating in hermeneutically powerful institutions, and also because adults may discount children's hermeneutical participation owing to children's distinct communicative and expressive styles.

## 2.2. *Stigma Around Child Abuse*

For child abuse victims, the stigma associated with child abuse can marginalise them further. When victimised, most children choose not to disclose abuse by adults and seek help due to fear of social rejection. According to the Office for National Statistics (2016), around 75% of child abuse victims had not opened up to anyone about their abuse at the time it happened, primarily due to embarrassment or humiliation. Finkelhor and Browne (1985) explain that the stigma of abuse perpetuated within the broader societal context (*via* the media, dominant narratives, social interactions, etc.) informs child victims that their lived experience is morally and socially unacceptable, and that the status they have acquired from their abuse (e.g. incest victim, rape victim) is stigmatised and blameworthy. This social stigma poses a high potential cost for child abuse victims if they speak out, which can lead some victims to silence themselves pre-emptively.<sup>3</sup>

## 3. Epistemic Obstacles for Child Abuse Victims

Child abuse victims, as hermeneutically marginalised knowers, may face particular difficulties in understanding what child abuse is. I see two hermeneutical obstacles that can prevent child victims from making their experiences of abuse intelligible to themselves or others.

### 3.1. *Lacking Access to Concepts of Child Abuse*

Children are often denied access to conceptual resources surrounding child abuse altogether because adults want to protect their 'innocence'. Due to adults' social and epistemic authority, they can deliberately exclude children from hermeneutical activities such as the discussion of child abuse within the family, in formal education in schools, in child abuse prevention programmes with governments or charities, etc. This social arrangement of adults (especially those with parental responsibilities) deciding what is best for children is systemically legitimated and upheld by law and policy (Robinson 2013). As a result, child victims may lack the appropriate conceptual framework to understand and communicate their experience, and have little power to help themselves obtain the necessary conceptual resources.

When it comes to concepts related to sexual mistreatment, parents and carers can prevent their children from receiving school sex education in the UK and US. Sex education is also 'frequently, but arguably wrongly separated from abuse prevention programmes' (Green 2006, 83), so sexual

abuse prevention concentrates on desexualised and vague messages about good and bad touch. Green (2006) argues that the lack of an accurate conception of sex ‘mostly confuse[s] children, whilst placing undue responsibility onto children for decoding and reporting abuse’ (83). As a result of this systematic arrangement for education, children often do not have accurate or emotionally and cognitively useful knowledge about sex for conceptualising sexual abuse. Therefore, this conscious exercise of adults’ authority can hinder children’s epistemic access to the requisite concepts.

Lacking the necessary concepts to interpret their experience of abuse, children may find it difficult to testify about their abuse to adults when seeking help. Carel and Györfly (2014) note that child victims often perceive medical symptoms of child sexual abuse differently from adults. While abdominal pain is a common presenting symptom in children, sexually abused children also often report experiencing ‘tummy ache’ (Carel and Györfly 2014, 1256). This is because they are not provided with sex education or concepts of abuse, so they do not know what is really wrong or what to describe. This is particularly troubling in that children express a symptom in ways that do not make it salient enough for adult attention. As most institutional systems (such as healthcare) are adult-governed, child victims are at a systematic hermeneutical disadvantage because ‘their interpretative frameworks are foreign to such an adult system’ (Carel and Györfly 2014, 1257). Consequently, adult interlocutors may fail to understand children’s expressions of abuse as evidence of abuse due to the alternative hermeneutical resources used.

### 3.2. Myths of Child Abuse

Even when child abuse victims do have a concept of child abuse, the concept is often a faulty one. Widely-held myths around what constitutes child abuse can lead child victims and the general public to misidentify instances of abuse as normal treatment or behaviour.

Haslanger’s (2005) distinction between manifest and operative concepts can be productively applied to concepts of child abuse. This distinction acknowledges that occasionally the formal, institutional definition of a concept does not match the way it is systematically applied. According to Haslanger, a manifest concept is the institutional, public, or formal definition, whereas an operative concept is the implicit and practised definition extrapolated from the actual social usage in particular communities.

