



# Aesthetic Injustice

Bjørn Hofmann<sup>1,2</sup>

Received: 27 January 2022 / Accepted: 14 March 2023 / Published online: 31 March 2023  
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## Abstract

In business as elsewhere, “ugly people” are treated worse than “pretty people.” Why is this so? This article investigates the ethics of aesthetic injustice by addressing four questions: 1. What is aesthetic injustice? 2. How does aesthetic injustice play out? 3. What are the characteristics that make people being treated unjustly? 4. Why is unattractiveness (considered to be) bad? Aesthetic injustice is defined as unfair treatment of persons due to their appearance as perceived or assessed by others. It plays out in a variety of harms, ranging from killing (genocide), torture, violence, exclusion (social or physical), discrimination, stigmatization, epistemic injustice, harassment, pay inequity, bullying, alienation, misrecognition, stereotyping, and to prejudice. The characteristics that make people treated unjustly are (lack of) attractiveness, averageness, proportion, and homogeneity. Furthermore, prejudice, psychological biases, logical fallacies, and unwarranted fear of disease are some reasons why unattractiveness is (considered to be) bad. In sum, this study synthesizes insights from a wide range of research and draws attention to aesthetic injustice as a generic term for a form of injustice that deserves more systematic attention. Having a definition, description, and explanation of the concept makes it easier to target the problems with aesthetic injustice. As the business world is an arena of ubiquitous aesthetic injustice business ethics can take the lead in identifying, explaining, and addressing the problem.

**Keywords** Aesthetic · Injustice · Discrimination · Harm · Rights

## Introduction

Differences in aesthetic appearance drives injustice. People tend to be less listened to because they are considered to be aesthetically less attractive. Attractive people hold many more prestigious positions than the unattractive people, and they earn more money (Hamermesh, 2011). People are hired for their attractiveness, while there is a penalty on unattractiveness (Anýžová & Matějů, 2018; Hamermesh & Biddle, 1993). Meteorologists who are female (“weather women”) are but one example of the first (Henson, 2013) and reduced socioeconomic status of the latter. Very few CEOs, CFOs, and CIOs are considered to be unattractive. Persons judged to be unattractive are assumed to be less

appealing as business partners. Moreover, beauty tends to trump brains as wage returns to physical attractiveness are large on the labor market compared to the returns to actual ability (Fletcher, 2009). Ever more people buy services from the beauty industry, which is more flourishing and profitable than ever before.

While easily recognized in business, injustice due to aesthetic assessment of appearance appears to be a general phenomenon that starts early in life. Children prefer information from more attractive informants (Bascandziev & Harris, 2014). Pre-term babies considered to be less attractive receive less care from nurses and had poorer health outcomes when discharged from neonatal intensive care units (Badr & Abdallah, 2001). Mothers of more attractive infants are reported to be more affectionate and playful compared with mothers of less attractive infants (Langlois et al., 1995, 2000). Raters within and across cultures seem to agree about who is attractive and who is not, and attractive children and adults are (a) judged more positively, (b) treated more positively, and (c) exhibit more positive behaviors and traits than unattractive children and adults (Langlois et al., 2000). Teachers tend to expect better

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✉ Bjørn Hofmann  
bjoern.hofmann@ntnu.no

<sup>1</sup> Institute for the Health Sciences at the Norwegian University of Science and Technology (NTNU), PO Box 1, N-2802 Gjøvik, Norway

<sup>2</sup> Centre of Medical Ethics at the University of Oslo, Oslo, Norway

performances of pupils who are considered to be attractive and appraise their transgressions more negatively (Dion, 1972; Ritts et al., 1992). It has also been suggested that attractive persons receive more preferential and lenient treatment of the judicial system than persons considered to be unattractive (Berry, 2019; Darby & Jeffers, 1988; Mocan & Tekin, 2010). Moreover, health professionals' conception of patients' attractiveness affects the quality of health care received by individuals (Westfall, 2018).

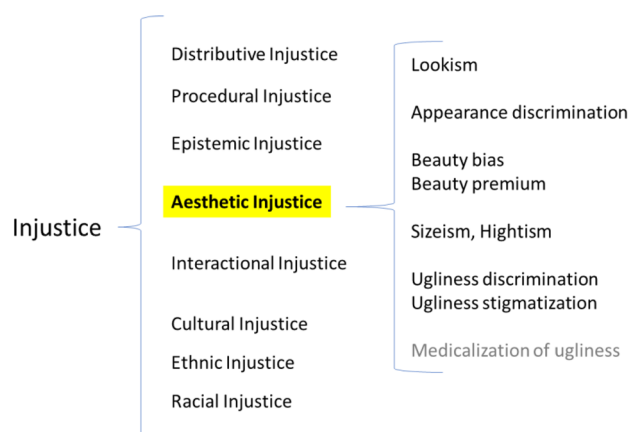
Aesthetic injustice is a driver for a wide range of stratification, discrimination, harassment, misattribution, pay injustice, and stigmatization. It undermines meritocratic ideals in business ethics (Dobos, 2017), and aesthetic injustice plays a crucial role in racism. Even more, “relative to ethnoracial and gender stratification, physical attractiveness is relatively understudied” (Monk et al., 2021). Accordingly, aesthetic injustice deserves more attention and scrutiny.

