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Knowing your past: Trauma, stress, and mnemonic epistemic injustice

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1 | INTRODUCTION

There is strong psychological evidence suggesting that sometimes social and institutional structures cause people to experience, or exacerbate existing, trauma and severe stress. Evidence further suggests that trauma and stress can lead autobiographical memories to become disorganized and distorted. In this way, social and institutional structures can cause significant harm by denying some individuals access to a specific kind of knowledge; knowledge about their personal past. When people are being denied access to this kind of knowledge, their objective, basic interests in good epistemic agency, capacity for autonomy, and general well-being, are curtailed. In this paper, we argue that these memory distortions therefore constitute a distinctive form of *mnemonic* epistemic injustice: some people are unjustly disadvantaged as epistemic agents by being avoidably and foreseeably denied access to epistemic goods required to support their objective interests, due to social and institutional structures that cause some of their memories to become distorted or disorganized.[1] They are denied something that they are entitled to, that is, freedom from the imposition of stress and trauma that brings epistemic costs and other damage to their objective needs.

Moreover, this injustice can be further compounded in cases where trauma and stress make it harder for an individual to be believed because their testimony contains untruths due to memory errors. Memories that are distorted and disorganized often exist alongside core memories about important events that are accurate. When it is assumed that certain core aspects of a person's account of their own experiences are false there can be an additional epistemic injustice that compounds the initial injustice of having one's memories distorted. The compound

epistemic injustice that we describe can be experienced by people who are speaking untruths (due to memory errors), *as a response* to the untruths that they are speaking. It can even happen in cases where the hearer *responds reasonably* to the untruths of the speaker when denying their account credibility. These compound epistemic injustices therefore differ significantly from standard cases of testimonial injustice where a person has their testimony dismissed as lacking credibility when there is little or no good reason to believe that they are speaking untruths (Fricker, 2007). The compound injustices that we describe are interesting because they can be jointly caused by two or more different unjust features of social and institutional structures, that is, those features that cause the memory distortions and those that lead the memory errors to be misinterpreted. They show how different features of social and institutional structures can conspire to make it especially difficult for marginalized individuals to be believed.

We illustrate these points via the case study of asylum seekers in the United Kingdom. Asylum seekers experience high levels of trauma and stress relative to the general population not only because of events that they have often experienced in their country of origin, but also because of hardships that they encounter in the process of seeking refuge and claiming asylum. The heightened vulnerability to undergoing memory distortion and disorganization is the avoidable and foreseeable consequence of deliberate policies, such as, for example, those aiming at deterring asylum seekers from entering the UK. Moreover, this initial injustice can be compounded when asylum seekers must articulate their need for protection in the asylum process.

The paper makes a significant contribution to the literature on epistemic injustice by explaining how social and institutional structures can cause serious epistemic harms and wrongdoing by negatively impacting an individual's memory. The paper also shows how this epistemic injustice can be compounded when an individual provides testimony that contains falsities, even in cases where the hearer responds reasonably to the falsities—introducing the notion of a compounding epistemic injustice. At the same time, it highlights a significant aspect of the plight of asylum seekers.

In Section 2, we begin by showing how social and institutional structures can lead people to experience memory distortions, with specific attention paid to the UK asylum system. Next, in Section 3, we argue that these memory distortions are cases of epistemic injustice. We then proceed in Section 4 to show how these initial injustices can be compounded when individuals are required to provide an account of their needs. Finally, in the conclusion, we highlight implications of this discussion for how epistemic injustice in general should be conceived.

2 | MEMORY DISORGANIZATION AS A PRODUCT OF SOCIAL STRUCTURES AND INSTITUTIONS

Let us begin, then, by considering evidence suggesting that social and institutional structures can lead people to experience memory distortions. We will begin as we intend to go on, by considering the experiences of asylum seekers as exemplars of this broader social phenomenon.

2.1 | Stress, trauma and autobiographical memory

All people are susceptible to forming memories that contain some distortion. Contrary to popular metaphors (Danziger, 2009), memory systems do not act like storehouses or filing systems that store discreet and accurate records of events in the past that can be retrieved at the point of

recollection (Sutton, 1998). Research from the cognitive sciences instead strongly suggests that memory involves plausible construction of representations of past events from traces of information, and errors can arise in this process so that memories of the past can become distorted (see Michaelian, 2013; Robins, 2019; Schacter et al., 2011). It should not be thought, then, that in the absence of the negative impacts of social structures the memories of those affected would be perfect.

Nevertheless, there is robust psychological evidence suggesting that when people experience traumatic events or severe stress, they often consequently have distinctive memory errors over and above those ordinarily experienced. Research focusing on moderate or non-acute levels of stress suggests that stress may promote learning and encoding of information to memory, but only under specific conditions, for example, if the stress occurs at the specific time that the information is encoded and is related to the stressor (Joëls et al., 2006; Smeets et al., 2007). It has been hypothesized that the enhanced processing of this information about stressful situations may lead to better encoding. However, in many other circumstances, stress has been found to impair retrieval of information from memory. For instance, stress that occurs before encoding of information has been found to impair retrieval of information (Henckens et al., 2010, 2012; Zoladz et al., 2011). Similarly, stress that occurs prior to retrieving information from memory has been found to impair retrieval (Buchanan et al., 2006; de Quervain et al., 1998; Quesada et al., 2012; Schwabe & Wolf, 2010, 2014).

