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Offending White Men: Racial Vilification, Misrecognition, and Epistemic Injustice

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Offending White Men: Racial Vilification, Misrecognition, and Epistemic Injustice

Louise Richardson-Self

Abstract

In this article I analyse two complaints of white vilification, which are increasingly occurring in Australia. I argue that, though the complainants (and white people generally) are not harmed by such racialized speech, the complainants in fact *harm Australians of colour* through these utterances. These complaints can both cause and constitute at least two forms of epistemic injustice (willful hermeneutical ignorance and comparative credibility excess). Further, I argue that the complaints are grounded in a dual misrecognition: the complainants misrecognize themselves in their own privileged racial specificity, and they misrecognize others in their own marginal racial specificity. Such misrecognition preserves the cultural imperialism of Australia’s dominant social imaginary—a means of oppression that perpetuates epistemic insensitivity. Bringing this dual misrecognition to light best captures the indignity that is suffered by the victims of the aforementioned epistemic injustices. I argue that it is only when we truly recognize difference in its own terms, shifting the dominant social imaginary, that “mainstream Australians” can do their part in bringing about a just society.

Keywords: hate speech, social imaginary, race, epistemic injustice, recognition

Normative reflection must begin from historically specific circumstances because there is nothing but what is, the given, the situated interest in justice, from which to start.

—Iris Marion Young

It is crucial for any emancipatory movement to understand the hegemonic centre and the ways people situated there think and act. After all, it is from this powerful position that most political decisions affecting the largest number of people in society come.

—Marcel Stoetzler and Nira Yuval-Davis

I. Introduction

In Australia, the Racial Discrimination Act 1975 (Cth) (hereafter RDA), makes it a civil offence to engage in hate speech.¹ The language of this legislation is ostensibly neutral (Gelber 2014, 407), and Part IIA permits a person of *any* race, colour, or national or ethnic origin to lodge a complaint with the Australian Human Rights Commission (AHRC) if they are the victim of an act which is reasonably likely, in all the circumstances, to offend, insult, humiliate, or intimidate them, and the act is done because of their race (section 18C). That said, the Australian courts have maintained that the conduct complained of must have profound and serious effects which are not equivalent to mere slights (AHRC 2016).² Increasingly, white Australians are taking advantage of the ostensibly neutral language of the RDA to complain of racial vilification. Reports have the number of complaints at around 15 percent for 2015–2016 (Shanahan 2017).³ At least some of these complaints are

¹ Specifically, it prohibits “race hatred,” and according to the Australian Human Rights Commission, examples of race hatred may include racially offensive material on the internet, racially offensive comments or images in a publication, racially offensive speeches or abusive comments in a public place, and the like (AHRC 2015). For ease, I refer to this sort of behaviour collectively as “hate speech” and use this term synonymously with vilification.

² Section 18C is also balanced by section 18D, which does not render unlawful anything said or done “reasonably and in good faith” in a number of circumstances, including “a fair comment on any event or matter of public interest if the comment is an expression of a genuine belief held by the person making the comment.”

³ One high profile case saw Senator David Leyonhjelm complain to the AHRC of being called an “angry white male” in an article written by journalist Mark Kenny (Henderson and Patel 2016). However, this complaint was ultimately terminated by the AHRC on the ground that he was not truly aggrieved (Koziol 2016). (Senator Eric Abetz also voiced the opinion that Kenny’s remark was racist, see Hutchens and Karp 2016.) The AHRC have, however, accepted complaints of white vilification in the past. For example, in 2003 Neal McLeod complained to the AHRC of being called a “white piece of shit,” among other things, by Samantha Power, an Indigenous woman. This complaint was unable to be conciliated so the matter was taken by McLeod to a Federal court for determination; however, the case was ultimately unsuccessful (Gelber 2014, 405–406).

White Australians’ are also complaining of racial vilification to other bodies. Cases of white vilification have been brought under State law. For instance, in Western Australia, 2006, a 16-year-old Aboriginal girl was charged with engaging in conduct intended to racially harass, which took place during an assault. (The Western Australian criminal code makes incitement to racial hatred an offence.) The

intended, in part, to illustrate that the RDA sets the bar too low for what constitutes hate speech and that legislative reform is an urgent necessity. This has recently been a topic of fierce public debate, sparking a Parliamentary Inquiry into Freedom of Speech in Australia in 2016, and many Australians continue to believe that the RDA should be amended.⁴

However, white vilification claims are typically (but not always) dismissed, since the speech complained of is considered to constitute only a mere slight. From a certain perspective, this is reverse racism (Moran 2009, 798). Many Australians are wary of differential treatment for people on the basis of race (Moran 2009, 791). The “natural” conclusion is, therefore, that a double standard is applied by the AHRC when they investigate claims of racial vilification and that white Australians are less protected than everyone else. This undermines equality, which the law is meant to ensure, and which Australians supposedly value as a community (Moran 2009, 798). Such perceptions of bias also appear to have been a contributing factor in establishing the aforementioned Inquiry. As Senator Ian Goodenough, chair of the Inquiry, explained:

Anecdotally, there is a perception that *certain ethnic minorities* are afforded greater protections from constructive criticism than *mainstream Australians*

victim in this case had been called a “white slut.” However, while the girl pleaded guilty to assault, “the Kalgoorlie Children’s Court dismissed the racial charges saying that the racial vilification laws ‘were intended to deal with severe abuse, and not petty name-calling’” (Mason 2009, 332). Additionally, several complaints were also recently lodged with the Advertising Standards Bureau regarding a television advertisement for lamb which attempted to humorously address the lack of diversity in Australian broadcasting. Complaints included: “I object to the slander that infers that white men contribute towards a ‘lack of diversity’ which was completely offensive to my family, particularly my father, brother, husband and son! Is it ‘diverse’ to completely remove one in favour of another?” and “The person points out that they are white and male saying that this adds to a lack of diversity. Pointing out someone’s race and gender in an advertisement and then denigrating such race or gender is both racist and sexist.” However, all complaints were dismissed (Thomsen 2016).

