



Expectation and judgment: towards a phenomenology of discrimination

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Abstract

In this paper, my aim is to develop a phenomenological understanding of discrimination from the perspective of the discriminator. Since early existential phenomenology, the phenomenon of discrimination has received a great deal of attention. While much of this work has focused on the experience of the discriminatee, recent scholarship has begun to reflect on the intentional structures on the side of the discriminator. In a contribution to this trend, I argue that our sense of what is (ab)normal plays a constitutively significant role in the reiteration and reinforcement of harmful discriminatory practices. More specifically, I argue that Husserl's distinction between two forms of normality, namely, concordance-normality [*Einstimmigkeit*] and optimal-normality [*Optimalität*], is an important tool for illuminating otherwise overlooked aspects of the discriminator's experience. I achieve this by demonstrating how these two notions of normality play distinct constitutive roles when comparing deliberate acts of discrimination committed with malintent, compared with more habitual and prereflective expectations which are already discriminatory *in nucleo*. I argue that at the heart of discriminatory practices there is a naïve, normalizing attempt to stabilize *concordance* at the expense of critical self-reflection, normative revisions, and enriched horizons of expectation. In doing so, this paper provides a novel and important contribution to philosophical discussions surrounding discrimination.

Keywords Discrimination · Normality · Abnormality · Edmund Husserl · Optimality · Transphobia

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1 Introduction

In recent years classical phenomenological work has been increasingly drawn on to understand, describe, and critique aspects of our social reality historically reserved for critical theorists, political philosophers, and social scientists. One such phenomenological insight which has experienced renewed interest is Edmund Husserl's understanding of normality.¹ In this paper I contribute to this trend by bringing a Husserlian notion of normality into dialogue with theoretical work on discrimination. Since early existential phenomenology, discrimination has been a central object of inquiry within the phenomenological tradition. Situating this paper alongside other attempts to reflect on the intentional structures at work on the side of the discriminator, I argue that normality plays a constitutive role in the reiteration and reinforcement of harmful discriminatory practices.² More specifically, I argue that Husserl's distinction between two forms of normality, namely, concordance-normality [*Einstimmigkeit*] and optimal-normality [*Optimalität*], is an important tool for illuminating otherwise overlooked aspects of the discriminator's experience. Briefly put, concordance pertains to a coherence between experiences and optimality refers to whether an object is given optimally in experience according to one's interest. Concordance is thus a matter of expectation, optimality a matter of "ought."

The theoretical value of distinguishing between different layers of normality is that it helps thematize various degrees of normativity at play in our sense of what is "normal." I demonstrate the distinct constitutive roles of these two notions of normality by comparing deliberate acts of discrimination committed with malintent to more habitual and prereflective expectations which are already discriminatory *in nucleo*. It will be shown that in deliberately violent acts of discrimination, a member of a marginalized group is judged as deviating from how one *ought* to look, behave, or where one ought to be, and so on. In more implicit forms of non-deliberate discrimination, however, the sense of normality remains at the proto-normative level of how one is *expected* to look, behave, etc. In this paper I argue that at the heart of discriminatory practices there is a naïve, normalizing attempt to stabilize *concordance* at the expense of critical self-reflection, normative revisions, and enriched horizons of expectation. Moreover, optimality has been too-easily neglected in recent more "critical phenomenological" literature. In recognizing the normative and axiological force of optimality—compared to what I call the proto-normativity of concordance—we are better positioned to understand what motivates discrimination to manifest in deliberate acts of violence. In doing so, this paper provides a novel and important contribution to philosophical discussions surrounding discrimination.

To achieve these aims, the paper proceeds as follows. In Sect. 2, I discuss a recent attempt to understand discrimination through the lens of Husserlian normality.³ I then venture to show how Michael Salter and Kim McGuire's recent account,

¹ See Steinbock (1995a, 1995b), Wehrle (2015, 2018, 2022), Breyer (2015), Doyon (2018), Heinämaa and Taipale (2018) and Heinämaa et al. (2022).

² See Beauvoir (1972), Sartre (1995), Fanon (2008), Al-Saji (2014), Ngo (2016), Yancy (2017), Salter and McGuire (2020) and Hedges (2022).

³ Salter and McGuire (2020).

although importantly demonstrating the role of (ab)normality in instances of hate crime, would be enriched by Husserl's crucial distinction between optimal-abnormality and discordance. That is, the difference between an experience deviating from a norm such that it ought to have unfolded otherwise (optimal-abnormality), compared to an experience which merely frustrates ones expectations (discordance). This leads me to Sect. 3, wherein careful attention is paid to Husserl's distinction between two forms of normality and abnormality. By virtue of this distinction, I motivate a focus on the oft-overlooked significance of optimality in intersubjective encounters, and how it enables us to find value in what could otherwise be construed as abnormal encounters. Lastly, in Sect. 4 I demonstrate how (ab)normality also features in discriminatory acts which are non-deliberate. Here I introduce a discussion of normalization and show how different forms of normality are foregrounded in different forms of discrimination. I then conclude by arguing that what is common to discriminatory practices *as such* is a problematic 'normalizing stance.' From this normalizing stance, subjects both actively and passively posit that their intentional objects cohere with norm-guided and value-laden expectations.

2 Charges of abnormality in discrimination

2.1 A case study of transphobic discrimination

For the sake of scope, the present study will only be concerned with the perspective of the 'being-prejudiced,' and how this prejudice can manifest in both hate crimes and, later, discrimination more generally.⁴ The merit of a phenomenological approach to the problem of discrimination is in its capacity to illuminate otherwise unthematized intentional structures that motivate and guide such problematic behaviour.⁵ Whereas social scientific perspectives tend to overlook or take for granted important experiential dimensions, a phenomenological approach aims to understand the embodied lived experience of *being-prejudiced*.⁶ In this section, I briefly reconstruct a central case study of transphobic discrimination discussed by Salter and McGuire whilst also illustrating the ways their analysis is informed by Husserlian phenomenology.

Besides their motivation to contribute to and enrich theoretical discussions of hate crime, the overriding aim for Salter and McGuire is to clarify and describe the "underlying interpretive structures and operations of those aspects of lived experience" which result in discriminatory hostility.⁷ Salter and McGuire orient much

⁴ Prejudice, in phenomenology has been often noted as a necessary aspect of our being-in-the-world. I understand "prejudice" here in its morally charged form; namely, an unjust prejudice based on (perceived) irrelevant characteristics.

⁵ By "intentional structures," I mean the patterns and guiding motivations that affect the varying ways our mind engages with, and is directed toward, objects of experience (Husserl 1970, p. 245).

⁶ Salter and McGuire (2020, p. 28).

