Empathy and its Limits

EDITED BY ALEIDA ASSMANN
AND INES DETMERS

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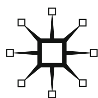

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Introduction

Aleida Assmann and Ines Detmers

Empathy is a new topic. It spans and connects different disciplines that – so far – have had little to say to each other. One of the main problems currently discussed in sociobiology, for instance, is to explain why we have pro-social emotions (Gintis et al. 2003). Such pro-social emotions have been identified not only as the basis for altruism and human cooperation but also as the central motor for cognitive and social evolution. We have learned in the last few years that it was because human actors were able to understand their mutual aims and goals so perfectly that they were able to coordinate complex activities. This led to leaps in evolution that were withheld from other species. Recent research in biological evolution has therefore repeatedly emphasized empathy as the central factor in the process of evolution from primates to humans (Tomasello 2009). Empathy was discovered to be the key emotion that fostered the cognitive evolution of the human brain. It consists of the capability to 'think in the mind of another', to anticipate the reactions of another human being, and to interact with his or her projects. Without empathy, scientists tell us, humans would not be able to enlarge their brain volume, to enter into common projects, or to use their cultural heritage. These new insights have given rise to a new body of research, including new applications in practical and cultural domains for creating a better future. In his recent bestseller *The Empathic Civilization*, Jeremy Rifkin suggests that Americans should swap their myth of the 'American Dream' for a new self-image and become an empathic civilization. After the ravages of rugged and competitive individualism, based on a philosophy of 'self-interest' and a biology of the 'selfish gene' (Richard Dawkins), Lee Alan Dugatkin (2006) has brought to light the importance of genetic factors in the development of altruism, while Michael Tomasello has studied humans' species-unique forms of

mutualistic collaboration, showing that 'human cognition and sociality became ever more collaborative and altruistic as human individuals became ever more dependent'.[1] We are currently rediscovering empathy in a new sense as an overlooked and underestimated genetic, mental, and emotional disposition, redefining it as a highly important social resource in a world faced with the challenges of globalization and the limitations of an endangered eco system.

While socio-biologists ponder an 'inclusive fitness theory' that complicates simplistic concepts of natural selection and evolutionists focus on empathy as a basis for cognitive development, psychologists have shown that empathy is a prerequisite for the development of emotions and the notion of a self. It should not be reduced to the response to other people's suffering, but is more generally the main hallmark of social intelligence. The history of art has much to contribute to the cultivation of this social intelligence; in fact, it can be seen as a perennial training school for empathy. It is based on imagination, which is stimulated and elaborated through literature and the arts. A famous visual representation of empathy was chosen for the cover of this book. It shows Hermes watching the dramatic and tragic moment of Orpheus turning around to see and recognize his wife, Eurydice. The symmetric composition of this scene plays down the strong passions involved in this fatal incident, but it clearly presents Hermes, the guardian through the netherworld, as a knowing, empathic, and concerned witness of it. Literature indeed has a long record of evoking and thinking about empathy. It creates complex narratives, which cultivate and shape responses of identification, of compassion, and of interest in other lives (Breithaupt 2009; Nussbaum 2001). The role of literature is particularly salient and important in opening up new links that can help to subvert collective bloc building and undermine existing demarcation lines. Writer Iris Murdoch saw literary fiction as an important instrument to reach collective 'unselfing'. In more dialogical texts and films, individual episodes and stories preserved in cultural memory may be opened up for sharing experiences across borders. Dominick La Capra also emphasizes the role of the imagination as a vital social resource and offers the term 'empathetic unsettlement' to discuss an affective response which he considers most appropriate to the reception of another's traumatic history. Although empathy is widely discussed from different perspectives, the concept is as yet far from being generally received in the humanities. Anthony Clohesy, author of *Politics of Empathy* (2013), writes that empathy has remained largely unexamined within political theory. He argues that at a time of increasing cultural and political polarization 'we

need to articulate a new and more sustainable imaginary that will allow us to realize more fulfilling and enduring relationships with each other', which can only come about in the context of what he calls an 'empathic experience of difference' (Clohesy 2013, 2).

Empathy has proved a productive term for new interdisciplinary crossovers and connections. In these research contexts, it is studied from a variety of perspectives and in different aspects and qualities. While psychologists and psychoanalysts, for instance, have a long tradition of studying the various layers of emotions, historians have only recently discovered the important role of emotions in the making and experiencing of history and are reconstructing time-specific frames of attention and feeling. In spite of their different methodologies, however, both historians and psychoanalysts are today exploring the capacity 'to empathize as a medium of understanding'.[2]

While modernity had introduced the figure of the 'impartial spectator' (Adam Smith), our era seems to have rediscovered the empathic subject. In the global village we have not automatically become world citizens, but we have become neighbors of sorts. Electronic media have created a worldwide network of connectedness, which dramatically enlarges the range and reach of empathy. Despite enormous geographical distances, people now live in potential proximity to events happening all over the world. Alison Landsberg has argued that the media technologies of mass culture make it possible for anyone, regardless of race, ethnicity, or gender, to process as personal experience historical events through which they have not lived (Landsberg 2004). While the range of first-hand embodied experience may remain more or less constant, the range of mediated vicarious experience has grown exponentially. Under these conditions, the proliferation of media images has raised awareness concerning the possibility of mediated empathy, but it has also introduced the problem of empathy fatigue and a numbing of the senses. Amartya Sen has made the claim that in a connected world, the human being must be more than a passive consumer; s/he is reconceived as an 'empathetic actor'. While earlier social theories had focused on communication as the medium of social cohesion, today it is empathy that is credited with providing the necessary cement for the social network.

The term empathy is notoriously difficult to define as it has multifarious shapes and is expressed in different manifestations. To better understand it we can start by setting it off from other terms such as sympathy, pity, and compassion. It can be argued that the empathy discourse has a long prehistory in these well-known terms. Sympathy is an

emotion that creates an often mutual attraction and affinity that binds two people together through a sense of similarity in their characters, experience, or values. Pity and compassion are usually unidirectional feelings that flow from a person in a subject position who is in a neutral state towards a person in an object position who is in a bad state. Compassion is thus based on differences of fates, fortunes, and living conditions that encourage people to share the plight of the other and reach out to recognize and to alleviate their distress. Compassion and pity may be ubiquitous human emotions, but both have been culturally shaped and channeled across centuries. While compassion has been framed by a Christian theology that created Mary as the mythic model and paradigm of compassion, the emotion of pity was framed by enlightened philosophers like Rousseau who inaugurated a turn in the history of sensibility based on the recognition of sameness within the human species. He fostered the hope of developing fellow feelings among human beings regardless of rank, race, gender, nation, and culture. While the discourse of compassion was troubled by aspects of hierarchy, condescension and superiority, the discourse of universal pity proved too simplistic because it overlooked the many boundaries that humans continuously draw between significant and insignificant others.

The new term 'empathy' dates only to the beginning of the twentieth century. It was chosen at the beginning of the twenty-first century to start a fresh discourse that has sparked general interest and is now spilling over various disciplines. Let us start with a definition offered by Martha Nussbaum (Nussbaum 2001, 302):

> empathy is an imaginative reconstruction of another person's experience, whether that experience is happy or sad, pleasant or painful or neutral, and whether the imaginer thinks the other person's situation good, bad, or indifferent.

It is obvious that Nussbaum aims at a neutral description that carefully rules out the semantic constrictions of terms like 'sympathy', 'compassion', or 'pity', with their inbuilt focus on pain, distress, and suffering. The new term 'empathy' has been conceptualized on a much broader basis. Daniel Bateson has identified as many as eight distinct phenomena that can be referred to by this cover term, some of them implicating each other. He has also distinguished two different poles within the psychic dynamics of empathy, namely knowing 'the internal states of others' and responding 'with sensitivity to their suffering'

(Bateson 2009, 12). Taking another approach to a description of empathy, we may try to look at it as an affective disposition with a potential that can be developed across various stages, reaching different levels (Coplan 2006, 31; de Vignemont & Singer 2006, 435). On the **first** and basic physiological level, it is an ephemeral and contingent affective state that is hardly more than a somatic reflex, which is shared by all animal species. Tania Singer has demonstrated the effect of synchronizing affective states through automatic adaption in a group of babies. If one cries, the others will cry as well; if one shows signs of happiness, the others, equally, join in. In these cases we may speak of 'empathic mimicry' or 'matching and catching' emotional states via 'contagion'.

These merely somatic states of empathy can be distinguished from a **second** level, which is called 'imaginative empathy' (Bruun Vaage 2011) or 'affective resonance' by Tania Singer. Here, the observation of another triggers an imaginative reaction and the vicarious adoption of his or her perspective. In this case, we are clearly going beyond a physical gut-response, as representations of what is perceived and felt are created in the brain. There is already a sense that these are one's 'own' emotions stimulated by an external source, backing up the suggestion that the 'I' feels like someone else. Imagination opens up the possibility of feeling like someone, involving the discovery that emotions can be similar and therefore shared. But the cognitive possibility of entering the mind of a fellow creature and intuiting his or her feelings also opens up darker possibilities for human interaction. If we define empathy as a pure exercise of the imagination concerning the state of another human being, this activity can be disconnected from moral judgment and a serious concern for the other. Nussbaum's example is the torturer who is 'acutely aware of the suffering of the victim, and able to enjoy the imagining of it, all without the slightest compassion'. And she adds: 'enemies often become adept at reading the purposes of their foes and manipulating them for their own ends' (Nussbaum 2001, 329).

Imaginative empathy plays a great role in the context of fictional works of art. In this context it is reason referred to as 'aesthetic empathy' and connected with sympathy and identification. Identification happens when the perspective of the viewer/reader and the fictional character are merged. The difference between self and other is also blurred in the experience of projective identification with (real or mythic) heroes and role models. Aesthetic empathy, projection, and perspective-taking are closely connected as they all draw on the imagination. These variations of empathy can be trained, with the possibility

of reaching higher stages of cultivation. Empathy generated in the purely hypothetical context of fiction differs from empathy activated in personal interaction.

This does not mean, of course, that aesthetic imagination is completely disconnected from lived experience. It can work as a propaedeutic for the understanding of others and strengthen conscious reflection on the state of the other. This quality of empathy is reached on the **third** level. In this stage, the empathic person retains 'a kind of "twofold attention" in which one both imagines what it is like to be in the sufferer's place and, at the same time, retains securely the awareness that one is not in that place' (Nussbaum 2001, 328). While the imaginative incorporation of the other's perspective creates a state of similarity between the empathic subject and the object of empathy, a clear understanding of the difference between self and other is the precondition for more complex forms of empathy where the self is no longer used as the template for the imagination, but an effort is made to stretch the imagination by putting oneself into the other's shoes. The experience of empathy, writes Landsberg (2009, 223), requires 'a leap, a projection from the empathizer to the object of contemplating, which implies a distance between the two': and she adds: 'contemplation and distance, two elements central to empathy, are not present in sympathy'.

A **fourth** level is reached when empathy is taken from feeling, reflection, and imagination to clear insight and active responses in the form of attention, recognition, care, and support. On this level, pro-social feelings are transformed into pro-social actions, feeding into the fabric of the community and society. No longer a volatile affective disposition, this form of empathy is stabilized in insights, attitudes, and concrete actions, which have become part of a personal character and habitus. Care and concern, solidarity, and mutual help are features of an empathic society.

But pro-social action is often confined to those who are considered similar and therefore it is contained within the social borders of the in-group. Therefore a **fifth** level needs be added to mark the transcendence of empathic feelings and acts over social borders and barriers. On this level, an atmosphere of cognitive and emotional dissonance has to be overcome, as these acts of empathic observation and concern may not be prescribed by the norms and conventions of one's society. On the contrary, they may contradict these norms and be challenged by strong signals of difference, which have to be overcome through individual acts of ethical resolution and commitment. This takes empathy a step further and transforms it into an emphatically other-directed

orientation. This can be achieved through insight into another kind of similarity on a new level, which, however, is not a steady resource but one that has to be repeatedly rediscovered, re-achieved, and re-forged. On this last level, 'empathy is about developing compassion not for our family or friends or community, but for others – others who have no relation to us, who resemble us not at all, whose circumstances lie far outside of our own experiences' (Landsberg 2009, 223). Lynn Hunt has made a similar point. She distinguishes between the 'imagined community' that creates the coherence of nations on the one hand and 'imagined empathy' that 'serves as the foundation of human rights' on the other. Imagined empathy involves an ethical act that 'requires a leap of faith, of imagining that someone is like you' (Hunt 2007, 32). At the same historical moment when the national imagination started motivating nations to invent themselves as homogeneous communities with a strong in-group solidarity, a new ethical spirit was also created, built on a new form of imagined empathy with the amazing potential to forge new ties of universal humanity across the newly constructed national frontiers.

Empathy, to sum up, is a complex mix of physical, cognitive, emotional, social, and ethical capacities, which can be triggered in everyday situations, developed in social contexts, and explored and trained in the reception of art. It comprises various forms, such as

- emotional contagion
- understanding others by making sense of their actions, and reconstructing their intentions and meaning
- feeling *as* others with the help of the imagination by projecting one's emotions onto another person, by identifying with him or her or taking another's perspective
- feeling *with* others by imagining their emotions and seeing life from their point of view
- feeling *for* others by taking action and making them part of our concern
- feeling *for* others by generating awareness, a sense of similarity, compassion, and active concern across social distance and cultural difference.

While neurological and sociobiological research is based on a methodology of neuro-imaging and experiments in clearly circumscribed test-settings, historians and scholars of literary and cultural studies who work with textual and visual archives have much to contribute

when it comes to the historical, political, and social contexts in which acts of empathy are embedded. They have also introduced important concepts that have invigorated the research on empathy. Judith Butler, for instance, has made an important contribution to this field by introducing the term 'grievability' as a critical concept with philosophical and political resonances. In documenting which events are deemed grievable (and highly visible) and which are not, she has put her finger on a neuralgic spot, focusing on the mechanisms that determine the flowing or blocking of empathy. Politics is a field that is always already backed up by a specific economy of emotions and marked by visible and invisible borderlines setting off emotionally appealing, thick relations' against abstract and ignorable 'thin relations' (Avishai Margalit).[3]

'Similarity' is another possible key concept for the study of empathy. Empathy is usually premised on some form of similarity. Before the trigger of empathy can be released, something has first to be recognized or discovered that the viewer and the viewed have in common which can be shared. A strong sense of difference and distance, on the other hand, precludes the possibility of spontaneous emotional ties, and blocks empathy. These categories of similarity and difference, however, are by no means substantial or fixed. While the assumption of the essential and pre-given sameness of human beings is a legal maxim that provides the basis for human rights and legal claims, the discovery of similarity is much more contingent and unpredictable. Empathy can of course back up a legal claim, but it is performed as an individual ethical act that is independent from legal frameworks and able to transcend predefined demarcation lines, ignoring national, political, or religious identities. The spark of empathy is much less fixed and can work at random, transgressing established borders of in-group and out-group. According to Nussbaum, the ultimate ethical act is 'the recognition of humanity across the board' (Nussbaum 2001, 334). It happens when the self perceives tokens of similarity that reveal the other as a fellow human being. In unpredictable ways, similarity can always be discovered and generated in concrete situations and unexpected constellations by bracketing the rigid patterns of pre-existing norms. It involves an individual and free perspective that opens up new space for acting and feeling across existing demarcation lines.

In order to learn more about the crucial emotion of empathy, it is therefore of utmost importance to study all the ways in which it is stimulated, developed, bypassed, or withheld. Empathy may be a universal emotion that is practiced already by infants and can be kindled in cultures all over the world, but it is by no means a general and reliable

response in concrete situations of human interaction. It can serve many purposes, among them highly problematic ones, if it is strictly selective, beginning with the strengthening of collective identities and ending with aggressively solidifying the in-group against the outer world. It might be a unique human endowment, but we still know very little about the circumstances under which it is aroused or blocked. This book therefore analyzes not only the cultural contexts that account for the generation and fostering of empathy, but also focuses on its limits and on the mechanisms that lead to its blocking. Complementing the current research in the natural sciences that celebrates the quintessential human capacity for empathy, this study will look more closely into the precarious status of empathy, its unreliability and intentional withdrawal. By placing empathy within its specific cultural and historical contexts, the essays in this volume contribute to a more complex and dialectic concept of empathy that includes also its opposite: states of psychic numbing, of desensitization, including the lack of channels of help. While empathy can fuel the opening up the self, stimulating an orientation towards the other, its blocking leads in the opposite direction, with the effect of turning away from the other and shrouding oneself in indifference – by turning a blind eye, by shutting off, by not wanting to know, by wearing blinkers, by not seeing what we do not want to see. These 'states of denial' (Stanley Cohen) constitute the other side of empathy and belong, as we maintain, to the same complex psychic mechanism that deserves further trans-disciplinary attention and a more integrated approach. A special focus of this volume is therefore the demarcation lines that separate the arousal of empathy from its various forms of negation, be it withholding empathy through denial, deliberate disregard, or lack of interest. To arrive at a more complex view of the anatomy and mechanisms of individual empathy, the historical, social, and cultural frames that define and reinforce its dynamics have to be studied.

Some of the questions to be raised and discussed in the following chapters are: Under which conditions is empathy aroused? Why do some things move us while others do not? Why do we suffer from a total lack of imagination in one case and are flooded with empathy in the other? Are there paradigmatic stimuli that invite empathy? Some human types are better suited to inducing empathy over others: victims rather than losers, for instance. Which social, political and cultural regimes of empathy frame and channel human emotions? To what extent is the economy of empathy ruled by questions of identity? Can empathy overcome entrenched loyalties and unsettle rigid group

affiliations? What is considered shareable and grievable, and what is not? What is the role of (always short-lived) media attention in the kindling of empathy and its vicarious practices? And what is it that moves us from indifference to commitment and vice versa?

* * *

The present volume critically investigates and assesses the intellectual potential of this new research in social, political, and cultural contexts. It brings together 11 essays by international researchers with different disciplinary competences and overlapping research interests, who work on psychological, cultural, historical, and political dimensions of empathy.[4] The book is divided into three thematic parts, starting with 'The politics of empathy'. A number of thinkers such as Rifkin, Pinker, and Singer have argued that in the age of globalization our empathetic capacities should be more consciously developed and extended so that they become ever more inclusive. **Steven Aschheim** critically inspects this laudable theory and asks to which extent this can be a realistic political goal. He examines the ways in which empathy is always politically framed; it is channeled and directed, encouraged or blocked, according to diverse cultural, ideological, racial, religious, ethnic, geographical, and other pertinent factors. He looks into specific cases such as apartheid South Africa, the Holocaust, and the ongoing Israel-Palestine conflict in order to provide a more generalizable 'political economy of empathy'. He shows the organized structure of empathic impulses that is shaped by official narratives and regimes of power. These, however, seldom achieve what he calls 'a hermetic status'; instead they leave room for a degree of moral agency and dissent. A crucial question behind this study is how to expand and enlarge the always-limited range of empathetic, humanizing impulses. According to Aschheim, there are clear limits to the role that empathy can play in politics; there may even be moments in both individual and collective life where empathy can be dysfunctional. He also examines the possible role of empathy in conflict resolution. To what degree is it a precondition or a result of a peace process? Even the possibility that empathy may be irrelevant, even harmful, to a just settlement needs to be investigated. Compassion and justice may clash.