While specific aspects of aesthetic injustice have been studied in the literature, such as lookism, heightism, appearance discrimination, and beauty bias, the aim of this article is twofold: first, it wants to provide a conceptual framework of aesthetic injustice gathering a set of related phenomena that have unethical implications. The second aim of this article is to define the concept, describe the phenomenon, and investigate its mechanisms in order to make it easier to address aesthetic injustice in business ethics and beyond.

To do so, this article will investigate the concept of aesthetic injustice through addressing four key questions:

1. What is aesthetic injustice?
2. How does aesthetic injustice play out (i.e., how can aesthetic injustice be observed)?
3. What are the characteristics that make people being treated unjustly?
4. Why is unattractiveness (considered to be) bad? How can we explain aesthetic injustice?

In order to address the first question, I will use common definitions of the comprised basic concepts (aesthetic, injustice) to provide a definition of aesthetic injustice and clarify its normative premises and the more specific concepts that it covers. For questions 2 and 3 a qualitative synthesis of the literature (Evans, 2002) has been applied, starting with a broad search for (“aesthetic injustice” OR “lookism” OR “appearance discrimination” OR “beauty bias” OR “ugly\* discrimination” OR “heightism”) AND (“ethics” OR “injustice”) and reviewing the literature in order to address the questions. The literature review has aimed at addressing the questions and not in providing an exhaustive overview of the literature. Question four applies ethical analysis based on relevant findings in the literature search.



**Fig. 1** Illustration of aesthetic injustice in relation to other types of injustice and the types of injustice that it comprises

However, before I start on these specific issues, it is important to clarify why we need a concept of aesthetic injustice and why is it relevant to business ethics.

## Why Do We Need a Concept of Aesthetic Injustice?

The purpose with focusing on and defining the concept, and describing the phenomena of aesthetic injustice is threefold:

1. To draw attention to a (general) type of injustice that has gained too little attention. There are many studies of specific types of aesthetic injustice, such as beauty bias, appearance discrimination, lookism etc. However, the general phenomenon has not received attention corresponding to its effects of unjust treatment of very many people. As with epistemic injustice (Fricker, 2007, 2017), focusing on the generic term and the general phenomenon, can gain more attention to the problem.
2. Relatedly, the underlying mechanisms and problems that have been studied in beauty bias, appearance discrimination, lookism etc. are similar. Hence, there is a(n epistemic) need to gather them under a common core in order to coordinate the study of the problem and to address it. See Fig. 1.
3. A common generic term (and a coordinated understanding of the problem) can contribute to align and intensify the actions and measures against a pervasive form of injustice.

Hence, there are both conceptual, epistemic, and ethical reasons to define and describe aesthetic injustice. Figure 1 places aesthetic injustice amongst other types of injustice

and illustrates its relationship to various types of appearance-related injustice.

## Why is Aesthetic Injustice Relevant to Business Ethics?

As indicated above, aesthetic injustice plays out extensively and affects very many people in and through the world of business. In particular, it discriminates opportunities (Abubakar et al., 2019) and results in pay inequity (Judge et al., 2009; Scholz & Sicinski, 2015), and is especially visible in the labor market (Anýžová & Matějů, 2018; Xing et al., 2014). In a seminal article Hamermesh and Biddle demonstrated a 5% attractiveness premium in earnings (Hamermesh & Biddle, 1994). Attractiveness also plays a crucial role in lending (Duarte et al., 2012) and for an academic career in economics (Hale et al., 2021). Moreover, discrimination has long been studied in economics where Becker's work on taste-based discrimination (Becker, 2010) has been highly influential and where aesthetics has played an important role.

While aesthetic injustice is not unique to business or to business ethics, there are three main reasons why the topic is highly relevant to the readership of the *Journal of Business Ethics* as well as to scholars and practitioners of business and management:

1. Aesthetic injustice is relevant in all aspects of business, such as production, consumption, marketing, advertising, social and economic accounting, labor relations, public relations, and organizational behavior.
2. Aesthetic injustice has substantial implications for a wide range of persons involved in business of all kinds. It is (negatively) formative for the field in promoting injustice.
3. Aesthetic injustice influences the professional integrity of academics and practitioners of business and management. Thus, it is (negatively) formative for the professional identity.

Hence, an awareness of how aesthetic injustice influences societies and markets, forms economics, and challenges professional integrity is crucial in order to address its challenge. Harnessing aesthetic injustice is crucial for reducing discrimination and social injustice and forming the economics as a profession and an academic field. Moreover, it provides an opportunity for business ethics to take a lead on addressing an increasing universal problem that affects very many people. In the same manner as business is an arena where aesthetic injustice is ubiquitous,

business ethics can be a leading discipline in addressing it. By promoting awareness and providing conceptual clarity we can foster reflexivity by promoting “awareness of your situatedness, why you make certain decisions (and not others), what biases you bring, what assumptions you make” (Greenwood & Freeman, 2018).

## What is Human Aesthetic Injustice?

First, we need to define aesthetic injustice and to describe which concepts that fall under this generic concept.

### Defining the Concept

While *aesthetics* is defined as the philosophy of beauty and/or taste and addresses judgments of sentiment and taste, *injustice* is frequently defined in terms of a violation of the rights of a person and is related to unfair or underived treatment of the person. Accordingly, *human aesthetic injustice is here defined as unfair treatment of persons due to their beauty or appearance as perceived or assessed by others*. “Others” refers to persons that are able to influence the conceptions, communication, or actions of the one experiencing aesthetic injustice. While there may be aesthetic injustice amongst non-human animals, the clause “human” is included in the definition to explicitly delimit the concept. Moreover, the clause “persons” rules out aesthetics of natural phenomena, such as landscapes (Saito, 1998).