In the UK, the Children and Young Persons Act (1933) characterises the manifest concept of child abuse as taking place when an individual:

*wilfully assaults, ill-treats (whether physically or otherwise), neglects, abandons, or exposes [the child] or causes or procures him to be assaulted, ill-treated (whether physically or otherwise), neglected, abandoned, or exposed, in a manner likely to cause him unnecessary suffering or injury to health (whether the suffering or injury is of a physical or a psychological nature).* (Children and Young Persons Act 1933, s.1(1))

Yet our societies harbour many myths of child abuse that are nonetheless often accepted as ‘common sense’. Examples of common child abuse myths include:

- (1) It is only child abuse if there is physical violence (Bromley Council 2022).
- (2) Child abuse only happens in communities of lower socio-economic status (Bromley Council 2022).
- (3) Only ‘bad’ and ‘unloving’ people are capable of abusing children (Child Abuse Council 2017).
- (4) Children did something to cause the abuse to occur, hence are to blame. For example, their misbehaviour warrants physical discipline (Queensland Government 2018).
- (5) Children often lie about abuse or act up for attention (Bromley Council 2022).

If people accept myths 1–5, their operative concept of child abuse will be: ‘Children from (2) communities of low social status being subjected to (1) physical violence perpetrated by (3) a “bad” adult person [...]. It is not child abuse when the child is (4) to blame for the abuse and is

(5) lying for attention.’ This operative concept of child abuse rules out many, if not all, central cases captured by the manifest definition, such as neglect. It also narrows the social focus to a stereotyped or normative account of the child abuser (‘evil’ and ‘working-class’) and of the abused child (‘poor’ and ‘well-behaved’). The more myths a person accepts as true, the more instances of abusive situations are ruled out by definition, and the narrower and more inaccurate the operative concept of child abuse is compared to the manifest concept. So if victims or their interlocutors possess these faulty operative concepts, they may fail to recognise instances of child abuse on the correct terms.<sup>4</sup>

These common-sense operative concepts are inaccurate and faulty, and the manifest concept should be preferred because it captures victims’ experiences more adequately. The choice of using the manifest concept as a point of reference for evaluating the operative concept here is the result of normative judgement. The rationale is that the manifest concept better captures the victims’ experience and is less harmful to the victim (e.g. the myths may leave the victim feeling disbelieved, ashamed, or demoralised). Furthermore, whether the manifest concept of child abuse is better than the operative concept is a matter of contingency. In fact, before the Serious Crime Act 2015, the UK’s institutional definitions of child abuse did not explicitly account for psychological harm.<sup>5</sup> Fortunately, the socio-political progress on children’s rights in the UK has allowed this discussion to be guided by the manifest concept. The same might not be said for other jurisdictions, for instance, where the operative concept is more positive than the manifest concept.

In societies where child abuse myths are active, most adults in society may possess faulty operative concepts of abuse. Adult knowers in certain institutional domains, such as lawyers and social workers, may correctly and readily point out instances of child abuse unaffected by myths because their professions require the use of manifest concepts. However, most manifest concepts (including that of child abuse) are typically only used in the institutions and domains of law and social services, and these institutions are only engaged in select circumstances. So the population at large (mistakenly) regard manifest concepts as inaccessible and also insignificant (in the sense that there is no impetus to know about or to adopt such concepts). Therefore, lawyers and social workers’ more accurate understanding of child abuse cannot constitute a *collective* understanding of the experience of child abuse.

By contrast, myths are widely circulated and readily available to all spheres of society through word of mouth, media depictions, or outdated social conceptions. Hence, many adults may run the risk of only acquiring or using a problematic operative concept that mischaracterises the nature of child abuse through myths. More concerning is that children are more likely to have access to the faulty operative concept but not the manifest concept. This is because the obstacle of epistemic access makes manifest concepts of child abuse more inaccessible to child abuse victims than other social groups. This highlights how children, compared to other adult social groups, face a more severe ‘gap’ between the manifest and operative concepts of child abuse.