⁴ The results of the Inquiry were released in February 2017, and subsequently a bill was introduced which sought to amend the wording of section 18C of the RDA (Human Rights Legislation Amendment Bill 2017). It proposed to omit the terms “offend, insult, humiliate,” and replace them with “harass.” However, this was dropped by the third reading of the bill, and ultimately no changes to the RDA were made.

through political correctness. Rightly or wrongly, this perception does exist, and I would like to see the playing field levelled. (quoted in Gaynor 2017; emphasis added)

Though Senator Goodenough is a Singaporean immigrant himself, his comment betrays an implicit but widespread recognition of *which* people count as “mainstream Australians”—mainstream Australians are those who do not belong to certain ethnic minority groups; that is, mainstream Australians are white Australians.

In this article, I argue that white vilification complainants are not *victims* of a double standard. Instead, I show that this conclusion is generated from a misrecognition of self and other. Further, with reference to a contemporary case study, I argue that white vilification complaints can both constitute and cause epistemic injustices, and that it is the aforementioned misrecognition which grounds these injustices. That is to say, if not for this misrecognition, these injustices would not occur. To advance this argument, this article takes the following structure. In section 2, I offer some contextualization and outline the details of two complaints lodged with the AHRC against Linda Burney, MP, the first Indigenous woman elected to the House of Representatives. In section 3, I discuss the contours of Australia’s dominant social imaginary and show how this liberal imaginary encourages a form of misrecognition necessary for producing the rationale supporting white vilification complaints. In section 4, I critique this misrecognition from the perspective of a resistant imaginary which advances a politics of difference. In section 5, I illustrate that the complaints in question constitute the epistemic injustice of willful hermeneutical ignorance, as theorized by Gaile Pohlhaus, Jr. (2012, following Mills 1997). In section 6, I illustrate how the complaints in question can cause comparative credibility excess, as theorized by José Medina (2011). In concluding, I reiterate that white vilification complainants reduce differences to unity—to the singular logic of the universal human Subject (Young 1990, 97). Paying attention to this failure of recognition best captures the indignity that is suffered by the victims of epistemic injustices (Congdon 2017, 246). I will argue that it is only when we truly recognize difference in its own terms—as alterity—that “mainstream Australians” can do their part in bringing about a just society.

II. White Vilification Complaints in Australia: A Case Study

In 2016, 44 complaints were lodged in response to a public statement by Linda Burney, MP, following the Federal Government’s announcement of the aforementioned inquiry into freedom of speech (Zanetti 2017). She remarked, “It astounds me that the people that are advocating for the removal of 18C are

basically white men of a certain age that have never experienced racial discrimination in their life” (quoted in Zanetti 2016a). Two of these complainants were Bernard Gaynor, a failed Senate candidate, and political cartoonist Paul Zanetti.⁵ Of Burney’s comment, Zanetti states, “I was shocked, stunned, hurt and offended to see and hear a publicly elected representative resorting to such a blatantly sexist, racist and ageist argument” (2016a). Gaynor writes that Burney’s words “are clearly racist and they make offensive and insulting connotations about white men,” noting that he expects the AHRC to “take [his complaint] seriously” (2016). As it so happens, both Gaynor and Zanetti *are* in favour of reforms to section 18C of the RDA. What they object to is the assertion that they endorse legislative reform *because of* their whiteness and maleness. From their perspective, any reasonable person should be able to see that this is a bad law. (Zanetti, in particular, notes that not every person in favour of legal reform is white, and that Burney knew this before making her statement; see 2016b.)

These complaints are designed to make a broader political point. Gaynor, for example, thinks racial vilification ought not to be legally prohibited, no matter who is targeted. He states:

I hope [my complaint against Burney] fails. . . . But it must fail for the right reason. It should fail because Linda Burney should be free in our democratic nation to make such statements, regardless of the offence they cause. . . . In other words, the complaint should not fail because it is deemed trivial but because 18C itself is an unlawful law that infringes upon the implied constitutional protection of freedom of political communication. (Gaynor 2016)

So, while Gaynor appears to believe that Burney’s comment *is* racist, he nonetheless thinks that this degree of racism ought to be legally permissible and socially tolerated irrespective of the target.

⁵ I have chosen to analyse these complainants because Gaynor and Zanetti have published their views on their respective blogs. (Details of the complaints of racial vilification made to the AHRC are not otherwise available to the public.) There is nothing unique about Gaynor and Zanetti’s complaints; rather, they are representative examples of reasoning patterns shared by many “mainstream Australians.”

Zanetti makes the point that it is no more trivial to complain of white vilification than it is to complain of (for example) indigenous vilification.⁶ Consider Zanetti's attempt to show equivalence of harm: he says, "Ms Burney has used her position, not to debate the issue, but to *intimidate* a group based on skin colour, causing *humiliation* and *offence*" (2016c; emphasis added). He also writes that "race hate laws as they stand must be applied to all, not only some, regardless of skin colour" (Zanetti 2016c). While the law may be written in language that is ostensibly neutral, from the perspective of "mainstream Australians" like Zanetti, it seems that all-but white people are being protected from "constructive criticism." Adding to the perception of a double-standard, in this case, is the fact that all complaints against Burney were terminated (Zanetti 2017). Zanetti thus complains: "The message I got from the commission . . . is their obligation [to accept and conciliate complaints] does not apply to "white men." We have no rights, or at the very best, lesser rights than non-white men or any coloured women" (2016c). He also recommends, "Before filing a complaint with the AHRC, always identify as an aboriginal woman" (Zanetti 2017).⁷

In the remainder of this article, I will argue that, though "white vilification" is no more than a mere slight within the Australian context, we ought to be concerned when white vilification complaints like these are aired in the public sphere.⁸ This is because such complaints both constitute and cause epistemic injustices, and the misrecognition that belies them perpetuates the cultural imperialism of Australia's dominant social imaginary.