The definition is symmetrical as it includes people being treated exceptionally well for being attractive. Some would like to restrict the definition to “unfair *negative* treatment of persons” as there is more focus on unfair negative treatment in general. While there may be good arguments to exclude *halo effect* in favor of attractive people (Nisbett & Wilson, 1977), the concept of fairness in principle also includes unfair positive treatment. Hence, initially the definition is not restricted to the negative treatment of persons. However, the examples that follow will be mainly due to negative reactions towards people considered to be unattractive. In order to highlight the universality of aesthetic injustice, the examples will not only be taken from the business world.

## What it is Not

It is important to notice that this definition differs from the very few conceptions of “aesthetic injustice” in the academic literature. For example, aesthetic injustice has been discussed as unfair rejection of certain forms of taste or specific art styles, such as the rejection of aesthetic genres because of revulsion to their associated ideas (Darwin, Freud, Marx) or specific social phenomena (war, poverty, fascism) (Rosenthal & Hummel, 1942).<sup>1</sup> “Aesthetic injustice” has also been used to refer to unjust access to what is to be considered to be attractive or of aesthetic value (“aesthetic goods”) (Peipert, 2007). Moreover, the term has been applied to refer to differences in the ability to make aesthetic judgments. For example “aesthetic injustice” has been defined as “any harm done to someone specifically with regards to her aesthetic capacities,” where aesthetic capacities are defined as, “our abilities to feel and imagine something” (Dalaqua, 2020). Differentiation due to aesthetic taste or capacities has been studied as a cause of oppression during colonial history (Dalaqua, 2020).

Contrary to conceptions of aesthetic injustice concerned with unfair treatment of aesthetic genres, objects (architecture), persons’ aesthetic capacities, or unfair access to beautiful objects, this article deals with the injustice that is done to persons because of the way they are judged aesthetically, in short: *how attractive or unattractive they are considered to be*.<sup>2</sup>

## Concepts Covered by Aesthetic Injustice

While there are very few references to aesthetic injustice in general, there are many studies on specific kinds of aesthetic injustice, such as lookism, heightism, sizeism, appearance discrimination, and beauty bias. Aesthetic injustice works as a generic term for these more specific forms of unfair treatment of persons due to their beauty or appearance.

*Lookism* is defined as discriminatory treatment of people who are considered physically unattractive in various social settings (Ayto & Ayto, 1999; Warhurst et al., 2009),<sup>3</sup> and has been extensively studied in the labor market and

employment (Adomaitis et al., 2017; Cavico et al., 2012), in career development in organizations (Wang & Niu, 2022) and elsewhere.

*Appearance discrimination* has been defined as “prejudice or discrimination on the grounds of appearance (i.e., uglies are done down and the beautiful people get all the breaks).” (Ayto & Ayto, 1999). Together with “physical attractiveness discrimination” (Hammer, 2017) appearance discrimination has been used to address discrimination in the workplace and in the labor market.

*Beauty prejudice* and *beauty discrimination* (Etcoff, 2011) as well as *beauty bias* (Rhode, 2010) have been used as synonyms. Beauty discrimination has been defined as “[d]iscrimination that favors good-looking people by rewarding them with promotions and higher salaries” (Tietje & Cresap, 2005). Such terms have been used in studying employment (Ruffle & Shtudiner, 2015).

Moreover, other terms such as “*aestheticism*” and “*physiocalism*” have been discussed (but discarded) as well (Tietje & Cresap, 2005). Various moral phenomena have also been discussed in “body aesthetics” (Irvin, 2016) and “somaesthetics” (Shusterman, 2008) as well as oppressive aspects of femininity (Bartky, 2015).

While these specific types of aesthetic injustice are particular with respect to the phenomenon they address (appearance, look) and to the strength of the reactions (discrimination, bias), aesthetic injustice provides a unifying generic concept highlighting the moral aspect (injustice). Moreover, it includes outer factors, such as clothing, and thereby socio-economic aspects and it makes it possible to address more general aspects of a widespread type of injustice.

While it is beyond the scope of this article to review all types of unfair treatment of persons due to their appearance in detail, the point with this article is to provide a generic concept that covers these more specific concepts and issues, and that highlights its moral aspects, i.e., its injustice. Hence, aesthetic injustice refers to unfair treatment of persons due to their perceived or assessed aesthetic appearance in general. Given this definition, we can study the (general) phenomena that fall under the concept.

## How Does Aesthetic Injustice Play Out?

Having defined aesthetic injustice and briefly described the concepts that fall under this generic concept of injustice, we can move on to investigate how aesthetic injustice plays out.