Shelley Berlowitz takes up the discussion where Aschheim leaves it, examining the possibilities and limitations of empathy in Israeli-Palestinian dialogue. It describes the dialogic project and processes which took place in Israel and Palestine based on interviews conducted with Palestinians of the West Bank and Jewish Israelis living

in (West-)Jerusalem. These grass-roots dialogue groups began with the first Intifada (1987–1993) and were continued by other groups until the beginning of the second Intifada in 2000. Berlowitz refers to Breithaupt's 'Three-Person Model of Empathy' to understand better the hidden dynamics of why people feel empathy with certain actors and not with others. Especially in conflict-ridden contexts, people take sides and thus canalize and stabilize their empathy. His concept of 'narrative empathy' also helps to analyze the political process of framing and channeling emotions in a way that leaves more or less space for individual assessment and actions. Actions of solidarity with the representatives of the other group require knowledge, understanding, and empathy, leading to a connective structure of mutual trust and a space for humanization that takes a long time to build up and is easily destroyed. In order to build up such a connective structure, a minimal scope for individual action is needed; the process of occupation increasingly restricted this scope for action, exacerbating the differences between Israelis and Palestinians. While the process of dialogue ultimately proved a failure in terms of promoting mutual understanding, it still deserves critical attention as an important test case for the possibilities and limits of empathy under the heavy constraints of political conflict. Although the two groups failed in the long run, they also achieved what their respective societies were unable to do: learning to share the perspective and understanding of the others while at the same time recognizing the differences.

Amos Goldberg investigates and discusses the role of empathy in the historiography of the Holocaust, where it has played a significant role but was rarely made the object of critical inquiry. To write about such extreme events as the Holocaust is often considered to be a moral and professional challenge to historians. Following Wilhelm Dilthey and Johann Gustav Droysen, mainstream historiography has tended to view the historian's main task as a mode of understanding (verstehen) history by means of reconstructing the historical agent's self-perception and internal logic, implying that the historian has to enter empathically into the historical agent's mind. This premise makes empathy the historian's most significant epistemological and methodological tool for understanding an historical event. Does this mean that the historian who seeks to understand the Nazi era and the 'Final Solution' has to empathize with the perpetrators in order to make sense of the genocide? Such a question raises fundamental ethical, political, and epistemological problems. In his analysis of Holocaust historiography, Amos Goldberg distinguishes three types of empathy: liberal,

conservative and postmodern, each of which shapes a different bond of empathy with a different group of historical agents, thereby defining different ethical and political agendas for the respective historians. This bears special significance in Israel within the ongoing conflict with the Palestinians.

Part II explores the reframing of empathy according to changes in historical context and sensibility. Lynn Hunt has drawn attention to new experiences of media in the eighteenth century, such as viewing pictures in public exhibitions or reading popular epistolary novels about love and marriage 'that helped spread the practices of autonomy and empathy'. She makes the strong point that these practices 'had physical effects that translated into brain changes and came back out as new concepts about the organization of social and political life' (Hunt 2007, 32f.). It is against this background that **Ute Frevert**'s contribution reconstructs the changing emotional responses to public executions and shame sanctions in the eighteenth and nineteenth centuries. These ritualized spectacles had been conceived as a joint demonstration of state power, legal theory, theological discourse, and the norms of social order. Frevert emphasizes the fact that these public acts demanded the presence of large audiences that were not mere bystanders or passive witnesses, but took an active part in the legal drama. Reactions could range from empathizing with the culprit, admiring his composure, and honoring his repentant attitude, up to displaying unmasked contempt and spite towards the offender. She shows that the emotional responses of the audience changed radically around 1800. In the wake of the 'age of sensibility', the public exposure of executions was now deemed repulsive and utterly unacceptable. It violated the new civil norms of 'pity' and 'sympathy' propagated by enlightened writers such as Hume, Rousseau, or Lessing. They voted strongly in favor of abolishing legal practices that severely compromised public morality and generated uncivilized and callous behavior.

In a chapter on veterans of the Great War, **Jay Winter** describes what he calls one of the major transnational developments of the twentieth century. This took place in the shift from charitable provision for victims of war to treating them as equal citizens endowed with human rights. Winter frames this transition as a move from sympathy to empathy, which involves the move from perceiving the victims of war from the outside, as a group of others, to recognizing their sameness as sharers of human rights. Humanitarian rights were based on sympathy and originally conceived in terms of private or non-governmental organization provision; human rights, in contrast, were conceived of as

endowments of people everywhere. This move can therefore be understood as a reorientation of sympathy for the victims of war and other human disasters to empathy, which creates a new solidarity between those in need with those who have what they need. To act within the sphere of human rights, as opposed to the sphere of humanitarian rights, is to affirm one's existence not as an outsider to disaster but as an insider in the catastrophe of war.

The two following chapters deal with the management of emotions in the Third Reich. **Peter Fritzsche** examines the influence of propaganda in photographs and private conversations embedded in letters and diaries of the period 1933–1945. What he finds is the amazing success of indoctrination, overruling cultural taboos and empathetic constraints of ethnic Germans relating to the persecution and extermination of Jews. He shows that fantasies of German demise served to justify pre-emptive German actions against Jews and helped to overcome doubt or hesitancy in the task of actively murdering Jewish victims. Propaganda about the necessity of the 'Final Solution' in terms of 'redemptive anti-Semitism' ultimately made many Germans across the Reich not only complicit, but also active participants in the Holocaust.

The following essay by **Aleida Assmann** also deals with the extermination of the Jews in Nazi Germany and the participation of the population, focusing, however, not only on propaganda but also on more subtle forms of (self-)manipulation. She analyzes 'the political regime of selective empathy' in Nazi Germany and the disposition of habitualized non-perception that it produced, which continued into the decades after the war. She argues that this lack of perception and empathy vis-à-vis traumatic violence was the backdrop against which our current interest in survivors' testimonies and the new emphasis on 'secondary witnessing' (Geoffrey Hartman) has evolved. She introduces the term 'belated empathy' to describe the intergenerational project of contemporary German authors of family novels to fill in the blind spots of their parents and grandparents, bringing back to consciousness and conscience what the older generation had so effectively excluded from attention and empathy.

Part III is dedicated to ethical issues and is introduced by an essay by **Fritz Breithaupt**, who has earned himself the reputation of a pioneer in the study of empathy. In his path-breaking book *Cultures of Empathy*, he laid the foundations for the new topic by systematically combining innovative questions of literary analysis with on-going neurological and psychological research. As he shows in his chapter, empathy is not

always desirable and laudable, and can also take on problematic forms. Breithaupt examines a morally problematic aspect of empathy that he describes as 'empathy for empathy's sake'. This is involved in many forms of aesthetic experiences, ranging from the sublime to enjoyment of tragedies. When it occurs in everyday life, however, it can turn into 'empathic sadism', which is a form of emotional control over others and consists in manipulating or simulating their (usually negative) inner state, ranging from teasing to the actual infliction of pain.

The following chapter continues to examine the relation between ethics and empathy from an individual point of view. Is empathy an emotional prerequisite for ethical engagement? **Sophie Oliver** looks at critiques that point to the possible limitations – and potential dangers – of an ethics based on simplistic conceptions of care and empathy. She follows Bakhtin, who has analyzed empathy as a process in two steps: it does not suffice to reach out and put oneself in the other's shoes; what is equally essential to complete the cycle of empathy is a 'return to self'. Oliver applies Bakhtin's theory of 'exotopy' that balances outsidedness and insidedness to a practical problem: what is the function of empathy in the 'experience-based' memorial or museum? Referring to visitor accounts of the Memorial to the Murdered Jews of Europe and the Jewish Museum in Berlin, she shows how at such institutions visitors produce highly ambivalent emotional experiences which can be said to defer, rather than encourage, pro-social action.

Empathy is not only a question of mirror neurons and individual emotions but relates also to cultural memory, ritual experience, and canonical texts. **Jan Assmann** analyzes the ways in which the myth of Exodus shaped the identity of the Israelites by basing it on a foundational collective memory. He shows that the story functions as an epic that frames a legal code. Remembering the suffering in Egyptian serfdom helped to accept the obligation to keep the new laws. It is only in the light of the narrative of the Exodus myth that the meaning of the law as liberation becomes clear. It is true that, in this foundational myth, Pharaoh is portrayed as the ultimate other, who had to be overcome with divine help, and as such as the opposite of a candidate for empathy. There is an important passage, however, that serves as a reminder for another memory: 'And thou shalt not oppress a stranger for ye know the heart of the stranger, seeing that ye were strangers in the land of Egypt' (Exod. 23,9 KJV). This passage connects the memory and law of the Israelites with social empathy across ethnic and cultural borders. This example shows how cultural narratives can not only create consequential demarcation lines, but also unsettle the clear pattern

of self and other by including reminders that serve to complexify the memory, experience, and emotions of the group.

The last contribution, by **Jacqueline Lo**, also deals with national memories, this time of war and trauma, in a diasporic context. Decades after the Second World War, the victim memories of the Holocaust and the Nanjing massacre have become powerful state-supporting narratives. In contrast to these official memory projects, the Asian Australian artist John Young reimagines these events from a diasporic perspective. Lo refers to Young's work as 'post-memory' that was not bequeathed to him as a member of the German, Israeli, or Nanjing Chinese communities per se. According to Lo, while Young is not an inheritor of a national memory, he is affiliated to these events on the grounds of affective communication. This means that the post-memory of the artist is less about veracity than about the structures of feeling that memory-making inspires.

To sum up: Empathy is a new topic that has already become a buzzword in both public media and scientific discourse. We can look back on a steady stream of studies that have appeared since the year 2000, emphasizing the novelty, challenges, and importance of this concept. It is a concept that transcends disciplinary approaches, connecting different fields and methodologies, thus offering itself as a missing link for the natural sciences and humanities. Starting from the inspiring research of neurosciences, this collection complements these studies by probing the role of empathy in social, historical, political, and cultural contexts.

There is no doubt, however, that empathy is also a very timely topic, which holds great potential for delving into urgent and complex problems of our day. This is especially the case if we enlarge its scope and study not only pro-social feelings, but also the mechanisms of blocking and unblocking interest, concern, and feeling for others. It has been emphasized that in a world of global migration and digital connections the capacity for empathy has been greatly enlarged. At the same time, however, this exposure and the frequency of stimuli also produce emotional fatigue. In addition, empathy is endangered today by the sudden demographic transformations in Western societies. The new composition of neighborhoods in towns and cities that absorb immigrants and asylum-seekers has also led to massive negative reactions in local communities. A new disposition towards reaction, aversion, and aggression is poisoning the social climate, stirring discontent, rage, and open violence. In focusing on the blocking and unblocking of pro-social feelings, this volume also brings to critical attention the neglected and

problematic dimensions of empathy. Its thus offers a broad introduction to this new field of research in the hope of raising awareness of the scope and depth of the issues involved, and of stimulating further investigation into the complex role of empathy in politics, history, ethics, intercultural relations, and the arts.

Notes

1. Ernst-Mayr-Lecture on 'Two Key Steps in the Evolution of Human Cooperation', presented on November 7, 2012 at the Academy of Sciences, Berlin.
2. D. Wierling (2013) 'Das ‚Feuersturm'-Projekt. Eine interdisziplinäre Erfahrung aus der Perspektive der Geschichtswissenschaft' in U. Lamparter et al. (eds) *Zeitzeugen des Hamburger Feuersturms 1943 und ihre Familien. Forschungsprojekt zur Weitergabe von Kriegserfahrungen* (Göttingen: Vandenhoeck & Ruprecht 2013), p.48.
3. M. Rothberg and Y. Yildiz (2011) 'Memory Citizenship: Migrant Archives of Holocaust Remembrance in Contemporary Germany', *Parallax (Special Issue on Transcultural Memory)*, 17.4, pp. 43–4.
4. Two scientists and one philosopher took part in the conference who, unfortunately, could not be persuaded to submit their presentations: Tania Singer ('Empathy from the Perspective of Social Neuroscience'), Nils Birbaumer ('Lack of Empathy: Changing the Brain Substrate'), and Moshe Halberthal ('Mercy, Compassion and the Moral Significance of Empathy').

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Part I
The Politics of Empathy

1
The (Ambiguous) Political Economy of Empathy

Steven E. Aschheim

> Not only could I put myself in the other person's place but I could not avoid doing so. My sympathies always went out to the weak, the suffering and the poor. Realizing their sorrows I tried to relieve them in order that I myself be relieved. Clarence Darrow[1]

The present trend in evolutionary psychology and in neurobiology holds that empathy is a generalized human capacity, indeed, one by no means not even limited to humans but, in varying degrees and modes, part too of the animal, especially the primatological, kingdom.[2] Social scientists and philosophers, moreover, are telling us that in our own era of globalization we are witnessing the rise of an unprecedented empathic civilization, that in our global village we are all becoming empathetic actors.[3] These findings, it is portentously claimed, amount to nothing less than a revision of the conventional, Hobbesian view of human nature as selfish, materialist, and conflict-driven. Humankind, so the thesis goes, is equally a co-operating, often selflessly generous, indeed empathic species.

This is a civilizational view of progress, one in which older tribal and primitive loyalties are being superseded by a post-Enlightenment universalism which is supposed to engender empathic relations and advance notions of dignity and humanity.[4] The developed world of the 1960s and 1970s, Jeremy Rifkin claims, saw 'the greatest single empathic surge in history'. 'When we say to civilize', he adds, 'we mean to empathize'.[5] Viewed from the ground – at least from where I stand – this generalized vision seems excessively rose-tinted. Empathy may indeed have biological and a degree of civilizational grounding, but in its inter-group, collective expressions we may miss what has historically been, and still remains, most characteristic about it: the fact that it is

politically structured, channelled, and directed, encouraged or blocked, according to any number of cultural, ideological, religious, racial, ethnic, national, geographical, and other interested factors.[6] Typically, organized empathic impulses will be encouraged to proceed along normative, official narrative frames and regimes of power and justification (without, one would hope, necessarily achieving total adherence, thus always leaving some room for moral agency and dissent).

What, therefore, is required is a kind of political economy of empathy, one that seeks to account for the multiple, often ambiguous, ways in which it is apportioned, allocated, controlled, confined, resisted, or allowed to expand and overcome differences.[7] Additionally, such a project would have to investigate the possible role of empathy in conflict-resolution: to what degree is empathy its precondition or result? Alternatively, the possibility should be considered that it might indeed be irrelevant, perhaps even harmful, to just political settlement (I will come back to this). The variations are manifold and there is no way here that a systematic political economy of empathy can be attempted. What I will try to do in the present context is to provide some suggestive directions and indicate some of the historical and ethical issues entailed in such a future study.

Let me begin with an autobiographical confession. As a South African-born historian who lived through the demeaning apartheid era, a student of the gross inhumanity of the Holocaust and other genocides, and domiciled in Israel beset by a seemingly intractable dehumanizing Jewish-Palestinian conflict, I have always been astonished – and remain increasingly perturbed – by either the incapacity, or perhaps more pointedly the structured unwillingness, to attempt *both cognitively and affectively* to place oneself in the position of relevant politically subjugated groups and to recognize their humanity and humiliation. It has only recently struck me that, perhaps behind the decision to become an historian lies not only the drive to critically interrogate one's own narrative, but also a kind of empathetic imperative to place oneself sympathetically in the position of other selves – what J. M. Coetzee, in his novel *Summertime* calls 'meegevoel', feeling-with.[8] If I concentrate on these three autobiographically relevant illustrative cases, the politics of empathy of course has much wider applications than discussed here.

I am fully aware of the hermeneutic difficulties involved in this conceit – there are reams of anthropological and philosophical literature debating the degree to which such an empathic leap is indeed possible. I know that my stipulative definition of empathy – as the cognitive and affective attempt to place oneself in the position of the individual or

collective Other – is only one among many possible others. I realize that such a definition is also ethically ambiguous and not necessarily morally obligating. As Lou Agosta has noted, torturers have to be empathic if they are to grasp the effect they are having upon their victims;[9] and surely, if the historian wants to comprehend the psychology and motivations of Nazi perpetrators or Russian rapists or Rwandan killers this will involve a deliberate act of empathy, but one that hardly entails ethical identification. Any political economy of empathy will, doubtless, have to take into account these ambiguities and – as Samuel Moyn has pointed out – will necessarily have to render a crucial tripartite distinction between empathy 'as a burgeoning object of historical investigation […] as a methodological requirement and a normative horizon of inquiry'.[10] To some degree this paper will include all three but I must concede that its animating drive remains the ethical one.

We can begin to undertake this task by identifying what we regard as politically relevant components of empathy or, indeed, of its lack.[11] We could, for instance, begin with fragments of information such as the fact that, revealingly, Hendrik Verwoerd, the Dutch-born architect of the South African apartheid system, wrote his doctoral dissertation in psychology on the theme 'The Blunting of the Emotions'. Surely, the blocking of empathy – via any number of techniques of denial, repression, rationalization, and dehumanization – was crucial to the ongoing functioning of that racist system. All of these, it has been exhaustively documented, were clearly at work in the Third Reich.[12] Certainly, empathic blockage of one kind or another is a necessity not only for the perpetration of genocide and atrocities but also the waging of wars. In his classic poem, *Insensibility*, Wilfred Owen ironically pronounced that 'Happy are men who yet before they are killed/Can let their vein runs cold/ Whom no compassion fleers /[…] And some cease feeling/ Even themselves or for themselves/Dullness best solves/The tease and doubt of shelling/[…] Happy are those who lose imagination:/They have enough to carry with ammunition'. At the end, he suspends the irony in a crescendo of pain: 'But cursed are dullards whom no cannon stuns,/That they should be as stones./Wretched are they, and mean/ With paucity that never was simplicity. By choice they made themselves immune/To pity and whatever mourns in man […]. Whatever shares/ The eternal reciprocity of tears'.[13]

Yet another salient political fragment in need of integration within a wider framework would be the still prevalent notion that 'primitive' peoples, Blacks, workers, women, or social outsiders in general, possess lower sensitivity to pain than those putatively 'advanced' people

observing them.[14] Empathy, or its lack, is here conceived in, and structured around racial, class, and gendered terms.[15] These kinds of stereotypes and the political economy of empathy are exceedingly closely related and any systematic study will have to pay close attention to their interaction.

This surely applies to the specific case of the *Shoah*. The tragic lack of empathy that enabled it has already been mentioned and has been analysed with great thoroughness elsewhere. There is no need to rehearse it here. I want to examine another, less remarked, aspect of the political economy of empathy precisely by examining some of the problematic aspects of *post-Holocaust reflection and representation*. In that regard, we are faced with a certain paradox. On the one hand, as the event itself and the horrific murders unfolded, the absence of empathy was shockingly palpable. On the other hand, as the years go by, the *Shoah* – both as historical event and symbolic construct of absolute evil – has become engraved at the very centre of our contemporary moral and empathic consciousness. Why the lack then and the plenitude now? And what does this tell us about the structure of the political economy of empathy?

