

## A Study of Social and Structural Injustice

### 1. Introduction

Justice and injustice are irrevocably bound, and they often are represented as two completely opposite binaries. Philosophers will theorize about the conditions necessary for justice and carefully craft those conditions away from recognized accounts of injustice. As someone with experience in usability studies, I see it as philosophers' investigating the use of justice. However, in usability studies the best practice is to study both use and non-use. So, can studying injustice teach us about justice? I will briefly argue that it can, but such a drastic paradigm shift merits a paper of its own.

The core of this question and reason for studying use and non-use is tied up in what I will call the Campfire Problem. Imagine you are sitting around a campfire at night. You can clearly see everything around the fire, and you can make out everything within the edges of its glow. Assuming you knew nothing about fire and how it works, what could you know or say about the fire? You can see more near the fire as it is lighter, and it is warmer closer to the fire. Is the fire a source of light and heat? And are light and heat the same? How could you know without comparing the campfire to something else? You can draw some limited conclusions by comparing the edge of the fire's glow to the area immediately around the campfire, using just what you can see. These conclusions are naturally limited because you are trying to understand the campfire by comparing it to the mixing point of firelight and shadow.

Therein lies the problem that justice and injustice are not always fully removed from one another. We see Avram Alpert grapple with this problem in his outline of the tradition of the nonviolent revolutionary spectator.<sup>1</sup> In his outline, he notices that Kant and Thoreau both struggle with the idea of a violent revolution against an oppressive government because the

government will have made a revolution necessary, but Kant and Thoreau are opposed to the violent means of revolution. While his outline focuses on defining the tradition and not sifting through the muddled ethics of a violent revolution, the struggle in reconciling a justified revolution with inherently unjust violence shows an understanding that justice and injustice can and do intermix. Alpert highlights an aspect of the tradition, called sympathetic withholding, that is intended to “move away from mere horror at violence, and toward a position of expressing compassion, maintaining his ethic, and shifting the burden of his critique to the highest scale of violence<sup>1</sup>” because “the [revolutionary] violence itself was an expression of the fact that voices simply are not being heard when they protest peacefully.<sup>1</sup>” This is the attempt to understand that the revolutionary violence became seen as a necessary step towards justice by the participants, but it does not manage to describe why a peaceful revolution is just, and why violence is unjust.

Returning to the campfire problem, it is not enough to simply compare the edge of the firelight to the area immediately around the fire as we can see with the tradition of the nonviolent revolutionary spectator. If you truly want to understand the campfire, you should step into the shadows to understand the difference between the campfire and the shadows, instead of merely drawing conclusions about the campfire from the dimly lit edges. The point of studying the shadows is to better understand the campfire and its light, so that we may extend its domain and dispel whatever shadows possible. In the example of a campfire in the woods, walking into the shadows would be the means to understand that the cold shadows are the absence of the heat and light of the fire, and walking into the shadows would be the means to find the wooden fuel necessary to keep the fire burning and perpetuate the light. By investigating the dominant characteristic(s) of social injustice, we may find the means and/or the drive for social justice.

My final point in studying injustice is to attempt to create a greater social justice. In the Campfire Problem, venturing into the shadows and understanding it as an absence is an important finding. But that knowledge from an excursion is not enough to complete the picture. By focusing on the area around the campfire and the understanding gathered by a handful of brief excursions into the shadows, we would risk falling into a problem similar to survivorship bias.<sup>2</sup> It is not enough to merely understand the shadows at a surface level; it is not enough to merely conclude the shadows are an absence of the firelight. That conclusion, while accurate, misses an important point. With it, we would be encouraged to simply build more campfires in a mathematical way, one with the number of fires necessary calculated out. While that would be a step in the right direction, we would likely be missing the vital understanding that the light of the campfire can be *blocked* by a person or tree in between you and the fire. It is not enough to calculate out the number of fires we need to light everything up because we need to account for the light being blocked. It is not enough to plan out the conditions and institutions needed for social justice because we need to understand the means by which those can get in the way. That accounting is what I mean when I say my intent is to create a greater social justice.

## 2. What Characterizes Social Injustice?

In order to begin outlining the dominant characteristic(s) of social injustice, we need to understand two accounts of social injustice. For this purpose, I have chosen to use Lisa Guenther's chapter "Seeing Like a Cop" to serve as an account of social injustice, and Winona LaDuke and Deborah Cowen's article "Beyond Wiindigo Infrastructure" will serve as an account of structural injustice, with the understanding that social and structural injustices are deeply intertwined. Since these two accounts propose solutions, we can test any outlined characteristics of social injustice against the solutions to see if their solutions confirm the outline by addressing

it. The next two paragraphs will serve as brief overviews of these two accounts focused on the most relevant points to understanding the characteristics of social injustice.