III. White Vilification in Australia's Dominant Social Imaginary

Australia's dominant social imaginary is a liberal imaginary, and the dominant social imaginary is what frames the dominant epistemic context of a community. Lennon describes social imaginaries as latent within our public worlds (Lennon 2015, 112); they are taken-for-granted repertoires which we use to make sense of our own and others' situation(s) (Taylor 2004, 25). But imaginaries are also much more than this. They provide our affective way of experiencing the world and the others we encounter within it, both as individuals and as members of groups

⁶ Zanetti considers his complaint to be equivalent to an accepted complaint lodged against political cartoonist Bill Leak following the publication of a cartoon which depicted racist stereotypes about Indigenous Australians (see 2016b).

⁷ It is worth noting that the complainant in the Bill Leak case was an Indigenous woman.

⁸ Although I cannot be certain without further investigation, I suspect that the conclusions drawn here can be extended to complaints of white vilification in other western liberal democracies, too.

(Lennon 2015, 112). Now, what it takes for a society to be just, from Australia’s liberal perspective, is for society not to be stratified by unfair relations of domination and oppression. This is “driven by conceptions of individual responsibility, equality, and reciprocity” (Moran 2009, 789).

Of course, Australians are aware that their society was not a just society in the past. Australia was a settler colony, and the Immigration Restriction Act 1901 (Cth)—the cornerstone of the White Australia Policy—was the very first act to pass the first federal parliament (Edmonds and Carey 2016, 381–382). This society cannot reasonably deny its past relations of racial domination and oppression. But “mainstream Australians” can—and often *do*—deny the relevance of the past on the present (Moran 2009, 798). Indeed, many believe that the aim of bringing about a just society has been more or less achieved today. Consider some statements by former Australian Senators which are representative of this attitude: “Australians are generally decent and tolerant;” “Australia is blessed with less racism than virtually any other country on earth;” “Australia has a long and successful history of multiculturalism;” and “I . . . believe that Australia is free of a good many evils . . . such as political and religious intolerance and widespread racism.”⁹

We may say, then, that many mainstream Australians incorporate the following meaning-generating narrative into their sense of identity—a story that explains fundamentally who Australians are, what it is that they value, where Australians have been, and how far Australians have come:

There was once a time of caste and class, when tradition decreed that each group had its place, and that some were born to rule and others to serve. In this time of darkness, law and social norms defined rights, privileges, and obligations differently for different groups. . . . Then one day Enlightenment dawned, heralding a revolutionary conception of humanity and society. All people are equal, the revolutionaries declared, inasmuch as all have a capacity for reason and moral sense. . . . For over two hundred years since those voices of Reason first rang out, the forces of light have struggled for liberty and political equality against the dark forces of irrational prejudice, arbitrary metaphysics, and the crumbling towers of patriarchal church, state, and family. . . . Today in our society very few vestiges of prejudice and discrimination remain, but we are working on them, and have nearly realized

⁹ These statements were made by Australian Federal Senators Siegfried Spindler, James Short, Belinda Neal, and Christopher Ellison, respectively, speaking both for and against the Racial Hatred Bill 1994 (Cth) during its second reading in the Senate. The passage of this bill is what introduced anti-hate speech legislation into Federal law (Commonwealth, *Parliamentary Debates*, Senate, 23 August 1995, 210–244).

the dream those Enlightenment fathers dared to propound. (Young 1990, 156–157)

This is a narrative that mainstream Australians share with other heirs to the Enlightenment tradition. Adopted in the Australian context, this particular meaning-generating narrative acknowledges the flaws of our colonial past yet celebrates the achievements of the present. In short, Australia's dominant social imaginary presents as Truth the impression that due to our fundamental commitment to equality, all people can now have a "fair go," reasonably unencumbered by prejudicial attitudes, actions, laws, and policies.¹⁰ In other words, many Australians find the idea that Australia is a racist country "incomprehensible and against the grain of common sense" (Moran 2009, 798). And, importantly, this "makes people's antennae alert to any signs of differential treatment" (Moran 2009, 798).¹¹

Of course, there is still some disagreement as to just how far along the path of Enlightenment Australia has really travelled. That is, there is debate as to whether Australia is more or less equal. (A recent survey found that 39 percent of Australians think Australia is a racist country, but that number rose to 57 percent when answered specifically by Indigenous Australians; see Wood 2017.) Yet many seem to agree on the ideal we are working toward: a society that is beyond race.¹² The basic idea is this: given our commitment to equality for all, we should not give people "special rights" on the basis of their differences, for our differences are ultimately arbitrary—to treat someone differently due to their skin colour is as peculiar as treating someone differently due to their eye colour.¹³ A just society, we

¹⁰ The rhetoric of a "fair go" is a staple in Australian public discourse; see, e.g., Haggis and Schech (2009) and Moran (2009).