To be sure, the model of Nazi genocide as radical evil applies peculiarly and particularly to Anglo-American spheres influence and Western and Central Europe societies (and, increasingly, in variably ambiguous ways, to certain Eastern European countries). The basis for this is clear enough. Patently, something in the event itself, its state-sanctioned criminality, its taboo-breaking aims, industrial methods and mammoth transgressive scale, clearly renders such an absolutizing discourse both possible and plausible.[16]

Yet (as analysed extensively in the last chapter but also pertinent here and thus worth summarily rehearsing), on its own, this cannot fully account for the centrality of Nazism and the Holocaust within European and American discourse. Empathic and normative hierarchies are seldom unmediated; representations are not built exclusively upon purely immanent or 'objective' considerations. I would like to suggest that the special, enduring fascination with National Socialism and the atrocities it committed, the very deep drive to account for its horrors and transgressions, the rich multiplicity of accumulative political and intellectual ruminations it has produced (including, one must add, the resulting ubiquitous attempts to relativize its significance and impact or even entirely deny it), *reside also in the particular nature and identity of both the victims and the perpetrators themselves*. That is to say, an added, potent impetus derives from an inverted kind of Eurocentrism, our

rather ethnocentric sense of scandal and riddle, the abiding astonishment that a modern, allegedly cultured and civilized society like Germany – traditionally taken to be *the* example of the Enlightened *Kulturnation* – could thus deport itself.[17] The Holocaust, as Shiraz Dossa once provocatively put it, is the classic instance of 'the murder of eminently "civilized" victims by equally "civilized" killers'.[18] Much of its paradigmatic power derives from this equation.

Our representations of the killers refuse to be entirely severed from images of the greatness of German culture; the full horror of the 'Final Solution' cannot be separated from conceptions of the charged role and status of the victims themselves. If a powerful, ongoing negative anti-Jewish stereotype permeates Western culture it is also true that the Jews are deeply and familiarly implicated within, indeed, co-constitutive, of that history. One could argue that the venom and rejection of Gentiles towards Jews derived precisely from the depths of intimacy and dependency, from the complex set of inter-relations that characterize the relationship, the knowledge that at all kinds of levels Jews represent salient, creative forces and figures within that very culture.[19] *This is what I would label the post-facto political geography of empathy.* We are, I suggest, less likely to be taken aback by atrocities removed from the imagined Western 'core' (including when they are our own) – and even from the Gulag because this occurred in what our mental maps still imagine to be a realm that remains '*halb-Asien*' – geographically and morally relatively detached from our cultivated 'Western' epicentre. When atrocities are perpetrated outside of the putatively enlightened world – say in Rwanda, Bosnia, Cambodia, or Sudan – one is (tragically) less likely to be appalled, less able to empathically connect.

How do we locate this within a more general theory of the ambiguous political economy of empathy? We may do well to begin with Michael Ignatieff's suggestion that ethics typically follows ethnicity, that empathy takes root within tribal, ethnic, or national boundaries and is most easily and naturally expressed within its confines.[20] The paradox that I am addressing here can be resolved by arguing that in the post-Holocaust era *we have extended our moral, ethnic and empathic boundaries to include, rather than outlaw, the Jews* (this, of course, does not mean that anti-Jewish sentiments and stereotypes do not persist; rather that these no longer possess their previous centrality and legitimacy within public culture).

Despite contemporary rhetoric, atrocities, perhaps especially our own, are more acceptable when performed in distant places and acted upon 'uncivilized' populations. In the past, great imperial crimes went almost

totally unnoticed, let alone condemned. The closer to home that they are perpetrated, the more problematic they become.

A certain irony applies here. Given that our empathic political radar is less sensitively attuned to what is perceived as either primitive or civilizationally alien, as Scott Montgomery (in another context has pointed out), other horrors perpetrated in Africa, Asia, South America, or, I would even add, Eastern Europe – 'no matter how brutal or planned, somehow qualify as more primitive [...] In a strange twist of logic, the Holocaust is made to seem more sophisticated, more advanced than any other incident of its kind'.[21]

There is another dimension that characterizes the ambiguous politics of empathy in this regard. The evocative industry of empathic Holocaust commemoration and monumentalization is, in many ways, an admirable endeavour. But while such historical or past empathy is obviously necessary, it is a far easier (at times much cheaper) commodity than its exercise in relation to present, contemporary conflict and, indeed, can very quickly be instrumentalized into a means for avoiding it. This glaring aspect has been strikingly side-lined by a scholar who has placed the issue of empathy in the post-Holocaust era at the very centre of her large-scale project, entailing numerous books and articles.[22] Thus Carolyn J. Dean has doggedly argued that rather than truly confronting, and empathizing with, Holocaust victims and survivors, our culture has resorted to any number of techniques of aversion, suppression, erasure, minimalization, and 'normalization' of their suffering and experience. She dubs this 'The Fragility of Empathy'. Her work is characterized by psychological and hermeneutic sophistication, replete with fashionable meta-analysis taken to a nuanced extreme, yet viewed from my own Israeli perspective, it itself reads like an exercise in evasion. The central need of Germany to zealously maintain the memory and memorialization (regardless of the problems attendant to it) is clear. But in latter-day Israel there is the danger that the valorization of the Holocaust, its victims and survivors, will suffuse, perhaps overwhelm, the culture and will channel virtually all empathic energies into its memory and representation. This kind of retrospective, self-referential collective empathy can easily muffle or mask or act as a preventive for the far more difficult task of present empathy for *contemporary* victimhood.[23] In this way, *Shoah* memorialization can also function – whether intentionally or not, explicitly or implicitly – as a counter-empathic narrative, a means of either minimalizing or omitting the Palestinian narrative, a tool in the ongoing and unproductive battle of comparative victimization. The argument for the uniqueness of the *Shoah*, the patent

lack of symmetry between the two cases, most often reinforces blockage rather than the opening up of empathic channels.[24] This is of course to put it very simplistically – the need for and genuine functions of *Shoah* memorialization are patent – yet clearly this too has become a part of Israel's political economy of empathy (and perhaps elsewhere as well).

This leads us into a wider question: the conditioning role of ideologies such as nationalism in annexing and allocating empathic impulses.[25] There is something sociologically obvious (if not morally admirable) in Ignatieff's precepts that ethics follows ethnicity and that empathy is strongest within, if not confined to, tribal or group boundaries.[26] The pertinent normative question for any political economy of empathy, of course, concerns the possibilities of extending the range of empathy precisely to those outside one's boundaries, especially, perhaps, those who become defined along the spectrum of enmity. For purposes of this paper I will concentrate on the Israel-Palestine case (although, of course, most nationalisms will tend to structure their political economy of empathy in similar ways.)

It must be clear that in the history of Zionism there *were* indeed those who early on *did* empathically grasp the moral dilemmas it entailed for the local Arab population. Chapter 4 of this volume analyses. The ethical stance taken by Brit Shalom and many Central European intellectuals in this regard is by now well known; but even well before the discomfort was enunciated. Thus already in 1915 the Yiddish poet, Ye'hoash, or Shlomo Blumgarten (1872–1927), had written: 'We passed by an old barefooted Arab, who led a loaded camel. Father of his fathers from many generations also drove loaded camels and tended sheep, and pitched tents, and at night lit fires and baked pita-bread and after sat around the fire and smoked and told stories in the quiet night. I – who have just arrived and have hardly slept one night in Eretz Yisrael, hardly drunk a glass of water, hardly taken a few steps, and despite this I see him [the Arab] as foreign. I am the resident and he is the wanderer. The sense of decency and justice be shamed. But my blood cries: legacy of the fathers'.[27] At the same time, there were those who from the beginning were aware of the intractable nature of the conflict and did not look away or repress the gravity of the situation. Ze'ev Jabotinsky, the leader of Revisionist Zionism, was quick to acknowledge that the Arabs loved their country as much as the Jews did, that they fully understood Zionist aspirations and that their decision to resist them was entirely natural and justified. No agreement was possible and thus the Jews had to set up an 'iron wall' which eventually would bring about Arab realization that Jewish settlement was a fait accompli.[28]

> For all that, I would argue that in the main part (and certainly regarding the post-1948 reality), side by side with ideological justification, a certain myopic blocking out of the indigenous Arab's plight (rather than active hatred or racism) has applied. Because Zionism addressed and satisfied urgent and genuine needs, because it proffered an authentic alternative to the Jewish historical predicament, a selective blindness to the Palestinian presence may have been a psychological precondition for implementing it. This may have been a necessary myopia but it is no less myopic for that. Zionism, it is certainly true, cannot be simply labelled as simply a Western settler movement but it is also that and, as in South Africa, the United States, Australia and so on, openly acknowledging the price this exacted on the indigenous population – dispossession and a certain humiliation – was, and remains, an extremely difficult empathic act to perform. (At times it extends to the denial that an indigenous population was present in the first place.[29]) Even if such displacement was not intended, this was the result and, although over the past decade a degree of recognition *has* percolated into Israeli academic and some media discourse, to this day most Israelis are unable to face this head-on. I know how difficult such empathic recognition is – even as an historian who is trained to view from matters from above and from a variety of perspectives.

To be sure, all this is stated from a liberal perspective, one that many regard as hopelessly naïve, unwilling to recognize the harsh reality of radical enmity, the viewpoint of a Robert Frost kind of bleeding-heart who can't even take his own side in an argument, and one which may be blind to the problematic, at times brutal, realities and practices of Arab society itself. Despite the Arab Spring, the premises of Enlightenment humanism, the practice of self-criticism and a corresponding empathic drive to grasp the Other, hardly characterize the doggedly traditional nature and structure of these societies. Israelis do have grounds for their fears and suspicions. Still, given the country's insistence upon belonging squarely to the enlightened, democratic camp of the West, the question of its own commitments to empathic recognition, the ability to step out of one's own skin and at least honestly face up to the consequences of one's needs and actions, will not go away.[30]

Of course, the tendency to empathize with those with whom we identify, who are closest to us, is most natural and cannot be considered a particularly ethical achievement.[31] Evolutionary psychologists tell us that empathy is designed for co-operative ventures, a function

of proximity, similarity, and familiarity, and that in states of conflict, counter-empathic qualities are called for.[32] Yet, as a moral quality empathy becomes politically relevant when it demands access to other selves, even, indeed, to those who with whom we may be locked in conflict. (It is an interesting question regarding those who despite the prevailing structuring ideologies are sensitive to alternative narratives, able to make that empathic switch. As in the Milgram experiment, the intriguing problem relates less to those who lack this ability than the explanation as to those who possess it).

Yet the ambiguities persist and multiple problems ensue from any simplistic schema one may wish to construct. If one desires to extend the range of political empathy – especially in situations of enmity – does this not demand reciprocity on both sides of the conflict? To be sure, often the intractable problem arises in which each side perceives itself to be a victim, thus diminishing both the sense of responsibility and the drive to empathy.[33] As one letter-writer put it recently with regard to the Palestinians in the Israeli newspaper, *Haaretz*: 'Why do we have to mark the day of their "disaster" which sprang from the failure of their attempts to massacre the Jewish Yishuv in 1948 and to annihilate it? Why do we have to tell, to pity, to recall and to feel the pain of those whose wishes, actions, education and prayers are aimed every day at getting rid us from this land?'[34]

It is true that one expects more empathy from those who have greater power than those who lack it, and it is almost certainly easier for those in power to exercise it, than those under its yoke.[35] However, viewing matters purely in terms of power-relations is to allow only one side moral freedom and agency; the subjugated are not merely the vulnerable playthings of history and do have some responsibility for their own fate; not all victims are flawlessly moral (although the temptation to regard them as such is great). In any case, empathy alone is not sufficient. As one observer put it, 'I can empathize with the Palestinians, but do not sympathize with their cause'.[36] Indeed, in his famous eulogy for Roi Rotberg at Nahal Oz in April 1956, Moshe Dayan employed empathy as a key motivating force for the continuance, rather than the cessation, of battle-readiness: 'Let us not cast blame on the murders today. Why should we deplore their burning hatred for us? For eight years they have been sitting in the refugee camps in Gaza, and before their eyes we have been transforming the lands and the villages, where they and their fathers dwelt, into our estate [...]. We are a generation that settles the land, and without the steel helmet and the cannon's fire we will not be able to plant a tree and build a home. Let us not be deterred from

seeing the loathing that is inflaming and filling the lives of the hundreds of thousands of Arabs who live around us. Let us not avert our eyes lest our arms weaken'.[37]

For all that, some degree of identification – painful and threatening though it may be – is necessary if one is to render empathy a politically relevant dimension. One should not be sentimental about it. Few, I think, could recapitulate Clarence Darrow's putative sensibility as quoted in the opening motto; universal empathy is usually more rhetorical than real. Consider Rosa Luxembourg's counter-intuitive rebuke to Mathilde Wurm on 16 February 1917: 'Why do you come with your special Jewish sorrows? To me, the poor victims of the rubber plantations in Putumayo, the negroes in Africa […] in the Kalahari desert […] are equally near. The 'lofty silence of the eternal' in which so many cries have echoed away unheard, resounds so strongly within me that I cannot find a special corner in my heart for the ghetto. I feel at home in the entire world wherever there are clouds and birds and human tears'.[38] Quite apart from the already-mentioned civilizational lines which tend to structure our empathy, it is psychologically dubious that one can equally empathize with disasters throughout the world; we cannot feel equally for victims of floods in Pakistan, earthquakes in New Zealand, and nuclear meltdowns and tsunamis in Japan. And these are natural occurrences not complicated by political factors. Clearly, realistic empathic morality obligates us more in terms of areas and localities in which we can be held responsible and take concrete action.

But the ambiguity reaches deeper than that: the extent to which historical recognition and empathy figure as factors in political conflict resolution is by no means clear.[39] There are those who claim that only a kind of forgetting rather than remembering will help to overcome the past. Moreover, it is not clear whether empathy is a precondition or a possible result of resolving conflict.[40] Or, as Hannah Arendt would have it, perhaps it is irrelevant, or even an impediment, to achieving some kind of political settlement. Arendt may have dismissed the entire notion of the political economy of empathy as nonsensical. 'Compassion', she wrote,

> by its very nature cannot be touched by the sufferings of a whole class or people, or, least of all, mankind as a whole. It cannot reach out farther than what it is suffered by one person and still remain what it is supposed to be, co-suffering.[41]

Not compassion (or empathy) – which abolishes distance – but justice, she claimed, was the political route to resolving conflicts.[42] Indeed,

even if empathy may form part of a humanizing political drive, on its own it cannot be sustained – some institutional, principled and legal mechanisms beyond individual and ritualized empathy, a discourse and practice of rights, will surely be required in the longer run.[43] (Cynthia Ward has characterized 'empathy as political valium'!)[44]

In a preliminary manner, the aim of this paper has been to fashion the outlines of a political economy of empathy, to formulate some basic patterns of its structure and to list some of the outstanding issues that need to be confronted. At the very least, however, it is also a plea to extend our range of empathic, humanizing impulses,[45] to sympathetically 'imagine alternative stories about the past and alternative futures'[46] and apply them to situations in which the loss of human face stands in direct contradistinction to the triumphalist pronouncement that we have already arrived at an empathic civilization.[47]

Notes

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1. Quoted in (2011) 'Objection: Clarence Darrow's Unfinished Work', *The New Yorker,* 23 May, pp. 40–1.
2. See F. de Waal (2009) *The Age of Empathy: Nature's Lessons for a Kinder Society* (New York: Three Rivers Press). I thank Oren Harman for this reference.
3. J. Rifkin (2009) *The Empathic Civilization: The Race to Global Consciousness in a World in Crisis* (New York: Penguin); A. Sen (2009) *The Idea of Justice* (Cambridge: Harvard University Press).
4. See S. Moyn (2006) 'Empathy in History, Empathizing with Humanity', *History and Theory*, 45 (October), pp. 397–415, especially p. 398. Lynn Hunt has argued that during the eighteenth century through the rise of the novel (as well as the work of playwrights and artists), empathic capacities were extended far beyond their traditional insular reach. See her (2007) *Inventing Human Rights: A History* (New York: W. W. Norton). I thank David Kretzmer for this reference.
5. Rifkin, *The Empathic Civilization*. See pp. 24 and 414 respectively.
6. Francis de Waal argues that 'biology constitutes our greatest hope. One can only shudder at the thought that the humanness of our societies would depend on the whims of politics, culture or religion. Ideologies come and go, but human nature is here to stay'. That may be so, but viewed historically and contemporaneously, it is precisely the economy of politics, culture, and

religion that chiefly directs the avenues and expressions of empathy. See *The Age of Empathy*, p. 45.

7. The literature on empathy is vast but I have found very little indeed specifically on the politics of empathy. See R. Moses (1985) 'Empathy and Dis-empathy in Political Conflict', *Political Psychology*, 6 (1), pp. 135–9. For a particularly perceptive piece that distinguishes between – and analyses the pros and cons of – 'projective' versus 'imaginative' empathy within a political context see C. V. Ward (1994) 'A Kinder, Gentler Liberalism? Visions of Empathy in Feminist and Communitarian Literature', *The University of Chicago Law Review*, 61 (3), pp. 929–95. See too C. Johnson (2005) 'Narratives of Identity: Denying Empathy in Conservative Discourse on Race, Class, and Sexuality', *Theory and Society*, 34 (1), pp. 37–61.
8. J. M. Coetzee (2009) *Summertime* (London: Harvill Secker), p. 97.
9. On this, see L. Agosta (2010), *Empathy in the Context of Philosophy* (Houndmills: Palgrave Macmillan), p. 14: 'Empathy is an important way in which the sufferings and joys of another individual are disclosed to one. Yet empathy in and of itself alone does not imply that one should do anything about the suffering. Nothing necessarily follows morally from empathy itself for action; any required or morally meritorious actions follow from morality, not empathy. Theoretically torturers can use empathy to be even more diabolical in devising the suffering and pain inflicted on the victims [...]. Empathy does not save the perpetrators from violating the moral law or being bad apples'. And on p. 70 he writes: 'Empathy indicates what the other is experiencing; morality, what the individual ought to do about it'.
10. See Moyn 'Empathy in History, Empathizing with Humanity', p. 397.
11. In his novel (2007) *Diary of a Bad Year* (London: Harvill Secker), p. 111, J. M. Coetzee provides a far more generous and non-political explanation for the average person's withholding of empathy: '[...] people do not simply close their eyes. I suppose the fact is that they feel uneasy, even sickened, to the point that, in order to save themselves and their sense of being decent, generous, etcetera, they have to close their eyes and ears. A natural way of behaving, a human way. Plenty of Third World societies treat lepers with equal heartlessness'.
12. Raul Hilberg formulated an early analysis of these mechanisms in his classic (1973) *The Destruction of the European Jews* (New York: New Viewpoints), pp. 649–69. The book was first published in 1961.

    At the same conference at which this paper was delivered, in the section entitled 'Empathy and the Holocaust', Aleida Assmann explained the lack of empathy by the mechanism of 'Looking away' (denial, or repression), while Peter Fritzsche noted a certain acknowledgment of wrongdoing but which was typically overwhelmed by rationalizations and justifications of the regime's actions. Denial and rationalization may not necessarily stand in opposition but can mutually reinforce empathic blocking. Statements such as 'I did not know that this was happening, but if it is, the victims deserve it', may not be logical but they are psychologically effective.
13. I thank John Landau for drawing my attention to this poem.
14. See the revealing (unpublished) paper by Esther Cohen, '"If you prick us, do we not bleed?": Reflections on the Diminishing of the Other's Pain', where she writes: 'Nineteenth-century anthropologists often claimed that women were more resistant to pain than men (a claim that goes back to antiquity,

when barbarian women were supposed to give birth painlessly), savages more insensitive than civilized people, and white Caucasians more prone to pain than Africans, native Americans, or any other kind of "native"'. Nowadays, studies show that 'women, Latinos, and Afro-Americans receive fewer painkillers in hospitals than white males'. See, too, her (2010) *The Modulated Scream: Pain in Late Medieval Culture* (Chicago: University of Chicago Press).