In “Seeing Like a Cop,” Guenther outlines how ordinary people are trained to use and perpetuate the surveillance state. In her words, “such practices include watching for abnormal activity, listening for strange sounds, and tracking the movement of unfamiliar people, usually from the safety of one’s home or car.<sup>3</sup>” She tracks the historical roots of these practices, their effect on communities, and the interplay between these social practices and legal institutions—which serves to illustrate one way in which structural injustice inherits from social injustice. She explains the idea of whiteness as property which “implies the right to police its own boundaries for the sake of excluding and selectively including others as white.<sup>3</sup>” She believes that the means to counteract this particular social injustice is a collective commitment at the individual level to abandon the idea and practices of whiteness as property such as in “abolishing the black/white binary that erases the multiplicity of differences among human beings.<sup>3</sup>”

In “Beyond Wiindigo Infrastructure,” LaDuke and Cowen outline invasive and predatory infrastructure meant to uphold what they label Wiindigo economics, with the comparison to the Native American myth of the Wendigo serving to highlight the implicit cannibalistic pleonexia, or desire for more than everyone else, at the heart of the problem. LaDuke and Cowen explain that “Wiindigo infrastructures underpin social organization and its reproduction in logics of capital, property, and accumulation over life.<sup>4</sup>” However, LaDuke and Cowen recognize that infrastructure does not need to be Wiindigo in nature, and in fact the way to fight Wiindigo infrastructure is to block the construction of and interrupt the operation of Wiindigo infrastructure while simultaneously building alimentary infrastructure. Alimentary infrastructure would be infrastructure designed to connect, nurture, and provide.

Now what do these accounts have in common? What dominant characteristic(s) do they share? Wiindigo economics and infrastructure put capitalism—or the gamified metrics of capitalism—before the actual people living in, working in, and upholding the economy and infrastructure. The abstract, albeit measurable, economy comes before the people. And the practice of seeing like a cop is rooted in viewing people *against* the silhouette of the “normal person” to see where they fail. Seeing like a cop pits an abstraction— even if it is a statistically measurable abstraction— against actual living people by finding irregularities and using those irregularities to deem the observed person as lesser. In other words, the practices of seeing like a cop put the abstract normal person before actual people, just like how Wiindigo economics and infrastructure puts the abstraction of capitalism before people. Putting an abstraction before people characterizes both of these accounts of injustice, but in order to be a dominant characteristic of social injustice it needs to be able to identify injustice.

### 3. Is Putting an Abstraction Before a Person Enough to Identify Social Injustice?

In “Democracy, Trust, and Epistemic Justice,” Catala describes the situation of testimony being dismissed because of the testifier being dismissed for being black or female. She writes “the hearer consciously or unconsciously views black people as liars or women as unintelligent. As a result, the hearer deems that the epistemic contributions of black or female speakers are unreliable: that black people or women are epistemically untrustworthy.<sup>5</sup>” This would fit our characteristic of social injustice, as the hearer is putting their abstract idea of a black person as a liar or a woman as unintelligent before the actual person in front of them. Moreover, Catala agrees with the situation being unjust, and in her words it is a description of testimonial injustice<sup>5</sup>. But is it the putting of an abstraction before the person that makes it unjust?

Consider if we were to change the circumstances to dismissing someone's testimony because of evidence showing they had a history of lying. Suddenly, the problem of dismissal goes away because it is justified by a preceding series of events. These events demonstrate that the person giving testimony fits the idea of a liar, but the dismissal is due to the events demonstrating the idea, removing the justified dismissal from our characteristic.

Consider then, if an individual's testimony were to be dismissed because there are pictures of the individual wearing a jersey of another country's soccer team. This dismissal would arguably be based on an event or evidence, but it lacks any clear tie to the character of the individual, and it lacks any clear tie outside of the unlikely circumstances in which the plaintiff, defendant, or victim happens to be involved with the foreign soccer team. In other words, the dismissal would rely on some sort of logical leap about what being a fan of the foreign soccer team means, meaning the dismissal would come from some abstraction or idea that is at most loosely related to a concrete event. This dismissal of testimony would be unjust, and when compared to the dismissal of the testimony of a demonstrated liar, it becomes clear that the dismissal from some abstraction is what makes it unjust. The dismissal of the soccer fan's testimony is the same abstraction problem as a dismissal due to race or gender.