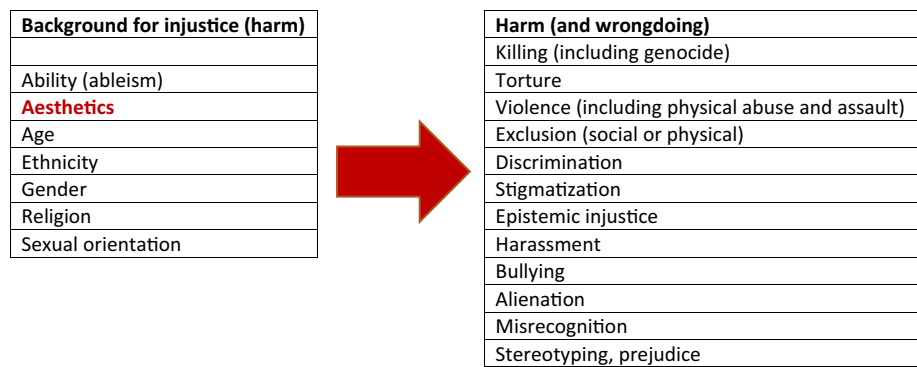
In the most severe version people have been *killed* for their appearance. Infanticide for unattractive children (assumed or not assumed to be disabled) has a long history (Moseley, 1985). Moreover, people’s aesthetics characteristics have been crucial in genocides, such as in Rwanda (Buckley-Zistel, 2009; Hintjens, 1999). Children with

<sup>1</sup> See for example Rosenthal and Hummel: “and that it consists in the rejection of entire genres because the critic cannot stomach the kind of human existence suggested by the ideas of such men as Darwin, Freud, and Marx, and by the presence of such phenomena as world-war, mass poverty, and fascism.” (Rosenthal and Hummel 1942).

<sup>2</sup> While some readers would prefer to use the terms «beautiful» and «ugly» instead of «attractive» and «unattractive» I have used the latter in order to avoid contributing to any stigmatization. However, I have used «ugly» in quotations and where used in the philosophical literature, e.g., in (Doran 2022).

<sup>3</sup> Ayto defines appearance discrimination as “prejudice or discrimination on the grounds of appearance (i.e., uglies are done down and the beautiful people get all the breaks).” (Ayto, 1999, p. 485).

**Fig. 2** Overview of the relationship between various types of harms and their impetus



albinism have also been murdered in Africa (Taylor et al., 2019). Certainly, killing is not the most frequent characteristic of aesthetic injustice, but it is important to acknowledge that even such extreme actions have been part of aesthetic injustice.

People have also experienced *violence* (including physical abuse and assault) due to their appearance. This includes children (Weiss, 1994). Moreover, both social and physical exclusion due to unattractiveness is well known throughout history where unattractive persons were hidden as were persons with various handicaps. So-called “ugly laws” were passed to keep the unattractive persons out of the streets in the nineteenth century (Schweik, 2009).

*Discrimination* due to a person’s looks has been widely studied, especially with respect to workplace and income. For example, many studies uncover workplace discrimination due to attractiveness (Adomaitis et al., 2017; Cavico et al., 2012; Ghodrati et al., 2015; Hammer, 2017; Saiki et al., 2017; Simpson, 2019). While such discrimination is most easily observed on a populational levels, there are individual cases, such as a computer engineer who received a reduced annual employee bonus because he was considered ‘too ugly’ by his new supervisor (Xiaofei Liu, 2017). Another interesting example is the Swedish dentist Björn Klinge who reported how people reacted very differently to him as he (in ordinary situations) changed his (dental) appearance (Klinge & Klinge, 2010).

Discrimination due to unattractiveness has less protection than discrimination against race, color, sex, which are protected by civil rights laws (Cavico et al., 2012). This is despite the fact that it is a “major factor of inequality and stratification regardless of one’s race or gender” (Monk Jr et al., 2021).<sup>4</sup>

*Stigmatization* due to aesthetic appearance is also well known, for example due to red hair (Heckert & Best, 1997), prominent ears (Jones et al., 2020), freckles, and obesity (Goldberg, 2011; Goldberg, 2014a, 2014b; Goldberg & Puhl, 2013; Hansson & Rasmussen, 2014; Kraig & Keel, 2001; Malterud & Ulriksen, 2011; Puhl & Heuer, 2009). Fatism (Eaton, 2016) and fat phobia (Fidanci et al., 2021) are specific examples of the latter.

People who are considered to be unattractive are *less listened to* (*testimonial* injustice) and less trusted (Marwick, 1988; Synnott, 1989, 1990, 2002; Todorov et al., 2009). It is documented that this starts early in life (Ma et al., 2016). Moreover, unattractive people contribute less to concept formation and concept promotion (*hermeneutical* injustice) (Spiegel, 2022). Hence, aesthetical injustice results in epistemic injustice (Fricker, 2007, 2017).

*Harassment* and *bullying* due to different looks is well known for example from schools (Rigby, 2007) and from the workplace (Cavico et al., 2012). Other expressions of aesthetic injustice are *alienation*, *misrecognition*, *stereotyping*, and *prejudice*.

In sum, aesthetic injustice is expressed in a number of ways common to other types of injustice. The difference is that the reason for the injustice is aesthetic characteristics of the person harmed. Figure 2 gives an overview of the relationship between the various types of harms discussed above and their impetus. It illustrates how aesthetic injustice covers more ground than discrimination due to appearance (lookism).

## What are the Characteristics that Make People Being Treated Unjustly?

Young persons with smooth skin, well-proportioned bodies, and regular features, have been considered the most attractive throughout history (Jones, 2010). We may therefore ask

<sup>4</sup> As mentioned, beauty prejudice and beauty discrimination (Etoff, 2011) as well as beauty bias (Rhode, 2010) have been used as synonyms to appearance discrimination. Other terms, such as “aestheticism” and “physicalism,” have been discussed as well (Tietje & Crep, 2005).

why this is so. What are the aesthetical norms that drive<sup>5</sup> aesthetic injustice? What are the characteristics that make people being treated unjustly? The characteristics found in the literature can be arranged according to the classification of aesthetics, i.e., in terms of attractiveness, averageness, proportion, homogeneity, and function.