⁷ *Ibid.*, p. 42.

of their discussion around a case study of transphobic hate crime which one of the authors recounts. The example proceeds as follows:

As I heard the train pulling in ... the sight and sound of [two] young men captured my attention with a type of cognitive but unintended ‘allure’ as they approached the person whose gender identity I had briefly questioned previously. They then pointed at her laughing and asking repeatedly: ‘What is that?’ I perceived this behaviour judgmentally as: ‘mocking, aggressive and shockingly abusive.’ Their responses made it clear to me that her gender identity was, for them, little more than an opportunity for ‘cruel mockery’.⁸

Prior to this incident, the narrator was sitting in the waiting room and had perceived the victim as having a questionable or ambiguous gender identity which eluded conventional binary gender distinctions. I take this precursor to the event to be significant and will return to this in Sect. 4.1. For now, it is important to understand the above case study as an example of transphobic discrimination whereby the hostility shown towards the woman was motivated by her perceived transgender identity.

Salter and McGuire begin by identifying a crucial motivation for the discriminators, namely, that the woman they perceived on the platform failed to meet their preconceived understanding of what constituted a *normal* display of gender identity.⁹ Presumably, the discriminators were relying on a familiar binary opposition of femininity and masculinity that they took to be biologically rooted in a male/female distinction visible through identifiable markers. The incident is emblematic of a problematic tendency which emerges when in the natural attitude, namely, to naturalize and normalize socially constructed categorial distinctions and objectify them as pre-given.

Life in the natural attitude has the central characteristic of being naively and straightforwardly directed at our environing world and its objects of experience.¹⁰ In being directed at the world in this natural, naïve, attitude, we are interested in its objective existence, often to the extent that we fall into a problematic objectivism indicative of a *naturalistic* attitude.¹¹ Objectivism, understood here, means to posit subjective values and value-judgments as existing on the plane of an objective reality and moral order.¹² Instead of recognizing the subjective-relative nature

⁸ Ibid., p. 43.

⁹ Ibid., p. 46.

¹⁰ Husserl (1970, p. 281).

¹¹ Although Salter and McGuire speak almost exclusively of the natural attitude, they note that the “naturalistic attitude” is an especially problematic form of objectivism, contra the “personalistic attitude.” Importantly, both the naturalistic and the personalistic attitudes manifest within the natural attitude (Husserl 1989a, §49, §62). However, it is not clear that in cases of hate crime, even if they heavily involve an objectivistic rationale, such as sexual biological determinism, that the naturalistic attitude captures all that is at stake. The objectivistic tendency is present, but there are also subjective-relative interests and socially embedded relations at work. For this reason, I follow Salter and McGuire by focusing on the natural attitude broadly speaking, and when I speak of “objectivism” this is indicative of the *naturalistic* attitude (Salter and McGuire 2020, p. 60 n.7).

¹² Salter and McGuire (2020, p. 94).

of our social world, the natural attitude perpetuates a naivete which confuses social constructs and historically situated formations with supposed objective realities. A paradigmatic example of how this leads to problematic, effectively ideological commitments, is in the case of how we often take the binary opposition of gender for granted. As the case study shows, this can entail troubling consequences.

2.2 The charge of abnormality

The question to which this paper now turns is the significance of (ab)normality in such instances of discrimination. When navigating our enviroing world whilst in the natural attitude, our orientation to the world “out there” is entangled with taken-for-granted notions of normality. This naïve and prereflective opposing of what is “normal” to what is “abnormal” can be seen across examples of discrimination. Moreover, these violent acts and discriminatory beliefs are not simply the products of static and discriminatory conceptions of what is “normal.” Rather, the very encounters themselves are part of a process of intersubjective *normalization*. As Salter and McGuire eloquently explain:

While some sense of ‘normality’ is a pre-condition for regularized experience comprehensible in familiar habitualized terms, ‘abnormality’ can only take shape for us as a perceived ‘deviation’ on the basis of this prior ‘sense of normality.’ Indeed, the latter appears to be anything but a static, descriptive, or measurable category because it more closely resembles the forever contingent interpretive outcome of an ongoing process of normalization according to prevailing cultural-institutional norms ... Individual perceptions and actions with respect to hate crime-related issues are embedded within experiential horizons that transcend current perception.¹³

In line with Husserl, normality is understood here as constitutively significant and a crucial precondition for familiar experience. Unlike natural scientific approaches which understand (ab)normality empirically, Husserl understands normality and abnormality as transcendental-philosophical concepts.¹⁴ This means that Husserl is not concerned with what is statistically average or most common, but rather his account of (ab)normality is motivated by constitutional concerns and modes of sense-making.¹⁵ To illustrate the constitutive significance of (ab)normality, Husserl typically draws on examples of visual perception. If what I expect to appear in my visual field does not cohere with what now appears, I may suddenly (albeit briefly) struggle to make sense of what is given to me in experience. This means that normality must be understood as emerging out of a relation between the lived-body and the enviroing world. What is constituted as normal for me is dependent on

¹³ Salter and McGuire (2020, p. 114).

¹⁴ Heinämaa and Taipale (2018).

¹⁵ Steinbock (1995a, p. 126–7).

my own embodiment.¹⁶ Husserl employs examples of being color blind, having poor eyesight, or having a burnt finger, but we can also think of how different normalities pertain to social rather than physiological differences, such as one's gendered and raced bodily comportment.

Methodologically, (ab)normality plays an important role in the shift from static, to genetic, and what Anthony Steinbock terms "generative phenomenology."¹⁷ A sense of normality is consistently generated and sedimented for a subject through the adequate fulfilment of their expectations. This, for Husserl, can be understood as the genesis of sense which requires 'genetic' rather than 'static' analyses. This is because these sets of possible anticipations and expectations make up our "experiential horizons" which stretch beyond immediate perception, such that we are not here concerned simply with *how* something is given in experience (static analysis), but how experiences point back to past sedimentations of sense which are then reawakened in the present (genetic analysis).¹⁸ There is then an additional level of analysis of *generative* phenomenology, wherein the constitution of phenomena is treated beyond the "synchronic field of contemporary individuals ... [and instead] treats phenomena that are *historical, cultural, intersubjective, and normative*."¹⁹ A generative phenomenological approach thus illuminates how normatively significant lifeworlds come into tension with one another as what is normal for "people like us" co-constitutes what is normal for "people like them."²⁰ Without belaboring these methodological distinctions, it is clear that any phenomenology of discrimination must straddle both genetic and generative analysis.²¹ If my culturally and historically informed expectations are fulfilled, my flow of experiences is felt to be "normal," and I experience a kind of normalizing epistemic and affective familiarity. Normalizing, because the sense of normality I inherit is further sedimented through the fulfilment of my norm-guided expectations.

