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Résumé de l'article

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“The Very Unrecognizability of the Other”: Edith Stein, Judith Butler, and the Pedagogical Challenge of Empathy

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Abstract: There is no standard definition of empathy, but the concept is assumed to be innately pro-social and teachable regardless of factors such as power dynamics or other manifestations of social injustice within a society. Such assumptions in discursive practices, whether academic, popular, or pedagogical, obscure the emergence of two important questions: What does it mean when we cannot empathize with another? And could it be that we may gain greater insight from the examination of empathy’s limits and failures than the hopes we have for its success? Through an exploration of some of Edith Stein’s and Judith Butler’s work on the subject, I propose that discussions of empathy, particularly in education, must be grounded in social context. Once this is done, assumptions about empathy must be continually troubled if one is to have a cogent conversation—whether as a philosopher, social theorist, educator, or policy maker—about what empathy is (or is not) and what it does (or does not) make possible.

The Challenge of Empathy

Despite scholarly recognition of the difficulties in defining “empathy” and of its complicated history as a pedagogical tool, the term enjoys largely uninterrogated usage. A particularly interesting example is a study by neuroscientists at the University of Chicago called “Pro-Social Behaviour in Rats Is Modulated by Social Experience” (Ben-Ami Bartal, Rodgers, Bernardez Sarria, Decety & Mason, 2014) which suggested that rats free each other from cages based on what the researchers explained as feelings of empathy. The general interpretations of the findings were that if rats can demonstrate empathy-induced altruism over self-interest, then surely humans can as well. A representative article of this view is David Brown’s “A New Model of Empathy: The Rat” (2011), published in *The Washington Post*. While Brown is careful to note that the research findings primarily indicate the need for further research, his article implies that empathy in both rats and humans may be a manifestation of a “natural” or “inborn” trait. However, in a 2013 piece in *The Guardian*, Mark Honigsbaum asks, “can the solution to violence, cruelty ... really be a matter of promoting a trait that we appear to share with rats? And are scientists and politicians talking about the same thing when they invoke empathy in these different experimental and social contexts?” (Honigsbaum, 2013). These are excellent questions, and an illustrative example both of the widespread confusion as to what empathy entails and the (perhaps equally widespread) reticence to dispense with empathy as a potentially transcendental and unquestionably pro-social force within societies.

One of the greatest challenges of empathy is its definition. Increased interdisciplinary interest in empathy scholarship over the last few decades has contributed to the wide variation of empathy definition and measurement and it is generally accepted in the literature that the definition of empathy remains contested and the methods for defining and measuring it varied and at times mutually exclusive (Coplan, 2011; Verducci, 2000; Preston & de Waal, 2002). Yet, despite this widespread acknowledgement, definitions of empathy are rarely questioned within and between disciplines in discussions of its function and potential. In education specifically, Susan Verducci (2000) notes that advocating for the teaching of empathy has united an unlikely group of philosophers of education; Thomas Lickona (1991), William Bennett (1993), Maxine Greene (1995), Martha Nussbaum (1995) and Nel Noddings (1997), for example, have all written, seemingly in agreement, about the benefits of empathy and its inherent link to morality. However, as Verducci emphasizes, “the dissonance lies in what [these scholars] conceive empathy to be” (2000, p. 63). Is empathy primarily affective or cognitive? Is it an internal process of understanding or an external motivation to help? Every theorist works within their own interpretation of the concept.

Perhaps what is more important than nuances in definition is the overarching assumption that empathy is teachable and, when taught, moral, or at least pro-social. Indeed, the normative narrative of empathy as a potential panacea for social ills does not seem to be inhibited by the longstanding interdisciplinary academic debates on how best to define, measure and cultivate it. In this paper, I suggest that dominant discursive practices on empathy obscure the emergence of two vital questions of great interest for educators, philosophers of education and policy makers: What does it mean when we cannot empathize with another? And could it be that we may gain greater insight from the examination of empathy’s limits and failures than the hopes we have for its success?

While I do not answer these questions in the paper, I attempt to clear a path to doing so by foregrounding the work of philosophers Edith Stein and Judith Butler, who challenge dominant assumptions about empathy and its possibilities. In the first section of this paper, I situate the challenge of empathy within the field of education. In the second, I examine the life and work of early twentieth-century philosopher Stein to problematize the idea that empathy, defined by Stein as “the experience of foreign consciousness in general” (1916/1989, p. 10), can be effectively conceptualized as innate or transcending social and historical context. The third section of this paper focuses on Butler’s 2005 book *Giving an Account of Oneself*, which builds on Stein’s work in its focus on the role of recognition. While the work of Stein and Butler is rarely paired, I believe that reading them together provides an illustrative and nuanced counterpoint to dominant discourses of empathy, helping us better understand what is at stake in exploring the limits and failures of empathy, particularly in education.