#### 4. Multiple Case Examinations

To further investigate the validity of our characteristic, let us consider the Stranded case: where Bob who is kidnapped, beaten to near death, and dropped on the side of the road, and Amy who, upon discovering the site, offers to help if and only if he pays her 75% of his next paycheck<sup>6</sup>. Amy is not seeing the person in front of her, but is instead seeing an opportunity for profit. She puts the idea of profit ahead of the near-death person in front of her. It is an open and shut case of social injustice, clearly demonstrating our characteristic.

Let us address the case put forth in Catala's introduction that "muslim women in France are told that the headscarf symbolizes women's subordination and hence contradicts the national values of gender equality and secularism.<sup>5</sup>" At first glance, it would seem that our characteristic is invalid as it is a struggle between the abstract values of the French people and the abstract religious values of a muslim women. However, it is not that simple. The French, an abstract group akin to the normal person, hold the abstract ideals of gender equality and secularism. But if gender equality means that people have the same rights regardless of gender, and secularism means there is no state religion, what exactly is being violated by a woman choosing to be muslim and wear a headscarf? It seemingly runs counter to the French ideals, but it does not violate the practical realities of those ideas. The problem lies in the French idea of what gender equality and secularism *looks like* being put ahead of the woman practicing her equal right to choose and practice her religion absent state interference, thereby fitting our characteristic of social injustice while also being inconsistent with the professed French ideals. However this begins to stretch our characteristic, as we are also pitting two interpretations of an ideal.

Let us also consider the case of labeling in hunter-gatherer societies. It is 'common knowledge' that in hunter-gatherer societies the men hunted for meat and the women foraged, finding berries and other fruits in vegetables. However,

"Ethnographers who had turned their attention to the roles and activities of women 'gatherers' learned that, in sub-tropical, desert, and temperate regions, their foraging activities provide small game and plant resources that account for as much as 70 percent of the dietary intake as a whole. Indeed, they found that when women captured small game it was described as having been 'gathered' or collected, whereas it was recorded as 'hunting' when attributed to men.<sup>7</sup>"

We can still say that the idea of a woman as a gatherer is being put forth before the actual woman performing her actual activities, and the record is being unjustly adjusted to fit the idea of the roles of men and women. After all, if a man catches a rabbit for dinner, and a woman catches a rabbit for dinner, they both provide a rabbit for dinner. It is both a stretch and wrong to say a man *hunted* a rabbit for dinner while a woman *gathered* a rabbit for dinner; they paint different pictures and perpetuate different abstract ideas of an equal contribution. Not only that, but the same contribution is being unequally represented to make the offending party look better when the offending party, in fact, contributes less overall. This stretches our characteristic as inequality seems to be far more prominent than the problem of putting an abstraction before a person.

#### 5. Reexamining the Characteristic(s) of Social Injustice

While our characteristic has not yet been broken, it is being stretched to fit problems at the edge of its scope. I take this to mean that our characteristic is on the right track, but somehow incomplete. Let us begin by examining the cases that stretch the meaning of putting an abstraction before a person for commonalities, with the observation that putting an abstraction before a person is at least on the right track.

As already mentioned, the case of the muslim woman in France is complicated by the fact that it is pitting two interpretations of ideals against each other, specifically that the common interpretation of ideals is trumping a valid individual interpretation. And the case of unjust records in hunter-gatherer societies is more about creating an unequal view. Both of these cases are rooted in *setting* inequalities. The muslim woman is being told her valid interpretation and practice of her rights is actually wrong because it doesn't fit someone else's interpretation and practice, and the gatherer woman is being told she did not hunt but instead gathered because the man's identical activity was the more important hunting. In other words, the muslim woman and

gatherer woman are being set as unequal in personhood to the average French citizen and the hunting man, respectively. It should be noted that the characteristic of unequal personhood is not mutually exclusive with our previous characteristic of putting an abstraction before a person, but it is instead a better description of the edge cases.

Interestingly, the new characteristic of unequal personhood is similarly robust to our pre-existing characteristic. The Stranded case is a matter of unequal personhood where Amy sets her *wants* as equal to or more important than Bob's *needs*, which is a more general explanation of how Amy unjustly exploited Bob's desperation "by using the fact that his back is to the wall.. or that he cannot reasonably refuse [her] offer to get him to accept lopsided and outrageous terms of exchange."<sup>6</sup> Testimonial injustice is a case where an abstraction of a race or gender is used to 'justify' unequal personhood. The practices of seeing like a cop are practices of using an abstraction of the normal person to 'justify' unequal personhood. And the characteristic of unequal personhood is lightly stretched in the case of Wiindigo Infrastructure and Economics, where there is unequal personhood lurking beneath the surface putting the abstract ideas of infrastructure and economics ahead of the people. In fact, these characteristics of injustice may interplay in a way similar to social and structural injustice, inheriting from and perpetuating each other.