In understanding normality as this mode of constitution which provides us with a sense of familiarity, we can begin to understand how instances of discrimination may have an implicit (or often explicit) charge of *abnormality*. In perceiving someone as normal or abnormal, the perception itself is guided, obscured, and mediated by inherited values, norms, and beliefs. I do not immediately perceive someone as "normal" or "abnormal," rather, my perceiving them as (ab)normal is indicative of my implicit normative commitments, and the particular lifeworld I feel normatively "at home" in. These commitments may operate pre-reflectively such that I interpret

¹⁶ As Steinbock discusses in detail, Husserl motivates a shift away from the natural scientific account which excludes the relation of lived-corporeality to the formation of an objective world (Steinbock 1995a, p. 131). Husserl writes that the physicist "is not interested in *how the sensuous things given hang together with the functioning of lived-corporeality*." [interessiert sich nicht, *wie mit dem Fungieren der Leiblichkeit die sinnlichen Gegebenheiten zusammen hängen*] (Ms. D 13 II, 15b as cited in Steinbock 1995a, p. 291).

¹⁷ Steinbock (1995a, 1995b).

¹⁸ Steinbock (1995b).

¹⁹ *Ibid.*, p. 59.

²⁰ This distinction can be spelled out in terms of the home-comrades of one's homeworld in contrast to the strangers who inhabit an alienworld.

²¹ I want to thank one reviewer for suggesting that I highlight these methodological differences.

my experience as "pre-prejudicial," or as is the case in more explicitly violent forms of discrimination, I may be reflectively committed to certain norms of how people ought to look, where people ought to be, and what people ought to do.²² In either case, my norm-guided expectations are a product of both generational and genetic sedimentation; we are born into historical lifeworlds with pre-delineated norms, and our personal histories and experiences further sediment and habituate what we consider to be "normal." In the case study, we see how the victim was perceived as looking unfamiliar for the discriminators, and that this unfamiliarity was charged with abnormality. Rather than being a mere descriptive deviation, this sense of abnormality was normatively loaded. The victim was treated as if she *ought to be* otherwise, or that she defies some kind of teleology of how people *ought* to look. Of course, this does not paint the whole picture; a sense of unfamiliarity and abnormality is not a sufficient explanation for why these two men acted out so violently.

As mentioned, the natural attitude fosters a tendency to objectivize the same cultural-institutional norms which guide and motivate our understanding of what is normal. In the case study, the two men have clearly objectivized certain socio-cultural norms as to how gender should be expressed and how sexed bodies ought to look and be comporting, such that they took this "abnormal" person to be an affront to their normative frameworks. The constitution of the victim as abnormal, rather than merely unexpected or unfamiliar, pertains to certain values one holds of oneself and the lifeworld in which one participates. Bernhard Waldenfels speaks of the encounter with the "alien," as an experience which can alienate us from ourselves.²³ Thus, in encountering a subject who does not coherently fit into their expectations of how people *normally* fit into a gender binary, the discriminators' taken-for-granted normative commitments are felt as being threatened. In witnessing a new, unfamiliar normativity, instead of avoiding or assimilating it, they attempt to resist it through hostility, making the discriminatee known that their presence is felt as an abnormal *pathos*.²⁴ The victim presented a somatic norm that, by virtue of its unfamiliarity, threatened to relativize the discriminators' naturalized understanding of gender norms, and thereby also threatened to unsettle the stability of their own sense of gender identity.

2.3 Limitations

Salter and McGuire are not aiming to provide an exhaustive explanation for *why* the two men committed this transphobic hate crime. As they note, this would require reference to the conscious, subconscious, and possibly unconscious motivations, interests, concerns, and value-prejudices of the discriminators themselves—not forgetting the innumerable historical and structural *explanans*.²⁵ Yet it remains unclear what the difference in the affective-intentional structure is, if any, between how

²² Salter and McGuire (2020, p. 94).

²³ Waldenfels (2011, p. 3).

²⁴ *Ibid.*, p. 31.

²⁵ Salter and McGuire (2020, p. 197).

the men violently reacted to the woman's presence, and to the narrator's own reaction. Did the narrator not also constitute the woman, prior to her being attacked, as somewhat "abnormal"? In this section I outline two limitations with how Salter and McGuire have mapped a phenomenological account of normality onto such an instance of discrimination. These two limitations in turn motivate the following sections wherein I draw on Husserl to develop a more nuanced understanding of normality, such that we can make sense of the phenomenological difference between these violent forms of hate crime and more implicit and non-deliberate forms of discrimination.

The two limitations I find in Salter and McGuire's account are mutually interdependent. Firstly, Salter and McGuire do not provide a phenomenological description of whether there is an important experiential difference between, on the one hand, the two violent men, and on the other, someone who also intended the victim as unfamiliar, strange, and as defying one's norm-guided expectations of how bodies ought to be gendered. The only explanation they seem to reach for is that the men acted upon their natural attitudinal interests, in spite of restraint being possible.²⁶ Although Salter and McGuire describe the situation of the narrator as "inhabiting a generally peaceful 'normality'" prior to the hate crime incident, it is not clear to what extent the narrator perceived the woman as part of the *normal* fellow-passengers.²⁷ It is clear how the two men constituted the discriminatee as incongruous to their expectations of how a person should *normally* look in accordance to culturally instituted heteronormative norms. However, it seems that such a similarly value-laden set of expectations could have been attributed to many of the bystanders who did not act violently. Even if the narrator refuses to objectivize the binary prescriptions of heteronormativity, their inability to constitute the woman *as a woman* and the fact that they "flip-flopped" between ways of seeing her makes it unclear to what extent the woman fit the narrator's familiar, habitualized expectations.²⁸ So, although we see a great discrepancy in the manifest acts between the two men and the rest of those present, this does not preclude other bystanders from having experienced the woman as defying their expectations; as deviating from the norm.²⁹

Secondly, the use of "abnormal" throughout Salter and McGuire's study is somewhat ambiguous. In what follows, I argue that a phenomenological description of such an incident would be better served by distinguishing between two deviations from "normality" which we find in Husserlian scholarship: namely, *anomalousness*, and *abnormality*.³⁰ Anomalousness understood here is what Salter and McGuire often call "abnormality," namely, when something unexpectedly deviates from what is anticipated, such that it provokes feelings of unfamiliarity and unease. It seems

²⁶ Ibid., p. 197.

²⁷ Ibid., p. 50.