The Pedagogical Challenge of Empathy

As a researcher and a high school English, humanities and social sciences teacher (incidentally mandated to teach empathy under the Ontario character education curriculum), I find it fascinating that despite about a century’s worth of scholarship on the difficulty of defining empathy, little of it engages with the complicated social contexts in which intersubjective interactions in general, and empathy specifically, take place. I am certainly not the first to raise this concern. Megan Boler (1997) critiques the danger of “passive empathy” that can be elicited by reading literature about another’s suffering but

failing to situate oneself in relation to that suffering. She proposes that if empathy is to be used as a pedagogical tool to understand atrocity or injustice, students and educators must first engage in a “pedagogy of discomfort” and confront the power dynamics in which they’re implicated vis-à-vis the intended target of their empathy. Similarly, Verducci (2000) implores educators to be critical of any inherent connection that empathy may have to morality. Exploring the complicated genealogy of the term, Verducci challenges educators to reflect on a nuanced understanding of empathy and then weigh how it might operate as an educational aim.

Despite these powerful interventions, empathy in many educational contexts often remains uninterrogated. The Ontario Ministry of Education’s character education policy document (2008) makes the case for teaching empathy based primarily on the work of psychologists Howard Gardner (1999) and Daniel Goleman (1996; 2006), neither of whom engages very deeply, if at all, with aspects of social injustice or power. Indeed, in Ontario, it is scholarship from the field of psychology that most significantly informs the vision of teaching empathy in schools. This is not unusual; many psychologists study empathy and have substantiated claims about its potential benefits. But many of these benefits have been observed in controlled settings not generalizable to an environment such as the average classroom. It is typical for studies in which empathy has been operationalized and measured (for example, Decety 2006; Decety & Grezes, 2006; Goldman, 2006; Iacoboni, 2008) not to engage with the complications of empathy transference from controlled settings into the complexities of “the real world.” Furthermore, many works on empathy “in the real world” (for example, de Waal, 2010; Cherniss & Goleman, 2001; Goleman, 2006; Goldman, 2006) discuss the virtues and potentials of empathy with little, if any, attention to mitigating factors outside of individual temperament, ability to learn, or individual will.

An exception to this is the work of social psychologists Jacquie Vorauer and Stacey Sasaki (2009), who demonstrate that students are happy to empathize with people from an out-group as long as it is in the abstract. As soon as they are told that they might actually have to meet that same person, their focus shifts from attempting to empathize to concern about how they would be perceived. Vorauer and Sasaki’s work indicates that people do not come to empathy on a level playing field; concern for how an out-group member and would-be target of empathy might see the empathizer reveals a keen awareness of social dynamics. Instead of addressing this difficulty directly, many approaches to teaching empathy aim to elicit an affective response that would spur toward, rather than away from, empathy. Common approaches include presenting students with positive representations of groups that are usually portrayed negatively within the dominant culture, foregrounding the voices of those traditionally silenced, and creating facilitated role-plays that allow students to “feel what it is like” to be marginalized (Taylor, 2002). Whether through news or social media, testimonials, guest speakers, experiential learning, drama, or the reading of memoirs and fiction, the objective of empathy lessons is for students to be moved to imagine themselves “in the shoes” of someone else, and thus arrive at an understanding of their common humanity and hopefully tailor their subsequent actions to that understanding.

Despite growing enthusiasm for such approaches, there is less evidence of their efficacy than there are concerns about their potentially detrimental effects. Boler’s (1997) work on the danger of cultivating “passive empathy” among students complicates the view, purported by philosophers such as Martha Nussbaum (1995), that reading literature cultivates necessarily ethical responses (“poetic justice”) in students. Noting that students can, and often do, read evocative accounts of suffering and remain unmoved to further reflection or action, Boler proposes that students must situate themselves in