Meanwhile, empirical work suggests that any beneficial impact of stress on memory is absent in cases of stress-related mental disorder, and where the brain is exposed to uncontrollable stress over longer periods of time (Joëls et al., 2006). It has been found that people who experience acute stress disorder (ASD) (Harvey & Bryant, 1999; Jones et al., 2007; Salmond et al., 2011), and longer term post-traumatic stress disorder (PTSD) (Halligan et al., 2002; Jelinek et al., 2009; Jones et al., 2007) often display with disorganized memories of the traumatic events that they have experienced. They often struggle to contextualize the trauma memory, with the subjectively worst parts of the trauma experience becoming disjointed from events that happened before and after it (Ehlers & Clark, 2000; Sachschal et al., 2019). People with ASD and PTSD can therefore fail to recognize that the threat that led to the trauma was specific to a certain time and place (Ehlers & Clark, 2000). Moreover, trauma can lead people to overgeneralize memories rather than recalling specific incidents (Granhag et al., 2017: 33). There is some evidence that trauma and PTSD can impact memories beyond specific memories of trauma (Jelinek et al., 2009), but this evidence has been mixed, with some studies showing a sharp distinction between the impact of PTSD on trauma memories compared to other unpleasant non-trauma memories (Salmond et al., 2011). The evidence in support of trauma memories specifically being disjointed in people with acute stress and PTSD is, however, strong and robust (Khan et al., 2021). For example, summarizing the literature, Herlihy et al. (2012: 665, our emphasis) maintain that

> autobiographical memory in people with disturbed psychological adjustment shows particular types of disruption, such as the dominance of sensory, perceptual and emotional impressions or deficits in conceptual connection or organization of the memory of the event, *resulting in fragmentation or disorganization*.

This strongly suggests that where social structures place people in a position in which they experience traumatic events or stress, these structures can cause distinctive memory distortions and disorganization.[2]

2.2 | Memory disorganizations and the asylum system

The point that social structures can place people in conditions of stress and trauma that causes distinctive memory distortion and disorganization can be illustrated via the case study of asylum seekers in the United Kingdom (and elsewhere). Numerous studies show how the various types of stress and trauma experienced by asylum seekers can cause inconsistencies in memory recall (Diaz et al., 2023; Herlihy et al., 2002; Herlihy et al., 2012; Memon, 2012; Rogers et al., 2015; Saadi et al., 2021). For instance, one study of 193 asylum seekers from 90 different countries found that, adjusting for age, gender and head trauma, "[individuals] with a diagnosis of PTSD had approximately three-fold higher odds of having memory issues than individuals without those diagnoses" (Saadi et al., 2021: 5). Clinicians subsequently interviewed those asylum seekers who had memory loss and found that memories were completely missing or disjointed, incomplete, or lacking a meaningful chronology. For example, a 15-year old boy could remember seeing blood on his foot, but not how he was injured (Saadi et al., 2021: 5). A 75-year old woman recalled several traumatic events as taking place at a similar time, despite the events being several years apart (Saadi et al., 2021: 7). Further, a systematic review of studies on the link between autobiographical memory and mental health among refugee populations found that a "common feature of refugee people's autobiographical memory was that they lacked consistency" and that this inconsistency "was more apparent for the marginal description of an event than for the description of the core event" (Khan et al., 2021: 5). They also noted how several studies found that post-migration stressors, which we discuss below, negatively impact refugees' mental health and thereby memory (Khan et al., 2021: 13). Another study highlighted how there is evidence that post-migratory stressors have a greater impact on refugees' mental health than pre-migratory trauma (Carlsson & Sonne, 2018: 22). These memory effects can impede the ability of an asylum seeker to provide an accurate account of their past experiences and their need for protection (Carlsson & Sonne, 2018; Granhag et al., 2017; Herlihy et al., 2023).

Now let us further clarify how the trauma, stress and subsequent memory errors among asylum seekers can be caused by social and institutional structures. To simplify, the UK asylum system has internal and external dimensions. The external dimensions of the system are the ways that it is implicated in the treatment of refugees and asylum seekers outside of its territorial borders through externalized border policies, as well as its embeddedness in the wider global refugee regime. The internal dimensions are any policies affecting the treatment of asylum seekers within its territorial borders, including the entirety of the formal asylum seeking process. Both the external and the internal dimensions include policies and treatment that cause trauma and stress. While the initial trauma of war and persecution may not (but can be) caused by a third state like the UK, the treatment of refugees and asylum seekers in both the external and internal aspects of the asylum system by states like the UK put people in dangerous situations which, if not fatal, can cause severe trauma or stress.3 Let us look at these dimensions in turn.

The external dimensions of the UK asylum system include the state of the overall global refugee regime, which the UK as a Western power played a leading role in creating through the initial post-war formation of the UNHCR (Krause, 2021; Mayblin, 2017). The regime is characterized by few legal obligations beyond *non-refoulement*, which has led states to implement so called "non-arrival" policies to deter refugees from reaching their territorial borders. Visa requirements are the most obvious example of non-arrival policies, as they prevent asylum-seekers from traveling via regular routes to apply for asylum, and instead force them to

undertake irregular, expensive and very dangerous journeys. Carrier sanctions are another typical example, whereby companies like airlines are required to check the documents of all travelers or face sanctions.[4] The refugee regime is further characterized by a reliance on encampment and "hot-spot" solutions, which are under-funded, unsafe (especially for women and girls) and lack opportunities for employment or education. The EU "hot-spots" in Greece and Italy are direct results of non-arrival policies preventing people from traveling regularly to seek asylum, and the living conditions in the camps are notoriously inhumane (Bird, 2022). A report by the International Rescue Committee (2020), which provides a mental health support programme on the Greek islands of Lesvos, Chios and Samos called attention to significantly deteriorating mental health in the refugee camps. The report explains:

> While the people living in the Greek island hotspots have survived much and endured more, their resilience is repeatedly undermined by difficult experiences in the camps and the reality of life in limbo. This is particularly true for people with additional vulnerabilities, such as those who experienced violence before they arrived, including sexual or gender-based violence, or those who were victims of torture (IRC, 2020: 13–14).

At least two out of five who were supported by the International Rescue Committee reported symptoms of PTSD.

The external dimensions of the UK asylum system thus expose asylum seekers to multiple risk factors for trauma and stress, such as violence, sexual violence, bodily harm including torture, high levels of uncertainty and insecurity, lack of basic necessities, and detention; what Serena Parekh (2020: 27) calls "secondary harms" of the refugee regime.