²⁸ This seems to be a fair assumption as the narrator describes how their "immediate perceptions 'flip-flopped' between seeing her as a 'masculine appearing woman' ... or ... as a 'man dressed as a woman'" (Salter and McGuire 2020, p. 43). This will be taken up in greater detail in Sect. 4.

²⁹ Note how Salter and McGuire construe "abnormality" as "a perceived 'deviation' on the basis of a prior sense of normality" (Salter and McGuire 2020, p. 114).

³⁰ Steinbock (1995a, 1995b), Taipale (2012, 2014), Heinämaa and Taipale (2018), Wehrle (2018).

as if the felt deviance that the victim provoked for both the narrator and the two men differed in degrees of normativity, even if for either party their expectations were undermined. My aim is to demonstrate how a distinction between abnormality and anomalousness can help account for this difference of normative degree.³¹ For a nonviolent bystander, the woman may not have undermined any active normative commitments of how people *ought* to conform to gender, dress, present themselves etc., but could have nonetheless deviated from passively posited expectations. For the men who violently harassed her, the woman presented a normatively charged deviation, as if she was somehow undermining an intrinsic nature of womanhood, manhood, or heteronormativity more generally. Thus, although two agents may experience the same person as *anomalous*, introducing a second more normatively charged form of (ab)normality may help elucidate why certain anomalies provoke considerably dissimilar reactions.

3 Nuancing normality

3.1 The concordance/optimality distinction

In Husserl's writings and Husserlian scholarship we find a distinction between two forms of normality. On the one hand, we have *Einstimmigkeit* [concordance] for which its deviation is better understood as an *anomalous* discordance [*Unstimmigkeit*] rather than an abnormality. On the other hand, we have *Optimalität* [optimality], which, when undermined or deviated from can be considered as an *abnormality*. Husserl's distinction between concordance and optimality is left wanting in Salter and McGuire's work. Instead, their analysis appears to be limited to that of concordance-normality. In what follows, I develop a phenomenology of discrimination on the basis of this distinction, thereby nuancing our understanding of the constitutive and motivational force of (ab)normality in discriminatory practices.

Normality, in terms of concordance, is the harmony between experiences. An experience is harmonious with preceding experiences when one's expectations or anticipations are fulfilled.³² Because one's expectations are informed by a catalogue of past, similar experiences, concordance is described by Husserl as having a "character of fulfilment" [*Erfüllungsscharakter*].³³ This means that "concordance-abnormality," or *anomalousness*, consists in the *discordant* feeling of one's expectations being frustrated and left unfulfilled.³⁴ Without a taken-for-granted harmony between one's norm-guided expectations and one's actual experience, discordant encounters typically provoke surprise, unease, and a sense of unfamiliarity.

Abnormality instead corresponds to the more normatively charged form of normality, namely, optimality. Although concordance adequately describes the coherent

³¹ These are of course not the only, nor even most common options; the presence of a transwoman is not in any way a *necessary* undermining of normality.

³² Husserl (2001, p. 61).

³³ Husserl (1973a, p. 366).

³⁴ Husserl (1973b, p. 155), Husserl (2001, §41); Husserl (2008, p. 646).

fulfilment of expectations or a harmony between experiences, it struggles to qualitatively differentiate between conflicting experiences of concordance.³⁵ For example, lockdown rules of a pandemic may have normalized social distancing and the avoidance of large gatherings, such that once lockdown rules were lifted, a large gathering of people may be not only unexpected but may also feel unfamiliar and uneasy. Yet if we limit our understanding of what is meant by "(ab)normality" to only concordance and anomalousness, we have no way of stating that pre- or post-pandemic life is *more normal* than life under lockdown. Concordance thus refers to already established taken-for-granted norms.

In the natural attitude, we do not (nor can we) expect the unexpected, rather, we expect what is typical. Typological categories, or "types," delimit our anticipatory intentions such that objects of experience are always presented within type-bound horizons of possibility. Whereas some types are understood to be objectively grounded—such as the differences between the types of animal "cat" and "catfish"—many types we rely on are embedded in a culturally and historically situated social reality. This means that our expectations are not only informed by personal past experiences, but also by our wider *milieu*. In having our expectations fulfilled, we remain within a state of normative ease as the norms which we prereflectively rely on prove "successful." When attending a conference at another university or even in another country, you carry with yourself a whole catalogue of "types" as to the types of people who will be in attendance, the types of talks that will be given, the types of interactions that will be expected of one another. Sometimes, however, the prevailing norms do not cohere with your own as we constantly travel between different "worlds," each with their own normative frameworks.³⁶ I remember my first experience of attending a guest lecture at a German university and the discordant surprise I felt when at the end of the talk I started clapping just as everybody else in the room (except one other normative "outsider") began knocking on the tabletops. It often takes moments of discordant unease like this for you to reflect back on how operative norms you previously took for granted as universal are in fact relative to your own particular lifeworld.

There are thus considerable normative limitations within concordant experience. To have a concordant flow of experience, one enjoys a sense of familiarity such that there is no motivation to critically reflect on, undermine, and supplant old norms in favour of generating new normative commitments. Experiencing something which coheres with my expectations is normative only insofar as my expectations are guided by immanent norms.³⁷ I thus take the normativity of concordance to remain at the level of a kind of "proto-normativity" as it refers to and further sediments pre-existing norms rather than originally instituting them.³⁸ There is only a prereflective and primordial "ought" in experience, such that one habitually feels that one's expectations *ought to be fulfilled*.

³⁵ Wehrle (2022).

³⁶ Cf. Lugones (1987).

³⁷ Wehrle (2022, p. 202).

³⁸ Cf. Loidolt (2021, p. 159).

The expectations which are constitutive of a concordant flow of experience are guided by what we passively posit as the norm; either in terms of one's own predicative interest, or more typically, in terms of what one pre-predicatively derives from socio-cultural norms. To understand how a concordant experience can be more ethically and normatively charged, especially in intersubjective encounters, it is important to understand how expectations can be guided by a sense of what is optimal. Here it is important to distinguish between an experience which *is optimal*, and an experience *of optimality*.

Beginning with the former, an optimal experience occurs when we experience "the thing itself in its saturated fullness" or its "objective sense."³⁹ This means for an experience to be optimal, according to the relative interest of the perceiving subject, the experience contributes to the richness and understanding of the object experienced, such that "no further fulfilment is needed."⁴⁰ One's experience of an object thus stands in relation to the object's optimal modes of givenness [*optimalen Gegebenheitsweise*], such that an abnormal experience is no longer merely a discrepancy, but rather an *abnormal* diminution [*Minderungen*] in the richness [*Reichtum*] of the properties of the thing experienced [*Dingeigenschaften*].⁴¹ This teleological form of normality is understood in terms of "perceptual optimality."⁴² Perceptual optimality allows us to distinguish between better and worse ways of perceptually experiencing an object—as opposed to familiar and unfamiliar ways (as in the case of concordance and discordance).⁴³ Optimality, contra concordance, thus pertains to how we *ought* to experience something rather than how we merely *expect* to experience something or someone.