relation to the suffering of another to move beyond a passive empathetic response. Recognizing their own implication in the suffering of another, of course, generates its own affective response, often discomfort. This resulting “pedagogy of discomfort” has been written about as a potential vehicle for cultivating a less passive form of empathy among students and is currently considered a form of best practice for teaching empathy critically (Taylor, 2002). Verducci (2000), who like Boler problematizes the accessibility and universality of empathy as a pro-social force in the classroom, also ultimately proposes a pedagogical role for empathy. Verducci suggests that empathy could operate as a meaningful pedagogical tool through educators’ awareness of the very contested terrain of empathy definition. Other scholars question the very viability of such a project. Sharon Todd (2008), building on the work of Emmanuel Levinas, argues that the encounter with another in an educational setting does not yield concrete knowledge of that other, but merely an awareness and respect for the difference. Any educator would be hard-pressed to translate this awareness into concrete curricular goals or mandated pedagogy.

We are left, then, with a call to explore the limits of a pedagogy of empathy. While this paper does not delve into Levinas’s work on alterity explicitly, it acknowledges his significant influence. After all, Butler builds on Levinas’s work and Stein was a contemporary of Levinas and a fellow student of Edmund Husserl’s. It is Stein’s contribution to understanding the limits of empathy that will now be discussed.

Is Empathy Innate? Edith Stein's *On the Problem of Empathy*

This section explores philosopher Edith Stein’s work with the aim of bringing to light a historically overlooked and extremely precise understanding of empathy. Stein’s 1916 doctoral dissertation, *On the Problem of Empathy*, completed at the University of Freiburg, clearly outlines empathy as a phenomenon and raises important concerns about distinguishing empathy from its potential effects. I will first contextualize Stein’s scholarship on empathy within some of her lived experiences before going on to discuss the implications of Stein’s conceptualization of empathy for current directions in empathy scholarship and pedagogy.

Even the sparsest biographical details of Edith Stein, more commonly written about as Sister Teresia Benedicta a Cruce of the order of The Discalced Carmelites, are fascinating. Stein was born in Breslau, Germany (now Wrocław, Poland) in 1891 into a devout Jewish family, and in her teens declared herself an atheist (Meneses & Larkin, 2012, p. 154). In 1916, Stein, the second woman in German history to defend a doctorate in philosophy, completed her PhD *summa cum laude* under Husserl. Until 1919 she worked as Husserl’s assistant. A philosopher in her own right, Stein was initially denied a job teaching at universities because she was a woman, and later, because she was Jewish (Lindblad, 1996, p. 270). In 1922, after a long-standing interest in the faith, Stein was baptized and received into the Catholic Church. She taught at several schools and wrote prolifically before entering the Carmelite convent in 1933, where she continued to write and work. Stein was sent to Holland to escape Nazi persecution in Germany, but was arrested in retaliation for the 1942 Dutch bishops’ public condemnation of Nazi activities and murdered at Auschwitz-Birkenau later that year. In 1987, Pope John Paul II beatified her as a Catholic martyr.

Stein, one of the first scholars to propose a comprehensive and rigorous definition of empathy, has been conspicuously absent from dominant discussions—both scholarly and popular—on empathy, its

function, and its potential effects. Her absence from English scholarship in particular can be explained in part by the fact that until the 1980s very few English translations of her work were available. Despite the growing interest in Stein's work from philosophers and psychologists, as well as practitioners of fields as disparate as nursing (Määttä, 2006), Jewish studies (Astell, 2004), and physical therapy (Davis, 1990), she remains little known as a philosopher. Joyce Avrech Berkman writes in the introduction to her 2006 edited collection, *Contemplating Edith Stein*, that “[a]t the outset of the twenty-first century, Stein the brilliant philosopher is not widely recognized. Rather, Stein the nun Sister Benedicta a Cruce, murdered at Auschwitz on August 9, 1942, and canonized by Pope John Paul II on October 11, 1998, stirs popular interest and debate” (p. 2). The tension between Stein's life as a phenomenologist and Catholic saint has definitely coloured interpretations of her work, but of course, these identities need not be mutually exclusive.