The internal dimension of the UK asylum system includes the formal, legal asylum claims process, as well as the treatment of asylum seekers before, during and after a decisions has been made on their application. Several aspects of the asylum system increase the risk of poor mental health (Refugee Action, 2018: 37). These include insecurities around visa status or temporary visas, family separation, lack of housing or ability to work, social isolation, discrimination and the length of the asylum process (Carlsson & Sonne, 2018; Hynie, 2018; Löbel, 2020). Each of these factors can contribute specifically to stress. Moreover, it is well known that the use of detention can cause or compound existing trauma (Bosworth, 2016; Newman, 2013). For example, research on Sudanese asylum seekers who were detained in military barracks in the UK reveals the retraumatization this could cause "especially for those who grew up in a displaced camp under constant surveillance and harassment from government and militia, and who are victims of modern slavery in Libya. Some suffered flashbacks when held captive in barracks or in hotels" (Jaspars, 2021). In 2021, The UK detained around 24,500 people, including 100 children (Silverman et al., 2022). In 2023, the UK started housing asylum seekers on a barge, which Ann Salter, Clinical Service Manager working for the charity Freedom from Torture, describes as "a mental and physical health catastrophe waiting to happen."[5] Salter emphasizes how this form of housing risks re-traumatizing people with existing trauma from dangerous journeys at sea, prevent people with PTSD in general from recovering, and cause ill mental health even for those without pre-existing conditions. Finally, a study on post-migratory stressors and refugee mental health suggest that these kinds of stressor can potentially explain the high prevalence of late onset PTSD in refugees (Carlsson & Sonne, 2018: 29).

There is very good reason to think, then, that both external and internal aspects of the UK asylum system place asylum seekers in situations where they are susceptible to experiencing

trauma and severe stress.[5] These experiences to which asylum seekers are exposed can negatively impact their ability to remember the past. Their memories might be fragmented and disjointed, not because they are generally untrustworthy or intend to lie, but because they have been exposed to trauma and stress by the existing social and institutional structures of the asylum system.

The general lessons taken from this case should not be limited to the asylum system. Wherever social and institutional structures place people in situations where they experience trauma or severe levels of stress those structures could be causally responsible for memory distortions. Decisions about welfare support that make people vulnerable to traumatic or stressful experiences of poverty and debt, for example, may be responsible for people living in poverty experiencing disorganized or distorted memories. Similarly, policy decisions about reproductive rights, or access to healthcare, may be responsible for causing people to have distorted memories, so long as these decisions have the potential to produce the types of trauma and stress that can lead to memory distortions, which it seems in many cases they will do.[6]

3 | MNEMONIC EPISTEMIC INJUSTICE

Now that we have reason for thinking that social and institutional structures like the asylum system can cause memory disorganization and distortion, let us consider how this can constitute epistemic injustice. Epistemic injustice occurs when a person is wrongfully harmed in their capacity as an epistemic agent (Fricker, 2007). An epistemic harm can be wrongful for a number of reasons (Fibieger Byskow, 2020). One distinctive class of wrongs is when an agent is "ingenuously downgraded and/or disadvantaged in respect of their status as an epistemic subject" (Fricker, 2017: 53). This is sometimes referred to as discriminatory epistemic injustice (Fibieger Byskow, 2020; Fricker, 2017). Our claim is that in cases where people undergo stress and trauma due to social and institutional structures in ways that negatively impact their ability to remember the past, they are disadvantaged with respect to their status as an epistemic subject because of the epistemic harms that they experience. They are disadvantaged with respect to their ability to remember aspects of their past in ways that can be crucial to supporting further non-epistemic objective needs. In the process, they are denied something to which they are entitled: freedom from the avoidable imposition of trauma and severe stress that distorts their memory and prevents them from achieving objective needs like capacity for autonomy and well-being. This, we argue, is a mnemonic epistemic injustice. While no one is entitled to accurate memories of their personal past, people are entitled to not have our memories knowingly distorted, given the serious harms this can cause. In addition, we also suggest that there are similarities between the phenomena found in our memory cases and distributive epistemic injustice when institutional and social structures create inequalities in opportunities to access autobiographical memories.

3.1 | Memory disorganization and wrongful epistemic harms

Let us consider, then, how memory disorganizations resulting from trauma and stress inducing social and institutional structures constitute epistemic harms that amount to epistemic injustice. Those who experience memory errors due to trauma or stress are clearly *harmed* in their capacity as epistemic agents. There are many ways that a person can be a successful epistemic

agent. One may achieve this by responding to reasons, having reliable belief forming processes, being a good listener or good at asking questions, and so forth. The ability to access accurate information about one's personal past is a crucial aspect of epistemic agency. If people cannot accurately recollect some details about their personal past because their memories become distorted or disorganized, they cannot respond as they would otherwise to reasons there are to believe certain things about this past, because they do not have the accurate memories that would otherwise supply them with reasons to believe those things. If trauma leads them to have memories that contain specific inaccuracies, it reduces the reliability of their memory system, reducing the chance that the memory beliefs they form will be true. Each of these can be negative impacts on the epistemic agency of those who experience trauma and stress that mean it is appropriate to say that their epistemic agency is curbed.

People are not only *epistemically* harmed by the impact of stress and trauma on memory. There are at least two further harms caused by trauma and stress induced memory errors. These errors can undermine an individual's capacity for autonomy and, more generally, are harmful to a person's well-being. These are secondary non-epistemic harms of the memory disorganization. The epistemic harm of memory disorganization therefore leads to significant disadvantage in achieving objective interests in the capacity for autonomy and adequate well-being.