15. I am not referring here to the fashionable and putatively 'scientific' studies that refer to hard-wired sex-differences between men and women, notions that the female brain contains more mirror-neurons than does the male brain and that females have greater empathic capacity than men, but rather to obviously stereotypical representations enabling differential cultural and political allocations of empathy. For refutations of the allegedly scientific differences between men and women see C. Fine (2010) *Delusions of Gender: The real science behind sex differences* (New York: W. W. Norton) and the review by Carol Tavris (2011) 'Women don't eat pizza', *Times Literary Supplement*, 28 January, p. 13.
16. I am purposely leaving aside here the question of 'uniqueness' because I believe that the claim has become almost irretrievably ideological. In the present context, it simply asserts or assumes what needs to be explained.
17. I have analysed some of these themes in my chapter in the book of the same name, (1996) *Culture and Catastrophe: German and Jewish Confrontations with National Socialism and Other Crises* (New York: New York University Press), although I develop it further here and take it into slightly different directions. See too my (2004) 'Imagining the Absolute: Mapping Western Conceptions of Evil' in H. Dubiel, G. Motzkin (eds) *The Lesser Evil: Moral Approaches to Genocide Practices* (London: Routledge), pp. 73–84.
18. S. Dossa (1998) 'Human Status and Politics: Hannah Arendt on the Holocaust', *Canadian Journal of Political Science* (June), see especially pp. 319–20.
19. I have explored these dynamics on a smaller canvas in (2001) 'German History and German Jewry: Junctions, Boundaries, and Interdependencies' in *In Times of Crisis: Essays on European Culture, Germans, and Jews* (Madison, Wisconsin: University of Wisconsin Press).
20. M. Ignatieff (2001) 'The Danger of a World Without Enemies', *The New Republic*, [online] 21 February, date accessed 26 February 2001.
21. S. Montgomery (1995) 'What Kind of Memory? Reflections on Images of the Holocaust', *Contention*, 5 (1), pp. 79–103, especially pp. 100–1. Mark Lilla states this a little differently: 'This is the paradox of Western political discourse ever since the Second World War: the more sensitive we become to the horrors brought on by the totalitarian tyrannies, the less sensitive we become to tyranny in its more moderate forms'. See his (2002) 'The New Age of Tyranny', *The New York Review of Books*, 24 October, pp. 28–9. The quote appears on p. 29.
22. See her piece (2006) 'Recent French Discourses on Stalinism, Nazism and 'Exorbitant' Jewish Memory', *History & Memory*, 18, pp. 43–85; (2004) 'History writing, numbness, and the restoration of dignity', *History of the Human Sciences*, 17 (2/3), pp. 57–96; (2004) *The Fragility of Empathy after the Holocaust* (Ithaca: Cornell University Press); (2010) *Aversion and Erasure: The Fate of the Victim after the Holocaust* (Ithaca: Cornell University Press, 2010).

23. In an email on 31 January 2011, Amos Goldberg has voiced a similar criticism: Dean's indignant tone refers to groups (Holocaust survivors, women and homosexuals) whose suffering has already been well recognized, while leaving untouched contemporary victimization.
24. In this context, the vexed relationship of the Arabs to the Holocaust is relevant. Contemporarily, the *Nakba* and the *Shoah* are pitted against each other as zero-sum counter-narratives. Much denial of either event on both sides prevails. I am not sure that there is a symmetry or relevance to the comparison but, in any event, it seems to me that given the imbalance of the power-relationship, one may wonder about the efficacy (and relevance) of Arab visits to Yad Vashem. (Tours of Israelis to the sites of disappeared Arab villages may carry a different resonance, given the fact that those who participate in it already have a predisposition to empathize with this narrative. These constitute a tiny minority of the Israeli Jewish population). In a recent, nuanced work (2011) *The Arabs and the Holocaust: The Arab-Israeli War of Narratives* (New York: Metropolitan), a Lebanese scholar, Gilbert Aachar, has demonstrated the variety of Arab responses to Nazism and that apart from a few radical figures – such as Amin al-Husseini – whose Islamic anti-Semitism ran deep, many in the Arab intelligentsia not only opposed Nazism but also critiqued Hitler on the basis of ethnic and religious persecution. To be sure, they also did so because they feared this would strengthen the Zionist case. Holocaust-denial (which Aachar roundly condemns), he argues, emerged as a function of the dynamics of the Israel-Palestine conflict and not an ingrained anti-Semitism. The Holocaust, he insists, must be regarded as a European event for which Europe, and not the Arabs, must take responsibility. His position is clearly anti-anti-Semitic and, as Derek Penslar comments in a perceptive review, does touch upon the role of competing and counter-empathic narratives (though Aachar's total dismissal of the validity of any Zionist legitimacy renders any rational discussion between Israeli and Arab narratives ultimately impossible). As Penslar comments '[…] the gradual emergence of Holocaust denial in the Arab world calls to mind a parallel process that has taken place in Israel and the Jewish world in general. The Palestinian tragedy was widely known at the time it occurred, and some Israelis assumed a share of responsibility for it. Yet […] the fact that some measure of the Palestinian tragedy was due to forced flight was forgotten over time […] What might be called '*nakba* denial', like Holocaust denial, has been an acquired behaviour. This parallel process of forgetfulness is something that ought to be the subject of discussion among Jews and Arabs, Zionists and Palestinian sympathizers'. See D. J. Penslar (2009) 'The Hands of Others', *Jewish Review of Books*, 5 (Spring). See too M. Litvak and E. Webman (2009) *From Empathy to Denial: Arab Responses to the Holocaust* (New York: Columbia).
25. George Orwell put it thus: 'By "nationalism" I mean first of all the habit of assuming that human beings can be classified like insects and that whole blocks of millions of people can be confidently labelled "good" or "bad". But secondly – and this is much more important – I mean the habit of identifying oneself with a single nation or other unit, placing it beyond good and evil and recognizing no other duty than that of advancing its interests'. See his essay (2002) 'Notes on Nationalism' (October 1945) in J. Carey (ed.) *Essays* (New York: Alfred A. Knopf), p. 865.

26. For a particularly chilling example see Gross, R. (2010) '"The Ethics of a Truth-Seeking Judge": Konrad Morgen, SS Judge and Corruption Expert' in C. Wiese and P. Betts (eds) *Years of Persecution, Years of Extermination: Saul Friedländer and the Future of Holocaust Studies* (London: Continuum), pp. 193–209.
27. Thus very early, the Yiddish poet, Y'hoash, or Shlomo Blumgarten (1872–1927), wrote in his 'Tel Aviv, 1915' (freely translated here): We passed by an old barefooted Arab, who lead a loaded camel. Father of his fathers from many generations also drove loaded camels and tended sheep, and pitched tents, and at night lit fires and baked pita-bread and after sat around the fire and smoked and told stories in the quiet night. I – who have just arrived and have hardly slept one night in Ertz Yisrael, hardly drunk a glass of water, hardly taken a few steps, and despite this I see him [the Arab] as foreign. I am the resident and he is the wanderer. The sense of decency and justice be shamed. But my blood cries: legacy of the fathers. See Ye'hoash (2011) 'Tel Aviv, 1915', *Haaretz* (Hebrew), 9 May. I have traced other such attitudes in the Brit Shalom group of Central European Jews during the 1920s in Chapter 1 of (2007) *Beyond the Border: The German-Jewish Legacy Abroad* (Princeton: Princeton University Press).
28. For an excellent summary of Jabotinsky's position, see W. Laqueur (1972) *A History of Zionism* (London: Weidenfeld & Nicolson), pp. 256–257. Jabotinsky was also a realist liberal. He was against the expulsion of Arabs and believed that Palestine should and would always remain a multinational State.
29. This is reflected in the popular Zionist slogan 'a land without people, for a people without a land'. This view has also been given scholarly currency by Joan Peters in her (1984) *From Time Immemorial: The Origins of the Arab-Jewish Conflict over Palestine* (New York: Harper and Row).
30. This being said, I am fully aware of the immense complexities and complications entailed in this seemingly intractable conflict. For all that – given the historical experience of Jewish suffering or even a modicum of moral sensitivity – it is very difficult for me to understand how our official policy (and most public opinion) can state with such pride, conviction, and self-righteousness that we won't even accept the return of a single refugee. This signals a significant loss of crucial empathic and moral sensibility.
31. This does not only apply to larger ethnic, religious or national units but, in conditions of extreme suffering, mutual empathy tends to be broken down into far smaller sub-groupings of loyalty. Recently Saul Friedländer has pointed to the 'glaring lack of an overall Jewish solidarity in the face of catastrophe. The German-Jewish leadership attempted to bar endangered Polish Jews from emigrating from the rich to Palestine, in late 1939 and early 1940, in order to keep all emigration openings for German Jews only; native French Jewish leadership (the *Consistoire*) ceaselessly demanded from the Vichy government a clear-cut distinction between the status and treatment of native Jews and that of foreign ones. The Councils in Poland – particularly in Warsaw – were allowing a whole array of privileges to members of the local middle class who could afford to pay bribes, while the poor, the refugees from the provinces and the mass of those devoid of any influence were increasingly pushed into slave labour, or driven to starvation and death. Once the deportations

started, Polish Jews in Lodz, for example, turned against the deportees from the West. In Westerbork, German Jews, the elite of the camp, closely working with the German commandants, protected their own and put Dutch Jews on the departure lists, while, previously, the Dutch Jewish elite had felt secure and was convinced that only refugees (mainly German Jews) would be sent to the local camps, then deported. The hatred of Christian Jews by their Jewish brethren, and vice versa, particularly in the Warsaw ghetto, is notorious [...]. Yet a strengthening of bonds appeared within small groups sharing a specific political or religious background'. See his (2010) 'An Integrated History of the Holocaust: Possibilities and Challenges' in C. Wiese and P. Betts (eds) *Years of Persecution, Years of Extermination: Saul Friedländer and the Future of Holocaust Studies* (London: Continuum), p. 27.

32. De Waal *The Age of Empathy*, p. 168 talks of a counter-productive 'indiscriminate' empathy. On proximity and familiarity, see p. 204.
33. On the Israeli side, there are innumerable calls for the Arabs to accept their share of responsibility for their own fate and the ongoing lack of resolution of the conflict, and the need for them too to indulge in self-criticism. For a recent example see S. Avineri (2011) 'Wanted: Palestinian self-criticism', *Haaretz*, 11 May, p. 5.
34. Letter from Y. Hayun (2011) 'Why Mark Nakba Day?', *Haaretz*, 18 May, p. 7.
35. Nelson Mandela's forgiving attitude, his pronouncement that the past was over, was both exceptional and exemplary.
36. (2010) 'Empathy vs. Sympathy', *Haaretz Daily News*, [online] 2 July. Available at: http://www.haaretz.com/weekend/anglo-file/empathy-vs-sympathy-1.299607.
37. Quoted in A. Benn (2011) 'Doomed to Fight', *Haaretz,* 9 May, p. 2.
38. From Luxembourg's *Briefe an Freunde*, quoted in P. Nettl (1969) *Rosa Luxembourg* (Oxford: Oxford University Press), p. 517. See too J.L.Talmon (1981) *The Myth of the Nation and the Vision of Revolution* (London: Secker & Warburg), p. 217.
39. Gideon Levy clearly belongs to this camp. 'The time has come', he recently wrote, 'to remove the abscess and air out the wound. We're not talking about an impossible turning back of the wheel of history, about the return of millions and the end of the State of Israel, as the right is trying to scare us in believing. We're talking about understanding the other side and granting some of its desires – accepting moral responsibility for 1948, a solution to the refugee problem, and, of course, that very minimum, the 1967 borders'. See (2011) *Haaretz*, 19 May, p. 5.
40. For a view arguing that if empathy is not a sufficient condition, if reconciliation, as opposed to co-existence or co-habitation is to occur, it is surely necessary, see J. Halpern and H. M. Weinstein (2004) 'Rehumanizing the Other: Empathy and Reconciliation', *Human Rights Quarterly*, 26 (3), pp. 561–83.
41. See Arendt's (1963) *On Revolution* (London: Faber and Faber), p. 80. Much of this chapter two ('The Social Question') is devoted to a critique of compassion in politics. As it 'abolishes the distance, the worldly space between men where political matters, the whole realm of human affairs, are located, it remains, politically speaking, irrelevant and without consequence' (p. 81).

42. That justice and empathy do not always accord is supported too by social science. See C. D. Batson, T. R. Klein, L. Highberger and L. L. Shaw (1995) 'Immorality from Empathy-Induced Altruism: When Compassion and Justice Conflict', *Journal of Personality and Social Psychology*, 68, pp. 1042–54.
43. See Moyn, 'Empathy in History', p. 40.
44. Ward, 'A Kinder, Gentler Liberalism?', p. 954.
45. As Stanley Cohen put it:

    'The difference between knowing about the sufferings of our family and loved ones, compared with strangers and distant others, is too primeval to be spelled out. These ties of love, care and obligation cannot be reproduced or simulated anywhere else. But the boundaries of the moral universe vary from person to person; they also stretch and contract historically – from family and intimate friends to neighbourhood, community, ethnic group, religion, country, right up to "the children of the world". These are not just psychological questions but draw on a wider discourse about responsiveness to "the needs of strangers"'.

    See his (2001) *States of Denial: Knowing about Atrocities and Suffering* (Cambridge: Polity), p. 18.
46. Johnson 'Narratives of Identity', p. 42. As one such narrative – which, of course, may produce a backlash- she quotes from a speech by Paul Keating the Australian Labour Party Prime Minister (from 1991–1996) launching the International Year of Indigenous People: 'It might help us if we non-Aboriginal Australians imagined ourselves dispossessed of land we had lived on for 50,000 years – and then imagined us begin told that it had never been ours … Imagine if we had suffered the injustice and then we were blamed for it. It seems to me that if we can imagine the injustice we can imagine its opposite.'
47. In a speech on Wednesday, 12 January 2011, President Obama, called on Americans to 'expand our moral imaginations, to listen to each more carefully, to sharpen our instincts for empathy, and remind ourselves of all the ways our hopes and dreams are bound together.' Quoted in P. Krugman (2011) 'A Tale of Two Moralities', *International Herald Tribune*, 15–16 January, p. 7. These words could be applied to other political situations as well.

2

Unequal Equals: How Politics Can Block Empathy

Shelley Berlowitz

The Israeli NGO Zochrot recently hosted a public hearing modelled on the South African 'Truth and Reconciliation Commissions'. The hearing focused on events that took place from 1948 to 1960 in the South of Israel. Elderly Palestinians gave testimonies about how their villages and locations were destroyed and how they and their relatives were expelled from their land after the establishment of the State of Israel. Jewish Israelis who had fought in the Zionist Armed forces and later in the Israeli army bore witness to the orders they received and the deeds they had done. The event was titled 'Truth Commission'; the term 'reconciliation' was deliberately avoided. "We cannot talk about reconciliation when the Nakba is ongoing. We are still in a situation where there is apartheid, constant violations of human rights and 70 percent of the Palestinian community are refugees", Liat Rosenberg, director of Zochrot, pointed out.[1] The Truth Commission indicates a change of paradigm taking place since 2000 in the Israeli-Palestinian peace movement. The peace agenda used to focus on reconciliation, dialogue and on the acknowledgment of two different narratives – Arab-Palestinian and Jewish-Israeli. Today it focuses on solidarity with the oppressed, on justice, and on truth. Zochrot is but one example of this change. The NGO was founded in 2002 and aims to educate Jewish Israelis about the Nakba – the catastrophe that befell Palestinian society on account of the establishment of the State of Israel. The vision, as stated on their website, is the acknowledgment of the injustice done to Palestinians, the return of Palestinian refugees to their homeland and a "joint Jewish-Palestinian process of restitution founded on the principles of transitional justice".[2] There are a number of organizations in Israel in which Jewish Israelis and Palestinians work together: against the occupation, and for democracy and human rights. The number of

activists has diminished, but their visions and aims have become clearer and more radical.

In the 1990s, during the first *Intifada* and through the decade of the Oslo Process, the focus of the mainstream liberal peace movement was very different.[3] Some weeks after the outbreak of the first *Intifada,* in April 1988 Palestinians of the West Bank and Jewish Israelis from West-Jerusalem began talking to each other in various dialogue groups. These were the first grassroots dialogue groups between Jewish Israelis and Palestinians of the liberal mainstream of both societies. Although their talks did not have a direct political impact, they opened up spaces of mutual humanization. Most participants had not had any contact with people from the other side before. They had never had the opportunity to meet Jewish Israelis or Palestinians face to face in a situation other than a military confrontation. The dialogue groups were an exercise in mutual empathy. This article sheds light on the aims, potential, and limits of their undertakings. It is based on the written records and oral data of Palestinians and Jewish Israelis who met in the dialogue group of Beit Sahour from a few months after the start of the first *Intifada* until the beginning of the second *Intifada*.[4] The participants of the dialogue in Beit Sahour met regularly from 1988 to 2000. They discussed the history, the present, and the future of the Israeli-Palestinian conflict, and occasionally also demonstrated together against the occupation.

It was not the first collaboration between Jewish Israelis and Palestinians since 1967. There have been collaborations at different levels. But the first *Intifada* was a significant turning point for collaboration at the grassroots level. During the first *Intifada*, the Palestinian people in the Israeli-occupied territories established themselves as a party in conflict with Israel. Prior to the first uprising, Palestinians were represented by the surrounding Arab states and later by the Palestinian Liberation Organization (PLO), but as of December 1987, they began speaking up for themselves. They became the opponents of the occupying power, 'the enemy', and thus, a potential dialogue partner. The Palestinian activists had an interest in meeting Jewish-Israelis on equal footing.

On the other side, the *Intifada* made Israelis perceive Palestinians in a different light. The uprising was in no way a military confrontation such as the region had already experienced. Watching the evening news, liberal Israelis could see how Israeli soldiers used live ammunition against students throwing stones. They realized that neither curfews and closure, nor the shutting down of universities and schools, neither large-scale arrests, nor raids could stop the resistance of the Palestinian population. Their image of Palestinians beforehand had been primarily

one of a ruthless people and of terrorists, who shed the blood of innocent Israelis. Now many Israelis started to perceive Palestinians as a people who fought against oppression and occupation through civil disobedience and acted in solidarity in a collective uprising.

Most of the Palestinians taking part in the dialogue group in Beit Sahour (exclusively men) were academics or members of the commercial middle class. All of them were activists in the *Intifada*; some of them had already once been taken political prisoners in Israel and others were to become prisoners during the process of the dialogue. On the Israeli side, the heart of the group consisted of male and female academics. The vast majority of these academics' socio-demographic profiles corresponded to the Israeli peace movement: they had an *Ashkenazi* Jewish background, were well educated and members of the middle class. The Palestinian participants belonged to various secular parties and not all of them were in favour of a two-state solution. Yet all of them were for non-violent resistance and for a dialogue with Israelis who spoke out against the occupation. The attitude of the Palestinians vis-à-vis the Israelis in the dialogue was unequivocal. Despite ideological and political differences among them, despite party affiliations, they all represented the national Palestinian collective without ambivalence. The position of the Jewish-Israelis in the dialogue was more ambivalent. The majority of them were left-leaning Zionists. They opposed the occupation, and showed solidarity and felt empathy with the Palestinians. But because they belonged to the Jewish-Israeli collective, they were also part of the occupational power and were affiliated to the side responsible for Palestinian suffering. While the Palestinians represented their side of the conflict wholeheartedly, the Israelis would neither identify with the Israeli occupation nor could they distance themselves totally from the State of Israel and the Israeli army, the agent of the occupation.