### Attractiveness

Attractiveness is defined in terms of interest, desire in, or gravitation to someone (Ortony et al., 1990) and, as indicated, physical attractiveness has been found to positively impact employment, wages, hours of work, and promotion opportunities (Ghodrati et al., 2015; Hammer, 2017; Saiki et al., 2017).

Attractiveness has been conceived of as an evolutionary feature where attractive persons increase the chances of “better” offspring (Etcoff, 2011). As summarized by Tietje and Cresap: “beauty signals health, both physical and mental; health signals reproductive success. Unattractiveness, on the other hand, sometimes signals disease, hence reproductive failure.” (Tietje & Cresap, 2005) Moreover, an attractive person can be pleasing or be a bait (Etcoff, 2011). It has also been argued that intelligence provides a logical connection between beauty and evolutionary selection (Kanazawa & Kovar, 2004),<sup>6</sup> but this has been contested on theoretical and empirical ground (Denny, 2008). Moreover, while reproductive success can be relevant in mating it is not obviously relevant in work-life, in public debates, or in general trustworthiness. However, as an indicator of health, attractiveness can be correlated to reliability and productivity.

Attraction may of course also play a role in social functioning (Xiaofei Liu, 2017). There may be an association between goodness and beauty (Dion et al., 1972). A good person may be believed to be attractive and a bad person may be considered to be unattractive. However, it may also be the other way around, a person may behave and become bad because he is considered to be unattractive.

This is not the place to divert to a detailed study of attractiveness. Here the point is that attractiveness is one of the characteristics of what makes people treated differently and can thus shed light on the concept of aesthetic injustice through connections to goodness, health, trustworthiness, and (reproductive) success. However, aesthetic injustice

seems to occur even between persons who are considered equally good, healthy, trustworthy, and successful.

### Averageness

We may also try to understand aesthetic injustice in terms of preferences for (or norms of) averageness. For statistical reasons, the average (normal or prototype)<sup>7</sup> is well-known to people and incites preferences. Averageness and symmetry are documented as drivers of sexual selection (Grammer & Thornhill, 1994). Facial differences has been documented to affect persons’ self-esteem and results in lower quality-of-life measures (Topolski et al., 2005).

Moreover, visual attractiveness has been described as a “pre-ideological aesthetical experience” and discrimination according to attraction is considered to be “normal” (common and widespread) (Tietje & Cresap, 2005). Psychologists tend to think of aesthetic injustice (in terms of discrimination) as a common human subconscious phenomenon of self-protection or a bias of coupling aesthetic and ethical assessment (unattractive = bad) (Kuipers et al., 2019). (See Section “[Why is unattractiveness \(considered to be\) bad? How can we explain aesthetic injustice?](#)”).

Accordingly, averageness is another characteristic making people being treated differently (unjustly). Hence, human (psychological) preferences for averageness can provide some insights to aesthetical injustice, it cannot justify injustice.

### Proportion and Symmetry

Aesthetic injustice can also be explained by preferences for proportion, symmetry, figure, and form (such as sharp, clear) (Borelli & Berneburg, 2010). Dis-proportion, a-symmetry, dis-figurement, and de-formation results in disadvantages. While clear and sharp forms are advantageous, disfigurement, scars, or deformity are unfavorable (Sullivan, 2001).

Another and related (favorable) factor, is *homogeneity*. This can be observed with respect to the texture and color of the skin (Borelli & Berneburg, 2010; Matts et al., 2007), race (Maddox, 2004), and head shape (Jahoda, 2018). Facial difference is demonstrated to lead to stigmatization or/and discrimination (Masnari et al., 2012, 2013).

Thus, preferences (symmetry and homogeneity) are characteristics of what makes people being treated differently and can help us understand aesthetic injustice. While explanatory, these characteristics do not justify treating persons differently.

<sup>5</sup> It may be argued that instead of “driving aesthetic injustice” it is “forming aesthetic injustice.” I am open for this alternative. However, the resulting understanding may not differ.

<sup>6</sup> Kanazawa and Kovar logically deduce that “more beautiful people are more intelligent than less beautiful people” based on four assumptions: (1) men who are more intelligent are more likely to attain high status than those who are less intelligent, (2) higher status men are more likely to mate with beautiful women than lower status men (3), intelligence is heritable and (4) that beauty is heritable.

<sup>7</sup> Average, normal, and prototype are distinct concepts and warrant separate investigations. Here only averageness will be briefly mentioned.

In sum, attractiveness, averageness, proportion, symmetry, and homogeneity are characteristics that make people being treated differently. While human preferences for these characteristics can help to explain aesthetic injustice, they do not as such justify aesthetic injustice. Why then is this type of injustice so ubiquitous?

### Why is Unattractiveness (Considered to be) Bad? How Can We Explain Aesthetic Injustice?

What then are the mechanisms<sup>8</sup> behind aesthetic characteristics being reasons for differentiation and unfair treatment? While there may be many mechanisms, let me here briefly investigate four: prejudice, logical fallacy, psychological biases, and bad health.

#### Prejudice

Aesthetic injustice can stem from prejudice towards certain forms of appearance (Rumsey & Harcourt, 2012). (Aesthetic) prejudice is an adverse opinion, leaning, or attitude against a person (based on that person's appearance) formed without warrant or just grounds. One example where prejudice against appearance is well known and studied is obesity (Brochu et al., 2011; Crandall & Reser, 2005; Hansson et al., 2009; O'Brien et al., 2013). Racism is another (Matsuda et al., 2020). Prejudice is related to stigmatization where persons are disqualified from full social acceptance (Goffman, 2009), which also is widely identified with obesity (Brink, 1994; Goldberg, 2011; Goldberg, 2014a, 2014b). Hence, prejudice towards appearance can explain aesthetic injustice. However, it cannot justify it.