To be autonomous, we require some capacities to deliberate on ends, and act upon them, so that we can live self-authored lives. Autonomous deliberation requires knowledge of the self. To Diana Meyers (1989), for example, autonomy requires introspection, including autobiographical introspection, so that one can direct one's life. Following Meyers's (cited in Govier, 1993: 111) claim that autonomous agents must "be disposed to consult their selves, and they must be equipped to do so," Trudy Govier (1993) has argued that autonomy also requires self-trust, one component of which is an ability to remember. While self-doubt is a normal and healthy aspect of autonomous deliberation, extreme self-doubt can be completely debilitating. One example on Govier's account of what might induce self-distrust is an inability to accurately remember one's childhood, but the same argument applies to any memories central to the shaping of the self. "To lack general confidence in one's own ability to observe and interpret events, *to remember and recount*, to deliberate and act generally, is a handicap so serious as to threaten one's status as an individual moral agent" (Govier, 1993: 108, emphasis added). If someone suffers memory errors due to trauma and stress, experiencing their memories as disorganized, their capacity for self-trust may be diminished, and their capacity for autonomous deliberation may be seriously undermined. A person's self-trust may be diminished, as well as their capacity for autonomous deliberation, by precisely the types of error that stress and trauma appear to induce, even while the core details of a trauma event are recollected vividly and accurately. The inability to remember an event in a way that contextualizes it accurately in time and place, for example, may undermine a person's self-trust. Take, for example, the 75-year-old asylum seeker who misremembered several events occurring close together despite them occurring years apart (Saadi et al., 2021). If this error is pointed out to her she is likely to experience significantly diminished trust in her memories, even if core details about the events are recollected correctly.

Trauma induced memory disorganization can also be very harmful for a person's general well-being by causing serious mental ill health. Some research suggests that being able to accurately remember the types of detail often lost by people who have experienced trauma—that is, details about the context in which a trauma event occurred—can be crucial to avoiding intrusive thoughts (Ehlers & Clark, 2000). It is argued that where trauma memories do not contain adequate contextual details about the particular time and place in which a trauma event occurred, the experiences encoded in the trauma memories can have the quality of being "here"

and "now", leading to unintentional intrusive thoughts about the trauma event (Ehlers & Clark, 2000). What this suggests is that in cases where people experience trauma and stress that negatively impact their memories, they may become more susceptible to longer term mental health issues. The epistemic harms associated with the memory disorganization can contribute to long term damage to mental health and well-being.

These examples demonstrate that trauma and stress induced memory errors can undermine a person's basic interests in having good epistemic agency, the capacity for personal autonomy, and general well-being. Our suggestion is that this combination of epistemic and consequent non-epistemic harms, caused by features of social and institutional structures, constitutes a mnemonic form of epistemic injustice. People are unfairly disadvantaged as epistemic agents and denied something to which they are entitled, that is, freedom from having these serious epistemic and consequent non-epistemic harms inflicted on them. It may be suggested, quite reasonably given memories' importance to people's basic interests, that social institutions ought to provide trauma treatment that might reduce the negative impact of trauma on memory, in particular in cases such as the asylum process where such memories are required to access further rights.[6] However, we restrict ourselves here to the more modest claim that social institutions ought to *refrain* from causing the harms associated with trauma and stress induced memory distortions. Where social and institutional structures cause harms associated with trauma and stress, and their impact on memory, they are thereby unfairly denying people something to which they are entitled.

It is worth noting that there are situations in which people experience trauma and stress, and subsequent memory distortion, due to bad luck. Asylum seekers, for example, may also be affected by trauma and stress unrelated to their experience of the asylum system, and in these cases the epistemic harms may not (or at least are less likely to) constitute an injustice. Yet, it is often possible to identify social and institutional structures that cause such harms. On top of this, the harms are often both foreseeable and avoidable. In those cases, it seems implausible that the harms are due to bad luck. On the contrary, people have their objective, basic interests undermined as a foreseeable and avoidable consequence of choices that are made. Under such conditions, there is a strong case for saying that there is not bad luck but instead an injustice. This can be exemplified by the asylum case.

The policies that trigger the trauma and stress in asylum seekers are ones that are avoidable and replaceable. Several policies could be reformed, such as ending or reducing the use of detention; allowing asylum seekers to work; offering more resettlement places and other regular routes of applying for asylum (note that this was provided for Ukrainian refugees, who as a result have not had to resort to dangerous, irregular routes to safety); increase funding for refugee camps; and so forth.

Moreover, the impact of the current system on mental health is well known. For example, a "debate pack" prepared by the UK House of Commons library stated that:

> Aspects of UK asylum policy and practice have long been criticized by some asylum seekers and their advocates for having a harmful effect on their mental health and psychological well-being.
>
> Common areas of concern include the quality of asylum decision-making and delays in processing cases; the restrictions on asylum seekers' rights to work; the adequacy of asylum accommodation and financial support provisions; the use of hotels and former military barracks as contingency accommodation; the (in)

> effectiveness of policies to identify and provide for adults at risk, victims of trafficking, unaccompanied minors and other vulnerable cases; and the use of immigration detention and lack of a statutory time limit (Gower & Kirk-Wade, 2021: 1).

The same pack detailed several instances where these issues have been raised in the UK parliament, such as during Prime Ministers Questions time. Thus while the memory errors may in some cases be due to an accumulative effect on mental health of several policy-decisions, and therefore difficult to attach to one culpable agent, there are identifiable policy-makers who implement, or fail to reform, policies that avoidably and foreseeably increase the risk that individuals suffer the epistemic harms associated with memory errors. Many of these policies are specifically designed as a deterrence measure, such as the UK's so called "hostile environment" (Goodfellow, 2019). Once it is recognized that different policy decisions could have been put in place, and that these would have prevented many people from experiencing severe stress or trauma, or having previous trauma aggravated, it seems implausible that those people only experience the epistemic harms of memory distortion and disorganization due to bad luck. And because people are entitled to not have their memory distorted in ways that undermine their basic needs, there is an epistemic injustice.

In sum, then, when social and institutional structures impose trauma and/or stress on people existing within those structures, there can be mnemonic epistemic injustice. Some people are unfairly disadvantaged as epistemic agents because they are denied something to which it seems all people are entitled: freedom from having our memories distorted in ways that undermine our objective needs.[7]

3.2 | A comparison with distributive epistemic injustice

In this section, we will give extra reason for thinking that the memory-related harms we have identified constitute epistemic injustices. We suggest that the phenomenon we describe resembles a distributive epistemic injustice—and that the close similarity between the two suggests that the mnemonic epistemic harms are epistemic injustices.