Indeed, several scholars have suggested that it is difficult, and perhaps disingenuous, to view Stein's remarkable life through a single lens, be that as a pioneering phenomenologist, Catholic martyr, a Jew, or a woman. Berkman emphasizes that equally important as Stein's scholarship, both secular and ecclesiastical, are “her myriad modes of self representation, specifically her struggle, constantly shifting with her private and societal experience, to combine her selves as female, Jew, German, Catholic, and Carmelite nun” (2006, p. 3). Stein's canonization a mere fifty-six years after her death further complicates interpretations of her life and work. Dana K. Greene, in her 2006 essay “In Search of Edith Stein: Beyond Hagiography,” laments that the framing of Stein's life has “until recently been largely captive to the hagiographical tradition” (2006, p. 49). And while this is understandable, it also paints a very specific picture of Edith Stein's life. For example, Berkman notes that, “[r]egrettably, much recent clerical attention to Stein sidesteps her feminist challenge to the political and religious institutions of her lifetime” (2006, p. 8). She suggests that this is due to the fact that Stein's feminist writings did not serve the purposes of the church. This clearly brings to the fore the limitations and challenges of posthumous curation of a scholar's writings.

While the hagiographical interpretation of Stein's life and death can certainly be limiting, Stein's life and work as a phenomenologist is, too, often discussed out of the context of the rest of her remarkable life. Berkman emphasizes that as Stein was “[c]onstantly shaping and being shaped by a multitude of relationships to other human beings and historical events, her life offers ample evidence of the protean and dynamic nature of individual identity” (2006, p. 6). Thus, her work on empathy is especially compelling in light of her identities, friends and colleagues, and the historical context in which she lived and died.

Not only is Stein's dissertation a powerful reminder of the need to distinguish empathy from its effects, but Stein's life is also a striking example of the irony of imagining empathy to be an accessible phenomenon generating not only a glimpse at another's inner life but also affect and pro-social effect. The systemic obstacles that Stein encountered throughout her life—most notably as a woman and as a Jew—were certainly not mitigated by empathy in the manner optimistically expressed in many contemporary accounts of empathy's function and effects. Perhaps the insights one is to take away from a look at Stein's extraordinary, seemingly contradictory, and multifaceted life are similar to those one takes away from her dissertation—that all interactions are dynamic and more complex than might appear at first glance, and that it is the pursuit of understanding, rather than a pre-conceived function of its end, that allows one to recognize another in their full complexity, acknowledging nuances of similarity and alterity both.

The overarching question Stein asks and attempts to answer in her dissertation deals with what empathy *is*. And while Stein's dissertation is considered by most scholars to be a work firmly grounded in Husserl's phenomenological framework, it also no doubt expands it. Meneses and Larkin (2012) call Stein's dissertation "a rare, canonical example of orthodox, Husserlian, phenomenological inquiry" in which she "provides one of the most systematic, complete, and thorough applications of Husserl's methodological approach to experience" (p. 153). MacIntyre writes that "[w]hen Stein had chosen empathy as the subject for her dissertation, it had been because Husserl had so far not given an account of it, and because a good account of it was necessary, if some of his central claims were to be sustained" (2006, p. 71). Stein's *On the Problem of Empathy* predates Husserl's published thoughts on empathy in *Ideas II*, for which Stein was editor and in which he follows her characterization of the subject.

Stein elegantly questions the need to explain empathy as one *thing* with clear results. Indeed, her understanding of empathy is not that of a homogenous phenomenon. Rather, she maintains that "[t]he comprehension of foreign mental states ... be they sensations, feelings, or what not—is a unified, typical, even though diversely differentiated modification of consciousness and requires a uniform name" (Stein, as cited in Dullstein, 2013, p. 343). In this way, Stein characterizes empathy as the foundation of any intersubjective experience and a phenomenological understanding of empathy as the most credible. She explains that "a science which proposes ultimately to clarify all scientific knowledge [phenomenology] must not, in turn, be based on a science already extant, but must be grounded in itself" (1916/1989, p. 3). Stein believed that phenomenology was the ideal, and indeed the only appropriate lens through which to explore a unique experience such as empathy; an experience which she understood to be both primordial and mitigated at the same time.

Stein (1916/1989) defines empathy as a "non primordial experience which announces a primordial one" (p. 14) and it is this tension between that which can and cannot be directly experienced that makes empathy unique. The non-primordial experience (what we observe about another) allows us to empathize with them, and empathy for Stein is always primordial because it is experienced in the here and now (p. 10). She notes, however, that it is impossible to live what another person is living. Instead, we have merely the awareness of their lived experience and, as such, empathy is "an act that is primordial as present experience though not primordial in content" (p. 10). This is an important distinction. As Meneses and Larkin emphasize,

For Stein, empathy is a founding or fundamental act, which ... has a status analogous to direct perception; that is, it is not a product of other deliberated, intellectual, or cognitive processes. Rather, it is the result of a perceptual act, which directly brings another's experience into one's own awareness. (2012, p. 166)