It is important to note that optimality must be understood as being optimal relative to the subject's interests in a given context.⁴⁴ An architect may have an optimal experience of a house if they were to walk through it, see it from all angles, inspect the infrastructure and foundations. What they perceive is modulated by their attention, which is in turn guided by their particular interest. A prospective tenant, on the other hand, may achieve an optimal experience of the house through entirely different means; their optimal experience might depend on "getting a feel for the space" from the inside, and by imagining how their furniture could be arranged. In obtaining an optimal experience of an object we may want to examine it from all sides; however, it does not follow that such a similar objectifying inspection must occur in optimal experiences of another subject. Instead, something akin to an ethics or ethos of attention may be required whereby we are attentive to the other in their

³⁹ Husserl (2001, p. 61), see also Steinbock (1995a, p. 248) and Doyon (2018, p. 174 ff.).

⁴⁰ Husserl (1997, p. 104). Husserl also speaks of the experience providing "more differentiations than previously thought" [*so bereichert sich für mich der Gehalt der Welt; dieselbe Welt mehr Bestimmungen als ich wusste*] (Husserl 1973b, 121), however this seems applicable only to instances of perceptual optimality (see also Doyon 2018). As I show below, the striving for 'more differentiations' in intersubjective encounters sometimes precludes having a *rich* experience of the Other.

⁴¹ Husserl (1973b, p. 121).

⁴² Doyon (2018, p. 172).

⁴³ See Steinbock (1995a, 1995b), Doyon (2018), Heinamaa and Taipale (2018) and Wehrle (2015, 2018, 2022).

⁴⁴ Husserl (2001, p. 61), Doyon (2018) and Jansen and Wehrle (2018).

individuality.⁴⁵ An optimal experience of another could then involve attending to the subject in their individuality, aiming to experience them in a way which goes beyond one's presuppositions and personal prejudices.⁴⁶ When an intersubjective experience is obscured by homogenizing and anonymizing stereotypes and presuppositions, the subject is experienced *qua* categorizing traits rather than in their individuality. We even find such abnormal ways of experiencing someone in close personal relations. One can think of times when a friend or partner is acting strange, seemingly hiding something that is troubling them or on their mind, and your experience of them *feels abnormal*. Not only in terms of discordance, but you also feel like your experience of them is diminished as you fail to grasp them in their "fullness" or how they "really are."

This relates to the second aspect of optimal-normality, namely, constituting objects of experience *as optimal*. To understand how another subject can be constituted as optimal, we must move beyond perceptual optimality and into the realm of intersubjective, or social optima. I take something to be experienced *as optimal* when it is (according to one's historically situated norm-informed interests) experienced as being "the best possible" [*das Bestmögliche*].⁴⁷ We can imagine that the optimal house for a prospective tenant differs greatly from the optimal house for an architect. Beyond these very localized interests, however, we can understand relative optima to reflect prevailing norms, power structures, and cultural values of one's given lifeworld.⁴⁸ By understanding optimality in this way, we are better able to understand how our experiences of one another can be normal or abnormal in a normatively laden manner. Importantly, how we constitute one another *as (ab)normal*. If abnormality in terms of concordance only amounts to anomalousness, then it seems like the framework of optimality will help us better understand how acts of discrimination may involve the constitution of a subject or group as "abnormal."

3.2 Experiencing optima

It may seem strange to experience a person—as opposed to a material object—as *optimal*, but we must first understand what this could entail before we can understand how we can experience someone as abnormal. In his discussion of the relationship between optima and "types," Steinbock argues that we can imagine a person having an optimal "body type," relative to one's interest, be it, marathon running, climbing, or powerlifting.⁴⁹ Steinbock somewhat confusingly then goes on to insist that "a 'type' is the concordant repetition of the optimal" and this pertains to both physiological and social norms.⁵⁰ Yet, conceptualizing the optimal "as typical" as Steinbock does, risks diluting both the normative status of optima and their frequent

⁴⁵ For compelling work on how attention and attentiveness can foster ethically valuable modes of social sensitivity and social visibility, see Breyer (2015, p. 152) and Magri (2022a, 2022b).

⁴⁶ (Magri 2022a).

⁴⁷ Husserl (1989a, b), Steinbock (1995a) and Jansen and Wehrle (2018).

⁴⁸ Jansen and Wehrle (2018).

⁴⁹ Steinbock (1995a, p. 159).

⁵⁰ *Ibid.*, p. 159.

atypicality.⁵¹ What an architect perceives as a *typical* house is not a result of her repeated encounters with optimal houses. If anything, her understanding of a typical house will be just as informed by all the non-optimal houses she encounters. Experiencing something, or someone, *as optimal* does not necessarily correspond to what is experienced as typical.

To experience another subject as optimal is to experience them as corresponding in the best possible way to one's valued norms. Contra Steinbock, I do not take this to always be a *typical* experience. For example, when thinking of an optimal professor, your mind is likely drawn to a select few professors that left a lasting impression on you due to their rare excellence at teaching. This helps construct a kind of "normative yardstick" by which you judge subsequent teachers—a yardstick which is of course greatly informed by your own relative interests in how you like best to be taught—but it certainly does not play a constitutive role in how one expects the typical professor to be. There are, of course, many ways in which what is socioculturally prescribed as the optimal does thereby inform the typical. Julia Jansen and Maren Wehrle (2018) discuss this normalizing function of optimality within the context of female bodies. Historically specific norms of optimal health, bodies, appearance, and companionship, etc., function as normative regulatory ideals.⁵² As regulatory *ideals*, these optima are never *fully* achieved but instead function as norms toward which people strive and thus are the source of many sociocultural "types" surrounding expressions of femininity.

Now that it has been made clear how (ab)normality operates at different levels of normativity, I want to demonstrate how the discriminatory hostility in the original case study is an instance of someone being constituted *as abnormal* (in the above sense of optimal-normality) rather than as *merely anomalous* (discordant).⁵³ For an object of experience to be considered abnormal in a fully normative sense is for it to be a diminution of what the experiencing subject posits as their relative optima. In the case study, the discriminators rely on an index of heteronormative optima through which they constitute people as normal or abnormal in terms of their gender or sexuality. Crucially, the heteronormative optimum which they cite is *absolutized*, and the discriminators locate the abnormality in the "intrinsic nature" of the discriminatee, rather than in the discordant relation between their *relative* interests and what they experience.⁵⁴ The transphobic harassers fail to recognize that the appealed-to-norms of a heteronormative gender binary are not grounded in objective reality but are rather contingent on their own subjective-relative lifeworld. These heteronormative optima inform the two men's expectations, and by absolutizing these optima, any discordant deviation is thereby felt as a normative, alienating affront which threatens to relativize their universal and supposed "objectively grounded" commitments.