The notion of distributive epistemic injustice was defined by David Coady (2010) and then Miranda Fricker (2013) as "the unfair distribution of epistemic goods such as education, or access to expert advice or information" (Fricker, 2013: 1318). Under this formulation, distributive epistemic injustice happens when existing information or knowledge is not distributed fairly. For example, some people may have access to high quality education whereas others do not. In more recent work, Faik Kurtulmus and Gürol Irzik (Irzik & Kurtulmus, 2021; Kurtulmus, 2020; Kurtulmus & Irzik, 2017; see also Kurtulmus and Kandiyali forthcoming), have argued that distributive epistemic injustice is not simply about unfair distribution of existing epistemic goods like knowledge, it can also involve the unfair distribution of *opportunities to acquire knowledge*.[8] More specifically, they argue that distributive epistemic injustice occurs when people are unfairly denied access to opportunities to acquire knowledge that they have an objective interest in. Kurtulmus and Irzik (2017) focus on what they describe as "the epistemic basic structure of a society," that is, a set of institutions, including scientific and educational establishments and the media, that they take to be responsible for producing and disseminating knowledge. They argue that "justice in the distribution of knowledge requires that people have the opportunity to obtain knowledge on questions they have an interest in" (Kurtulmus & Irzik, 2017: 141). On their formulation, there is distributive epistemic injustice where undue priority is given to knowledge that supports some people's interests.

The kind of knowledge authors discussing distributive epistemic injustice usually have in mind is knowledge about the external world that can aid a person's ends and deliberation on those ends, such as scientific knowledge (Kurtulmus & Irzik, 2017). In our case, the knowledge in question is about the agent's personal past. However, in both sets of cases, social structures prevent some people from having access to knowledge that is vital to supporting their objective basic needs. Although memories are not the type of goods that can be distributed, social structures like the asylum system produce situations where some people have better (e.g., non asylum-seekers) and others worse (e.g., asylum-seekers) opportunities to access accurate memories, and therefore knowledge, about important aspects of their personal past. There is an important epistemic good—that is, knowledge about one's personal past that supports epistemic agency, autonomy and well-being—that some people have less opportunity to access than others due to the nature of social structures. While living within any social structures can be stressful, and reducing such stress is potentially costly, it seems unfair that some people (usually already marginalized) are subject to much more institutionally caused stress, as well as trauma, leading them to have fewer opportunities to access this crucial type of knowledge about their personal past.

This phenomena might not fit neatly into the category of distributive epistemic injustice because it is not knowledge that is unfairly distributed, but instead access to opportunity to acquire knowledge. However, there are sufficient similarities between our target memory cases and cases of distributive epistemic injustice that it seems justifiable to consider both to be epistemic injustices. In other words, *if* it is correct that epistemic injustices occur when opportunities to access knowledge, rather than knowledge itself, are unfairly distributed, with severe concomitant epistemic and non-epistemic harms, then our memory case can be described as such an injustice.

3.3 | Summarizing mnemonic epistemic injustice

We are now in a position to see the full force of the argument for there being a mnemonic form of epistemic injustice that occurs when people experience stress and/or trauma that leads their memories to become disorganized and distorted. In such cases, people are "disadvantaged in respect of their status as an epistemic subject" (Fricker, 2017: 53), what is sometimes described as discriminatory epistemic injustice. They are disadvantaged in this way because their memories become disorganized and distorted, and this epistemic harm brings consequent non-epistemic harms, which threaten the objective interests of the person's affected. They are denied something to which they are entitled, namely freedom from the imposition of memory distortions that impede their objective interests, and thereby unfairly disadvantaged in their status as epistemic agents. Thus, they are wrongfully harmed as epistemic agents. At the same time, they end up with reduced opportunities to access an epistemic good—knowledge about their personal past—that supports their objective interests, compared to others who do not undergo stress and trauma induced by social and institutional structures. This phenomenon is very similar to distributive epistemic injustice.

It should not be surprising that our target cases both fit the description of discriminatory epistemic injustice and are extremely similar to distributive epistemic injustice because as Fricker (2017: 59, n. 1) notes, "[not] getting your fair share of a good will often be the cause and/or the result of discrimination of some kind." In the case of people whose memories become disorganized by stress and trauma in structures like the asylum system, they experience

an unfair lack of opportunity to access memory knowledge (distributive-like injustice), because they are unjustly denied their entitlement to be free from the imposition of stress and trauma that causes memory errors (a discriminatory-style injustice).

4 | COMPOUNDING THE INITIAL EPISTEMIC INJUSTICE

In Section 3, we have argued that when people experience memory distortion and disorganization due to trauma that results from social and institutional structures, this constitutes epistemic injustice. The goal of the current section is to show how this injustice can be compounded when individuals are required to provide an account of their needs.

The first thing that is crucial to note is that where people undergo trauma and stress, the memory distortions that they experience tend to be localized. As we saw in Section 2, under conditions of trauma and stress, memories can present differently from standard autobiographical memory. People may experience memories that are disorganized, where specific events become disjointed from their context and contextual information (e.g., about what happened immediately before or afterward) can become confused (Ehlers & Clark, 2000; Sachschal et al., 2019), and this can have a significant impact on their epistemic agency, autonomy, and well-being. Nonetheless, people who have experienced trauma tend to be able to vividly and accurately remember the *core* aspects of traumatic events (Herlihy et al., 2012; McNally, 2005). The localized nature of the memory distortions means that it will often be a mistake to generalize from observations of memory disorganization that occurs due to experiences of trauma and stress to the conclusion that the person who is displaying the memory errors is unable to provide an accurate account of core aspects of traumatic experiences that evidence their need for help or protection. Take, for example, an asylum seeker who has experienced traumatic events that led them to flee. They may provide an account of their traumatic experiences which is in some ways disorganized, and may contain some contextual errors, but they are unlikely to misremember the nature of the threat that led them to seek asylum, or its severity. These will be core details about their past, so likely to be remembered accurately and vividly.