#### Taste-Based and Statistical Discrimination

Related to prejudice Becker proposed the taste-based model of labor market discrimination in economics (Becker, 2010) according to which employers prejudice or dislikes had negative effects on employment (discrimination). Against this, statistical discrimination is the result from uncertainty (or ignorance) about a person or group (Arrow, 2015). While prejudice could be based on aesthetics and the models explain economic discrimination in terms of prejudice or uncertainty, they do not justify aesthetic injustice.

<sup>8</sup> Mechanism is here not used in a mechanical or strict sense, but rather more general as an influential factor.

#### Logical Fallacy

Another mechanism of aesthetic injustice can be found in a logical fallacy, i.e., the erroneous inference from unattractive to bad (Kuipers et al., 2019). A person may be considered to be bad or untrustworthy because he is unattractive. This fallacy relates to the erroneous connection between the traditionally autonomous spheres of epistemology, aesthetics, and ethics (Hare, 1963; Hazlett, 2012; Honderich, 2005). Reasoning from aesthetic norms to moral norms is not considered to be warranted.

Even those who reject the traditional divide between aesthetics and ethics and that this represents a logical fallacy have to justify the reasoning from unattractive to bad. Hence connection between aesthetics and ethics can help to explain the mechanisms behind aesthetic injustice.

#### Psychological Biases

Aesthetic injustice can also been explained in terms of social or psychological bias (Berry, 2007, 2016). The responses to people's appearance ("he is so short" or "look at her teeth—why doesn't she get them fixed?") are due to many types of specific biases, such as "skin tone bias" (Maddox, 2004) "weight bias," "asymmetry bias," lack of smoothness etc. (Rhode, 2010). As pointed out by Deborah Rhode: "anywhere from 12 to 16 percent of workers believe that they have been subject to such bias, a percentage that is in the same vicinity, or greater, than those reporting gender, racial, ethnic, age, or religious prejudice" (Rhode, 2010).

In the perspective of dual-systems psychology System 1 can facilitate effective behavior, but it may also result in false inferences and bad decisions (Kahneman et al., 1982; Daniel Kahneman & Tversky, 1996). Hence, biases may be unreliable and unwarranted sources of aesthetic injustice.

#### Disgust as Disease-Avoidance and Treating Unattractiveness as Disease

Aesthetic injustice can also be explained in terms of unattractiveness being signs of bad health and disease. No doubt, some of manifestations of diseases are considered to be unattractive, such as rashes, wounds and tumors (Ablon, 1995; Wu & Cohen, 2019). Accordingly, disgust has been identified as a disease-avoidance mechanism (Val Curtis et al., 2004; Valerie Curtis et al., 2011; Klebl et al., 2020; Oaten et al., 2009). In particular "ugliness" has been defined as "disgustingness," i.e., "the disposition to disgust" (Doran, 2022). However, disgust can also be due to prejudice (Schaller & Neuberg, 2012), and aesthetic injustice goes way beyond the danger of infection. Using disgust as a moral compass is ethically problematic for many reasons (Kelly, 2011).

Related to seeing some appearances as bad is that specific forms of unattractiveness are classified as diseases. “Prominent ear” has the code Q17.5 and funnel breast (*pectus excavatum*) has the code Q67.6 in WHO’s International Classification of Disease (ICD-10-CM, 2021). Such conditions are classified and treated as diseases even when there is no reduced function (in hearing or breathing). Other non-functional treatments are aesthetic reconstruction after injuries, such as after bariatric surgery (excess skin) and cosmetic surgery after cleft lip repair.

While prominent ears do certainly not represent any threat to others and may even increase functioning (hearing), one may argue that treatment improves social functioning. This has been the argument for cosmetic surgery for persons with Down’s syndrome (Kravetz et al., 1992; Suziedelis, 2006). However, this still is to apply aesthetic treatment to compensate for social prejudice, and even to prop prejudice (Hofmann, 2010).

Another point is that aesthetic injustice seems to influence health in the same manner as epistemic injustice (Lee et al., 2017). For example, unattractiveness (at the age of 11) is correlated to poorer health (at age of 50), and personality type and family life appears to be important factors (Braakmann, 2011). The point here is not to analyze the relationship between people’s aesthetic characteristics and health and disease, but rather to point out that unattractiveness is considered to be bad in many ways—even related to health.

Hence, prejudice, logical fallacy, psychological biases, and disease-avoidance are mechanisms that can explain aesthetic injustice. Nonetheless, they cannot justify it. However, there may be other ways to defend aesthetic injustice.

## Discussion

This article has provided answers to the four questions in the introduction. First, human aesthetic injustice is defined as *unfair treatment of persons due to their beauty or appearance as perceived or assessed by others* and a set of concepts that fall under this generic concept are identified. Second, aesthetic injustice has also been shown to appear in a wide range of forms of harm, such as exclusion (social or physical), discrimination, stigmatization, epistemic injustice, harassment, bullying, alienation, misrecognition, stereotyping, and prejudice, but also (in extreme cases) killing (including genocide), torture, and violence (including physical abuse and assault). Third, attractiveness, averageness, proportion, homogeneity, and function are found to be characteristics (aesthetical norms) driving aesthetic injustice. Fourth, prejudice, psychological biases, logical fallacies, and unwarranted fear of disease are some reasons why unattractiveness is (considered to be) bad.