¹¹ If anything, mainstream Australians are becoming suspicious that the scales have now tipped too far in the other direction, that white people are now so vilified as to have become marginalized. It is worth noting that the problem of "hate speech against whites" has recently arisen in the Australian Senate. Consider One Nation leader Senator Pauline Hanson's motion proposing that the Senate acknowledge "the deplorable rise of anti-white racism and attacks on Western civilisation" and that "it is okay to be white" (Bourke 2018). This motion was defeated, but only narrowly, with a total of 31 votes against and 28 votes in favour. However, after the motion made headlines, Finance Minister Mathias Cormann claimed that the Coalition's support was a mistake and due to an administrative error (Morgan and Elton-Pym, 2018).

¹² Anderson (2017) calls this post-racialism.

¹³ On the problem of articulating equivalent rights as "special rights," see Richardson-Self (2015, 64–66, 117–120).

seem to think, is one which is impartial to the various forms of embodied human difference that we encounter. The only thing that matters, really, is our equal human status and a fair go. Thus, in the Australian dominant social imaginary, what would constitute a just society is not in question. What we need to do is cast aside our differences, not allow them to cloud our judgment, and ultimately take them to be irrelevant. Call this the ideal of impartiality (Young 1990, 10).

By paying attention to the foundational role of the Enlightenment narrative in Australia's dominant social imaginary, including the ideal of impartiality, it is possible to see why white people are *genuinely* able to understand themselves as victims of racist hate speech, even as they simultaneously argue that such speech should not be legally actionable (because, to them, racism isn't really *that* bad all things considered—free speech is of far greater importance). The arguments of Zanetti and Gaynor are two-pronged: like cases should be treated alike, yet the standard for prohibiting racist hate speech is too low. If it is okay to say, "He just thinks like that because he's white," then what is wrong with saying, "He just thinks like that because he's black"? Parity of reasoning demands we treat such cases as equivalent, and the fact that no one would seriously consider punishing someone for a comment like Burney's should illustrate that legal reform is urgently necessary—otherwise, white people will continue to be the victims of reverse racism and "free speech" will not be adequately protected.

This is presented as a rational, calm, considered normative position. By using this strategy—that is, by trading on the ideal of impartiality and the grounding liberal narrative—"the standpoint of the privileged, their particular experience and standards, is [again] constructed as normal and neutral" (Young 1990, 116). Theirs is constructed as the perspective of "ordinary," or mainstream, Australians (Moran 2009, 797). Thus, the complainants hold "the false assumption that a particular standpoint [is] neither particular, nor a standpoint," which obscures the link between (cultural) power and knowledge (Tuana 2017, 127). So, the fact that the complainants, as white Australians, inevitably think, imagine, and reason from a *partial* and *socially powerful* perspective is rendered invisible to them (and sometimes to others, that is, to some nonwhite Australians). But problematically, as Young identifies, "by claiming to provide a standpoint which all subjects can adopt, [one] denies difference between subjects" (1990, 10). White vilification complainants speak from what they presume is an impartial perspective, which denies the genuine alterity of others and denies that they may have (greater) knowledge to offer.

IV. Resistant Imaginings and (Re-)Cognizing Difference

Critics of the liberal tradition are not convinced by the above meaning-generating narrative, nor do they ascribe to impartiality as an ideal of political engagement. The main quarrel, as Young explains,

is with the story's conclusion, namely, that since we have achieved formal equality, only vestiges and holdovers of differential privilege remain, which will die out with the continued persistent assertion of an ideal of social relations that make differences irrelevant to a person's life prospects. (Young 1990, 163–164)

In short, advocating for the ideal of impartiality covers over an uncomfortable truth: differences are not and cannot be irrelevant to a person's life prospects. This has been obscured, Luce Irigaray explains, by the fact that “for centuries, no-one imagined that different subjects might exist” (2000, 121). Subsequently, to be human was imagined according to a logic of singularity: one generic, universal human type.

“Of course,” Irigaray continues, “from the late nineteenth century onwards, attention turned increasingly to the question of the other,” but:

Others were nothing but copies of the idea of man, a potentially perfect idea which all the more or less imperfect copies had to try to equal. These copies, moreover, were not defined in their own terms, in other words, according to a different subjectivity, but in those of an ideal subjectivity and as a function of their deficiencies with respect to it: age, race, culture, sex, etc. The model of the subject thus remained singular, and the “others” represented more or less good examples within the hierarchy established in relation to the singular subject. (Irigaray 2000, 122)

Several feminist scholars and critical race theorists have challenged the supposed neutrality of the liberal Subject (e.g., Anderson 2017; Lloyd 1984; Mills 1997; Okin 1979, 1989; Pateman 1988). Young claims that the universal citizen is, in fact, “disembodied, dispassionate (male) reason. The universal citizen is also white and bourgeois” (Young 1990, 110). Elsewhere I have argued that this Subject is really “the male, masculine, rational, heterosexual, adult, white, Western/Eurocentric, able-bodied public actor,” or “benchmark man,” for short (Richardson-Self 2015, 57). That is to say, the liberal Subject is a *partial* subject. Further, summarizing Mills, Pohlhaus explains that “white European men are regarded as ‘generic’ prototypical knowers collectively on a progressive path toward

knowing the world” (2017, 17). That is, this Subject is also presented as the universal, impartial bearer of Truth.¹⁴

The claim is not only that the perspective of the universal Subject has, as a matter of fact, been the perspective of a highly partial subject. The claim is also that Others cannot simply be recognized by traditional political theory because *there is no singular human generic*, no one standpoint which all subjects can adopt, despite the impression yielded by traditional epistemology (Bubeck 2000; Pohlhaus 2012; Stoetzler and Yuval-Davis 2002; Young 1990). From these critiques emerges a “politics of difference”—the push for a society which does not strive for an impartiality that can never be achieved, but instead asserts that “there is equality among socially and culturally differentiated groups who mutually respect one another and affirm one another in their differences” (Young 1990, 163; see also Anderson 2017; Bubeck 2000). The aim is to move away from understanding human difference as “more” or “less” with reference to an implicit but highly partial norm, away from a singular understanding of humanity, and instead to move toward recognition of and respect for alterity (Bubeck 2000, 196). This critique does not see “difference” as deviance, devaluation, or hierarchical opposition, which matters greatly if we are to undermine the cultural imperialism of the dominant social imaginary and so reduce oppression (Young 1990, 171).