Empirical research shows that children generally possess a faulty operative concept of child abuse rather than the adequate manifest concept. Chan, Lam, and Shae (2011) presented five vignettes of child abuse to 87 primary school students and asked them to identify which of the vignettes depicted abuse. Affected by myth 4, 85.1% of children recognised the scenario of physical battering (father slapping the son’s face out of annoyance) as (physical) abuse but only 65.5% considered the scenario of corporal punishment (mother beating the son with a cane due to his misbehaviour) as (physical) abuse. In turn, only 31% of children could recognise child sexual abuse and child neglect, which is significantly lower than the identification rates for physical abuse (Chan, Lam, and Shae 2011). If the victim’s experience is compatible with the myths, the victim may still have the possibility of understanding their own experience as one of child abuse. But generally, if child victims internalise the myths of child abuse, the problematic operative concept prevents an experience of abuse from being understood as such. Therefore, I suggest that child abuse victims in societies with child

abuse myths have a greater tendency of failing to properly conceptualise their experience as child abuse.

#### **4. Hermeneutical Injustice and Child Abuse**

When these epistemic obstacles prevent the child victims from achieving self and/or collective understanding of their abuse, there is hermeneutical injustice. Given that child abuse is a commonly known concept and is adequately captured by law and policy, the case I am sketching here closely resembles Jenkins' type 3 — child victims are often unable to make sense of their abuse because they lack access to the necessary conceptual resources, even though there are other knowers and institutions that do have those concepts. I will look into two cases where abused children struggle to articulate their abuse to themselves and explain why they both constitute hermeneutical injustice.

##### **4.1. Case 1: Child Victims Do Not Have the Concept**

If the child victim lacks the concept of child abuse altogether, it is intuitive that the child victim will struggle to come to terms with their experience. As nothing within their current conceptual framework is compatible with their experience, the child may find the experience unintelligible but threatening. Take the following vignette of child neglect offered by Chan, Lam, and Shae (2011): the 8-year-old Siu-ling and her younger sister were left at home alone for two days without food to eat and could not contact their parents, who were at work, for help. If the sisters do not have the concept of child abuse, they will be unable to understand their feelings of insecurity and fear from being unattended by their parents. Thus, they do not know that their parents' treatment of them is wrong and abusive and that they deserve help.

While the child might be able to conceptualise the experience as 'painful', 'scary', or 'bad', nothing within their current conceptual framework can allow them to understand it as 'child abuse'. It is important that the child can interpret the experience as 'abuse' instead of simply 'bad' or 'scary' as their interpretation will affect how they feel about and practically address the situation. For instance, classifying an event as abuse means that the child recognises a crime has happened, that the child is in a precarious situation, and so should be taken more seriously than, say, the child haunted by the fictitious monster under the bed. This conceptualisation is critical for the child victim to recognise that they are not responsible for such feelings of harm (e.g. they are not overreacting) and that their suffering warrants help and intervention.

##### **4.2. Case 2: Child Victims Have Faulty Operative Concepts**

In Chan, Lam, and Shae's (2011) corporal punishment (or physical abuse) vignette, Tai-hung's mother fetched a cane to beat up Tai-hung out of anger because he disobeyed her repeated reminders to do his homework. An eleven-year-old interviewee commented on this scenario: 'Parents scolded and beat their kids because they cared about them. In fact, Mom beat him because he had time and again ignored her words. I don't think this is a child abuse case' (Chan, Lam, and Shae 2011, 167). Supposing that Tai-hung shares the views of this eleven-year-old, Tai-hung will likewise have internalised child abuse myth 4 that his misbehaviour warrants physical discipline. So Tai-hung has a faulty operative concept of abuse which wrongfully excludes corporal punishment as abuse. As a result, Tai-hung cannot interpret his experience of being beaten by his mother as one of abuse even if he finds the beating ineffably traumatising.