What this suggests is that where people who have undergone trauma provide testimony, for example, about past experiences that evidence their need for future help or protection, it is likely that some details of their accounts—including core details of the most important events that are remembered—will be dismissed although they are true. Those responding in this way to evidence of errors in memory would be acting in a way fitting with psychological findings suggesting that people respond to evidence of even minor or peripheral errors present in testimony by discounting the whole of the testimony (Borckardt et al., 2003). In the case of asylum seekers, when they are required to provide an account of their past experiences to evidence their need for asylum, core details of their account of their need for protection may be distrusted although they are true. There is empirical evidence demonstrating precisely this effect: that is, that asylum seekers are treated as generally lacking credibility on the basis of even minor or peripheral factual errors. Often they are treated as lacking credibility because there are inconsistencies in their stories, but untrue claims can also lead them to be dismissed as lacking credibility (Amnesty International, 2013; Asylum Aid, 2011). In a report to the Home Office, the UNHCR (2006) noted that it had "observed a large number of cases where one statement deemed by the case worker to be untrue [...] is relied upon to dismiss the credibility of the entire claim" (UNHCR, 2006: 9).

To capture this type of situation, we borrow the term "credibility deficit" from Fricker's (2007) account of testimonial injustice. Fricker describes how prejudice on the part of a hearer can lead a speaker to be given less credibility than they deserve when they are attempting to convey knowledge. Fricker says, and we agree, that credibility deficits can occur where a person displays signs that may under other circumstances indicate a lack of credibility. In the types of case that we are concerned with here people suffer credibility deficits in relation to specific parts of their testimony—those core aspects of their testimony demonstrating their need for help and protection that are true—because of evidence of errors in other aspects of their memory (see Puddifoot, 2020, 2021a for examples of a similar effect in people who have not experienced trauma).

At this point we have argued that individuals who have undergone trauma and stress due to social and institutional structures sometimes experience mnemonic epistemic injustice. We have argued that where people undergo memory distortion and disorganization due to trauma or stress, but they can nonetheless provide an accurate account of core details of their experiences, those core details can be given less credibility than they deserve—a credibility deficit can occur. Now we aim to show that the initial epistemic injustices are compounded by a later epistemic injustice when the credibility deficit happens. In other words, we need to show that the credibility deficit should be understood to be an epistemic injustice.10

Why, then, should credibility deficits experienced by individuals in response to their memory errors be judged to be epistemic injustices that compound the initial epistemic injustice they have undergone? This depends on the type of case that is being considered. We can return to the asylum case to see why.

Take a case where an asylum seeker is providing their account of their past experiences in their country of origin, with the aim of evidencing their need for protection in the country to which they have arrived. They meet with an asylum case worker who is tasked with making an evaluation of the strength of their asylum claim. The case worker harbors prejudicial stereotypes associating the asylum seeker with untrustworthiness or unreliability. This may be the "bogus asylum seeker" stereotype, or a stereotype relating to some other aspect of the asylum seeker's social identity (e.g., their religious identity), or an intersectional stereotype relating to multiple aspects of the asylum seeker's social identity (e.g., Muslim and LGBTQI + asylum seekers). Psychological research strongly suggests that the presence of stereotypes like these increases the chance that falsities contained in the accounts of asylum seekers will be attended to and remembered (Puddifoot, 2017a, 2017b, 2021a; Bodenhausen, 1988; Cohen, 1981; Levinson, 2007; Signorella & Liben, 1984; Stangor, 1988), and that the falsities will be incorrectly attributed to a wider disposition of the asylum seeker to untrustworthiness (Puddifoot, 2017a, 2017b, 2021a; Duncan, 1976). Let us stipulate, as seems plausible given these empirical results, that in our example the case worker focuses on the errors contained in the testimony, incorrectly assuming that these are an indicator of a broader unreliability, due to the prejudicial stereotypes that they harbor. Focusing in this way on these specific false details of the asylum seeker's account leads the case worker to dismiss core aspects of the testimony that are accurate.

This case is in important respects like Fricker's (2007) prototypical case of testimonial injustice, in which a person presents accurate information, but it is not treated as credible due to the hearer's prejudice. In our case, a person also presents accurate information—their accurate account of the core details about their past experiences—but it is not treated as credible due to the prejudicial stereotypes harbored by the hearer. We would argue that the similarities between our target cases and Fricker's merit our cases being treated as an example of

compound epistemic injustice, where an initial injustice is compounded by a further epistemic injustice.

It is important, however, to note that there is one significant difference between our cases and prototypical cases of testimonial injustice. In the prototypical cases, the prejudice suffices to lead to the dismissal of the testimony. A person could say something completely true, in a credible manner, but nonetheless have their testimony dismissed due to prejudice relating to their social identity. In contrast, in the cases we are discussing here the prejudice does not obviously suffice for the credibility deficit. The case worker *might not* have dismissed the core parts of the asylum seeker's story if there were not aspects of their testimony that were false.

There are two directions that one might take once this difference is acknowledged. One might argue that wherever there is evidence that there are falsities contained within testimony, there cannot be epistemic injustice, even if a hearer makes a prejudiced response to the falsities. Alternatively, one might argue that the notion of epistemic injustice ought to be broadened to include cases where speakers provide testimony that contains untruths and hearers have prejudiced responses to these untruths. There are good reasons for adopting the second of these options. It seems highly undesirable to adopt a position (like the first option) according to which a thinker who responds in a prejudiced way to minor or peripheral errors in a person's testimony, assuming that other aspects of the testimony are false partly due to negative stereotypes, must be just, or neutral with regards to justice, but cannot be unjust. To see this point, simply imagine that you are an older person who tends to momentarily misremember the names of your grandchildren. If someone were to respond to evidence of this localized error by dismissing other parts of your testimony, because of a prejudicial belief that older people are forgetful, they would not be doing something epistemically unjust according to the first option. However, it seems that the notion of epistemic injustice should be able to capture cases of this type. Therefore, it would be better to adopt an expansive notion of epistemic injustice according to which there can be epistemic injustices when hearers respond with prejudice to falsities contained in a speaker's testimony (i.e., option two).