Difference, according to this resistant imagining, has a specific, emancipatory meaning. It now comes to mean specificity, variation, and heterogeneity: “Difference names relations of similarity and dissimilarity that can be reduced to neither coextensive identity nor nonoverlapping otherness” (Young 1990, 171). Consequently, in terms of what actual social groups may require to ensure social equality, we find that in some cases, people “may need to be unburdened of excessive ascribed or constructed distinctiveness,” (that is, of “Otherness” understood as inferiority) whilst in other cases, people may need “to have hitherto underacknowledged distinctiveness taken into account” (Fraser 2000, 115), that is, for alterity to be recognized. These are two sides of the same coin. We may therefore consider the politics of difference as constituting a resistant, marginal imaginary which runs counter to the liberal tradition, which disavows the ideal of impartiality, and understands “equality” as “equal regard”—a form of recognition that involves the esteem of multiple identities (Richardson-Self 2015, 3; Congdon 2017, 248).

From this perspective, we are now equipped to see that our white vilification complainants (and perhaps a great many mainstream Australians) do not

¹⁴ And importantly, the liberal tradition considers itself “to be the only legitimate tradition of thought able to produce knowledge and the only one with access to ‘universality,’ ‘rationality,’ and ‘truth’” (Grosfoguel, quoted in Tuana 2017, 131).

understand that their racial specificity is *qualitatively* distinct from other forms of raced identity, nor that this impacts what they know about the world. So, while they endorse a narrow norm of equal recognition that “recognizes *only* those qualities that are taken to be universally shared” (Markell 2006, 452; emphasis added), they mistake their experience of “being raced” as a qualitatively universal experience. In addition, they mistake their conclusions regarding hate speech laws as impartial, disembodied, rational, and unbiased because of this. These white vilification complainants hold onto the ideal of impartiality and the individualistic, liberal humanist dream of “equality” through a denial of the *relevance* of racial difference. Thus, ultimately, they *misrecognize* race, and what is going on here is a two-fold misrecognition: they misrecognize themselves in their own privileged racial specificity, and they misrecognize others in their own marginal racial specificity. The “natural” conclusion is that we can therefore reason about Australia’s true values and the makeup of a just society from an impartial, egalitarian perspective. But situatedness, feelings, perspectives, desires, and commitments “do not cease to exist and motivate just because they have been excluded [in theory]. . . . They lurk as inarticulate shadows, belying the claim to comprehensiveness of universalist reason” (Young 1990, 103).

Why does this matter? In Young’s words, the ideal of impartiality “reinforces oppression by hypostatizing the point of view of privileged groups into a universal position,” and this “allows privileged groups to ignore their own group specificity” and (re-)assert cultural imperialism over various minorities (Young 1990, 112, 165). What Young calls cultural imperialism can be understood as the unjust imposition of a particular way of imagining the world—where the dominant group produces the dominant social imaginary, but this imaginary cannot effectively be challenged by others, is frequently adopted by those others (causing alienation), and is directly responsible for “Othering” those groups in the first place (Lennon 2015, 105). These are oppressive social imaginaries. This also matters because this type of misrecognition underscores at least two forms of epistemic injustice, as I detail below. Because the white vilification complainants’ cultural perspective is the dominant, hegemonic perspective masquerading as the universal, it is all too easy to deny the legitimacy of others’ knowledge and to harm them in their capacity as knowers.

V. Willful Hermeneutical Ignorance

My claim is that the white vilification complaints analysed here both cause and constitute particular forms of epistemic injustice. One such epistemic injustice is willful hermeneutical ignorance, a form of ignorance for which people are morally culpable. Here I am assuming that the complainants genuinely believe that white vilification and nonwhite vilification are qualitatively equivalent. For the purposes of

this article, I am interested in how misrecognition creates *genuine* yet false beliefs about social status, entitlements, and equality, and how this in turn brings about epistemic injustices without any ill will toward oppressed racial groups. Nonetheless, this is something that white vilification complainants *could* and *should* know, and for this reason they are accountable for their ignorance. In order to illustrate how one can be culpable for what they do not know, we must return to feminist standpoint theory.

As epistemic agents, we are all situated—there is no generic “knower” unbound by social location. The situations in which we find ourselves as a consequence of our social positioning create “common challenges,” and these common challenges come to constitute part of the knower’s lived experience. This experience is shared by others who also occupy the relevant social location, but not by those otherwise located. When particular experiences—that is, particular common challenges—are repeated over time, “these challenges can lead to habits of expectation, attention, and concern, thereby contributing to what one is more or less likely to notice and pursue as an object of knowledge in the experienced world” (Pohlhaus 2012, 717). That is to say, the different material conditions of people’s lives (including the reception of the differences of our material bodies) affect what we are attuned to notice and what we are likely to see or experience. This in turn shapes how we make sense of our worlds—that is, it shapes what we know (see Pohlhaus 2012, 716–717).