⁵¹ Ibid., p. 160.

⁵² Jansen and Wehrle (2018).

⁵³ Discordance is clearly a motivating factor, but I believe the felt discordance is experienced also by the narrator. An important explanans for the vast difference in their responses is their normative commitments to supposedly optimal norms of gender.

⁵⁴ Salter and McGuire (2020, p. 114).

This is not to say that anyone who has their expectations guided by an implicit heteronormative worldview is prone to behave in such a violent manner. We can imagine a fellow passenger on the platform who similarly holds a heteronormative gender binary as their optimal norm but recognizes its relativity. Just as an architect is aware of how her own specific interest is what motivates and guides what she posits as the optimal house, the fellow passenger could be just as aware that their own socio-cultural backdrop is what informs them of how people ought to conform to certain gendered types. The distinction seems to lie in the strength of the value-judgment which underpins their sense of what is "optimal" in this given context, and whether this norm ought to be defended as an absolute norm or whether an agent is able to recognize its relativity. For this reason, a bystander may have experienced the woman as both abnormal and anomalous, but without being motivated to resist or treat her as a threat. Even the narrator—who is reflectively aware of the problematic nature of heteronormativity *and* makes the effort to disavow themselves of such a normative framework—fails to escape the grip of a social reality wherein heteronormativity is so culturally embedded. The difference is that although the narrator experiences the woman as momentarily *anomalous*, at no point do they constitute the woman as *abnormal*.

The analysis heretofore has been limited to the case study of an instance of violent transphobic discrimination. Whether the framework of optimality can be mapped onto all instances of deliberate and violent discrimination is a question for further research.⁵⁵ Nonetheless, I would like to suggest that in most (if not all) cases of deliberate discrimination, a member of a marginalized group is constituted as deviating from how one *ought* to look, behave, where one ought to be, which religion ought to be practiced, who one ought to be in relations with, and so on. Discordance alone does not carry such normative force; instead, discordance merely describes how one is *expected* to look and behave, which religion is familiar, what relations one is expected to be involved in, etc. There is still a proto-normativity contained in such expectations, as the experience is judged according to "an always already operative teleological impulse."⁵⁶ But this impulse alone is not normalizing. To demonstrate this, I now examine how optimality often pertains to *discordant* encounters.

3.3 The potential optimality of discordance

A Husserlian distinction between concordance and optimality helps thematize experiences within which optimal-normality and concordance-abnormality converge. These discordantly optimal encounters, I argue, are crucial for understanding our capacity to transcend norms (which already function teleologically for experience),

⁵⁵ Many instances of racially motivated discrimination also seem to fit the framework provided here. One such instance is the case of Lolade Siyonbola, a Black graduate student at Yale who had the police called on her by a fellow white student when she was seen napping in the common room (Griggs 2018). Such an example is representative of innumerable other instances in which someone, on the basis of their perceived race, is not expected to be somewhere, but then this anomalousness is conflated with abnormality and the person is perceived as being somewhere they *ought* not be rather than merely where they were not *expected* to be.

⁵⁶ Huang (2021).

in favor of instituting new norms which are themselves experienced anomalously.⁵⁷ Although this aspect of Husserl's understanding of normality has been predominantly discussed in relation to the optimization of biophysical optima—as in the cases of visual perception—it helps us make sense of how socio-cultural norms can be optimized in response to discordant encounters. Intersubjective encounters that undermine our normative expectations can be appreciated for their motivation to optimize inadequate and narrow typifications and norms, and thus generate new cultural horizons.

For instance, when members of marginalized identities occupy positions of authority traditionally gatekept for white males, the marginalized subject may encounter looks of discordant surprise. Linda Alcoff recounts such an incident in which an Asian American philosophy graduate who, when giving his first undergraduate classes, was met by discernible surprise in the faces of the white students as they likely did not expect to see a non-white instructor.⁵⁸ The students' experience of discordance evidently stems from culturally instituted (and racist) understandings of which bodies can occupy which positions. In other words, what constitutes the "somatic norm" of a university teacher.⁵⁹ Yet the initial discordance also motivates the students to expand their experiential horizons in terms of what possible philosophy instructors look like.⁶⁰ Situations that provoke such dissonance allow us to expand and modify a previously held "type," which can lead us to situate the typified subject in a more complex horizon.⁶¹ The type "philosophy instructor," which guided their expectations, is enriched such that the students' next encounter with a similarly "deviant" teacher may no longer provoke discordant surprise.

Once we understand how optimal-normality can be simultaneously experienced as concordant-abnormal (discordance), the "normal" becomes disentangled from the "natural."⁶² Experiences of discordance ought to be interpreted as a ground upon which to critically self-reflect and question our taken-for-granted norms. As Joona Taipale notes, a normality which pertains to intersubjective encounters is "constituted on the basis of factual differences ... [and] is not fixed once and for all, but is in a constant process of becoming."⁶³ Our sense of what is normal is established and enriched through dialogue between disparate perspectives and interests. This means that if someone's presence undermines and calls into question your taken-for-granted norms, this affective unfamiliarity is not thereby indicative of that person's abnormality. In the case study, the felt discordance ought to motivate a critical reflection on the heteronormative horizons through which the narrator and the harassers interpreted their social reality and its inhabitants.⁶⁴ Although somewhat

⁵⁷ Steinbock (1995a, p. 145).

⁵⁸ Alcoff (2006, p. 192).

⁵⁹ Puwar (2004).

⁶⁰ It must be noted that Alcoff discusses this example with a wholly different purpose, namely, to illustrate the instability and contingency of racialized body images (Alcoff 2006, pp. 191–194).

⁶¹ Magrì (2022b, p. 270).

⁶² Steinbock (1995a, p. 144), Steinbock (1995b, p. 251).

⁶³ Taipale (2014, pp. 132–133). See also Husserl (1973c, pp. 154–155, 176–177).