Based on the similarities between the credibility deficits we are describing here and prototypical cases of testimonial injustice, and on this claim that the main difference between our target credibility deficits and prototypical cases should not preclude our cases from being classified as cases of epistemic injustice, we conclude that where a hearer's prejudices lead them to dismiss core and accurate parts of a speaker's testimony in response to trauma-induced memory errors there can be epistemic injustice. This form of epistemic injustice can be suffered by anyone affected by trauma induced memory distortions, whether these were caused by social institutions or bad luck. But most importantly for the purposes of this paper this epistemic injustice can also compound an initial mnemonic epistemic injustice.

We now have one argument in support of the claim that the initial mnemonic epistemic injustice described in Section 3 is sometimes compounded when a person is required to provide an account of their future needs based on their past experiences. But we mentioned earlier that there are different ways that credibility deficits which happen after a speaker has undergone memory errors due to trauma can be epistemic injustices. Let us now consider a second way.

The first type of case, where a person makes a prejudiced response to memory errors, is an *interpersonal* epistemic injustice: one person makes an unjustly prejudiced assessment of the credibility of certain parts of another person's testimony. However, there can be cases where a speaker suffers a credibility deficit not because of prejudice on the part of the hearer but instead because of a failure of institutional practices, policies, and procedures. Here, we argue, there is

an *institutional* epistemic injustice that compounds the initial distributive epistemic injustice (cf. Blomfield 2021).

Returning to the asylum case once again we can see how there can be failures of institutional practices, policies, and procedures that can lead people to experience credibility deficits due to their trauma-induced memory errors. It is no secret that asylum seekers experience trauma, or that memory can be negatively impacted by trauma. There is no lack of evidence showing how asylum seekers are likely to provide accounts that contain errors even if they are in a good position to provide an accurate account of core details relevant to their asylum claim. In fact, this idea is reflected in guidance or guidelines produced by the Common European Asylum System (EASO, 2018: 75), the UK Home Office (Home Office, 2015: 13), and the UNCHR Handbook on Procedures and Criteria for Refugee Status (UNHCR 2019: Paragraph 199).11

This means that those involved in making assessments of the credibility of asylum claims could be given adequate guidance and training on how to judge whether falsities contained in a testimony should lead the core details to be dismissed. Given that the goal of the asylum process is to produce correct judgments about whether people are in need of protection—something that it is vital to get correct—it seems that institutions that administer the asylum process (e.g., the UK Home Office) have strong epistemic and moral duties to ensure that their staff are given adequate advice and training about this issue. In the absence of this adequate training and advice, even unprejudiced asylum case workers, actively attempting to make a correct judgment about whether an asylum seeker is telling the truth, may systematically and predictably give less credibility than is deserved to testimony. They may respond reasonably, and without malice or intention to catch anyone out, to evidence of false details in an asylum seeker's account by dismissing core pieces of the testimony that are highly likely to be accurate. In such cases, we argue, there is an institutional epistemic injustice. The credibility deficit constitutes an epistemic injustice, and the injustice finds its source in the institutional failure to provide adequate guidance and training to asylum case workers.

It is worth noting, again, that the injustices described in this section may be experienced by anyone who suffers memory related epistemic harms due to trauma or stress, regardless of whether it was caused by social and institutional structures or bad luck, if the hearer responds with prejudice or ought to have been provided with appropriate training to detect these kinds of memory errors. But there seems to be something particularly troubling about cases where social and institutional structures cause memory distortions and disorganization, that is, mnemonic epistemic injustice, and, subsequently, either the same or different social and institutional structures subject the sufferers to testimonial-type epistemic harms in response to such memory errors.

In previous sections, we argued that people who undergo trauma or stress due to social and institutional structures can experience what we call mnemonic epistemic injustice. This section has aimed to show that when this epistemic injustice occurs prior to a person giving testimony about their need for future help or support, the initial epistemic injustice can be compounded if core details of their testimony are accurate but are dismissed as lacking credibility. Although we have focused on the case study of the asylum system, similar phenomena may be found in other institutions where people who have experienced trauma or stress due to the nature of social and institutional structures are required to provide testimony to evidence their need, for example, in the welfare system or where people are applying for support due to domestic abuse. The initial injustice is structural or institutional, that is, due to features of

social or institutional structures that impose trauma. The compounding epistemic injustice can be either interpersonal, for example, due to the prejudice of the hearer, or institutional, if it is due to institutional failings.

5 | CONCLUSION AND IMPLICATIONS

We have argued that there are epistemic harms that occur when people experience trauma or stress that negatively impact their memories, and that these harms can constitute mnemonic epistemic injustice. The injustice occurs because people are unfairly disadvantaged as epistemic agents by being denied something that they are entitled, that is, freedom from the imposition of stress and trauma that brings epistemic costs and other damage to their objective needs. On its own, mnemonic epistemic injustice is serious, because it constitutes severe harms to individuals' objective interests in good epistemic agency, capacity for autonomy, and general well-being. But we have argued that this epistemic injustice is sometimes compounded when individuals subject to this kind of injustice are required to testify about their need for help or protection. In these cases, the initial mnemonic epistemic injustices are compounded by hearers' responses to memory errors that people experience due to trauma.

One implication of our argument for the understanding of the boundaries of epistemic injustice is that people can experience epistemic injustices that are extremely like testimonial injustice because of other people's responses to evidence that they are speaking untruths. The focus of attention in the testimonial injustice literature has tended to be on how true beliefs that people attempt to communicate can be dismissed due to prejudice. Jennifer Lackey's (2020, 2021, 2022) work on agential testimonial injustice is an exception, highlighting how people are sometimes only believed when they say things that are untrue. We have argued here that people can also experience epistemic injustice in cases when they are *dis*believed when (and because) they say *false* things.

A further implication is that hearers can be involved in a compounding form of epistemic injustice *while responding in a reasonable way to evidence that they have available to them*. If a hearer is operating within the structures of an institution in which they are not given adequate guidance and training that allows them to give appropriate weight to evidence of errors, they can respond in a reasonable way to evidence of errors but thereby be implicated in epistemic injustice. For example, asylum case workers who notice errors, such as inconsistencies in the chronology of an account given by an individual asylum seeker may reasonably conclude that the errors indicate that the account is untrustworthy. More specifically, they may reasonably conclude this *if* they have not been given adequate guidance or training about how memories are influenced by trauma.