Some adults may also share Tai-hung's problematic operative concept of child abuse due to the prevalence of child abuse myths. So when Tai-hung tells these adults the facts of his experience, the adults too may be incapable of understanding Tai-hung as suffering from child abuse. Therefore, we have an instance of a child's experience of abuse being obscured from collective understanding due

to the epistemic obstacle of myths. It is important to note that the hermeneutical injustice here is more like Jenkins' type 3 rather than Fricker's type 1 because Tai-hung's experience could be understood by social workers or legal professionals as abuse under the manifest concept.

### **4.3. Child Victims' Self-Unintelligibility as Hermeneutical Injustice**

In these cases, the lack of the concept of child abuse and/or the faulty operative concept of child abuse lead to hermeneutical injustice. Here, victims of child abuse may not realise that they suffer from child abuse. Even if they realise it, they may find it difficult to get other adults to recognise it due to the prevalence of myths (although adults in law and social work may understand with the manifest concept of abuse). What results is a collective inability to identify their experiences as abusive.

The harmfulness to child victims is intuitive. The unintelligibility of abuse to the victim is harmful because they do not even understand that they are abused so do not seek help. The unintelligibility of abuse to other adults is harmful because the adults will not address the victims' situation appropriately as one of abuse. While both children and adults affected by child abuse myths are communicatively handicapped, the cognitive disablement in case 2 is disproportionately disadvantageous for children for the above reasons as adult interlocutors do not experience any comparable direct harm.

The unintelligibility victims experience is also wrongful. As articulated in [section 3.2](#), systematic misconceptions of child abuse have wrongfully excluded central cases of child abuse. Furthermore, adults may have wrongfully judged children to be incapable of grasping the concepts of child abuse. Green (2006) shows that child victims have sufficient sophistication in reasoning and cognitive processes: 'Children between 6–10 are able to demonstrate a multifaceted, reflective view of justice, which is sensitive to contextual difference. They are also able to take into consideration relatively abstract concepts such as harm, equality and rights' (87). However, child victims are 'shielded from vast amounts of knowledge on the basis of protectionism and their perceived incompetence' (Green 2006, 87). So children are wronged because they are denied epistemic access on such grounds.

Jenkins (2017) reminds us that this phenomenon of conceptual impoverishment is common and that relevant conceptual resources really might be inaccessible to the victim. When individuals assume that victims are aware of certain concepts that exist in institutional and elite discourses, individuals can overestimate how capable victims are of contesting their treatment. 'Otherwise, we would reach the conclusion that victims just fail to make use of resources they have at their disposal, and this comes uncomfortably close to victim-blaming' (195), Jenkins emphasises. So child victims are not in the epistemic wrong for not knowing the manifest concept of abuse themselves.

## **5. Objection: Protection of Innocence**

Critics may argue that parents should protect their children from 'dark things' like abuse and this falls within the parental right to determine to what knowledge their children are exposed. Therefore, the obstruction of epistemic access to the concept of child abuse is a just exercise of the parental right to protect children's innocence, so it is not an injustice.

In response to this objection, I argue that (1) childhood innocence is an inaccurate and harmful social construction and (2) this exercise of parental rights in the context of child abuse education is wrongful because it subjugates children's fundamental human rights.

On (1): In the Western context, childhood innocence is understood as a state of unknowingness, purity, and naivety. This modern conception of 'childhood innocence' is discursively constituted by developmentalist discourses and dominant religious narratives. The developmentalist perspective constitutes children as too immature and undeveloped to understand and manage 'adult' concepts like abuse and sex (Robinson 2013). The Christian narrative sees children as 'Adam and Eve before the Fall' – 'without fault or sin, innocent of evil' (Archard 1993, 46). Under this binary of the knowing

adult and the unknowing child, 'premature education in the facts of life [. . .] corrupt[s] children with inappropriate "adult" knowledge' (Archard 1993, 49).