Stein's understanding of empathy does not end at the point where one perceives another's experience. Instead, empathy for Stein is dynamic and multidimensional, and identifies three stages: "[one is] vaguely aware of someone else's mental state; [one] follow[s] a tendency to be drawn into this state; [one] objectif[ies] the mental state in an 'apperceptive grip'" (1916/1989, p. 17, as cited in Dullstein, 2013, p. 344). In this model,

empathy always presents a mental state as non primordially given, even in the second phase. We are always well aware of the fact that the mental state we share is not our own, ... but that it is the

representation of someone else's state which is given in its fullest only to the other person. (Dullstein, 2013, p. 345)

Nevertheless, even though the other's mental state is non-primordially given, the experience of becoming aware of it, focusing on it, and then comprehending it (the "apperceptive grip") is primordial.

Stein stops short of asserting that the intention to understand, or indeed that perceived comprehension of another's experiences leads to any specific action. Meneses and Larkin write that "we can place Stein alongside those researchers who understand empathy as a way of knowing what another person is experiencing, and in opposition to those for whom empathy is a response to that knowledge" (2012, p. 158). This is an important distinction to make since the line is not always drawn, in defining empathy, between understanding another's experience and responding to it. For Stein, empathy is the process of understanding the inner life of another, but in no way the response to that inner life.

In Stein's view, empathy is always an intentional act in that it "occurs as a result of effort and as a result of active engagement with another person," and in that respect there is a clear similarity between Stein's conception of empathy and Scheler's fourth type of sympathy, emotional identification (Switankowsky, 2000, p. 91). It is critical to note, however, that nowhere in her dissertation does Stein argue that empathy yields universal or even consistently accurate understanding of another's experience. Nevertheless, empathy for Stein is what Curtis Hutt describes as "a kind of a minimal condition for being truly human" and interacting with fellow human beings (2009, p. 18). To that end, empathy is the means through which humans attempt to understand the world beyond their immediate experiences. Stein (1916/1989) makes clear that being able to see the world "independent of [one's] perception" is "the basis of intersubjective experience [and] the condition of possible knowledge of the existing outer world" (p. 88). Thus empathy is clearly defined not as a virtue, but rather as a necessary, integral part of the experience which is, nonetheless, not guaranteed to "work" and yield accurate understanding of an/Other. Stein emphasizes that, without empathy, human beings are at an experiential disadvantage, seeing the world through one perspective alone. She notes, "if we take the self as the standard, we lock ourselves into the prison of our individuality" (p. 88). But the belief that we have understood an/Other, or empathized with them, does not mean that we indeed did.

Stein (1916/1989) describes empathy and reflection as the processes that work "hand in hand to give me myself to myself" (p. 89). Empathy for Stein is not only the process by which one connects with the experience of others, but also the context in which one occasionally realizes that they cannot. When we run into the limits of our own empathic understanding, Stein writes, "we become conscious of our own deficiency or disvalue" (p. 116) in the sense of acknowledging the limitations of our capacity for understanding. Thus, the inability to empathize can be just as instructive in signalling that there are certain realms of experience that are not available to a given individual but are, nevertheless, lived by others.

Drawing a clear line between empathy and its potential effects is undoubtedly difficult. After all, even when empathy is viewed as a way of understanding instead of reacting to another's lived experience, an ethical dimension is difficult to avoid. Does the understanding of another's experience compel one to any sort of action? Writing about the viability of "teaching" students to empathize, Carol M. Davis (1990) observes that, in Stein's understanding, "[e]mpathy catches us in its process. My contention is that we can facilitate it, and we can prevent it from happening, but we cannot make it happen" (p. 711). Davis, like Stein, emphasizes the self-reflective element as essential in empathy, whether it facilitates "successful" understanding of an/Other's experience or not. She also recognizes

that an inability to look past oneself is an inhibitor to empathy. In a pedagogical context, Davis notes that “[a]nxiety, self-doubt, prejudice, and self-esteem focus one’s attention inward, making it difficult to establish a therapeutic presence for others, and thus these behaviors can prevent empathy from occurring” (p. 714). And while Davis is writing about the medical context, her insights are arguably generalizable to many personal and professional interactions.