However, it is a misperception that certain knowledge acquisition is only possible given a particular form of situatedness according to standpoint theory. Many standpoint theorists have argued against this interpretation, suggesting that through dialogue between marginalized and dominant, oppressor and oppressed, we are better able to approximate more objective knowledge (e.g., Bubeck 2000; Pohlhaus 2012; Stoetzler and Yuval-Davis 2002). That is to say, standpoint theorists believe that we can train persons in different material conditions to be sensitive toward the experiences of the marginalized, that through cooperative dialogue and trust the marginalized can share their epistemic resources, and that the privileged can learn to utilize these epistemic resources in order to better make sense of their own and the marginalized’s experiences.

To explicate this idea, it pays to look to Pohlhaus’s useful distinction between the “situatedness” and “interdependence” of knowers. All knowers are situated, but “relations with others are necessary for providing and maintaining [the] epistemic resources with which we know” (Pohlhaus 2012, 717). These epistemic resources—such as language, propositions, concepts, standards of judgment, and so forth—are always developed (and operate) interdependently. And, as Pohlhaus further explains, “Our epistemic lives are fundamentally intertwined with one another such that one cannot simply ignore other knowers

and *know well*" (2017, 16; original emphasis). Quite simply, it is because epistemic resources are shared, because these tools can be taken up and utilized even by persons who are not similarly socially situated, that we can collectively approximate a more accurate knowledge of our worlds. That is, so long as differently situated collectives "work cooperatively rather than coercively . . . it is not in principle impossible for those dominantly situated to recognize and learn to use epistemic resources calibrated from marginalized positions" (Pohlhaus 2012, 720–721). But this does not occur when white vilification complainants co-opt the status of "victim of hate speech."¹⁵

The concept "hate speech" (an epistemic resource) has been calibrated to a marginalized social location to allow oppressed groups to make sense of certain experiences and the harms they endure. Though it was first developed by a group of US legal scholars in the 1980s, hate speech has now become an *ordinary concept* (Brown 2017, 424).¹⁶ It has also spread to Australia and taken root in its dominant social imaginary. However, this concept has not taken root in its appropriately calibrated form. When racial minorities employ it, the intention is to highlight a form of treatment that is substantially damaging to its targets. Hate speech, properly understood, is oppressive speech that constitutes a form of systemic group-based violence, where violence is understood to include "severe incidents of harassment, intimidation, or ridicule simply for the purpose of degrading, humiliating, or stigmatizing group members" (Young 1990, 61; see also Richardson-Self 2018). However, the ordinary meaning of the concept has been stretched, disfigured by the ideal of impartiality and the grounding view of equality as sameness. As Brown observes,

More recent usage seems to permit a competent user to describe as "hate speech" instances in which members of an oppressed or victimised group lashes out verbally against members of an oppressive or victimising group. . . . This newer accepted usage may partly reflect a white backlash against the original use of the term "hate speech" (to condemn what whites had to say about other racial or ethnic groups), but it is also likely to reflect the broader work that society as a whole now expects the term "hate speech" to do—for example, to identify or flag up forms of speech that

¹⁵ Co-opting is different than "suppressing" and "resisting adoption" through the use of alternative concepts, which are both discussed by Anderson (2017, 146).

¹⁶ By this, I mean it "is (a) used by people who are not legal professionals or writers about the law, and (b) has a panoply of uses . . . within a range of other social, cultural, political and economic domains" (Brown 2017, 422).

society as whole fears have the potential to be very socially divisive or destructive of social cohesion. (2017, 444)

While I think Brown is right to diagnose that the ordinary concept “hate speech” has taken on this new meaning, I find that he is too generous in his suggestion that this is *likely* because society now expects the term to do broader work. That this is a form of backlash by (some) mainstream Australians (as well as mainstream Americans, mainstream Britons, etc.) is something we need to take seriously, but it is important to realize that this backlash may be pre-reflective and largely affective, given that our social imaginaries function latently (Lennon 2015, 107). Such attitudes are more likely elicited because of a commitment to the ideal of impartiality and grounding view of equality as sameness, due to the white vilification complainant’s inability to recognize that he does not reason from a universal perspective, due to the privileged group’s experiences and standards being constructed as normal and neutral, due to the vested interest white vilification complainants have in *not* coming to understand themselves as socially privileged.¹⁷

When white complainants assert that they have been racially vilified, the epistemic resource which can make sense of a *particular* phenomenon is not taken up in the appropriate way.¹⁸ It would be possible for white vilification complainants to learn to use the epistemic resource “hate speech” appropriately, but the fact that they co-opt and disfigure the concept, using it instead to refer to any form of negative racialized commentary—including “these people think X because they are white”—is to engage in willful hermeneutical ignorance. The complainants distort an epistemic resource in order to maintain an inaccurate understanding of the experienced world. As a consequence, the following occurs: first, marginally situated people cannot demonstrate that there is a part of the experienced world for which the disfigured epistemic resource is inadequate, because dominantly situated knowers (that is, white vilification complainants, as mainstream Australians) do not attend to that part of the world. Second, the marginally situated cannot call the attention of white vilification complainants to those parts of the experienced world, because the epistemic resource which was available to do so has already been co-opted and transformed (Pohlhaus 2012, 728). As Luvell Anderson puts it, “There is an obscuring of what the speaker intends to be the import of her speech. And . . . there is a loss in the ability of certain speakers to both produce

¹⁷ This is the type of ignorance José Medina (2011, 26) refers to as “active.”

¹⁸ Anderson makes a similar argument regarding the misinterpretation of the activist phrase “Black Lives Matter” (2017).

certain utterances and be interpreted correctly” (2017, 143). That is, both meaning and credibility are inhibited.