2.1 Spaces of humanization

According to Hannah Arendt, dialogues and dialogical collaboration are political acts which acknowledge plurality and establish freedom.[5] In dialogical encounters people manifest their willingness to share the world with other human beings, with differing positions and other perspectives. Dialogical collaboration creates space for mutual 'humanization', space in which differences as well as equality are acknowledged.

Dialogical collaboration is twofold. It breaks boundaries and allows for ambivalences: the desire to start a dialogue beyond set boundaries weakens the borders and dissolves them. Yet at the same time, dialogue

can also strengthen barriers. By definition, an 'Israeli-Palestinian dialogue' reinforces the borders, which it tries to overcome because it suggests the construction of 'Israeli' and 'Palestinian' collectives as two distinct identities. Frequently, both phenomena – the dissolution and the reinforcement of boundaries – occur simultaneously and alternately during a dialogue. Without dialogue, without the encounter with the one who is 'not identical', there is no 'identity' and no certainty about who 'we' are and who 'the others' are, as Stuart Hall has pointed out.[6] It is the essence of dialogical relations that they enable rapprochement as well as delimitation. How can reflection on empathy help us to understand the opportunities, difficulties, and finally the failure of the dialogue processes between Palestinians and Jewish-Israelis?

2.2 Narrative empathy

New research shows that mechanisms at the most basic human level make it possible for us to empathize with others, to understand them and to see from their perspective. The following thoughts are not based on neurological, developmental-psychological, or evolutionary aspects of empathy, but rather on social situations in which people practice intentional and reflected empathy. A pre-condition for empathy is the assumption that humans are similar to one another and that their humanity connects them allowing for potentially identical or similar feelings. At a cognitive level, knowledge or conceived knowledge enables a person to change perspectives from their own to someone else's. Sharing someone else's feelings or taking another's perspective cognitively does not automatically lead to the acceptance of another's values and aims. Nevertheless, it does lead to the acknowledgement of others' feelings, experiences, emotions, and thoughts as equal to our own, thereby humanizing them.

Empathy in social and cultural contexts is a widespread but in no way a ubiquitous phenomenon. Human beings empathize with each other, but not all, not always, and not with all others. Fritz Breithaupt offers in his 'Three-Person Model of Empathy' an explanation for why some people empathize in a specific situation whereas others do not. The model takes three actors into consideration: two parties in conflict, one party being more powerful than the other, and one observer.[7] Whether or not empathy will be realized depends on a preceding decision of the observer: the decision to stand by one of the parties. In a conflict, the taking of sides enables the observer to channel empathy, and with the help of this empathy to strengthen and stabilize the preceding decision. There

are many motives to choose one party over another and not everyone makes the same decision. Side-taking can depend on strategic thinking (will the decision be beneficial for me?), moral values (who is in the right?), past experiences with the other actors (what makes me similar to them and what makes me different from them?) or self-reflexive reasons (which side represents my own standpoint the most?).[8]

Furthermore, Breithaupt states that the ability of human beings to narrate and to think in narration is what enables and promotes empathy: "Empathy can emerge when we think in stories; and we feel within the narrative by empathizing with fictional characters".[9] By taking side with one of the parties in conflict and by arranging the events in a narrative structure, empathy can evolve. "Narrative empathy"[10] aims at finding a solution to a conflict, it attempts to provide a 'good ending' that overcomes the conflict. Empathy encompasses much more than just compassion. Through empathy observers shape the story, give it meaning and become part of it. By interpreting and understanding causal connections and temporal developments, observers give meaning to the perspective and feelings of the characters of a story and shape the continuation of the narrative. While Palestinians and Israelis in the dialogue encounter represented the two sides of the conflict, they simultaneously took on the role of observer. Different narratives told in the dialogue were understood, given meaning to and made more or less sense of by the observers in the group.

Empathy requires the possibility of conceiving of similarities and equality; it requires people to be willing to take on the perspective of others and it can result in the person who feels empathy to act in solidarity with one of the parties in conflict in order to help 'bring the story to a good end'. For this, freedom of action is a precondition. If action is prevented or if action cannot have any positive, solution-oriented impact, because of social, political, and legal structures perpetuating and worsening the conflict situation, actors and observers lose their freedom of action. Empathy then is reduced to sympathy or compassion or to theoretical knowledge about the perspective of the other. The essence of narrative empathy, namely active participation in writing the end of the story, cannot take place.

For most Palestinians the reasons to enter dialogue were strategic. The Israelis mostly decided to partake in dialogue out of self-reflexive reasons. They could not bear the occupation because it irritated the image they had of themselves and of Israel. For them, Zionism and the establishment of Israel was a liberation story. The current politics of the Israeli government, however, suppressed the liberation of another

people. The Israelis in the dialogue did not approve of this – and did not believe that the current politics were in the true spirit of Zionism. What were the chances and risks of seeing the other as equal and looking at history from the other's perspective in dialogue? And why, after optimistic and promising beginnings, did Israeli-Palestinian collaboration in the dialogue groups of the 1980s and 1990s fail, in the end? I will present some of the features of these dialogues, which together with some excerpts from interviews with dialogue partners might give us some clues towards an answer.[11]

2.3 Unequal equals

Ghassan Andoni, professor of physics at the Bir Zeit University and Palestinian coordinator for the dialogue group in Beit Sahour, made sure to open every dialogue session with the following sentence: "Welcome to the only free space with Palestine/Israel. Here we are all equals".[12] By saying this, he defined the dialogue as space apart from the political region in which it took place: dialogical space constituted itself as a space of equality and freedom in the very midst of inequality and suppression.

The following story is an example of how equal status between Jews and Palestinians in the context of the occupation was seen as a threat to the existing order. The story was told by Veronika Cohen. Cohen, a middle aged orthodox Jewish woman, music educator at the Hebrew University, and one of the Israeli coordinators of the group, was summoned by a lawyer as a witness in a lawsuit against her dialogue partner Ghassan Andoni. Andoni was the main coordinator of the Beit Sahour dialogue on the Palestinian side, professor of physics at Bir Zeit University. In the courtyard of the prison, Cohen waited to be questioned:

> [I] just sat the whole day outside waiting to be called in, and in the meantime all the prisoners who were to be called in, they were held in a little pen. And I was sitting somewhere outside and Ghassan was inside this little holding pen. And I had all these messages to give him from his wife who hadn't had a chance to visit him or talk for a long time, and I went over to one of the soldiers who seemed nice and asked, could I possibly talk to him? And he said, sure, go right ahead, he seems like a nice guy, go talk to him. The soldier was very nice, he really let me talk to Ghassan for a long time. I think he kind of looked at me like a mother, "here is this nice lady who came down

> to spend the whole day […]" At some point he came up to me and said something like, "you know, you seem so nice to really care about him, does he clean your house for you?" I said, "no, he's a physicist, he's not a house cleaner". And he said: "Oh, well you can't talk to him anymore".

The soldier had made the mistake of perceiving the relationship between Veronica Cohen and Ghassan Andoni as the usual, hierarchically-structured relationship between a Jewish-Israeli employer and a Palestinian worker. If this were in fact the case, there would have been no danger in letting two unequal partners talk. The relationship only seemed dangerous to the soldier after he realized it consisted of people with the same status and thereby threatened the normative hierarchy of 'high' and 'low'. At the large detention camp in the Negev in the midst of Palestinian prisoners and their lawyers, Veronika Cohen must have stood out as a visitor: through how she spoke and what she wore, she would have been identified as a religious, Ashkenazi, Israeli middle-class woman. It was her affiliation to the state-loyal Ashkenazi Jewish-Israeli society that had made the soldier picture the relationship as one based on power.

It was exactly this relationship to which the Palestinian activists in the first *Intifada* wanted to put an end. For the Palestinians involved, the grassroots dialogical group in Beit Sahour was a forum in which unequal power relationships between Israelis and them – and hence the occupation – were to be surmounted. Najah Mahmoud Al-Khatib, assistant professor for Women's mental health at Al-Quds University in East Jerusalem today, pointed out how the dialogue, then, was used as a means for fighting against submission:

> If you can bring them [the Israelis] to the level that they treat you equally, this is already an achievement […] And I think if you don't fight with their thoughts, with their mentality, you will not get anything. This is why I still believe in dialogue. […] This is how they will begin to acknowledge that we are educated, we are smart, we are human beings, we have values. We will not continue to play the game of the occupier and the occupied, where we are the victims, and they are the powerful.

The decision to partake in a dialogue with certain Israelis – namely those who were against the occupation – also included the choice to not partake in a dialogue with certain Israelis – namely those living in the Jewish settlements in the occupied territories. Asked about the most

difficult experiences she had had during the dialogue process, Najah Mahmoud Al-Khatib talks about two incidents:

> The most difficult experience for me was when I had to meet settlers. They were very extreme religious Jews with a Kippa and religious dress. I couldn't stand them. I was angry and furious. The Israelis didn't tell us that they were bringing them, otherwise I wouldn't have come. […] The Israeli facilitators cheated us. They brought people who are now living on our land in a settlement nearby. […] That was the most difficult.
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> Another event made me angry and frustrated. We met in a house; it was a Palestinian house [in West-Jerusalem]. [The woman] who lived in the house was from the [Israeli] Peace Movement. I felt I was a traitor to my people because I came to this house and talked to her. I felt confused and ambivalent. I felt very bad, as if I was enforcing and facilitating the existence of the occupation through such a meeting.

Najah Mahmoud Al-Khatib was born in a refugee camp on the West Bank and grew up hearing the stories of her parents about the 1948 exodus and the village they had left. The two incidents Mahmoud Al-Khatib remembers as most unpleasant are connected: Jewish settlers on the West Bank in the 1990s and the Arab house in West Jerusalem dating from the period before 1948 are part and parcel of the same story for her. At another point in the interview she talks about a recent visit to the house in Israel from which her parents had had to escape in 1948. She describes an encounter with a Jewish man living in the old Arab village which had developed into a small Israeli town since 1948: "My father approached his house and one of the 'settlers' came and said: 'Why are you here, go away, this is not your place'. In a matter-of-fact manner, she uses the word 'settler' to describe the Israeli citizen, thereby blurring the boundaries between the settlers living in the occupied territories and the Israeli residents living within the Green Line – a boundary which is central for Jewish-Israelis in so far as it guarantees the existence of the State of Israel and its borders before the occupation of the West Bank in 1967. For the Palestinian dialoguer, the Arab house in West-Jerusalem in which her Jewish dialogue partner lived, symbolized the exile of her people and the seizure of the land by the citizens of the newly-established Israel in 1948, and the settlers of the West Bank represented a continuation of the events from 1948. To accept the settlements on the occupied West Bank would mean to Mahmoud Al-Khatib not only

resigning herself to the fact that Palestine became Israel after the cease-fire of 1949 but also accepting the spread of Zionist settlements in all of Palestine, beyond the pre-1967 borders, as a reality as well. It would mean giving up hope for national sovereignty even in those parts of Palestine that did not belong to Israel after its establishment as a state.

The Israeli dialoguer could live in the old Arabic house with a clear conscience only as long as she took a different perspective on history and gave it a different meaning from Mahmoud Al-Khatib. She perceived the acknowledgement of the pre-1967 borders as an obvious starting point for fighting against the occupation:

> I wouldn't live in a settlement […] I make a distinction between '48 and '67 […] That much of a Zionist I am, I think there was a difference. […] I wouldn't have moved to Israel if I didn't agree with the founding of the State of Israel. And the founding of the State of Israel includes everything that happened in '48.

The Israeli dialoguer positioned herself as a part of the Zionist collective identity. From her point of view, there was no alternative to the war that had led to the establishment of the State of Israel in 1948, and thus no alternative to the exodus/expulsion of the Palestinian population.

The Arab house in West Jerusalem was a reminder of Palestinian history before 1948 and of Palestinian loss. It was palpable evidence for the fact that the Israeli dialoguers enjoyed rights, privileges, and resources that their Palestinian partners did not possess. Israelis' privileges in the present stood in a direct causal relationship with Palestinians' disenfranchisement in the past.

2.4 Reciprocal empathy prevented

The Israeli army and the secret service did everything in their power to undermine the equality of the dialogue partners at Beit Sahour. The freedom of movement of the Palestinians was increasingly restricted; they needed special permission for encounters, which the Israelis did not; they were kept under surveillance by the secret service; they suffered reprisals by the military, who warned them not to welcome their Israeli partners in Beit Sahour. Some Israelis involved in the dialogue served in the Israeli Reserve forces. In those years, many Jewish Israelis still fostered a deeply-rooted feeling of gratitude and sense of belonging to the army. The Zionist Armed Forces before the establishment of the State, and the Israeli army after that, embodied the ideal of a "new

type of Jew", different from the "old, persecuted and defenceless" Jew of the European Ghettos.[13] The Israeli Army was the instrument by which 'Diaspora Jews' were made into strong and powerful Jews – i.e. Israelis. For many Israeli dialoguers in the tradition of 'left-leaning Zionism', the Israeli army embodied the conversion of the Jewish people from a helpless minority into a powerful collective, able to defend itself. From the Palestinian perspective, however, whoever served in the Israeli army was assigned to the colonial tradition of oppression and rule.

In the context of the occupation, it became more and more difficult to establish empathy for the history of Jewish persecution. Cohen explains:

> I'll tell you one issue that really bothered me. I kept on insisting to the Palestinians that they have a right to a state, but I wanted them to say that I also had a right to a state. And they kept on saying, "You want us to be a Zionist?" And I said, "I don't want you to be a Zionist, I want you to agree that it's not just a freak of nature that we are here, there is a reason why we are here. We do have a need and we too have a right to exist here in safety". And they kept saying, "we understand you but we can't say this. We know what you want us to say, but we can't honestly say it". I kept saying, "until I convince you of that, there is something between us that is really […] ah, it's a barrier". And after many, many years, on Christmas, one of my friends got up and made a speech and in the speech he said something like: '"[…] and of course the Israelis also have a need and a right to exist here as free and safe people'". And then he said to me: "ok, are you satisfied now?" Yes, I am. That's what I wanted to hear. I wanted a public acknowledgment that we too have a right and a need – not a right, forget the right, but we're here and this is where we are and we also have to live in security and safety. Forget the rights, you know, I don't know what rights mean. But we have a need, I can acknowledge that. And that was the major breakthrough for me.

It was an exception for a Palestinian dialogue partner to make this concession. In general, the inequality existing outside of the dialogue led to a stronger emphasis on the needs, arguments and stories of the Palestinians throughout the dialogue process. The present experiences of the Palestinians under occupation connected seamlessly to their memories of the Nakba – the destruction and expulsion of Palestinian society in 1947/48. The Palestinian narrative of past victimization through European colonial domination was continuously reaffirmed

through the Israeli occupation in the present. The present-day experiences of expropriation, the restriction of freedom of movement, and constant control by the army created a congruent whole with the narrative of the past. In contrast, the Jewish narrative and memories of Anti-Semitism and persecution which the Jewish partners wanted to be acknowledged hung like a loose thread from the past and could not find any point of connection to the present experiences of the people involved in the dialogue. From the beginning, the Palestinians were not able to empathize with Jewish Israelis' fears and feelings of being threatened. The more the occupation intensified, the less willing they were to do so. The more asymmetrical the status became outside of the dialogue, the more difficult the acknowledgement of Jewish suffering became within the dialogue process.

2.5 From empathy to resistance

The end of the first *Intifada* made things even more difficult for the dialogue partners. From 1993 on, under the Oslo Accord, Israel pursued 'peace policies' as 'separation policies'. The outbreak of the *Intifada* in September 2000 finally marked a definite end to the grass-roots dialogue groups. Contrary to the first, the second *Intifada* was an armed conflict – on both sides, albeit unequal in power. The Israeli government used tried and tested means for fighting rebellion in the occupied territories: mainly on-going punishment and repression. The Palestinian coordinators of Beit Sahour called on their Israeli partners to participate in non-violent protest marches against increasing land expropriation and destruction of homes, and in demonstrations at checkpoints. In the past, the Israeli dialogue partners had often participated in such actions. Yet, with the start of the second *Intifada*, collaboration became more dangerous. The common space for action stopped as the confrontation with the Israeli army began. George Rishmawi, a young Palestinian dialoguer explains:

> When you come to Palestinian areas and participate in direct action you are directly fighting the army. Many of [the Israeli dialogue partners] were Reserve officers. I don't know how much they were prepared to fight with the soldiers, to engage in a direct confrontation with the Israeli soldiers who could be their colleagues next month. They would go to actions and demonstrations, but they would not engage in confrontation with the army. And when we sent our invitations or calls for direct action, we were very clear

> about it: [We told them that] this [action] might involve confrontations with the soldiers. We don't assault soldiers, but we might be in direct contact, there might be frictions. They might push us and we will try to avoid this and they will arrest us and arrest Israelis as well.

For the Israeli coordinator Judith Green this was a watershed moment. Many years later, she analysed the end of the dialogue in the following way:

> I had the feeling, and I accept this, that the Palestinians had decided that the alliance with the Israeli left, as interesting and fruitful it had been, didn't get them what they wanted, and they were right. They sort of turned more to the strategy of Palestinian solidarity groups. [...] I give them credit for it, it's their decision, and I wouldn't say it was right or wrong. But I think they paid a price for it. That they turned more towards support from Europe and the US – not the governments of course – to support their cause. And once they did that then the flavour of [...] the whole flavour and the ideology behind their activity was different, it was no longer appropriate for us. Because it was no longer Israelis and Palestinians working together for a common future, it was Palestinian solidarity work and that wasn't, in my opinion, what we were doing.

Dialogical cooperation had opened a space of mutual humanization in which Jewish-Israeli and Palestinian dialogue partners were able to see themselves as equals. It enabled the dialoguers to look at the past from the perspective of the other and give meaning to the narrative of the other side. But the equality of the dialogue partners was undermined by the increasing political and legal inequality of Jewish-Israelis and Palestinians. In this context it became more and more difficult to maintain the basic conditions for empathy to happen: similarity and equivalence. Narrative empathy, according to Breithaupt, legitimizes and extends the initial act of side-taking (*verlängert den ersten Akt der Parteinahme*).[14] In order to maintain narrative empathy, observers must be able to shape their understanding of the story (the conflict) actively and go along with it until the 'good end' (the solution of the conflict). Empathy is blocked when a story (the conflict) stagnates and shows no temporal development, when actions and reactions repeat themselves and when there is no end in sight. This is what happened in the dialogue processes in Israel and Palestine during the 1990s.

Dialoguers in Beit Sahour took an initial stand: they opposed the occupation of the Palestinian people and territories. But empathy was meant to be a reciprocal event in the dialogue: both sides wanted to understand the story of the others, exactly because they conceived themselves as equals. As the political situation deteriorated from the first *Intifada* to the second *Intifada*, during the so-called 'decade of peace' of the Oslo Process, inequality among the members of the group increased. In the meantime, empathy and dialogue had turned into empty words for most peace activists on both sides. Today's story is not so much about two collectives in conflict, but about injustice and oppression of one side by the other. Palestinians have increased non-violent (and sometimes violent) resistance against the occupation. On the Israeli side, new groups have been established in active support of Palestinian resistance. They are no longer driven by the hope for dialogue and empathy, but rather fight against the injustice that their society exercises in their name.