#### 6. The Case for Two Dominant Characteristics of Social and Structural Injustice

As we already understand, social and structural injustice are intertwined. However, it is now important to understand some level of difference between the two injustices. While we can understand social injustice as the casual inequalities we create or perpetuate in the day-to-day, "structural injustice, however, is the outcome, often unintended, of a multitude of routine and deliberate actions within institutions. Though many people contribute to producing and

reproducing structures that cause injustice, and often many people are privileged in these structures, it is usually not possible to isolate the particular contributions of particular agents.<sup>8</sup>” In other words, the difference between social and structural injustice is largely a difference of scale.

Similarly, our two characteristics are related but slightly different. The characteristic first established of putting an abstraction before actual people is most clearly seen in cases of structural injustice like Wiindigo Infrastructure and Economics, but it stretches to apply to smaller-scale social injustices like the muslim woman in France. Inversely, the characteristic established second of unequal personhood is most clearly seen in the small-scale case of the muslim woman in France, but it stretches to apply to large-scale structural injustice like Wiindigo Infrastructure and Economics. The two characteristics may be able to be used to help sift through whether a particular injustice is more social or structural, or if the injustice is at a major point of intersection of structural and social injustice, like in the Stranded case.

The Stranded case is a point of major intersection because Amy, in a day-to-day scenario, is doing nothing more than what a hyper-capitalist economy taught her. She has a desperate person ready to pay exploitative prices for help, enabling her to commit a social injustice by placing her personhood ahead of Bob’s, and perpetuating structural injustice by placing the idea of, and opportunity for, profit ahead of people.

### 7. Testing the Characteristics in the Case of Healthcare

It is no secret that the United States is an outlier first world country because of a lack of universal healthcare. At the end of June 2022, it was reported that the net income for 2022 (thus far) was eighteen billion dollars<sup>9</sup>. In other words, there is an eighteen billion dollar profit to avoid universal healthcare, matching our characteristic of structural injustice. And as Carol

Gourd writes, “the lack of universal healthcare in the United States is evidently primarily due to the existence of structural injustice, rather than simply reflecting an absence of solidarity among compatriots. To state the obvious: the U.S. private insurance industry– and especially its leading large for-profit companies– is immensely powerful, and currently at least, enormously profitable.<sup>10</sup>” Gourd, in identifying the core problem of U.S. healthcare to be structural injustice, implicitly agrees with the problem matching our characteristic of structural injustice.

Additionally Gourd wrote an absence of solidarity, or not wanting to pay for another person's healthcare, was not the issue as over 70% of polled Americans responded that they would support “Medicare for All.<sup>11</sup>” In other words, universal healthcare has become/is becoming an element of the social justice movement as we recognise we all equally deserve healthcare– reversing our characteristic of social injustice. Gourd would equally agree that the problem of healthcare in the United States is now past the point of social injustice, or as she writes “in view of this systemic injustice, the sort of solidarity needed, then, is not only an empathic identification with other citizens...<sup>10</sup>” So our characteristics of social and structural injustice have merit, or at least match the description of an article on bioethics.

But as highlighted in the campfire problem, identifying these characteristics should be able to lead us to a greater understanding of social and structural justice. Specifically, if we understand justice and injustice as opposites, then reversing our characteristics of injustice should provide a path towards justice.

#### 8. Reversing the Characteristic of Structural Injustice

If structural injustice is characterized by putting abstractions before people, then structural justice would be putting people before institutions, or, as LaDuke and Cowen put it in “Beyond Wiindigo Infrastructure,” building alimentary infrastructure that serves people.

However, our characteristic was, in part, found from the description of Wiindigo Infrastructure, so reversing it would inherently find the proposed solution to Wiindigo Infrastructure.

Instead, we will test the idea of “people before institutions” as a path to structural justice in the context of the Civil Rights movement. The Civil Rights movement arose in opposition to Jim Crow laws and racist policing. If our reversed characteristic is a path to structural justice, then it should be echoed in the goals, rhetoric, and/or actions of the parties pushing the movement forward.