In short, white vilification complainants like Gaynor and Zanetti maintain their ignorance by actively undermining the “epistemic resource that attends to those parts of the world they are invested in ignoring” (Pohlhaus 2012, 728). What is more, these white vilification complainants ought to be held to account for this epistemic injustice because their failure to take up the proper meaning of the concept “hate speech” is not a consequence of an *inability* to do so.¹⁹ As Pohlhaus explains, it is by attending to the distinction between interdependence and situatedness that we are able to see this. As she puts it, “Situatingness cannot be transcended, but with habitual practice epistemic resources can make more evident to the knower that which is not immediately obvious from her position in the world” (Pohlhaus 2012, 729). If white vilification complainants took “an active interest in how the world is revealed from marginalized experiences,” then they could learn to use epistemic resources appropriately and avoid committing this epistemic injustice (Pohlhaus 2012, 731).

So, it is here we see that this epistemic injustice is, in fact, grounded in a failure of recognition. In order to take an interest in the experiences of the marginalized, one must first be willing to *recognize* the other as other, outside the logic of unity that belies the ideal of impartiality and the foundational meaning-generating narrative of the liberal tradition. For one cannot “forge truly cooperative interdependent relations with marginally situated knowers” (Pohlhaus 2012, 733) until one comes to *see* difference, and to see it as *alterity*.

VI. Comparative Credibility Excess

White vilification complainants like Gaynor and Zanetti may also receive an excess in credibility. This, too, would be an epistemic injustice. In order to see how this is the case, we need to keep in mind the contours of Australia’s dominant social imaginary. This dominant social imaginary (or dominant epistemic context) is something that operates at the hermeneutical and testimonial levels. At the hermeneutical level, the social imaginary shapes people’s “capacities for

¹⁹ As evidence, consider Senator Chris Evans’s argument in favour of federal legislation making racist hate speech a civil offence. As this was being debated, he said: “In considering this bill, senators must be mindful that, as predominantly white middle-class Anglo-Saxon males, we have a different perspective from that of the victims of racist behaviour. How many of us have been subjected to abuse in the streets, damage to our home or businesses, or campaigns exhorting our banishment or murder simply because of our race, colour or national or ethnic origin?” (Commonwealth, *Parliamentary Debates, Senate*, 23 August 1995, 223).

interpreting and understanding things (opening their eyes and ears to certain things and not others),” while at the testimonial level, the social imaginary shapes people’s “capacities for listening properly and for assigning adequate levels of credibility and authority” (Medina 2011, 27). We must also understand that no testimonial exchange happens in a vacuum. They take place in historically specific circumstances.

As mentioned above, Australia has its own complex history of settler colonialism and, despite popular belief, remains a society that is stratified by relations of racial domination and oppression today. Accepting (trusting) this as fact is crucial to illustrating how white vilification complaints like Gaynor’s and Zanetti’s can cause harm. As Medina notes, “perceptions of credibility and authority are forms of social recognition that are bound to be affected by the cultural habits of recognition available for differently positioned subjects with respect to different social groups” (Medina 2011, 21–22). Thus, if the dominant perception is that racial neutrality has been (very nearly) achieved in Australia, when, *in fact*, white Australians retain the social and epistemic advantages produced by Australia’s colonial past, then one will likely attribute credibility in line with this implicit racial hierarchy.²⁰ In short, the historical tendency to attribute credibility to the testimony of white men may further incline third parties to continue attributing such credibility, since this is the type of testimony that has been rendered “impartial.” This need not be a conscious judgment, but may itself be caused by an implicit prejudice—not a prejudice as strong or self-evident as disbelieving all people of colour *because* they are people of colour, but perhaps simply an unconscious prejudice “against taking *seriously* the experienced world outside of white men” (Pohlhaus 2012, 725; emphasis added). Thus, we see why it is likely that testimony such as Gaynor’s and Zanetti’s may receive a credibility excess.

To see why credibility excess is a form of testimonial injustice, we need to focus on the nature of credibility-attribution itself, and we must recognize that “the epistemic injustices we are examining have a systematic character: they are produced by—and are at the same time productive within—a complex system of social relations and practices in which unfair disparities among groups are maintained” (Medina 2011, 24). While credibility may not be distributive, it certainly seems to be the case that, much of the time, we *do* credit others less if we credit

²⁰ Elsewhere I make a comparative point with regard to seeking queer rights in a heteropatriarchal social context. If one seeks neutrality in a biased context, then any social benefit will always be first and foremost tailored to the benchmark man (Richardson-Self 2015, 66–68).

someone else more. What explains this, Medina thinks, is that credibility has a comparative and contrastive quality.²¹ As he explains,

Implicitly, being judged credible to some degree is being regarded as more credible than others, less credible than others, and equally credible as others. Credibility never applies to subjects individually and in isolation from others, but always affects clusters of subjects in particular social networks and environments. (Medina 2011, 18)

In short, it is not that credibility is finite, but that we apply it in a comparative and contrastive, contextualized way.

Medina holds that a credibility excess can be an epistemic injustice precisely because—history and context permitting—another group receives a credibility deficit by default, and over time this leads to unjust hierarchies of credibility, and hence contributes to unjust relations of social identity-power in the epistemic context (2011, 20). As he puts it, “Credibility judgments have effects (both proximal and distal) not only on their recipients, but on others involved in the interaction as well as others indirectly related to it (predecessors and successors of the exchange)” (Medina 2011, 18). Gaynor and Zanetti’s complaints originally involved only themselves, Burney, and representatives of the AHRC, as participants in the exchange. But they emerged from a racially charged environment, and in choosing to make their complaints (and their reasoning for their complaints) public via their blogs, they also engaged in a form of open-ended testimony. Those who encounter the testimony may well, in line with the historical tendency, accord them an excess of credibility due to the dominant impression that the experienced world of white men is actually neutral, universal, rational, and impartial.