I argue that this conceptualisation of childhood innocence is inaccurate and harmful to children. Here, I will focus on the knowledge of sex as it is the most controversial area concerning child abuse education.

Firstly, this notion of childhood innocence does not square with children's real lives. Research indicates that children have capacities to learn concepts of sex (Finkelhor 2009) and an active interest in understanding themselves as sexual subjects (Robinson 2013). Furthermore, as part of children's normal sexual development, children in fact engage in sexual behaviours such as masturbation, and kissing and touching their romantic interests (Robinson 2013). While children may have less knowledge or vastly different understandings of sex compared to adults, children have both intuitive understandings of 'adult concepts' such as sex and the capacity to develop these concepts under guidance. Contrary to the prevailing notion of childhood innocence, children are not completely unknowing.

Secondly, 'protecting children's innocence' in this context does more harm than good to children. Archard (1993) argues that 'innocence' in children has sexualised connotations of 'purity, virginity, freshness and immaculateness which excites by the possibilities of possession and defilement' (49). So adults' intentional protection of childhood innocence may instead contribute to the fetishisation of children (Robinson 2013). By contrast, sex education prevents child sexual abuse, reduces misconceptions about sex, and reduces self-blaming among child sexual abuse victims (Finkelhor 2009). Therefore, consciously withholding knowledge of abuse and sex is disproportionately harmful rather than beneficial to children.

It is also important to note that the predominant everyday and institutional discourses surrounding 'childhood innocence' can stigmatise abused children, whether or not the maltreatment is interpreted as abuse. Robinson (2013) argues that children who experienced maltreatment 'not only lose their status as innocents, but their identity as children, is also questioned' (44). Judged for their 'loss of innocence', abused children are generally stigmatised and (socially and hermeneutically) marginalised as 'non-innocent or corrupted child' (Robinson 2013, 67).

On (2): in the context of child abuse knowledge, this exercise of the parental right of choosing what children can have access to is unjust. In social and political discourse, an exercise of a parental right is often considered just when it is done in the best interests of the child (UNCRC 1989, art. 3(1)). This is because parental rights are grounded in 'their duties of trusteeship or agency in securing the actual and future interests of their children' (Jonathan 1989, 326). In (1), I argue that 'protection of innocence' is not a justified ground for this exercise of parental rights. I further contend that this exercise of parental rights is wrongful because critics have made a poor moral judgement about the conflict of rights in the context of child abuse. Fundamentally, the parental right of controlling children's epistemic access is in conflict with children's own rights to have their own informed say in their lives. In deciding whether children should have epistemic access to a certain area of knowledge, one group's rights are inevitably being privileged at the expense of the other. Whether this decision is just depends on considerations specific to the area of knowledge concerned. In the context of child abuse, privileging parental rights of control comes at the expense of children's fundamental human rights. For abused children, a lack of conceptual access can undermine their ability to get help. Hence, children's basic rights to life and survival, to safety from abuse, and to freedom from 'inhuman' treatment are subjugated and violated. In the conflict of rights, adults' negligence of children's rights or conscious prioritisation of parental rights in judgement makes this exercise of parental rights even more morally wrong. Therefore, in shielding children from knowledge of abuse, this exercise of parental rights intended to protect children's innocence is unjust.

Critics may reply that children's human right to safety also means being protected from traumatic material (e.g. stories about child abuse). Therefore, the exercise of the parental right so as to prevent children from learning about abuse is not a violation of children's human rights, but rather a just exercise to protect such rights.

I deny the central assumption in the above reply that it is essentially traumatic for children to acquire the concept of abuse. A way for adults to educate children on child abuse at home, at school, at community centres, or in media is to give an example of child abuse (e.g. a story of abuse) and then interpret the example for children through the concept of abuse. I believe both steps can be done in a way that is not traumatic for children.