In the most famous speech from the movement, Martin Luther King Jr’s “I Have a Dream” speech, we do not see any clear implementation of the idea that institutions serve people. But MLK Jr. does not outline a path forward, or any goals for the future outside of “...a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.<sup>12</sup>” I could argue that the speech is calling for an end to the institutions that prey upon people, thereby implicitly advocating for putting people before institutions. However we must remember that this speech is not a founding moment of the movement, and this speech came at the end of a long march to the capitol, so it is not serving as a call for structural justice. This speech is instead primarily serving as a calming moment of catharsis for the members of the movement, in the same way a mother would tell a scared child during a thunderstorm that the storm will end and everything will be okay.

Instead, I will turn to the lesser known Free Breakfast For School Children program run by the Black Panthers Party. The Black Panthers were founded to combat the social and structural injustice faced by black people, and they rolled out social programs like Free Breakfast For School Children as part of their direct action. “The program was simple: party members and volunteers went to local grocery stores to solicit donations, consulted with nutritionists on

healthful breakfast options for children, and prepared and served the food free of charge.<sup>13</sup>” In other words, in their attempt to counteract the lasting impacts of slavery, and their current realities of greater poverty rates and Jim Crow, the Black Panthers created a program to serve their community, they created an institution to serve them.

The government had recognized the threat of this as well. The Black Panthers were always at odds with the state police as “the Black Panther Party primarily organized neighborhood police patrols that took advantage of open-carry laws...<sup>13</sup>” Their neighborhood patrols constituted the first of their self-made structural justice, and Free Breakfast For School Children threatened to further their self-made structural justice (and self-governance). So, “the night before [the first breakfast program in Chicago] was supposed to open... the Chicago police broke into the church and mashed up all the food and urinated on it.<sup>13</sup>” In other words, the oppressive Chicago police doubled down on the existing structural injustice in order to prevent the Black Panthers from creating structural justice for themselves by creating programs to support themselves.

And the idea of food for school children being a form of structural justice has recently been implicitly echoed. In 2023, the State of Michigan created the “Michigan School Meals” program to give free breakfast and lunch to all K12 school children in Michigan, with the State Board of Education President being quoted saying “The State Board of Education feels strongly that all children deserve the best, most healthy learning environments possible.<sup>14</sup>” In other words, the Michigan School Meals program is alimentary infrastructure created to serve the school children of Michigan, again demonstrating that structural justice is institutions serving people— or the reversal of our characteristic of structural injustice.

## 9. Reversing the Characteristic of Social Injustice

If our characteristic of social injustice, “unequal personhood,” is accurate, then the reversal that people are equal should serve as a path to social justice. This point has been argued before in enlightenment philosophy and is usually held as implicitly true, so instead I will show that reversing the characteristic of social injustice, or demonstrating people as equal, can serve to undermine structural injustice on the individual, or social, level.

The Ku-Klux Klan is an institution founded on the belief that black people are unequal. Members join because they agree with the abstraction of black people as savages, lesser beings, or some other inhumane thing. So, if I am correct in the claim that simply demonstrating people as equal will lead to social justice and undermine structural injustice, all it would take to get a KKK member to leave the organization is to show him that a black person is a person just like him. And that is exactly what blues musician Daryl Davis did.

His plan of attack against the KKK was to simply befriend Klansmen. “He says once the friendship blossoms, the Klansmen realize that their hate may be misguided... When that happens, Davis collects the robes and keeps them in his home as a reminder of the dent he has made in racism by simply sitting down and having dinner with people.<sup>15</sup>” In other words, Davis approaches Klansmen as misguided people perpetuating social injustice, treats them as equally human when they are least likely to do the same, and creates social justice through treating them as an equal human with a misguided abstract idea of him and people like him.

## 10. Conclusion

In observing accounts of social and structural injustice, we noticed two characteristics held in common to various degrees. These characteristics were “putting abstractions before people” and “unequal personhood.” These characteristics had the same interplay as social and

structural injustice, and we found they may serve to help understand if a particular injustice is more social or structural in nature, coupled with the understanding that social and structural injustice differ in scale but feed into each other.

We took these characteristics of injustice and reversed them because if they are as accurate as intended, the reversal of the characteristics should serve as a path to social and structural justice. The reversed characteristics did indeed mark the path towards structural and social justice, at least in their respective cases. This preliminary account of the dominant characteristics of social and structural injustice, and the paths to social and structural justice in their reversal, is brief but may merit further exploration. It also remains to be explored if these characteristics of social and structural injustice are capable of explaining necessary violent revolution as simultaneously an act of justice and injustice.

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