In short, our argument highlights how social and institutional structures can, metaphorically speaking, conspire to create an epistemically inhospitable environment for marginalized individuals. Where there is an initial mnemonic epistemic injustice that is compounded, the initial injustice may be the result of one part of a social or institutional structure while the compounding injustice is the result of the operation of another. This seems to be precisely what is the case for those asylum seekers who have stressful and traumatizing experiences in the asylum system, which lead their memories to become disorganized and distorted, and then face credibility deficits when they provide their account to asylum case workers.

A significant number of issues need to be addressed to tackle the epistemic injustices we have identified. Not only is it necessary to tackle the prejudice of people who hear the testimony of others who have experienced trauma and stress, it is also necessary to ensure that institutions give their staff guidance on how memory errors are consistent with a person being able to

provide a strong account of the core details of their experiences. Both these strategies would be required to eradicate the compounding epistemic injustice. But to tackle the initial mnemonic epistemic injustice far more radical changes are needed, that is, changes to social and institutional structures to reduce the heightened risk that trauma and stress is experienced by individuals existing within them.

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CONFLICT OF INTEREST STATEMENT

There are no conflict of interests.

ENDNOTES

[1] Mnemonic epistemic injustice, as described here, is distinct from another phenomenon—*mnemonic injustice*—that has recently been introduced into the philosophical literature (Puddifoot forthcoming, ms). Mnemonic injustice occurs when a memory system of one person is implicated in injustice toward another person. For example, if person A remembers person B's actions in a biased way fitting with a stereotype, better remembering B's negative stereotypical behaviors than their positive counter-stereotypical behaviors, this may be a mnemonic injustice. That is, if person A's memory systems are implicated in injustice toward another person B then there may be mnemonic injustice. In contrast, we are speaking here about injustices that people experience themselves when their memories are negatively impacted by trauma and stress. So here we are talking about how one person, who again we can call person A, can experience a mnemonic epistemic injustice because their own memories become unjustly distorted and disorganized due to the impact of social structures.

[2] There is an additional way in which trauma may impact autobiographical memory. According to one theory, trauma memories become "landmarks"; memories that are central to a person's identity (Berntsen et al., 2003). Landmark memories are often taken to be vivid and strong on sensory-perceptual details. They are reference points for the organization of autobiographical memories of other events. They give meaning to other less distinctive experiences and forge expectations of what will happen. The theory of landmark memories has been presented as incompatible with the view that trauma memories become disorganized, what has been referred to as the "poor integration view." However, there are good reasons to think that these views are in fact compatible. It is possible that trauma memories could be disorganized and lack specific accurate detail (e.g., about time, place or other aspects of the context of the trauma event) while also being vivid, strong on sensory-perceptual details of specific aspects of the event, *and* central to a person's identity, shaping how they experience future events. A recent empirical study supports this view: providing evidence both that trauma memories become disorganized and that they become central to a person's identity (Uzer et al., 2023). Our claims in this paper are contingent on the poor integration view, but we do not take this view to be inherently in contradiction to the landmark view, and do take it to be consistent with the vast majority of the empirical work on trauma memories.

[3] See Chimni (1998) and Souter (2022) for discussions of how Western states may indeed be implicated in the reasons for flight as well, such as through military interventions or colonial legacies, thus making a state like the UK potentially implicated in all of the main aspects of trauma-inducing situations asylum-seekers may find themselves in.

[4] The most infamous example of a non-arrival policy is the Australian off-shore detention of so called boat arrivals, aimed at deterring asylum-seekers from attempting the journey in the first place. Some of these

policies are associated with severe human rights violations and mental health suffering. For example, from November 2017 to October 2018, Medecins Sans Frontieres (MSF) provided free psychological and psychiatric care to people in Australia's off-shore processing center on Nauru. In a subsequent report, MSF (2018: 7) concluded that "[the] mental health suffering on Nauru is among the most severe MSF has ever seen, including in projects providing care for victims of torture."

[5] Freedom from Torture, "Bibby Stockholm - Cruel and Dangerous Government Plan", https://www.freedomfromtorture.org/cruel-and-dangerous-barge-plan-everything-you-need-to-know Accessed 17/1/24.

[6] Indeed, studies show that refugees and asylum seekers also have a heightened vulnerability to suicide due to the factors that have become fundamental characteristics of the asylum system—insecurity around legal status, family separation and social isolation, violence and other forms of trauma—leading to what Proctor et al. (2017) term "lethal hopelessness" (see also Ingram et al., 2022).

[7] Carel and Kidd (2021) describe how some people become vulnerabilized by their experiences in social institutions, our suggestion here is that one way that people can become vulnerabilized is by having their memories negatively impacted by stress and trauma imposed by a social structure or institution.

[8] It may be objected that while the epistemic harms we identify in the current UK asylum system are foreseeable, they are not truly avoidable, and therefore at best constitute a tragic moral loss associated with the otherwise justifiable goal of maintaining control within the asylum system. It may be argued that no social institution can function without imposing a certain level of stress onto its users given that resources to support people in navigating these institutions are finite. We do not agree with this objection, as the epistemic harms associated with trauma and stress induced memory distortion and disorganization are so severe—seriously damaging several basic interests of those affected—that we cannot see how any policy goal could justify knowingly imposing these harms on people.

[9] For other recent accounts of distributive epistemic injustice (see Catala, 2022; Miller & Pinto, 2022).

[10] Our expectation is that some readers will become more convinced that what we call credibility deficits are rightly labeled as such as we convince them that the credibility deficits can occur as a result of injustice.

[11] See, for example, the following quotes:

> Depending on their relevance to the totality of the evidence, falsehoods will be troubling but do not mean that everything the claimant has said must be dismissed as unreliable (Home Office, 2015: 13).

> Untrue statements by themselves are not a reason for refusal of refugee status and it is the examiner's responsibility to evaluate such statements in the light of all the circumstances of the case (UNHCR 2019, Paragraph 199).

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