Providing a definition of the phenomenon, describing its harms, characterizing it, and identifying its drivers makes it easier to address the problem. Accordingly, this study identifies and scrutinizes a much overlooked ethical challenge in general and which is ubiquitous in business. As such, this study shows how aesthetic factors in assessing people goes “beyond economic criteria ...” and “embedded in the prevailing organization of practices and related to what people consider a normal way of life” (Moraes et al., 2017). Moreover, as aesthetical norms are narrowed and business has ever more “significant consequences for the wellbeing of human society” (Greenwood & Freeman, 2017) aesthetic injustice in business will have increasing consequences for a wide range of persons.

## Is Aesthetic Injustice Unjust?

Although the term “aesthetic injustice” implicates that it is unjust, and I have indicated many ways that aesthetic characteristics can result in harm to people, there may be relevant counterarguments to this. For example, it can be argued that there is nothing wrong with preferring attractive partners (D’alessandro, 2022; Greitemeyer, 2010).

As I have already referred to, aesthetic injustice (in terms of disgust) can be seen as a type of protective mechanism in terms of disease-avoidance. Accordingly, discrimination based on appearance can be justified because appearance is relevant to one’s capability to function in a certain way (Xiaofei Liu, 2017). Humans seem to possess perceptual systems that are sensitive to pathogens and motivate distancing from visible markers of contagious disease, such as lesions and rashes (Crandall & Moriarty, 1995; Pachankis et al., 2018). However, this mechanism appears to be overgeneralized to other non-contagious aesthetical characteristics (Park et al., 2007). Moreover, as many pandemics have illustrated, the biggest threats to health are not visible, and the protective function of aesthetic discrimination appears to be small. Hence, while health-preserving mechanisms can justify social distancing this can hardly support aesthetic injustice in all the aspects that have been described here.

Correspondingly, instant face evaluation (and discrimination) can be explained by its function (such as by valence and dominance) where people infer harmful intentions and the ability to cause harm from faces (Schaller & Neuberg, 2012). However, these reactions appear to be overgeneralized (Oosterhof & Todorov, 2008). They do not appear warranted all the time (Todorov et al., 2008), and thus, may result in injustice.

One explanation that aesthetic injustice is so ubiquitous is that it is more difficult to identify than other types of injustice. For example, Tietje and Cresap argue that is more difficult to decide when aesthetic injustice (in terms of beauty discrimination) occurs than when injustice occurs due to



race, gender, ethnicity, age, or handicap (Tietje & Cresap, 2005). “Beauty discrimination is certainly more difficult to prove.” (Tietje & Cresap, 2005) Even more, “individuals should be free to discriminate on the basis of their own values. This means that institutions ... may also engage in aesthetic discrimination or refrain from enacting any policies related to beauty discrimination.” (Tietje & Cresap, 2005).

Yet another reason to accept aesthetic injustice would be that it is hard-wired in our brain: «beauty is a universal part of human experience, and it provokes pleasure, rivets attention, and impels actions that help ensure the survival of our genes. Our extreme sensitivity to beauty is hard-wired, that is, governed by circuits in the brain shaped by natural selection» (Etcoff, 2011). Certainly, perceptions of human beings is embedded in our brain (Brehm et al., 2002). However, there are many hardwired (or evolutionary selected traits) that are not ethically justifiable and that we try to control.

While it may be an empirical fact that aesthetic injustice is less well addressed in legislation than other types of injustice (at present) this does not warrant the conclusion that it is justified. Moreover, the empirical evidence on injustice in fatism, lookism, and appearance discrimination may undermine this counterargument. Hence, it seems reasonable to conclude that “aesthetic injustice” exists and that it is unjust.

### Aesthetic Injustice as a Generic Concept

As shown, aesthetic injustice includes more specific types of aesthetic-based harms, such as lookism (Ghodrati et al., 2015; Hammer, 2017; Saiki et al., 2017), appearance discrimination (Adomaitis et al., 2017; Jeffes, 1998), and beauty discrimination as an evolutionary mechanism (Etcoff, 2011). Hence, aesthetic injustice covers more ground as it includes a wider range of aesthetic criteria for reactions towards people, and it encompasses a broader spectrum of harms than the more specific concepts.

Certainly, generic terms are less specific, but aesthetic injustice points to a more general phenomenon that deserves attention and needs to be addressed on a general level. Although the term “aesthetic injustice” has been applied in aesthetics and the history of ideas (Dalaqua, 2020; Peipert, 2007; Rosenthal & Hummel, 1942),<sup>9</sup> as pointed out in the introduction, the term has not been established in other fields, such as psychology or ethics.

It may of course be argued that we do not need more than specific concepts of unfair appearance-based discrimination, such as lookism. However, the argument here is that

aesthetic injustice addresses the uniting phenomenon of the specific concepts (aesthetics) and highlights the ethical aspect (injustice). Hence, aesthetic injustice can underscore an ethical issue in the same manner as epistemic injustice. By defining a generic concept for the many more specific concepts its general character can be acknowledge, it can gain more attention, and more efficient efforts can be coordinated to reduce this specific type of injustice.