Indeed, Stein’s work can be seen as a strong caution against imagining that, regardless of context, empathy can be taught to others. Indeed, Davis notes that self-awareness, not a focus on trying to understand the experiences of others, may be the best vehicle for facilitating empathy. She notes that “teachers can help develop [empathy] in students by offering experiences that increase self-awareness ... [and] respect and tolerance for the differences” (1990, p. 716). These differences can also often involve contradictions, meaning that one must navigate the complex dynamic of not only having difficulty understanding another but recognizing them as different from oneself to begin with. Stein once wrote, “I am not a cleverly designed book; I am a human being with my contradictions” (as cited in Berkman, 2006, p. 13). A close reading of Stein’s scholarship on empathy, as well as reflection on her lived experience, opens up avenues for considering empathy not as a skill, or one *thing* with pro-social effects, but rather as an opening for the recognition of all the contradictions that signal similarity and alterity between individuals and groups.

The Unrecognizability of the Other: Barack Obama’s Comments on Empathy **Meet Judith Butler’s *Giving an Account of Oneself***

As demonstrated in the previous section, both the life and work of Edith Stein underscore the paradox of many discursive interpretations of empathy. Stein theorized that empathy, though a fundamentally human primordial experience, is neither innate nor easy. Her murder in a genocide conceived and executed by people whom she did not see as essentially unlike herself (but who saw her as essentially unlike themselves) underscores the importance of her contributions to understanding empathy. Indeed, the wealth of atrocities, both past and ongoing, must give us pause in contemplating empathy’s accessibility. After all, at the very least, if empathy is really innate and universally accessible, then why is it seen as a tool to overcome barriers between individuals and groups? If humans are really “hard wired” for that level of understanding, why do all those barriers exist in the first place?

The idea that empathy cannot always be achieved challenges the narrative of being able to “understand” another’s experience and then do “right” or “good.” However, there are not many academic (or other) papers that address the gap between the discourse of empathy as a panacea for our social ills (social fragmentation, apathy, discrimination, exploitation, xenophobia) and the myriad factors that disadvantage some and empower others in a society. This section focuses on a case study demonstrating a common view of empathy explored in the context of Judith Butler’s 2005 work *Giving an Account of Oneself*. Although Butler does not use the word “empathy” in her book, her exploration of the work of thinkers Theodor Adorno, Michel Foucault, Jean Laplanche, Emmanuel Levinas, Friedrich Nietzsche, and Georg Wilhelm Friedrich Hegel in examining just what it means to understand oneself, morally and ethically, in relation to others is an essential, if often tacit, study of empathy.

Critically, Butler (2005) asserts that “the very unrecognizability of the other brings about a crisis in the norms that govern recognition” (p. 24). In order to understand anything at all about someone else

or their experiences, we need to first recognize them as someone distinct from ourselves. And so, when one thinks about empathy within the complexity of our societies as recognition, a lot of ideas about empathy being “innate” or “easy” must be interrogated further since recognition in itself implies a set of rules, not some sort of unmitigated direct experience. As Butler emphasizes,

the very terms by which we give an account, by which we make ourselves intelligible to ourselves and to others, are not of our making. They are social in character, and they establish social norms, a domain of unfreedom and substitutability within which our ‘singular’ stories are told. (p. 21).

Thus, even as we experience our lives through unique, seemingly singular experiences, Butler’s critique makes clear that no one’s experience is truly singular insofar as our very understanding of ourselves and each other is shaped and mitigated by social context. This becomes especially obvious and, I argue, problematic once empathy is invoked as a force for understanding not only between two individual people but many diverse people, whether within a classroom, nation, or the international community.

The case study explored in this section is a review of some of Barack Obama’s early public comments on empathy. Obama’s comments are not only interesting in their own right, but they are also representative of assumptions that are made about the usefulness of empathy in educational contexts. In 2007, as a Senator, Obama created great (and arguably ongoing) controversy by making a statement in which he identified “empathy” as a necessary characteristic for a Supreme Court justice. Obama argued that “[w]e need somebody who's got the heart, the empathy, to recognize what it's like to be a young teenage mom, ... the empathy to understand what it's like to be poor or African American or gay or disabled or old” (as cited in Just, 2009). These ideas are not dissimilar from the vision presented in the Ontario Ministry of Education’s character education curriculum document. Discussed at the beginning of this paper, *Finding Common Ground: Character Development in Ontario Schools, K-12* (2008) explains that “[e]mpathy for others and respect for the dignity of all persons are essential characteristics of an inclusive society” (p. 6). Teachers are advised that “[q]ualities such as empathy are best nurtured through relationships that cross the lines that often divide people in society” (p. 2). In this way, empathy is linked with good democratic citizenship, of which a Supreme Court justice is ideally an excellent representative.