Notes

1. J. Cook (2014), 'Israelis Rattled by Search for Truth about the Nakba', http://www.middleeasteye.net/news/israelis-rattled-search-truth-about-nakba-96376998 / 5.1.2015.
2. Zochrot homepage, "Who We Are", http://zochrot.org/en/content/17 / 5.1.2015.
3. *Intifada* is the name used for the Palestinian uprising in the occupied territories. The first *Intifada* lasted from 1987 until 1993, until the signing of the Principles of Declaration of the Oslo Peace Accords. The second *Intifada* erupted in September 2000 and, as opposed to the first one, it was predominantly carried out by the use of armed forces.
4. For an extensive analysis of the Beit Sahour dialogue, see S. Berlowitz (2012) *Die Erfahrung der Anderen. Konfliktstoff im palästinensisch-israelischen Dialog* (Konstanz: Konstanz University Press) and Y.-J. Zupnik (2000) 'A Face-Driven Account of Identity Exchanges in Israeli-Palestinian "Dialogue" Events' in Mary Jane Collier (ed.) *Constituting Cultural Difference Through Discourse* (Thousand Oaks: Sage Publications), pp. 271–294.
5. See H. Arendt (2007) *Vita activa oder Vom tätigen Leben* (München/Zürich: Piper). See also C. Thürmer-Rohr (2002) 'Die Stummheit der Gewalt und die Zerstörung des Dialogs', *UTOPIE kreativ*, 143, pp. 773–780.
6. S. Hall (1991) 'Ethnicity: Identity and Difference', *Radical America*, 23, 4, pp. 9–20.
7. F. Breithaupt (2012) 'A Three-Person Model of Empathy', in: Emotion Review, Vol. 4, No, 1 (January 2012), pp. 84–91.
8. F. Breithaupt (2009) *Kulturen der Empathie* (Suhrkamp: Frankfurt a.M.), pp. 157ff.
9. Breithaupt, *Kulturen der Empathie*, p. 114.

10. The term *Narrative Empathy* was coined by Suzanne Keen (2006) 'A Theory of Narrative Empathy', *Narrative*, 14, 3 (Oct. 2006), pp. 207–236.
11. All quotes are taken from my interviews with various dialogue partners. They were done in 2007 and 2008 – many years after the dialogue process had come to an end.
12. Interview with Veronika Cohen.
13. See Y. Zerubavel (1995) *Recovered Roots. Collective Memory and the Making of Israeli National Tradition* (Chicago/London: The University of Chicago Press).
14. Breithaupt, *Kulturen der Empathie*, p. 172.

3
Empathy, Ethics, and Politics in Holocaust Historiography

Amos Goldberg

As early as 3 February 1940, some five months after Warsaw had been occupied by the Nazis and some nine months before he was prisoned in the Warsaw ghetto, the Hebrew diarist Chaim Kaplan addressed the question of how Nazism could be understood and represented:

> Descriptive literary accounts cannot suffice to clarify and emphasize its [Nazism's] real quality. And moreover, no writer among the gentiles is qualified for this task. Even a Jewish writer who lives the life of his people, who feels their disgrace and suffers their agony, cannot find a true path here. Only one who feels the taste of Nazi rule in all his [body], only one who has bared his back to the lashes of his whips […] only such a writer, if he is a man of sensitivity […] might be able to give a true description of this pathological phenomenon called Nazism.[1]

Kaplan, who was rightly characterized by Saul Friedländer as 'usually more farsighted than any other diarist',[2] believed that only a direct victim of Nazism could truly understand 'this pathological phenomenon' from within, and therefore, as he asserts in another diary entry, is able to 'shed light upon the darkness of a foul depraved soul'.[3]

More than 70 years later scholars are still debating issues concerning the understanding and the representation of Nazism and the Holocaust.[4] In this chapter I address this problem by analysing the fundamental concept of 'historical empathy', which seems to be an essential enabling condition for mainstream historical understanding (*Verstehen*).[5] Indeed, empathy has played a significant role in historiographical discussions and debates on the Holocaust and has frequently been cited as a moral and professional challenge to historians who write

on such extreme events as the Holocaust.[6] In this chapter, I propose an analytical typology of three forms of empathy that have figured prominently in historiographical debates over the past three decades, namely liberal empathy, conservative empathy and postmodern empathy. I critically discuss each of them while suggesting that they all grapple in very different ways with the fundamental problem of the historical understanding of Nazism. In the second section of the chapter I focus on the latter type of empathy (postmodern) and contend that it endeavours to subvert some of the fundamental assumptions of the two former types (liberal and conservative empathy). In the final section of the chapter I address some of the ethical and political ramifications of this postmodern empathy.

3.1 Liberal empathy

A helpful point of departure for our discussion is Christopher Browning's 1992 *Ordinary Men*.[7] This groundbreaking book, which very quickly became canonical in Holocaust historiography, investigates the Hamburg Order Police's (*Ordnungspolizei*) reserve battalion 101, which participated in the mass killing of Jews in Poland from July 1942 onward. The book reveals the patterns of individual and group behaviour prevalent in the battalion and its members.

Browning's book broke new ground in two respects. On the one hand, it was the first comprehensive study conducted at the rank and file level of the perpetrators. Historiographical attention with regard to the final solution had until then focused either on the Nazi leadership (such as Hitler or Himmler), or on middle level bureaucrats (such as Eichmann and Best), whereas Browning investigated the behaviour and motivations of the actual killers on the ground.[8]

The second striking aspect of this book was the fact that most of the policemen were not fanatical Nazi anti-Semites. They were largely middle-aged reserve policemen who had spent their formative adolescent years in the Weimar republic, and who all came from Hamburg, which was traditionally considered to be a 'red city', and who had been neither trained nor educated to kill Jews. They were 'ordinary men', as Browning called them, with whom one can very easily identify. Yet these ordinary men became mass murderers almost by chance, and it is precisely this transformation that forms the core of the book. In it, Browning investigates the range of choices, behaviour patterns and motivations of these policemen once they were confronted with their new mission of mass killing, and stresses that, from the very beginning,

they all had the option of evading the mission without incurring any form of punishment. Nonetheless, only very few of them refrained from participating in the killing, whereas the vast majority complied. Browning explains this phenomenon within the framework of universal group psychology.[9]

In the book's preface Browning responds in advance to possible critiques of his study. One anticipated line of critique, which is of special interest to us, 'concerns the degree of empathy for the perpetrators that is inherent in trying to understand them'.[10] 'Clearly', he says, 'the writing of such a history requires the rejection of demonization', hence 'I must recognize, that in the same situation I could have been either a killer or an evader – both were human […] *This recognition does indeed mean an attempt to empathize*' (emphasis mine). However, he adds: 'what I don't accept are the old clichés that to explain is to excuse, to understand is to forgive […]. Not trying to understand the perpetrators in human terms would make impossible any history of Holocaust perpetrators that sought to go beyond one-dimensional caricature.'

By advocating empathy as the historian's main epistemological tool (which would 'go beyond one-dimensional caricature'), Browning refers here to the long tradition that emphasizes the role of empathy in the human sciences – a tradition for which Dilthey[11] and Droysen[12] are two prominent spokesmen. This school of thought distinguishes between the methods and goals of the natural and the social sciences. While the former are preoccupied with explaining (*erklären*), the latter focus on understanding (*verstehen*).[13] The process of 'explaining' is conducted by a disengaged researcher who extracts casual or statistical laws pertaining to their object of study. 'Understanding' is something quite different. Both Dilthey and Droysen argue that understanding can be achieved only if the researcher projects some form of empathy onto the object of research, or as Collingwood and his followers have suggested: in order to understand another person as a rational agent, one must re-enact their thoughts.[14] As a historian, Browning must employ the professional and epistemological capacity in addressing and understanding the order, police soldiers', dilemmas, choices and even murderous deeds.

Browning's methodological assumptions are very illuminating, and deserve close scrutiny. His approach rests on two premises – an epistemological and an ethical one. Both are typically liberal in the sense that they assume universal human experiences and universal ethical imperatives which all human beings share.

On the epistemological level Browning presumes some kind of common universal human ground on which he could have assumed

the same roles as his historical protagonists, or as he puts it: 'I must recognize, that in the same situation I could have been either a killer or an evader – both were human.' This assumption of a universal common human ground has several ethical and political ramifications that Browning addresses in the book's afterword, which appeared only in the book's 1998 second edition published after Goldhagen had presented his own interpretation of the same sources on Battalion 101.[15]

As is well known, Goldhagen concluded in his fierce rebuttal of Browning's thesis, what drove these policemen to participate 'willingly' in the murder of the Jews was not some universal social reasoning such as group pressure but rather a number of very particular cultural factors. These policemen were part of the German culture that had cultivated annihilationist hatred against the Jews from the end of the nineteenth century. Having internalized their cultural environment's values and world view, they identified with their mission of mass killing of Jews, and therefore became 'Hitler's willing executioners.' Empathy is at the crux of the matter here. In stark contrast to Browning, Goldhagen fails in his study, as Omer Bartov realized, to display any historical empathy with the killers. His empathy 'is given exclusively to the victims rather than to the perpetrator. In demonizing the perpetrators, Goldhagen makes no attempt to understand them'.[16]

In summarizing the differences between his approach and Goldhagen's, Browning once again raises the issue of identification, and concludes:

> Why does it matter which of our portrayals of and conclusions about Reserve Police Battalion 101 are close to the truth? It would be very comforting if Goldhagen were correct [...]. We would live in a safer world if he were right. But I am not so optimistic. I fear that we live in a world in which war and racism are ubiquitous, in which the powers of governments' mobilization and legitimization are powerful and increasing, in which a sense of personal responsibility is increasingly attenuated by specialization and bureaucratization, and in which peer groups exert tremendous pressure on behaviour and set moral norms. In such a world, I fear, modern governments which wish to commit mass murder will seldom fail in their efforts for being unable to include 'ordinary men' to become their 'willing executioners.'[17]

However, as ethically and politically compelling as it might be, this very assumption of a universal and a-cultural sphere of reasoning and behaviour, which both the historian and the historical agent occupy, was strenuously contested in the last century by philosophers who reflected

on the concept of historical empathy. They claimed that making sense of others' minds must be seen as an activity that is culturally mediated and therefore very problematic when the historical agents are embedded in different and broader social environments than the historian. The historian cannot easily put herself in the shoes of the other person (the historical protagonist) and replicate his thoughts in her mind. If understanding medieval knights, to use Winch's example, requires one to think exactly as the medieval knight did, then it is not clear how such a task can be accomplished from an interpretive perspective constituted by very different cultural presuppositions.[18]

This fundamental theoretical problem is exacerbated when we think of such transgressive and extreme events as the Holocaust. Thus Charles Maier concluded that the 'old Diltheyan program of psychological Verstehen' is doomed to fail because 'it is precisely the extremes of the twentieth century's history […] that make the intuitionist […] project unfeasible […] For most of us there can never be a psychological merging of historian and protagonist.'[19]

Even more radical in his assertions is Dan Diner. In the chapter titled 'Historical Understanding and Counterrationality' in his 2000 *Beyond the Conceivable*,[20] he suggests, while explicitly referring to Droysen's concept of *Verstehen*, that this methodology of historical empathy is doomed to fail and is moreover misleading in the case of Nazism and the Holocaust. This, he maintains, is because the historian and the Nazi historical agent do not share any epistemological common ground of rationality. On the contrary. The Nazis' epistemology is quite different from ours – not only is it irrational but even worse, it is counterrational, in Diner's terms. There is no human common ground on the basis of which empathy can emerge and *Verstehen* be accomplished. Hence the only way to overcome this methodological barrier is to follow the attempt by the victim – namely the *Juderäte* (the Jewish councils in east Europe) – to decipher the Nazi logic, and its ultimate and unavoidable failure.

According to Diner, the Holocaust constitutes the breakdown of our traditional historical rational understanding of *Verstehen*. And on the other hand, it shifts the focus of historical empathy from the perpetrator to the victims (in this case: the Juderäte). In what follows I contend that these are the two traits of postmodern empathy, but for the time being I should note that it is no wonder that Diner's conception of the Holocaust as a *Zivilisationsbruch*[21] in the history of the west, resembles Lyotard's – one of the foremost prophets of postmodernism – earthquake proverb, in which he compares the Holocaust to an earthquake that not

only destroyed the houses and everything above ground, but also the very scientific instruments of measuring the earthquake itself.[22]

Returning to Browning – as we have already mentioned, the problem with historical empathy in our context is not only epistemological but also ethical, and Browning is very well aware of this: to what extent does 'empathically understanding' the murderous Nazi protagonists, like those of the battalion 101 policemen, verge on excusing or forgiving them. On this matter, as we have seen, Browning expresses a very clear opinion: 'what I don't accept are the old clichés that to explain is to excuse, to understand is to forgive'. According to Browning, the historian is capable of distinguishing between professional empathy, to which he is entitled, and emotional and moral empathy, which is unacceptable in this case. However, it appears that things are rather more complicated.

Elaborating on the anthropologist's and the historian's professional identification with the sixteenth and seventeenth centuries witchcraft inquisitor, Carlo Ginzburg wishes us to acknowledge its 'ambiguous implications': 'While reading inquisitorial trials, I often felt as if I was looking over the judges' shoulders, dogging their footsteps, hoping (as they presumably did) that the alleged offenders would be talkative about their beliefs at the offenders' own risk, of course. This proximity to the inquisitor somehow contradicted my emotional identification with the defendant'.[23] The historian's 'self' splits into two here – his professional persona identifies with the inquisitor who wills the defendant to speak, even at her own risk, while his moral persona's emotional solidarity is obviously granted to the defendant. Yet these two personas are not completely disconnected and hence the 'ambiguous implications'.

These implications become far more sensitive and problematic when dealing with the Holocaust. The clear-cut division between epistemological empathy as a means of understanding and ethical empathy as a moral and emotional feeling tends to become less distinct. Historical empathy in the sense of putting oneself (the historian) in the other's (the historical protagonist's) shoes leads one to identify with the logic that guides the other. Consequently, the historian well understands the historical protagonist's motivations, which seem closer to his/her world then he/she might have expected in the first place. Perhaps these extreme criminal deeds are not as outrageous as they appear to be at first glance? When these criminal deeds are rationalized, something of their radicalness tends to disappear. They may still seem to be criminal acts, yet not something which is totally unacceptable.[24] This is precisely what the narrator of Bernhard Schlink's *The Reader* says in regard to Hanna's

crimes: 'When I tried to understand it [...] I was failing to condemn it as it must be condemned. When I condemned it as it must be condemned, there was no room for understanding [...] I could not resolve this [...] it was impossible to do both'.[25]

However, as problematic as this is from both the ethical and epistemological points of view, liberal empathy assumes some universal common humanity and it sets its sights on a universal moral and political lesson relevant to all human beings – beware of being recruited by murderous regimes.

3.2 Conservative empathy

While liberal empathy seeks to construct the perpetrator as a rational agent, conservative empathy seeks to construct him, at least partially, as a moral one. A clear manifestation of this tendency was revealed in the German *Historikerstreit*, a few years before Browning published his *Ordinary Men*. One of the books which actually triggered the *Historikerstreit* was the German historian Andreas Hillgruber's 1986 *Zweierlei Untergang: Die Zerschlagung des Deutschen Reiches und das Ende des europäischen Judentums*.[26] In this book Hillgruber justifies the Wehrmacht's bitter fighting on the eastern front in the winter of 1944–1945, although it actually prolonged the existence of the Nazi regime and consequently facilitated the continued annihilation of the Jews during that time. The issue of empathy and identification is once again at the heart of the argument here, as Hillgruber himself asserts:

> If the historian gazes on the winter catastrophe of 1944–1945, only one position is possible [...] he must identify himself with the concrete fate of the German population in the East and with the desperate and sacrificial exertions of the German army of the East [...] which sought to defend the population from the orgy of revenge of the Red Army, the mass rapine, the arbitrary killing, and the compulsory deportation.[27]

It was precisely this historical empathy that spurred Habermas to intervene so boldly and to begin the debate that later became known as the *Historikerstreit*. As Charles Maier has noted,[28] Habermas' attack on Hillgruber (and his different critique of Nolte) was a continuation of his 1960s dispute with the conservative philosopher of hermeneutics Hans-Georg Gadamer, precisely over the concept of *Verstehen*. To Gadamer, *Verstehen* was possible by virtue of the 'language of tradition

shared' by the historian and the historical protagonist. This, he maintained, could facilitate and guarantee the process of understanding by enabling the historian to penetrate the historical protagonist's value system and to perceive it from within. Yet it was precisely this 'conservative' project of revising an ongoing German tradition and identity that, according to Habermas, stood at the heart of the Gadamerian hermeneutical project, and this was why he rejected it so forcefully. Hillgruber's book, which, by empathizing with the Wehrmacht's value system on the eastern front, appeared to appeal to the Gadamerian tradition of *Verstehen*, reaffirmed Habermas' deep suspicion of this concept. He rejected both Hillgruber's and Gadamer's attempts to link *Verstehen* with empathy because he identified these concepts as part of a dubious, conservative political discourse designed to enable post-war Germans to empathize and identify with certain aspects of the Nazi past so as to redeem the sense of German historical continuity, identity, and tradition.[29] This 'conservative empathy' is still a matter of debate in Germany's public sphere, but has been largely rejected by mainstream Holocaust historians worldwide as unacceptable, dubious, chauvinistic, and coming too close to rehabilitating some aspects of the Nazi past.

3.3 Postmodern empathy: Trauma, disbelief and 'empathic unsettlement'

I now turn to the postmodernist approach to empathy, and investigate it and its ramifications more thoroughly. The focus of my discussion is Saul Friedländer's 2007 *The Years of Extermination: 1939–1945*,[30] which directs the question of empathy within the historical narrative at the victims rather than the perpetrators. In so doing, it radically differs from the approaches associated with the previous types of empathy. On the one hand, by shifting the focus of empathy to the victims, it avoids conservative identification with the perpetrators. Yet on the other hand, Friedländer's major goal is not to promote understanding (*Verstehen*) but rather to 'limit' it by instilling in the reader a sense of 'disbelief'. This 'disbelief' avoids complete closure of the historical narrative and limits the totalizing tyranny of reason that underlies 'liberal empathy'. Postmodern empathy thus evolves from a stark critique of liberal as well as conservative empathy. I now proceed to investigate postmodern empathy and its inherent critique.

The poststructuralist approach to empathy takes issue in many ways with liberal empathy, since it rejects the latter's totalizing universal

assumptions, which tend to repudiate the 'otherness' of history. This denial is twofold – on the one hand, as we have seen above, liberal empathy denies the 'otherness' – namely the unbridgeable gap – of the historical agent vis-à-vis the historian. But even more troubling is its denial of the very 'otherness' of the historical event (the Holocaust) owing to its mega-traumatic dimensions. Liberal empathy thus tends to domesticate the Holocaust by downplaying its vast traumatic excessiveness.

Among many of the leading poststructuralist theorists,[31] such as Levinas, Lacan, Lyotard, Geoffrey Hartman, Shoshana Felman, Cathy Caruth, Julia Kristeva, and Giorgio Agamben, the paradigm of trauma has become explicitly and implicitly very central to their theoretical thinking because of its inherent paradoxes and its focus on issues of 'beyond': belatedness, lack, void, excess, the unspeakable, and the unrepresentable. Most of these thinkers perceive the Holocaust to be a paradigmatic event of trauma, and regard the Holocaust witness/victim/survivor as the paradigmatic embodiment of a traumatized subject. Empathy has played a major role in the work of some of these theorists. Similarly to psychoanalysts,[32] many of them emphasize the challenge of empathically listening to the victim's traumatized testimony without actually fully comprehending it.[33] The listener is required to listen empathically to what is utterly alien to her own experience. She should be able to empathize with the radical otherness of the victim's testimony and experiences – to be able to contain its excessiveness without completely reducing it to comprehendible meaning; to be there for the victim without reducing her testimony to one's own known and more familiar experiences and concepts.