Moreover, it may be argued that “aesthetic injustice” is not the best (generic) term. In particular, appearance discrimination is a very good candidate. However, using any of the terms that are already used and which the generic term is supposed to comprise would generate confusion. Moreover, the term epistemic injustice has worked excellently as a generic term for different types of injustice, even though it appears to be quite abstract. Hence, until better suggestions are available, “aesthetic injustice” appears to be a relevant choice.

### Limitations and Issues for Further Research

While this article has addressed four crucial questions, there are many issues left. For example, related concepts and issues have not been discussed in this article. Non-moral aesthetic evil is one of these (Hazlett, 2012). Although interesting, this, and other concepts, have to be addressed elsewhere.

Moreover, mapping injustice related to specific types of unattractiveness is of course of interest (Henderson, 2015). It is especially urgent to understand how different kinds of unattractiveness map onto various types of harms. It is also interesting to investigate how aesthetic aspects and visual signs map onto disability and dysfunction and if and how this is used analogically.

Another interesting issue not addressed here is whether there are aesthetic metaphors in ethics. For example, the concept of “fair” and “fairness” stems from old English (*fæger*) meaning beautiful. While the etymological relationship between aesthetics and ethics are both relevant and interesting, this is beyond the scope of this article.

Another important issue that has not been covered sufficiently in this article is the relationship between aesthetic injustice and racism. As pointed out by Rhode, racism has roots in aesthetic injustice in terms of “skin tone bias” and aesthetic characteristics of ethnic affiliation (Rhode, 2010). However, there is much more to racism than just aesthetic injustice. This issue warrants a separate study.

As pointed out aesthetic injustice can result in epistemic injustice because unattractive people are not trusted or do not have a say. On the other hand, aesthetic injustice may itself be a result of hermeneutical injustice because unattractive persons are not participants of the concept production. A closer study of the relationship between aesthetic injustice and other forms of injustice is certainly warranted

<sup>9</sup> As pointed out in Rosenthal and Hummel: “and that it consists in the rejection of entire genres because the critic cannot stomach the kind of human existence suggested by the ideas of such men as Darwin, Freud, and Marx, and by the presence of such phenomena as world-war, mass poverty, and fascism.” (Rosenthal & Hummel 1942).

(Spiegel, 2022). Although this is beyond the scope of this article, I hope that this article can facilitate and inspire more such studies.

Correspondingly, the question of what we can do about aesthetic injustice is key, but merits a separate study and is beyond the scope of this article. Others have begun to elaborate on this (Berry, 2016; Paris, 2022; Schmalzried, 2021). For example Ravasio suggests two “anti-lookist strategies” where *redistributive approaches* target the current distribution of beauty, and *revisionary approaches* develop and adapt a conception of human beauty that is more compatible with social justice goals (Ravasio, 2022). Relatedly, parts of the fashion industry have engaged in attempts to provide more real (authentic) ideals, e.g., Dove’s Real Beauty Campaign. However, while these and other approaches can be seen as counteracting aesthetical injustice, they have been criticized for “selling feminism for profit” (Allen, 2022).

Pathologizing (Aquino, 2020, 2022) and medicalizing (Ghigi, 2009) “ugliness” has also been suggested. Minerva has suggested that “[p]ublic funding could be used to subsidize cosmetic surgery for the ones who cannot afford these treatments and who are psychologically and/or economically damaged by severe lack of attractiveness” and that we therefore should “allocate medical resources accordingly» (Minerva, 2017).

The literature review in this study has not aimed at comprehensiveness but on conceptual clarity ethical elaboration. Therefore, very many references in the vast literature on the various forms of aesthetic injustice are not included. When answers to the research questions were found and consistently reported by several references, further screening was stopped. When there was a choice between several references on the same topic, the most seminal one was chosen. Hence, in this study the aim was to provide a framework for understanding aesthetic injustice. Further research with more specific literature searches must be conducted for closer scrutiny of the various aspects of aesthetic injustice demonstrated in this study.

## Conclusion

Aesthetic injustice is a generic concept defined as *unfair treatment of persons due to their beauty or appearance as perceived or assessed by others*. Aesthetic injustice plays out in a wide range of forms of harm, such as exclusion (social or physical), discrimination, stigmatization, epistemic injustice, harassment, bullying, alienation, misrecognition, stereotyping, and prejudice, and has been observed in cases of killing (including genocide), torture, violence (including physical abuse and assault). Moreover, aesthetic injustice is characterized by and directed by aesthetical norms, such as attractiveness, averageness, proportion, homogeneity,

and function. Lastly, prejudice, psychological biases, logical fallacies, and unwarranted fear of disease can explain why unattractiveness is (considered to be) bad. Although there are some reasons why human beings may differentiate between people based on aesthetic characteristics these reasons do not warrant the many forms of aesthetic injustice that are documented. While many forms of harm have obtained legal protection, aesthetic injustice appears to be a blind spot on the map of human and civil rights. As aesthetic injustice is ubiquitous in business, having substantial personal and social consequences, it deserves more attention and active amendments. For this purpose, this article has provided a definition of the concept, described the phenomenon and its forms of harm, as well as its drivers. Therefore, business ethics can and should take a lead.

**Funding** Open access funding provided by University of Oslo (incl Oslo University Hospital). No funding bodies had any role in study design, data collection and analysis, decision to publish, or preparation of the manuscript.

## Declarations

**Conflict of interest** The manuscript is sent exclusively to you, has not been previously published elsewhere, and is not currently under review elsewhere. I certify that there is no actual or potential conflict of interest in relation to this manuscript, and there are no financial arrangements or arrangements with respect to the content of this comment with any companies or organizations.

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