Obama’s comments are problematic in much the same way as the ideas put forth in the curriculum document. How exactly does empathy facilitate understanding and a more inclusive society? After all, Obama seems to assume that anyone in a position of potentially being a Supreme Court justice would only require empathy because they would likely not know firsthand what it is like to be a teenage mom, and/or poor, and/or African American, and/or gay, and/or disabled, and/or old. In fact, it seems that what Obama is describing is not the need for empathy, but rather a whole set of systemic factors that disenfranchise people like teenage moms and those who are “poor or African American or gay or disabled or old.” In looking at the discursive practice that Obama’s remarks represent, I cannot help but ask: Is he referencing “empathy” or calling for a re-examination of systemic discrimination and injustice? And if Obama meant to speak to what has been repeatedly called the “empathy deficit” (Just, 2009), does it make more sense to advocate for “more empathy” or for a thoughtful, critical look at the reasons for the deficit?

Of course, these two directions are by no means mutually exclusive. In fact, they are likely very intimately intertwined. Butler makes clear that one cannot identify oneself, nor indeed interact with anyone else, outside of social context:

The “I” does not stand apart from the prevailing matrix of ethical norms and conflicting moral frameworks. In an important sense, this matrix is also the condition for the emergence of the “I,” even though the “I” is not causally induced by those norms. We cannot conclude that the “I” is simply the effect or the instrument of some prior ethos or some field of conflicting or discontinuous norms. When the “I” seeks to give an account of itself, it can start with itself, but it will find that this self is already implicated in a social temporality that exceeds its own capacities for narration; indeed, when the “I” seeks to give an account of itself, an account that must include the conditions of its own emergence, it must, as a matter of necessity, become a social theorist. (2006, p. 7-8)

In light of this analysis Obama’s comments can be viewed as a call to understand that the lived experiences of the aforementioned Supreme Court justice inevitably colour their understanding of criminality and the law. On the other hand, implicated as we all are “in a social temporality that exceeds its own capacities for narration,” how exactly does one gain that capacity to understand the particularities of the lived experiences of others? How, at the very least, does one become aware of factors that may exceed one’s capacities for narration? Perhaps what Obama was expressing in his remarks on empathy is that the most disenfranchised members of society might not feel as protected by the Constitution as those enjoying full, unquestioned enfranchisement. But perhaps if justices enjoy, and have consistently enjoyed, that full enfranchisement then they are unable to conceive of that not being the case for everyone. And that perhaps is the gap that empathy is imagined to fill. The complexity lies however in the fact that such an understanding may not be positive, but rather negative. That is to say, perhaps a more useful conceptualization of empathy lies not in imagining it as a tool for understanding the experiences of another but rather as a way of seeing that not all experiences can be understood by everyone. The challenge is to not let that lack of particular understanding render said experiences invisible. The same questions come to mind when reading the discussion of empathy in *Finding Common Ground*. What do we miss in the service of narrative as a universal force? Even the title, *Finding Common Ground*, hints at a sort of negation.

This negation is the gap unfilled by ideas of empathy as a means of recognizing a “shared humanity” or experiences fundamental to “being human.” Butler’s work makes clear that, while no experience is singular in that we are all shaped by dynamic social forces, it is also true that precious few experiences are universal. So what happens when we cannot imagine what another person is living? And what do we do with the knowledge that accepting our limitations in understanding another forces us to re-examine who we are ourselves? Butler puts particular emphasis on the value of acknowledging the limitations of self-knowledge. If each individual person is shaped by myriad forces of which she may or may not be aware, and then her interactions with others are coloured by those forces within a dynamic social space, there is ample opportunity for lapses in self-knowledge as well as the knowledge or understanding of others. This, for Butler, is an integral component of consideration and thoughtfulness towards others. She writes,

If the subject is opaque to itself, not fully translucent and knowable to itself, it is not thereby licensed to do what it wants to ignore its obligations to others. The contrary is surely true. The opacity of the subject may be a consequence of its being conceived as a relational being, one whose early and primary relations are not always available to conscious knowledge. Moments of unknowingness about oneself tend to emerge in the context of relations to others, suggesting that these relations call upon primary forms of relationality that are not always available to explicit and reflective thematization. If we are

formed in the context of relations that become partially irrecoverable to us, then that opacity seems built into our formation and follows from our status as beings who are formed in relations of dependency. (2005, p.19–20)