In other words, the witness' testimony transcends conventional language, rhetorical figures, and symbolic forms, and hence creates a lacuna, a void, in the midst of testimony, and in the midst of the witness' as well as the listener's subjectivity. Therefore, the witness-victim as well as her testimony epitomize the radical otherness that destabilizes our cultural and symbolic structures. In this sense the survivors' testimonies, as Felman suggested with regard to the juridical system, pose a fundamental challenge to our symbolic structures.[34] This challenge can only be met through exercising a paradoxical empathy that makes space for the excessive experience of trauma, which by its very definition exceeds the space available within the social and cultural symbolic universe. In her words, the survivors' testimonies 'expand the space available'.

Within the historian's craft, Dominick LaCapra termed this kind of paradoxical affect 'empathic unsettlement', which he believes to be an

essential component of the historian's work when dealing with traumatic pasts such as the Holocaust.[35] He differentiates between 'empathic unsettlement' and identification. While the latter tends to blur the distance between the self and the other (as do liberal and conservative empathy), the former requires the historian to move in opposite directions simultaneously. On the one hand, this concept recognizes the fundamental inherent otherness of the traumatized subject and the traumatic event. This is, after all, precisely how trauma is defined; it is an excessive experience that transcends the existing array of social symbols and images, and this is precisely what renders it so nightmarish.[36] It inevitably remains beyond one's capacity to fully understand it and to endow it with meaning. Yet at the same time, and despite the recognition of the radical otherness of trauma, empathic unsettlement calls for a sense of empathy toward trauma victims. It does not lead the subject (the historian) to seek to enter into the shoes of the individual experiencing trauma and to take his or her place. Instead, it brings him to identify precisely with the traumatic dimension of his existence, thereby recognizing radical separateness, deficiency, and otherness as the inevitable components of one's relationship with someone who experiences trauma, and in fact of social relations in general. Empathic unsettlement compels us to react empathetically to 'others' while being fully aware of their otherness, and at the same time helps us to recognize the component of trauma that prevents any structure, narrative, or relationship from reaching wholeness and closure.

LaCapra therefore insists on the necessity of some kind of empathic unsettlement in response to traumatic events that will be discursively registered in the historical text. Yet at the same time he reminds us that there is no single formula as to how this empathy should actually be achieved by the historian and expressed in the text. This is a creative and unpredictable process, which is oriented at gaining some control of the trauma while at the same time convincing the historian to relinquish the fantasy of completely mastering it. He therefore warns us: 'a post-traumatic response of unsettlement becomes questionable when it is routinized in a methodology or style'.[37] LaCapra stresses that empathic unsettlement should supplement, not replace, historical scrutiny. Yet at the same time it de-fetishizes foundational truths, identities, and national narratives. Hence, it should be regarded as a mild and responsible postmodern position that 'involves a critical and self-critical component that resists closure'.[38]

As Alon Confino asserts, these theoretical notions of history, trauma, and empathy were not very easily translated into actual historical

practice.[39] Contrary to the liberal and conservative versions of historical empathy, which shared (for better and for worse) the traditional notion of historical *Verstehen*, this postmodern empathy signifies precisely the opposite – it marks the very limits of historical comprehension. It does not promote understanding of the perpetrators along universal lines of group psychology (Browning), or along national conservative lines of identification with the German soldiers fighting the enemy in order to protect the German civil population (Hillgruber). It addresses the ethical imperative to empathically listen to the victim's traumatic testimony and to come to terms with its traumatic excess, which is beyond full comprehension. It empathizes with the victims while acknowledging that this empathy epistemologically limits rational understanding.[40] It is the kind of empathy that stands in opposition to, or at least hinders the enlightenment project of historical *Verstehen*.

As we have seen, Dan Diner has made some initial attempts to think through these concepts for the purpose of writing the history of the Holocaust. However, it appears that the historian who has made the most comprehensive attempt to come to terms with these historiographical, theoretical, and ethical issues of empathy, trauma, and witnessing, in the very practice of writing history, is Saul Friedländer, in the two volumes of his 'Nazi Germany and the Jews'[41] (especially in the second volume).

In this book Friedländer explicitly distances himself from Diner's radical scepticism of *Verstehen*. In the introduction he clearly states that he seeks to convey an integral and comprehensive account of the Nazi genocide. Moreover, at a certain point in the book he explicitly debates Diner's 'counter-rational' thesis.[42] Yet this does not indicate that Friedländer believes one can fully historicize or normalize the Holocaust. As a matter of fact, the issues of 'historization' and 'normalization' of the Nazi era lay at the heart of his famous dispute with the German historian Martin Broszat, which according to Friedländer himself motivated him to write this book.[43] Moreover, throughout his career Friedländer has stressed that it is actually impossible to fully integrate the Holocaust into historical understanding. Thus, for example, in his 1989 essay 'The "Final Solution": On the Unease in Historical Interpretation', he writes:

> [...] the 'Final Solution' carries an implicit reference to some sort of 'exemplary' category [...] it is precisely from this perspective that the 'Final Solution' seems exceptional in its opaqueness [to historical understanding]. Paradoxically, the 'Final Solution', as a result of its apparent historical exceptionality, could well be inaccessible to

> all attempts at a significant representation and interpretation. Thus, notwithstanding all efforts at the creation of meaning, it could remain fundamentally irrelevant for the history of humanity and the understanding of the 'human condition.[44]

Friedländer is thus caught up in a dilemma: how should one write a rational history of the Holocaust while not fully normalizing and historicizing its excessive element? Or, from the opposite perspective: how does one acknowledge this history's excessive 'otherness' without reducing Holocaust history to Diner's counter-rationality?

It appears that Friedländer works through this theoretical problem by employing literary devices, which bring us back to the issue of empathy and to his use of the victims' voice and the concept of 'disbelief'.

As many commentators have asserted, one of Friedländer's major innovations and achievements in *Nazi Germany and the Jews* is the integration of the victims' voices and experiences, mostly as they were recorded during the events in diaries, letters, and other written genres, into the overall historical account. Indeed, this is an integrative account in which the perpetrators' deeds and dynamics and the victims' experiences are merged. Thus, the very authoritative voice of the historian narrator Saul Friedländer who sets the historical records straight with a powerful, rational explanatory momentum, is pierced once and again by the victims' voices.

In the introduction chapter to *The Years of Extermination: 1939–1945*, Friedländer explains the historiographical and theoretical considerations that led him to integrate the victims' voices into the historical narrative. Firstly, he suggests, these voices 'are like lightning flashes that illuminate parts of the landscape: they confirm intuitions; they warn us against the ease of vague generalizations. Sometimes they just repeat the known with an unmatched forcefulness'.[45] But secondly, and this is extremely pertinent to our discussion:

> An individual voice suddenly arising in the course of an ordinary historical narrative of events […] can pierce the (most involuntary) smugness of scholarly detachment and "objectivity" […]. *The goal of historical knowledge is to domesticate disbelief, to explain it away. In this book I wish to offer a thorough historical study of the extermination of the Jews of Europe without eliminating or domesticating that initial sense of disbelief* [emphasis mine]

Although, as we have mentioned, while explicitly rejecting Diner's 'counter-rationality', Friedländer nevertheless seeks to keep the historical

account of the Holocaust from being completely historicized, completely understood, and completely implanted within the realm of *Verstehen*, or in his words: he wishes to avoid completely domesticating disbelief. He therefore turns, like Diner, to the other major historical agent of the genocide – the victim, whose voices convey to the reader the way the events were experienced by those who suffered them so cruelly.[46] This voice is so shocking that it creates the essential feeling of disbelief, which avoids a fully historicized account of the genocidal event. This feeling of disbelief is thus achieved through an essential sense of empathy that the reader feels toward the victims' experiences, and which, despite the historical explanation, instils her with awe. This ostensibly appears to be a brilliant manifestation of the 'empathic unsettlement' demanded by LaCapra, which transcends totalizing closure without collapsing into complete rejection of historical understanding.

Nonetheless, one is certainly left with some doubts on this matter. I have elsewhere[47] argued that in our current 'era of the witness',[48] set within a culture addicted to the 'excessive', the voices of the victims and the witnesses appear to have lost their radical force. They no longer seem to bear the excess of history, and can thus hardly claim to be the guardians of disbelief or unsettlement. In our current culture, I contend, the excessive voices of the victims have, to some extent, exchanged their epistemological, ontological, and ethical radical function for an aesthetic one. They operate according to the pleasure principle in order to bring us, the consumers of Holocaust images, the most expected image of the 'unimaginable', which therefore generates a melancholic pleasure and involves the narrative in melodramatic aesthetics rather than generating a genuine sense of 'disbelief'.

This tendency is intimately connected to what Eva Illouz calls the rise of the 'homo sentimentalis' in a culture that has adopted a fundamentally therapeutic narrative of the self. She regards this as one of the most prevailing features of current Western culture.[49] In two of her recent books,[50] she portrays this cultural age as centred on the suffering of the individual, which becomes its major feature in constructing the self. Oprah Winfrey's show is so successful because it presents individual narratives of suffering and self-improvement while portraying even herself, at the height of her successful career, as a fragile, post-traumatic woman. Such an image of the self is so popular and fundamental in our era because 'the individual has become embedded in the culture saturated with the notion of rights. Both individuals and groups have increasingly made claims to "recognition", that is, demanded that one's suffering be acknowledged and remedied by institutions'.[51] Or, as Robert Hughes

puts it: 'Our culture is an increasingly confessional culture, one in which the democracy of pain reigns supreme'.[52] In such a culture, the voice of the victim is anything but the bearer of disbelief and unsettlement.

Whether or not Friedländer's use of the victims' voices in his narrative achieves the goal of disbelief, I regard it as the most comprehensive and daring attempt to actually write history while seriously addressing postmodern unsettling empathy (with the victims), which structurally and analytically limits the tyranny of a complete historical understanding. There is, however, a further unsettling dimension, besides this structural-analytic one, to be seriously considered in this postmodern unsettling empathy, namely its intimate and essential relation to the identity of the victims with whom one is expected to empathize.

3.4 Empathy and identity

As postmodern empathy is fundamentally based on unsettlingly empathizing with the Jewish victim (allegedly culminating in a sense of disbelief), it bears another disruptive dimension not completely disconnected from the one, which we have just described.

Since it follows the imperative to emphasize with the Jewish victims who are Europe's traditional ultimate 'other', this form of empathy consequently transcends exclusionary, conservative narcissistic identity. It not only acknowledges the vast crime committed against the Jews, but also endeavours to integrate the Jewish perspective, which for centuries was perceived to be alien to Christian and European history, and to empathize with it in a self-critical mode. It empathically includes within its narrative those who for centuries were excluded from it. Thus, it expands traditional German and European self-identity in order to empathically come to terms with its ultimate other. In such forms of narration, the crime becomes less abstract and rather concretely human. Such narratives internalize the very real suffering perspective of the Jewish victims, which includes also feelings such as rage and aversion that critically destabilize Christian, European, and German identity and heritage. Within this cultural framework, Germans, Europeans, and Christians are expected to overcome anti-Jewish prejudice and images in order to empathize with their 'other', who was for many centuries predominantly perceived as their rival if not enemy.

Indeed, this tendency to write empathically about the Jewish victims' experiences and to focus on their suffering and points of view has become commonplace in popular culture,[53] but also among the leading historians of the final solution. A good example is that of Götz Aly, who

has on more than one occasion stressed the historiographical imperative to empathize with the victims, as he did in his rather surprising intervention in support of Goldhagen.[54] This approach is likewise evident in his biographical account of the 11-year-old Marion Samuel, a Jewish girl deported from Berlin to Auschwitz in 1943.[55] A further example is Christopher Browning's recent book – *Remembering Survival*[56] – on the Starachowice labour camp, which relies almost exclusively on 292 testimonies of Jewish survivors. Thus the postmodern tendency to empathically listen to the 'Jewish victim's voice' has not only a structural-analytic dimension but also cultural and ethical/political ones. From a European/Christian identity perspective, incorporating the Jewish victimized experiences presents a great ethical challenge – the postmodern challenge of the other!

This moral and political challenge stems in many respects from the vast catastrophes of the twentieth century, among which the Holocaust is iconic. It stands in stark opposition to totalitarian and redemptive political ideologies as well as to nationalistic and chauvinistic narcissism, typical of the modern nation state that tends to be incapable of recognizing the 'other' as such. Such identity structures tend either to reduce the 'other' to the 'we' and demand that she give up (or minimize) her own distinct identity (assimilation), or to discriminate, persecute, expel, ethnically cleanse, kill, and in extreme cases such as the Holocaust even exterminate her.[57] Such identity structures are caught up in what Zygmunt Bauman calls: The Dream of Purity:

> Nazism and Communism excelled in pushing the totalitarian tendency [of purity] to its radical extreme – the first by condensing the complexity of the 'purity' problem in its modern form into that of the purity of race, the second into that of the purity of class. Yet totalitarian cravings and leanings made their presence visible, albeit in a slightly less radical form, also in the tendency of the modern nation-state'.[58]

Listening to the Jewish voice and empathizing with the Jewish victim's position thus seems to counter, from a European perspective, these dangerous tendencies.[59]

One may of course raise some doubts here as well.

One may question, for example, to what extent should the Jews still be perceived as Europe's ultimate 'other', and whether including the Jewish victimized perspective still poses so great a challenge to European modes of historical narration.[60] It seems to me as though it has become

relatively easy to identify with the Jewish victims of the past, now that the Jews –collectively and frequently individually – are no longer the victims of history but rather powerful historical agents; they are no longer the 'other' of Western civilization, but rather, at least among the elites, an essential and desired part of its joint "Judeo-Christian" heritage.[61] Thus Jonathan Boyarin's critique is very pertinent here: 'in fact', he says in regard to Holocaust memory, 'we can only empathize with, feel ourselves into, those we can imagine as ourselves'.[62]

In the following pages, however, I briefly address a different question – how does this emphasis on the Jewish victims, or even the imperative to empathize with them and to listen to their voices,[63] which was supposed to disrupt structural closure and avoid consolidating conservative exclusionary national identity, function within a Jewish-Israeli perspective and in an Israeli historical narrative?

Such postmodern empathy with the Jewish victims obviously bears completely different meaning to Jews and to European/Western non-Jews. Whereas for non-Jews this might mean extending one's empathy to one's traditional 'other', for Jews it means precisely the opposite, since to them the Jews are obviously not the 'other'. On the contrary, demanding of the other to identify with oneself thus might tend to consolidate a narcissistic, victimized self-identity, which is in any case a self-empathy, and as such does not present a moral challenge of 'expanding the space available' or unsettling an overly rigid identity. In the Israeli context one may even claim that such empathy actually functions in precisely the opposite direction. As Idith Zertal, Moshe Zuckerman and many others have demonstrated,[64] it tends to make Israelis feel like eternal victims, continuously threatened by anti-Semitism, which is perceived in a-historical and essentialist terms. It tends to fortify tribal exclusionary 'instincts' and an extremely exclusionary ethnic identity. From a Jewish Israeli perspective, there is absolutely no challenge involved in empathizing with one's own sufferings. Thus, what allegedly functions in the European and certainly in the German context as a postmodern insistence on otherness, tends to fortify an exclusionary nationalistic identity from a Jewish and especially an Israeli perspective. Or in other words, what may be considered in the European and German contexts as a challenging postmodern empathy, should be viewed in the Israeli context as a starkly conservative form of empathy.

In Émile Benveniste's linguistic terms this is a clear case of similar utterances ('one should empathize with the Jewish victims in the Holocaust and listen to their voices') constituting different or even contradictory enunciations.[65] When uttered in a European context this

statement means one thing and in an Israeli context it means something other. In the former it means 'expand the space available' in order to include the allegedly disruptive (Jewish) other within your historical narrative and to avoid structural closure; while in the latter it might mean narcissistically identifying oneself as the eternal victim of history and indulging in chauvinistic self-pity. While for Europeans, emphasizing with the Jewish victims might be perceived as unsettling, for Jewish Israelis it certainly is not.

How, then, can testimony and empathy retain their crucial postmodern unsettling character also in the Israeli context and within a Jewish narrative? How can they adhere to the postmodern ethics of avoiding closure, destabilizing rigid ethnic identities, and disrupting redemptive structures?

The answer is very simple to my mind – postmodern empathy in the Israeli context must address not only its own voices of victimhood but also the voices of its real other, namely those of the Palestinians. Or to phrase this better – it has to find a way to listen to these unsettling and challenging voices vis-à-vis the Holocaust Jewish voices that have become paradigmatic to postmodern unsettling empathy.

This is, of course, not the case today in Israel. On the contrary, the intensive Holocaust memory that dominates the public sphere tends to block empathy toward the Palestinians rather than stimulate it. As a matter of fact, never has the imperative to empathize with Holocaust victims and witnesses been so powerful, ubiquitous, and universally demanded in contemporary Israel, and never has the imperative to listen to the voices of the Palestinians – the real other confronting Israeli Jews – bearing witness to the *Nakba* or to the widespread deprivation and violation of fundamental collective and individual human and civil rights, been so weak. This discourse is in fact not merely weak but fundamentally denied, silenced, and punished when articulated by Palestinians, and condemned as treason when expressed by Jews. An example of this is the *Breaking the Silence* group of soldiers who testify to the evils of the occupation.[66] Silencing the Palestinian victim's voice is, furthermore, one of the major undertakings of the current Israeli Parliament.[67]

In the realm of historiography things are not very different. While the imperative to empathically include the voices of Jewish Holocaust victims first raised by Jewish and Israeli historians[68] has, as we have seen, become commonplace in mainstream Holocaust historiography and presents a paradigmatic ethical challenge to postmodern theory, it has thus far been rejected by mainstream Israeli historiography of

the 1948 war. Benny Morris, for example, whose ground-breaking book had a tremendous impact, rejects any reliance on oral testimonies, and has thus been criticized for narrating a biased narrative which is based almost exclusively on Zionist and British sources yet ignores Palestinian sources, most of which are oral.[69] This tendency to dismiss the Palestinian witness is evident even in the writing of the Israeli historian Tom Segev, who is generally very courageous and open-minded in his writing.