To start with, a lot of depictions of child abuse are widely circulated in media which children regularly enjoy. In Roald Dahl's *Matilda*, children in the story are abused by different adults – the principal Trunchbull physically abuses her students, and Matilda's parents neglect and emotionally abuse Matilda. Before Harry Potter leaves for Hogwarts, he is emotionally abused and neglected by his aunt and uncle throughout his childhood. While children understand such stories of abuse and can come to terms with how the abusers' behaviour is bad, they do not find such stories frightening or traumatising. Adults also do not judge these stories as too traumatic for children – *Matilda* and *Harry Potter* are created by adults and intended for children to consume. Thus, stories of abuse are not necessarily traumatising for children.

Although children are already exposed to stories of abuse, they may not interpret such events as abuse, or as serious or harmful. Since abuse is sometimes illustrated in a somewhat whimsical or humorous light (e.g. in *Matilda*), the interpretative guidance from adults is essential. Adults should, after a child has heard such stories of abuse, frame these behaviours as wrongful, unacceptable, and worthy of institutional intervention. More importantly, they should frame these antagonists as abusers, not merely as bad people. Worries that this explanatory stage is 'too traumatic' simply mean that adults need to provide children with more emotional support when discussing these concepts, or to use language that is child-friendly instead of clinical or intimidating. Therefore, explaining the concept of child abuse in a non-traumatic way is possible.

Whether parental rights are exercised to protect children's innocence or to protect children from traumatic material, I argue that either way of obstructing children's epistemic access to concepts of abuse is unjust. What is in the best interest of the child is always safeguarding their basic human rights. Explaining the concept of child abuse or telling stories of abuse can be done in a child-appropriate manner, and there is little reason not to do so.

## 6. Harms of Hermeneutical Injustice

In the short term, child abuse victims who cannot understand and successfully communicate their abuse to adults are often unable to protect themselves from the abuse. In the long term, such an epistemic failure can impair their development psychologically, politically, and epistemically.

Due to conceptual deficits and faulty operative concepts, child abuse victims are often incapable of conceptualising what happened to them as abusive and wrong. This is particularly acute in cases where the abuser gaslights the child that the abuse is normal or out of love. This may cause the victim to develop mistaken and harmful images of appropriate adult behaviour. Katz et al. (2020) find that child abuse victims often use love to make sense of abusive actions. For example, a child sexually abused by a parent explained to the interviewers and themselves that 'He was lying next to me and touching me like this because he loves me so much' (Katz et al. 2020, 4). Therefore, victims may not even recognise they need help or come to distrust their own perspective of their own lives. This cognitive harm is particularly damaging to children as they lack a comparator of what constitutes right or wrong treatment. This may also contribute to cycles of abuse – victims' misunderstanding of abuse makes them vulnerable to further abuse<sup>6</sup> or more likely to become abusers themselves<sup>7</sup>.

The hermeneutical marginalisation of child abuse victims can pose further social constructive harms. The stigma of being an abuse victim and/or 'losing innocence' can cause child victims to consider themselves to be socially unacceptable or pariahs of some kind. In turn, when adults deny children conceptual access to information about child abuse, they effectively subordinate children's basic rights to life and safety to the rights of carers to make decisions about what knowledge is appropriate for their children. These experiences of having their rights neglected or denied can lead

victims to regard themselves as inferior rights-bearers and epistemic agents. Especially these harms occur when victims are most vulnerable, this marginalisation may foster a sense of disempowerment that lasts into adulthood.

The community at large also suffers epistemic harm with regards to its conceptualisation of child abuse and related concepts. As we fail to have a full appreciation of the victim's perspective, we will have a deficient and incomprehensive understanding of child abuse itself. If we treat children as active agents in hermeneutical discourse, children could help to shape more child-centred and effective child protection practices. Furthermore, 'child abuse' is a concept standing within a Quinean web of beliefs with concepts such as 'love', 'pain', and 'violence'. Katz et al. (2020) observe that the concept of love possessed by child abuse victims is under-researched because most studies on abuse have largely focused on adults' perspectives. The researchers highlight that victims see love as a silver lining of their maltreatment. The victim's perspective, therefore, paints a more complex conceptualisation of love, one that holds it may come with life-threatening pain and sacrifice. It follows that deficits in our understanding of child abuse may make our understanding of related concepts inadequate too.