Re-examining Obama’s comments in this light forces one to reflect upon what “empathy” really means within the context of individual justices interpreting the law. Is empathy in this case really, as many have commented, a gratuitous emotion rooted in personal experience that has no role in the “rationality” of the law? Or is it an understanding that there are experiences, as well as aspects of our selves, that will always remain unknowable to us, and that it is precisely that which is incomprehensible to us that we must acknowledge and respect? This question seems important. Butler’s observation that “the very unrecognizability of the other brings about a crisis in the norms that govern recognition” (2005, p. 24) challenges the notion that someone who has experienced marginalization would *ipso facto* be more empathetic. This is what Obama’s words seem to imply. But does this mean that all experiences of marginalization are similar enough to draw some instructive conclusions, or that people who have experienced marginalization in one part of their lives will be more sensitive for it in the lives of others? I’m not sure, but I believe such claims about empathy’s potential must be made very carefully.

Butler’s emphasis on the challenge of self-knowledge gestures to the importance of intersectionality and its relationship with the many norms that “govern recognition.” After all, our marginalization in some areas of our social lives is rarely all-encompassing. Self-knowledge for the purposes of recognition, or empathy, invariably involves a concurrent appreciation of socially constructed privilege as well as subjugation. In this way, though we are all constructed and (un)recognized by ourselves and one another within a particular social context (rendering none of our experiences singular for the purposes of recognition), the recognition of an experience and the feeling of that experience are not the same thing. We can be seen as something and yet not see ourselves the same way. So is the takeaway from Obama’s comments that a person who may have experienced marginalization is more aware of the difficulty posed by the “norms that govern recognition”? Perhaps, but then the focus is better placed on an examination of those norms (arguably embodied by the justice system) than on the individual person.

Pedagogies of Empathy: What Next?

I propose that it is imperative for educators to approach the concept of empathy, and especially assumptions made about its accessibility and innately pro-social character, with caution. This is not a novel caution and some may wonder whether the topic of empathy hasn’t already been sufficiently challenged and found wanting, and simply remains an intractable dilemma. Yet the current exponential proliferation of pedagogical, curricular, popular, and scientific discourses on the benefits of empathy—all of which continue to make uncritical assumptions about its functions despite interventions from several fields—demonstrates the pressing need for a comprehensive scholarly treatment of its limits and failures as a pedagogical direction in its own right.

Such study has tremendous implications for educational theory, policy, and pedagogical practice. Undoubtedly, a reductive model of empathy is as seductive as it is problematic for both researchers and

educators. Currently, the fastest growing research direction is on empathy as an innate, non-reflexive, neurologically quantifiable characteristic (Debes, 2010). Current directions in empathy scholarship operationalize it as a “cognitive” skill, under the umbrella of theories of mind or perspective taking (Castano & Kidd, 2013; Todd, Bodenhausen, Richeson & Galinsky, 2011), and increasingly accepted are accounts of empathy as a pre-conscious neurological process, often called “neuron-mirroring” (Jacoboni, 2009; Cozolino, 2014). Whether approached philosophically or neuroscientifically, the danger in universalizing empathy is that it overlooks very real differences of power, privilege, identity, and experience which lead to failures of empathy such as those described by Boler and meticulously documented by Verauer and Sasaki.

I do not suggest that there are no pro-social elements to empathy, nor that, since empathy is so difficult to define, achieve and teach, we should not bother. I do, however, in the somewhat broad-ranging examples I bring forth in this paper, hope to underscore the importance of thinking critically about the claims we make and accept about empathy, especially as educators. It is crucial to recall that the idea of empathy cannot be taken at face value. After all, Edith Stein’s scholarship problematized empathy as a concept at the beginning of the twentieth century when it was only emerging as we understand it today. Judith Butler’s 2005 work deals specifically with the ethics of intersubjective experiences within a social context; ethics that, despite meaningful interventions, remain somewhat peripheral to mainstream discussions of what empathy is and can make possible. The application of Stein’s and Butler’s thoughts to a discussion of discursive practices regarding empathy, particularly in education, demonstrates the urgency of (re)examining empathy as a fundamentally social, dynamic, liminal, and ultimately fraught phenomenon.

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