⁶⁴ Cf. Magrì (2022b, p. 273).

abstract, this phenomenological insight offers promising grounds upon which we can problematize and critique subtle tendencies to conflate the unnatural and unfamiliar with the abnormal and inferior.⁶⁵

4 A phenomenology of discrimination

4.1 Re-interpreting the case study

Transphobic hate crime as we see in the case study is an explicit and violent manifestation of discriminatory beliefs, but it represents a small portion of the discrimination which daily occurs. Discrimination, rather than only being deliberate and malicious, can be implicit, non-deliberate, and is often unbeknownst to the discriminator themselves. As noted above, I take hate crime to be a subset of discriminatory practices, and discrimination to be a genus which denotes morally problematic disadvantageous differential treatment based on a (perceived) property.⁶⁶ Discrimination entails *disadvantageous* rather than necessarily *harmful* treatment, as someone may treat someone else disadvantageously on the basis of a perceived property such as race or gender, but then this action may be beneficial due to unintended consequences.⁶⁷ We would nonetheless like to maintain that such instances are discriminatory irrespective of their outcome. Secondly, discrimination is necessarily differential as it relies on a triadic structure whereby an agent is treated disadvantageously *relative to someone else or some other group*. This definition can be nuanced to include more marginal cases and exclude more contestable ones, but for the purposes of this paper it is sufficient to settle on this widely used formulation within philosophical discrimination studies.

With this definition in mind, we can extend the present analysis to ways in which "normality" plays a constitutively significant role in more subtle and insidious forms of discrimination. For example, we can construe the narrator's encounter with the woman at the train station as a possible iteration of other similarly subtle, implicit, and non-deliberate practices of discrimination. When the narrator initially sees the woman (who is later the victim of transphobic abuse), the narrator visually inspects her at a greater length than if she "passed" as a cis woman in comparison to the other people who sat in the waiting room. First, this satisfies the condition of *differential treatment*. Second, if we assume that the woman started to become uncomfortable as she noticed the person who sat opposite her visibly staring at her, perhaps even with an inquisitive look on their face, it seems clear that this could be considered *disadvantageous treatment*.⁶⁸ In comparison to the fellow passengers, the woman was made aware of her own presence and was implicitly informed by the stranger's

⁶⁵ For such a phenomenological immanent critique, see Hedges (2022).

⁶⁶ Lippert-Rasmussen (2014).

⁶⁷ For a discussion of these cases, see Lippert-Rasmussen (2014).

⁶⁸ Of course, the narrator could have only glanced at the victim and then deliberated in their mind, such that it would not constitute disadvantageous treatment.

inquisitive look that she was incongruous to the prevailing norms.⁶⁹ If we then infer that the explanatory reason for the narrator's prolonged looks is precisely the perceived gender identity of the discriminatee, then it seems plausible to claim that this differential treatment was also *morally problematic*.

Re-interpreting the case study in this way shows how a discussion of discrimination need not be limited to manifest violence or deliberate differential treatment. Oftentimes, acts of discrimination occur despite one's attempted restraint or self-avowed non-discriminatory beliefs. The problem of implicit and non-deliberate discrimination is complexly multifarious. Nevertheless, I will now attempt to describe the intentional structures which I take to be underlying many (if not all) instances of discrimination; from the initial case study, to wider cases of discriminatory exclusion, bias, and stereotyping.

4.2 Passive normalization in the natural attitude

Discrimination seems to always be enacted from the backdrop of the natural attitude. By "attitude" [*Einstellung*], I mean modes of "interest" or "directedness" [*Gerichtetsein*] toward intentional objects.⁷⁰ One's attitude refers to a framework of intentional structures through which one maintains, over time, a perspective and interest in the world. Depending on our attitude, we thus react to and are affected by intentional objects in particular ways.⁷¹

Interest can be understood here as a kind of habitual orientation, or a leaning toward certain goals and ends.⁷² I believe this habitual interest, when followed at the expense of properly experiencing anomalousness, can be understood as the normalizing interest of our natural attitude, or what Andreea Smaranda Aldea calls our "normalizing stance."⁷³ This normalizing stance is the means through which our natural worldly life maintains a sense of affective, epistemic, and normative familiarity. However, this sense of familiarity accomplished within the natural attitude comes at a cost both to ourselves and to those subjects consequently *normalized*. Unlike the tangible harms of marginalization and discrimination that normalized agents experience, the subject adopting a normalizing stance has their capacities for critical self-reflection displaced as they make pre-reflective value-judgments in a self-insulating manner.⁷⁴ For this reason, we often see a dissonance between the self-conception a

⁶⁹ To emphasize just how "disadvantageous" an inspecting look can be, see Fanon's (2008) and Yancy's (2017) discussions of the white gaze and Christina Friedlaender's (2018) discussion of the moral harm of microaggressions.

⁷⁰ Husserl (1970, p. 245).

⁷¹ Hedges (2022, p. 12).

⁷² Husserl (1970, pp. 137–8).

⁷³ As Aldea describes it: "What thus transpires about the normalizing stance is, first, that it is resistant to change given its adversity to conflict and given its orientation toward stability and harmony. The normalizing stance is also forgetting, given its tendency to sediment and passively reinforce the principles articulating the system of possibilities 'in advance.' The overarching thematic interest of the normalizing stance is 'pinning down once and for all' (Husserl 1973d, §47) our lifeworld understood as a system of (pre-given) meanings, values, and possibilities" (Aldea 2020, p. 309).

⁷⁴ Salter and McGuire (2020, p. 97).

discriminator has of themselves (as a righteous, open-minded person, etc.), and the disadvantageous treatment they elicit non-deliberately and implicitly.

Unlike in cases of hate crime where the discriminatee is actively constituted as *abnormal*, in the more subtle, implicit, and non-deliberate forms of discrimination, the discriminatee may merely be judged to be anomalous. It is not that the narrator actively tried to cause discomfort to the woman waiting for her train, nor can the discriminatory staring be explained simply by the woman's appearance functioning as an attentional pull. Rather, the involuntary act of staring results from a passively posited value-judgment of how people ought to look; in this instance, how people ought to conform to one gender presentation or another. Despite the narrator's conscious devaluing of transphobic beliefs and normative commitments, their non-deliberate staring disclosed a sedimented heteronormative value-judgment. This normalizing tendency of the natural attitude is the foundation from which discrimination emerges and pertains to a proto-normative sense of normality. To illustrate this, let me briefly sketch out two forms of non-deliberate and involuntary discrimination which exhibit a normalizing tendency.