## 7. Implications for Hermeneutical Injustice Literature

The case of child abuse victims prompts three important reflections for the broader hermeneutical injustice literature.

### 7.1. *Ways in Which Hermeneutical Injustice Materialises*

The case of child abuse demonstrates that the epistemic harms of pre-emptive silencing and hermeneutical injustice can persist even if there is an adequate concept present in some institutional location, as Jenkins' analysis suggests. Hence, to achieve hermeneutical justice, we must also look at the practical conditions under which such hermeneutical resources operate (e.g. social myths, practical know-how, etc).

The case of child abuse also shows that there are further ways in which Jenkins' variety of hermeneutical injustice (type 3) may manifest, notably, instances where a dominant group *actively prevents* marginalised subjects from acquiring a generally widely available concept. The case of child abuse presents the possibility that the hermeneutically marginalised may not even have the widely-known concept at all, and that the cause of such conceptual lacking is the dominant group's *conscious decision* to prevent conceptual acquisition. Therefore, some dominant groups could possess such significant social power that could be exercised (benevolently or maliciously) to block marginalised subjects' access to otherwise widely held hermeneutical resources. This also demonstrates that achieving hermeneutical justice may imply addressing structures that actively prevent conceptual acquisition.

### 7.2. *Epistemic Responsibility*

Fricker (2007) argues that wrongs of hermeneutical injustice are structural rather than interpersonal as the cause of injustice is the limitations in the collective hermeneutical resource. While hermeneutical injustice is structural, I contend that institutional bodies and adult carers can be held liable for the collective unintelligibility of victims' abuse.

My analysis demonstrates that adults such as carers and educators are responsible for their failure to allow children to learn about child abuse. Carers who obstruct children's epistemic access are morally at fault for exercising their supposed right at a huge expense to the children's lives. It is a similarly blameworthy judgement to believe that it is more important to preserve the innocence of children than to help children protect themselves from abuse.

Previous accounts of hermeneutical injustice have tended to argue that epistemic authorities or dominant groups are responsible for facilitating the voices and perspectives of marginalised groups (Medina 2012; Pohlhaus 2012). While I agree that these responsibilities and actions are needed in achieving hermeneutical justice for child victims, my analysis points out that these responsibilities can be extended further. Even if the (adult) institutions acknowledge an adequate concept of child abuse, they can still be at fault when they do not provide victims with such a concept. This is because these social institutions of law, social policy and medicine have a duty of care to protect all social groups, particularly vulnerable and powerless ones like children. Given how hermeneutical injustice can operate *via* faulty operative concepts, institutional bodies also have the responsibility to *distribute* adequate concepts throughout society and to *challenge* flawed common-sense myths.

### 7.3. *Inter-Relationships Between Testimonial and Hermeneutical Injustice*

In the case of child abuse, the interactive nature of hermeneutical injustice and testimonial injustice is particularly salient. Specifically, Medina (2012) highlights how hermeneutical gaps emerge from and are supported by testimonial insensitivities, while testimonial injustice takes place when ‘the persistence of hermeneutical gaps renders certain voices less intelligible (and hence less credible)’ (206).