The white vilification complainants could not offer their testimony in good faith if they had not first failed to recognize the alterity of others. Speaking from what they take to be the rational, impartial, universal(izable) perspective, they remain steadfastly closed-minded, dogmatic, and impervious to criticism. And these complaints can elicit credibility due to already established norms and (implicit and

²¹ Importantly, Miranda Fricker originally argued that credibility excesses cannot constitute testimonial injustices (2007, 21), though she later changed her position, distinguishing between “distributive epistemic injustice” and “discriminatory epistemic injustice” (see Fricker 2013). David Coady argued further that we can gain fruitful insights when we recognize both as forms of distributive injustice (2017, 61). I prefer Medina’s comparative and contrastive account, since it gets at the intersubjective nature of credibility attribution without having to treat credibility as finite.

explicit) biases regarding the reliability of testimony from “people like this.” This is true, even though their “being like this” (that is, white) is rendered invisible thanks to the cultural imperialism of the group in its very disavowal of difference. Moreover, an excess of testimonial credibility almost always brings about a comparative credibility deficit to the speech of others. This renders mainstream Australians more likely to believe that figures like Linda Burney are *just as bad* as garden variety racists, which is what Gaynor and Zanetti suggest. It also renders mainstream Australians less inclined to believe in the *severity* of racial vilification complaints made by people of colour because, by parity of reasoning, they seem just as trivial as instances of white vilification. Insofar as this occurs, Australians of colour are wronged in their capacities as knowers.

In short, any credibility excess resulting from these white vilification complaints will be an epistemic injustice because it perpetuates both the overestimation of the knowledge borne by white Australians and the underestimation of the knowledge borne by Australians of colour. Yet, with the proper recognition of racialized identity status in the contemporary Australian context—that is, by acknowledging alterity and abandoning the (unattainable) ideal of impartiality—one will not grant credibility excesses to white vilification complainants, because one will have a more “nuanced understanding of the particularities of the social context, and the needs particular people have and experience within it” (Young 1990, 96). Thus, again, we see that it is a failure of recognition that can cause this epistemic injustice.

VII. Concluding Remarks

As Young points out in the quote which prefaces this article, there is nothing but what is, the situated interest in justice, from which to start our normative reflections on that very topic (1990, 5). In order to understand relations of domination and oppression in contemporary Australia, and to attempt to change them, one must begin from a specific call to justice—even if that call is misguided and perpetuates the existing relations of domination and oppression. I also choose to focus on white vilification complaints in particular because, as indicated by Stoetzler and Yuval-Davis, it is crucial to understand the hegemonic centre, including the ways people situated there think and act, since most political decisions affecting the largest number of people come from this position (2002, 319). Like them, I believe that in order to bring about a society that is not stratified by relations of domination and oppression, it is important to first understand *what* the dominant cultural group believes (as reflected in the dominant social imaginary). Once one understands this, one can then challenge this normative position and generate epistemic friction by calling upon resistant imaginaries that present alternatives for a different future (Medina 2011, 28).

Understanding the logic behind the white vilification complaints analysed here has required making aspects of Australia's dominant social imaginary visible. Having done so, we can now see how the meaning-generating narrative of liberal equality and the ideal of impartiality constrains irreducible human difference to a singular, unitary logic. This is, in itself, oppressive to marginally situated others, since it allows the privileged group to maintain its cultural imperialism under the guise of neutrality and universality. But the failure to (re-)cognize difference also underscores this comparative credibility excess. As argued above, credibility judgments are affected by the hermeneutical and testimonial levels. And, as Medina points out, the latter depends on the former, since "hearers cannot listen to a speaker fairly if there is a hermeneutical gap that prevents them from understanding and interpreting that speaker" (Medina 2011, 27). As we have already seen, there is a hermeneutical gap, which is maintained by willful hermeneutical ignorance.

Given the contours of the dominant social imaginary (which enables willful hermeneutical ignorance), it is difficult—but not impossible—for mainstream Australians to engage with the appropriately calibrated hermeneutical resources developed by the marginalized for making sense of their oppression. In the case of the white vilification complaints analysed, the complainants could have learned to apply the concept "hate speech" appropriately and gained more accurate knowledge about how the world is. Instead they co-opted and disfigured this concept, applying it to their own experiences of racialized speech in a way that allows them to genuinely maintain the ideal of impartiality, and to protest that political correctness has now gone too far—that white people are now the underdogs, the new victims, those who have fallen afoul of a double standard, now subjected to reverse racism. Because such complaints come from the culturally dominant social group, white vilification complainants are also likely to have their understanding of the concept "hate speech" gain credibility and be taken up as *the* correct understanding. This further entrenches the cultural dominance of white Australians, and makes it all the more difficult for the marginalized to show that the types of racial vilification they encounter is both qualitatively particular and also oppressive. Their knowledge cannot be shared; thus, they are wronged as knowers.

Attempting to generate changes in a dominant social imaginary is no small feat. Imaginaries often operate at a pre-reflective level, but when epistemic friction emerges, what is latent can be made visible, analysable, and hence changeable (Lennon 2015, 107). I have suggested that a resistant imaginary which proposes a politics of difference enables people to recognize the alterity of the other rather than reduce the other's specificity to a singular logic of sameness. I have also suggested that, where alterity is recognized, epistemic injustices such as those produced in the testimony of Gaynor and Zanetti would not occur (without malice).

However, the Australian dominant social imaginary will only change alongside shifts in social power relations (Lennon 2015, 112). As such, members of the culturally dominant group must commit to engaging with resistant imaginings with a critical openness to the other and their testimony, and they must develop their capacities as listeners and a propensity to epistemically esteem the other in recognition of their alterity, if we are to prevent such injustices in the future (Bubeck 2000, 198; Congdon 2017, 249).

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