The first can be termed 'discordant-discrimination'. This form of discrimination arises when our "intentions of anticipation" [*Erwartungsintentionen*] cannot easily be fulfilled, leading to an embodied reaction of resistance, suspicion, or discomfort.⁷⁵ In the example above, the narrator could not immediately incorporate the woman into their horizon of expectations, so found themselves staring, non-deliberately, and doing an embodied 'double take' with the aim of regaining a sense of familiarity. More generally are the instances in which someone is perceived to be, behave, or look incongruous to prevailing norms and this provokes a turning of heads, staring, unwarranted suspicion, or even more insidiously, a 'friendly' curiosity and wonder.⁷⁶

These instances of discrimination are importantly embodied in two ways. First, the surprise may be felt by the discriminator in relation to the embodiment of the discriminatee themselves. We have, for example, preconceived ideas of how a "normal person" walks, how a "normal man" speaks or performs certain hand gestures, or more generally what bodies inhabiting a certain space are expected to look like. As Rosemarie Garland-Thomson details in her study of *Staring* (2009), when we glimpse bodies which look or act in ways contradictory to our expectations, we feel compelled to stare so as to render legible what at first seems incomprehensible.⁷⁷ According to each environment and context, different somatic norms are made salient such that spaces gradually acquire the skin of the bodies which historically and most frequently inhabit them, making outsider and deviant bodies "illegible."⁷⁸ These somatic norms are oftentimes the crystallization of longstanding oppressive paradigms such as the heteropatriarchy, white supremacy, and ableism, such that the

⁷⁵ Husserl (1973d, p. 88).

⁷⁶ "Friendly" questioning such as "where are you *from*?", "can I touch your hair?," or the fetishization and exoticization of marginalized bodies.

⁷⁷ Garland-Thomson (2009).

⁷⁸ Ahmed (2006).

arrival of a body that does not cohere with these normative requirements is subjected to the discordant-discrimination outlined above.

Second, discordant-discrimination manifests through the embodied turning toward or away from those somatic 'outsiders.' Such embodied expressions of suspicion, discomfort, and resistance are often so implicit that they remain imperceptible to the discriminator themselves. As George Yancy writes, the affective response of the racist discriminator forms part of the white bodily repertoire such that it becomes noticeable in the nervous shifting of the body, the clutching of the purse, and the slight trembling of the white torso.⁷⁹ Such embodied responses may well pass unnoticed by the discriminator themselves, but as Yancy goes on to argue in detail, agents who are the object of such discomfort possess a heightened sensitivity to such interactions as they are recognizable and repeated occurrences which pertain to oppressive stereotypical constructions.⁸⁰ The normalizing stance of our natural attitude thereby discloses an interest in maintaining familiar and taken-for-granted cultural-institutional norms, prejudices, and stereotypical assumptions, in lieu of experiencing normative incongruity. Further, these embodied microaggressions need not derive from reflective normative judgments, but often arise out of (exclusionary) proto-normative expectations.

The second form of discrimination is "concordant-discrimination." In these arguably more subtle forms of discrimination, the discriminator mitigates the possibility of discordant surprise by normalizing the discriminatee according to prevailing socio-cultural norms. This form of discrimination therefore occurs without the discriminatee being constituted as either abnormal or anomalous, but rather within a concordant flow of experience. We see this in innumerable instances of non-deliberate discrimination. For example, when a female doctor is assumed to be the nurse as this is taken as a more familiar possibility.⁸¹ Or when a Black woman in a typically masculine and/or white-coded environment is assumed to not be a figure of authority.⁸² In these acts of discrimination, the familiar possibility exhibits a stronger allure on the discriminator's ego than the unexpected and unfamiliar alternatives.⁸³ Again, this serves to further sediment an already-existing somatic norm. Despite someone exhibiting what would be perceived as an unexpected or unfamiliar "sense"—either in relation to a taken-for-granted norm, or in relation to the spatial and contextual norms of the encounter—the discriminator already judges that the discriminatee has a sense which coheres with norm-informed expectations.

These more non-deliberate and implicit forms of discrimination attest to how different forms of normality play distinct roles not only in object-directed intentionality, but also in our intersubjective life. In the original instance of violent transphobic

⁷⁹ Yancy (2017, p. 21).

⁸⁰ *Ibid.*, pp. 21–44.

⁸¹ Bhandari et al. (2021).

⁸² Anecdotal examples include Dawn Butler, a Black, British, female member of parliament who was—among many other instances—addressed as a cleaner in the British houses of parliament (BBC 2016); or Alexandra Wilson, a Black female lawyer who was presumed to be a defendant three times in one day at the same courthouse (Bowcott 2020). For a discussion of these examples, see Hedges (2022).

⁸³ Aldea (2020, p. 309).

discrimination, the more normatively charged form of optimal-normality better serves as a phenomenological *explanans*, such that the victim was judged to be not only *anomalous*, but also optimal-*abnormal* relative to the active interests of the discriminators. In the latter incidents of discrimination, we see the presence of a passive, yet egoic, normalizing stance which grants primacy to a proto-normative conception of concordance-normality, without considerations for the fact that these encounters could in fact optimize one's taken-for-granted typifications, experiential horizons, and historically instituted somatic norms. This insight into the intentional and constitutional structures at play is only a fraction of the picture in understanding how and why discrimination manifests. Nonetheless, such a phenomenological approach thematizes fundamental (and often overlooked) aspects of the embodied experience of the discriminator, including both the operation of normativity in our very perceptual expectations, and how prejudicial norms are bolstered by the natural attitude's interest in familiarity.

5 Concluding remarks

In this paper, my aim has been to develop a phenomenological understanding of discrimination from the perspective of the discriminator. More violent forms of discrimination as we find in the original case study are but the tip of the iceberg. To contribute a phenomenological perspective to the wider problem of discrimination as such, I have argued that one potentially fruitful possibility is to return to Husserl's more elaborate discussion of normality as both concordance and optimality. This distinction between both a normative and proto-normative form of normality allows us to recognize the constitutive significance of normality in discriminatory acts from the implicit and non-deliberate to the explicit and violent. A larger and more systematic approach is required if we are to better see how normality motivates and guides a wider variety of discrimination, such as stereotyping, cognitive biases, racial profiling, epistemic injustices, and homogeneity biases. Within the scope of this paper, I hope to have presented a novel way of approaching these issues, and one which may open new avenues for the critical application of phenomenological tools.

In addition to this, I hope to have shown how Husserl's formulation of optimality can be utilized beyond cases of biophysical and perceptual optima. Perhaps because of the easy association of positing something as optimal with a problematic essentialism, Husserl's account of normality has not been afforded equal application to intersubjective encounters. By demonstrating the normative force of encounters with someone constituted as optimal-(ab)normal, we can come to recognize its role in both antagonistic encounters and our ability to institute norms anew. (Ab)normality understood merely at the level of (dis)concordance is limited in this respect. If we are to not only describe the intentional structures which undergird discriminatory practices, but also examine the structures which inhibit our human capacity for normative revisions, then we must consider how normality *becomes* in our encounters with others.

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