In the context of child abuse, hermeneutical injustice *via* lack of epistemic access feeds into testimonial injustice because children are deemed *less competent and less credible* knowers when they do not use the correct concepts or appropriate communicative styles in describing child abuse. Hermeneutical injustice *via* faulty operative concepts contributes to testimonial injustice because adult listeners who accept child abuse myths may find some scenarios *incredible* compared to the social imaginary of child abuse. On the other hand, testimonial injustice feeds into children’s hermeneutical marginalisation. Because adults believe children are incompetent and insincere testifiers owing to identity prejudice, adults may see children as unfit for hermeneutical contribution. Even if child abuse victims do engage in hermeneutical participation, the unjust deficit in epistemic credibility they receive would either make their alternative interpretations *inferior* to adults’, or even *completely silence* children’s communicative attempts. Therefore, we need to attend to such interactive dynamics between these two varieties to achieve justice for child victims.

## 8. Conclusion

Hermeneutical injustice occurs when child victims cannot understand their experiences as abuse and thus do not seek help. Child victims are hermeneutically marginalised due to adults’ social and epistemic authority, and the social stigma around child abuse. Child victims may face two epistemic obstacles in understanding their abuse: obstructed access to concepts of child abuse leading children to not know what abuse is, and myths of child abuse distorting children’s understanding of abuse. When these obstacles cause the victims’ failure to interpret their experience as abuse, hermeneutical injustice materialises. This epistemic injustice may have harmful and far-reaching consequences for child victims such as being further disempowered as epistemic and political agents and creating cycles of abuse. From the case of child abuse, we see that unintelligibility can still exist even if an adequate concept is enshrined in epistemic institutions. In addition to myths obscuring people’s understanding, I argue that hermeneutical injustice can also result from a dominant group *actively preventing* marginalised subjects from acquiring the necessary conceptual resources.

Future work will need to consider how different groups of child victims are situated against these epistemic practices of understanding child abuse. As in Baumtrog and Peach’s (2019) exploration of intersectionality in testimonial injustice against children, we need to explore how different forms of social stratification (e.g. ethnicity, gender, class) distinguish children’s hermeneutical marginalisation and the kinds of epistemic obstacles they may face. Future work may also investigate how different

varieties of child abuse may bring different kinds or severity of obstacles. For example, the intelligibility of child sexual abuse may be complicated by rape myths that further distort the manifest concept.

## Notes

1. This article defines children as persons aged between 5–12, because the UK school starting age is 5 and the article discusses education at length. Although teenagers (13–18) are legally children and may experience child abuse, teenagers as a social group have different social roles and perceived attitudes hence teenagers are not the focus of this article.
2. Testimonial injustice against children occurs when adult hearers unjustly disbelieve children because they inaccurately stereotype children as unreliable and insincere. See Burroughs and Tollefsen (2016), Baumtrog (2018), Baumtrog and Peach (2019).
3. Such self-silencing is similar to Dotson's characterisations of testimonial smothering, in which abused children truncate their testimony because they perceive others in society to be unwilling to accept their experience of abuse. See Dotson (2011). The interrelationships between testimonial and hermeneutical injustice here will be further explored in section 7.3.
4. The presence of these myths around child abuse only heightens the stigma for children who have experienced such maltreatment. For example, child abuse myth (4) stigmatises these children as responsible for their maltreatment and (5) stigmatises children as insincere if they speak about their maltreatment.
5. This legislative reform was advocated by the charity Action for Children in 2012. So in 2012, the operative concept of these children's rights activists rightly included emotional abuse as child abuse despite the manifest concept having incorrectly ruled it out.
6. In the UK, 51% of adults who were abused as children experience domestic abuse later in life. See Office for National Statistics (2017).
7. Victims of child abuse are 2.6 times more likely to become child abusers than people who did not experience child abuse. See Thornberry et al. (2013). Victims are also at increased risk of becoming perpetrators of domestic, physical, or sexual violence themselves. See World Health Organisation (2007).

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No potential conflict of interest was reported by the author.

## Notes on contributor

*Arlene Lo* is an independent scholar. She previously read MPhysPhil Physics and Philosophy at Balliol College, University of Oxford. Her research interests lie in social epistemology and philosophy of science.

## ORCID

Arlene Lo  <http://orcid.org/0000-0001-6406-4626>

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