In 2002 Segev reviewed the Hebrew translation of the Lebanese author Elias Khoury's novel *Bab el Shams* (Gate of the Sun).[70] This novel depicts the story of the ongoing Palestinian *Nakba* – from the flight/expulsion from Palestine in 1948 up to 1990s Lebanon. The fictional narrative is based on numerous testimonies which the author collected from Palestinians in various refugee camps. In his review Segev accuses Khoury of having exaggerated the horrors, noting, inter alia, Khoury's description of the massacre committed by the Israeli army in the village of Sha'ab, near Acre (July 1948, during the course of Operation Dekel). He regards this as fiction: 'What is written about Sha'ab in Benny Morris's book about the birth of the refugee problem – comes nowhere close to this horror'. And Segev continues:

> All these are things that go beyond the writer's poetic license: To relate to them it is necessary to know first of all whether there is any truth in them. The burden of proof is on the teller. If there is no truth to them – it is not proper to make fictional use of them. Khoury is not known in Israel, and there is no reason to believe him.[71]

By relying on Morris, Segev duplicates the silencing of the Palestinian witnesses and hence, as Adina Hoffman points out,[72] was somewhat hasty in his criticism. Khoury's descriptions in *Gate of the Sun* are perfectly in keeping with a number of authoritative accounts of the events in question, including the seminal works of Nafez Nazzal and Rosemary Sayigh. More recently, the historian Adel Manna (forthcoming) has completed the picture, further corroborating Khoury's version of events based largely on very many oral testimonies.[73] In fact, several Palestinian intellectuals such as Mustafa Kabha and Salman Natur, who collected vast amounts of Palestinian testimonies, have shown that such instances of atrocities and intentional murder were far more frequent in the 1948 war than is generally assumed by the historiography that excludes oral testimonies.[74] Yet these voices hardly make their way into the Israeli Jewish public sphere and have very little 'unsettling' impact.

It is beyond the scope of this essay to investigate how Holocaust testimonies can regain their unsettling quality in the Israeli context by juxtaposing them, as I suggest, with Palestinian testimonies. Suffice it to say that I believe this should be done through the figure of the refugee, which historically and conceptually links the Holocaust to the *Nakba*, both of which are located on a type of continuum, despite the radical difference between these two events.[75] Written in 1951, the words of Hannah Arendt, who herself underwent the refugee experience and wrote a fair amount about it, are worthy of extensive citation in this context:

> Hitler's solution of the Jewish problem first to reduce the German Jews to a non-recognized minority in Germany, then to drive them as stateless people across the borders, and finally to gather them back from everywhere in order to ship them to extermination camps, was an eloquent demonstration to the world how really to 'liquidate' all problems concerning minorities and stateless. After the war it turned out that the Jewish question, which was considered the only insoluble one, was indeed solved – namely by means of a colonized and then conquered territory – but this solved neither the problem of the minorities nor the stateless. On the contrary, like virtually all other events of our century, the solution of the Jewish question merely produced a new category of refugees, the Arabs, thereby increasing the number of stateless and rightless by 700,000–800,000 people. And what had happened in Palestine [...] was then repeated in India on a large scale [...] Since the Peace Treaties of 1919 and 1920, the refugees and stateless have attached themselves like a curse to all the newly established states on earth which were created in the image of the nation state.[76]

According to this political thinking, refugees and stateless persons are not merely unfortunate beings deserving of pity and empathy. They are above all a symptom of the nation state's modern political structure, which encompasses intrinsic and potentially disastrous dangers, the severity of which may vary from case to case although they are located on the same general plane.

On the one hand, the nation state inevitably creates refugees, while on the other their very being presages the disintegration of the nation state, which is necessarily founded on equality before the law, the principle that replaced the feudal arrangements based on a comprehensive web of privileges. The refugee thus constitutes a political category whose structured exclusion undermines the structure of the political

system that created it in the first place. And vice versa: the refugee, whose radical difference within a given political order has turned him into what he is, becomes yet more different and threatening once he is transformed into a being who is totally excluded from the political order and denied its protection. As such, he is almost completely exposed to all the ills of this world. This is why empathy toward the refugee presents such a great challenge and is so unsettling, since it is directed at the traumatic element within the modern nation state. For this reason, empathy toward the refugee is not a type of readily acquired pleasurable identification entirely lacking any political or practical commitment. It is rather a willingness to be receptive and to identify precisely with that traumatic core of otherness that the refugee manifests, and which challenges and undermines the political system within which he is constantly being produced. The refugee is thus the 'other' of the political system made up of nation states. Extending empathy to the refugees, be they Jewish or Palestinian, thus does indeed 'expand the space available' (Felman) and fundamentally unsettles rigid conservative ethnic identities. In this sense Jews and Palestinians can empathize with their own political suffering while also extending empathy to each of their real 'others.' One can detect such tendencies in the work of some of the most interesting Israeli and Palestinian authors such as the above-mentioned Elias Khoury[77] and the Israeli poet Avot Yeshurun.[78] But this is really beyond the scope of this chapter, although I genuinely believe we should follow in their footsteps.

Notes

1. C. Kaplan (1973) *Scroll of Agony*, translated by A. I. Katsh (New York: Collier Books), p. 115.
2. S. Friedländer (2007) *The Years of Extermination: 1939–1945* (New York: Harper Collins), p. 41.
3. Kaplan, *Scroll of Agony*, p. 121 (20 February 1942).
4. Alexandra Garbarini suggests in her study on Holocaust diaries that such 'postmodern' issues of representation were extensively discussed by Jewish diarists during the Holocaust. A. Garbarini (2006) *Numbered Days: Diaries and the Holocaust* (New-Haven: Yale University Press).
5. For an extended discussion of historical *Verstehen* and Holocaust historiography, see: K. Ball (2008) *Disciplining the Holocaust* (Albany: SUNY Press), p. 35ff.
6. It is worth mentioning here Boaz Neumann's historiographical approach which he calls 'phenomenological' and which aspires to bypass these problems of empathy. In this approach the historian does not seek to explain (in a casual way) the object of research or to 'translate' it to a different set of

concepts but rather to focus on the historical phenomenon as it presented itself without even morally judging it (including the Nazi phenomenon). See for example Neumann, B. (2012) 'The Phenomenology of the German Volkskörper and the Annihilation of the Jewish Body' in B. Neumann et al. (eds) *History and its Discontents: Between Germans and Jews* (Tel Aviv: Am Oved), pp. 149–74 (Hebrew).

7. C. Browning (1992) *Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland* (New York: Harper Collins).
8. See A. Goldberg (2006) 'One out of Four: On What Jaeckel, Hilberg and Goldhagen Have in Common and What is Unique about Christopher Browning', *Yalkut Moreshet*, (Winter), pp. 55–86 (Hebrew).
9. Browning *Ordinary Men*, pp. 159–90.
10. Ibid., pp. XIX–XX.
11. On this topic, see: A. Harrington (2001) 'Dilthey, Empathy and Verstehen: A Contemporary Reappraisal', *European Journal of Social Theory*, 4(3), pp. 311–29.
12. J. G. Droysen (1977) *Historik* (Stuttgart: Frommann-Holzboog).
13. This methodological dualism is famously expressed by Droysen in saying that 'historical research does not want to explain; that is, derive in a form of an inferential argument, rather it wants to understand' (Droysen *Historik*, p. 403), and similarly in Dilthey's dictum that 'we explain nature, but understand the life of the soul'. Quoted in: K. Stueber (2013) 'Empathy' in E. N. Zalta (ed.) *The Stanford Encyclopaedia of Philosophy, [online] (Spring Edition)*. Available at: http://www.science.uva.nl/~seop/entries/empathy/.
14. R. G. Collingwood (1946) *The Idea of History* (Oxford: Clarendon Press).
15. D. J. Goldhagen (1996) *Hitler's Willing Executioners: Ordinary Germans and the Holocaust* (New York: A. Knopf). As is very well known, Daniel Goldhagen followed up on this case and came to very different conclusions. This was the most fervent debate in Holocaust historiography of the mid-90s. On this dispute, see: G. Eley (ed.) (2000) *The Goldhagen Effect: History, Memory, Nazism--Facing the German Past* (Ann Arbor: University of Michigan Press); J. Heil and R. Erb (eds) (1998) *Geschichtswissenschaft und Öffentlichkeit: der Streit um Daniel J. Goldhagen* (Frankfurt am Main: Fischer Taschenbuch Verlag).
16. O. Bartov (2000a) 'Reception and Perception' in Geoff Eley (ed.) *The Goldhagen Effect*, p. 55.
17. Browning *Ordinary Men*, pp. 222–23.
18. P. Winch (1990) *The Idea of a Social Science and its Relation to Philosophy*, 2nd edn (London: Routledge and Kegan Paul), p. 132.
19. C. Maier (1998) *The Unmasterable Past: History, Holocaust, and German National Identity* (Cambridge, MA: Harvard University Press), p. 98. See also a very similar notion in regard to the Wehrmacht soldiers: O. Bartov (2000b) *Mirrors of Destruction: War, Genocide, and Modern Identity* (Oxford: Oxford University Press), p. 27.
20. D. Diner (2000) *Beyond the Conceivable: Studies on Germany, Nazism, and the Holocaust* (Berkeley, Los Angeles and London: University of California Press), pp. 117–37.
21. D. Diner (ed.) (1988) *Zivilisationsbruch: Denken nach Auschwitz* (Frankfurt am Main: Fischer Taschenbuch).

22. J. F. Lyotard (1989) *The Differend: Phrases in Dispute*, trans. G. Van Den Abbeele (Minneapolis: University of Minnesota Press). One may claim that Diner's anti-empathy historical methodology echoes to a certain extent the structure of a negative theology as proposed, for example, by Maimonides. Since we human beings have absolutely no shared ground with God, we cannot actually articulate any positive statement about Him. We can only refer to Him negatively by alluding to what He is not. Thus the Nazis are somehow elevated within Diner's conceptualization to the status of what Dominick LaCapra calls 'negative sublime' in his (1998) *History and Memory after Auschwitz* (Ithaca: Cornell University Press), pp. 8–43.
23. Carlo Ginzburg (1989) *Clues Myth and Historical Methods* (Baltimore: Johns Hopkins University Press), p. 158.
24. This kind of critique was directed at Götz Aly and Susanne Heim when they first published their groundbreaking book (2003): *Architects of Annihilation: Auschwitz and the Logic of Destruction* (London: Phoenix). See, for example: D. Diner *Beyond the Conceivable*, pp. 138–59.
25. B. Schlink (1997) *The Reader*, translated by C. B. Janeway (New York: Pantheon Books), p. 157.
26. A. Hillgruber (1986) *Zweierlei Untergang: Die Zerschlagung des Deutschen Reiches und das Ende des europäischen Judentums* (Berlin: Siedler).
27. Ibid., p. 24.
28. Maier *The Unmasterable Past*, pp. 42–3.
29. See also R. Evans (1989) *In Hitler's Shadow: West German Historians and the Attempt to Escape the Nazi Past* (New York: Pantheon Books) (especially pp. 57–65).
30. See S. Friedländer *The Years of Extermination*.
31. See R. Eaglestone (2004) The *Holocaust and the Postmodern* (Oxford: Oxford University Press).
32. J. L. Herman (1992) *Trauma and Recovery* (New York: Basic Books).
33. S. Felman and D. Laub (1992) *Testimony: Crises of Witnessing in Literature, Psychoanalysis, and History* (New York: Routledge); G. Agamben (1999) *Remnants of Auschwitz: The Witness and the Archive* (New York: Zone Books).
34. S. Felman (2001) 'Theaters of Justice: Arendt in Jerusalem, the Eichmann Trial, and the Redefinition of Legal Meaning in the Wake of the Holocaust', *Critical Inquiry*, 27(2), pp. 201–38; see also L. Bilsky (2004) *Transformative Justice: Israeli Identity on Trial* (Ann Arbor: University of Michigan Press), pp. 105–13, 25–252.
35. D. LaCapra (2001) *Writing History Writing Trauma* (Baltimore: Johns Hopkins University Press).
36. This is already very evident in Freud's writings. See, for example (1971) 'Beyond the Pleasure Principle' in J. Strachey (ed.) *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, vol. 18, translated by J. Strachey (London: Hogarth), pp. 7–64.
37. LaCapra *Writing History*, p. 47.
38. Ibid., p. 35.
39. A. Confino (2009) 'Narrative Form and Historical Sensation' *History and Theory* 48 (October), pp. 199–219. See also D. Stone (2003) *Constructing the Holocaust* (London: Vallentine Mitchell); Friedländer, S. (1995) 'Trauma,

Memory, and Transference' in G. Hartman (ed.) *Holocaust Remembrance* (Cambridge, MA: Blackwell), pp. 252–63.

40. For a stark critique of this tendency to limit historical understanding with regard to the Holocaust, see I. Clendinnen (1999) *Reading the Holocaust* (Cambridge, UK: Cambridge University Press).
41. S. Friedländer (1997) *Nazi Germany and the Jews*, vol. I, *The Years of Persecution: 1933–1939* (New York: HarperCollins); S. Friedländer (2007) *The Years of Extermination 1939–1945: Nazi Germany and the Jews*, vol. II: (New York: HarperCollins).
42. Friedländer, *The Years of Extermination*, p. 557.
43. M. Broszat/S. Friedländer (1988) 'A Controversy about the Historicization of National Socialism', *New German Critique*, 44, Special Issue on the Historikerstreit (Spring–Summer), pp. 85–126. On numerous occasions Friedländer referred to this controversy as having motivating him to write the book. See, for example, his interview (2007) *Der Spiegel,* [online] 8 October. Available at: http://www.spiegel.de/international/germany/spiegel-interview-with-israeli-historian-saul-friedlaender-the-holocaust-wont-disappear-a-510071.html.
44. S. Friedländer (1989) 'The 'Final Solution': On the Unease in Historical Interpretation', *History and Memory*, 1(2), pp. 72–3. He makes very similar assertions in the introduction to *Probing the Limits of Representation*: 'The Shoah carries an excess, and this excess cannot be defined except by some sort of general statement about something 'which must be able to be put into phrases [but] cannot yet be'. Friedländer, S. (1992) 'Introduction' in S. Friedländer (ed.), *Probing the Limits of Representation: Nazism and the 'Final Solution'* (Cambridge, MA: Harvard University Press) pp. 3, 19–20.
45. Friedländer *The Years of Extermination*, p. xxv.
46. This reminds us of Chaim Kaplan, with whom we began this essay.
47. A. Goldberg (2009) 'The Victim's Voice and Melodramatic Aesthetics in History', *History and Theory*, 48, pp. 220–37. See also D. LaCapra (2011) 'Historical and Literary Approaches to the 'Final Solution': Saul Friedländer and Jonathan Littell', *History and Theory*, 50(1), pp. 71–97.
48. A term coined by the historian A. Wieviorka (2006) *The Era of the Witness* (Ithaca, NY: Cornell University Press).
49. E. Illouz (2007) *Cold Intimacies: The Making of Emotional Capitalism* (Cambridge UK: Polity Press).
50. E. Illouz (2003) *Oprah Winfrey and the Glamour of Misery* (New York: Columbia University Press).
51. Illouz, *Cold Intimacies*, p. 56.
52. Quoted in Illouz *Cold Intimacies*, p. 57.
53. See A. Goldberg (2012) 'The 'Jewish Narrative' in the Yad Vashem Global Holocaust Museum', *Journal of Genocide Research,* 14(2), pp. 187–213.
54. G. Aly (1998) 'The Universe of Death and Torment', *Yad Vashem Studies*, 26, pp. 365–75.
55. G. Aly (2007) *Into the Tunnel: The Brief Life of Marion Samuel 1931–1943* (New York: Metropolitan Books).
56. C. Browning (2010) *Remembering Survival: Inside a Nazi Slave Labor Camp* (New York and London: W. W. Norton and Company).
57. See for example Hanna Arendt in note 74.

58. Z. Bauman (1997) 'The Dream of Purity' in *Postmodernity and its Discontents* (New York: Blackwell Publishers), pp. 5–16. Quote from p. 12.
59. The 'Jew' appears to play such a role in Lyotard's philosophy. See for example: J.-F. Lyotard (1990) *Heidegger and 'the jews'*, translated by A. Michel (Minneapolis: University of Minnesota Press). See too Daniel Boyarin's critique on Lyotard's tendency to allegorize the 'Jew' as the 'other': D. Boyarin (1994) *A Radical Jew: Paul and the Politics of Identity* (Berkeley: University of California Press) (Chapter 9).
60. Steven Aschheim claims in his chapter in this volume that it is comparatively simple to empathize with Jewish victims who are Europeans, after all. For a different view, see C. Dean (2004) *The Fragility of Empathy after the Holocaust* (Ithaca and London: Cornell University Press).
61. As for example the German Chancellor Angela Merkel, representing the presidency of the EU, declared in a press conference in March 2007 to mark the signature of the Declaration of Berlin, commemorating the 50th anniversary of the founding of the European Economic Community, 'the Judeo-Christian values … sustain the EU … we are marked by this Judeo-Christian past', quoted in: H. Yilmaz (2007) 'Turkish identity on the road to the EU: basic elements of French and German oppositional discourses', *Journal of Southern Europe and the Balkans*, 9(3), p. 296.
62. Quoted in Dean *The Fragility of Empathy*, p. 9.
63. This is very evident in many of the Holocaust museums and exhibitions, such as those in Yad Vashem, in Bergen Belsen, in the Berlin Memorial, and in many other sites.
64. I. Zertal (2005) *Israel's Holocaust and the politics of nationhood*, (Cambridge: Cambridge University Press); M. Zuckermann (1998) *Zweierlei Holocaust: der Holocaust in den politischen Kulturen Israels und Deutschlands* (Göttingen: Wallstein).
65. E. Benveniste (1971) *Problems in General Linguistics* (Coral Gables, Florida: University of Miami Press).
66. A group of the Israeli army veterans who testify on the evils of the Israeli occupation see their website: On Israeli official attempts to choke this and other human rights groups see for example (2009) 'Group that exposed 'IDF crimes' in Gaza slams Israel bid to choke off its fund', *Haaretz*, [online] 26 July. Available at: http://www.haaretz.com/print-edition/news/group-that-exposed-idf-crimes-in-gaza-slams-israel-bid-to-choke-off-its-funds-1.280712.
67. For example the law sanctioning memorialization of the Palestinian Nakba. See for example (2012) 'Chilling effect of the Nakba Law on Israel's human rights', *Haaretz*, [online] 17 May. Available at: http://www.haaretz.com/opinion/chilling-effect-of-the-nakba-law-on-israel-s-human-rights-1.430942.
68. See, for example, Philip Friedman's early work of 1957: P. Friedman (1976) 'Problems of Research on the European Jewish Catastrophe' in Y. Gutman and L. Rothkirchen (eds), *The Catastrophe of European Jewry* (Jerusalem: Yad Vashem), p. 643.
69. M. Palumbo (1990) 'What Happened to Palestine? The Revisionists Revisited', *The Link*, 23(4), pp. 4–7; N. Masalha (1991) 'A Critique of Benny Morris', *Journal of Palestine Studies*, 21(1), pp. 90–7.
70. E. Khoury (2006) *Gate of the Sun*, translated by Humphrey Davies (London: Vintage).

71. T. Segev (2002) 'Two Trials Haven't Solved the Mystery', *Haaretz*, [online] 1 March. Available at: http://www.haaretz.com/two-trials-haven-t-solved-the-mystery-1.51603.
72. A. Hoffman (2006) 'Recollecting the Palestinian Past', *Raritan* 26 (2), pp. 52–61, p. 56.
73. In Chapter 4 of his manuscript, Dr Manna devotes four pages to the events at Sha'ab. I am grateful to him for having shared this information with me.
74. See for example: S. Natur *The Life and Death of the Old Sheik* (Hebrew, originally Arabic), translated to Hebrew by Yehuda Shenhav Sharhabani, forthcoming in Hebrew, and see also Shenhav's translator's epilogue, which is very relevant to our discussion (I am deeply grateful to Prof. Shenhav for showing me this fascinating manuscript). See also Mustafa Kabha's lecture (Hebrew). Available at: http://www.youtube.com/watch?v=hg-unnyuKuA/. One should, though, mention the Israeli *Zochrot* activists group, which promotes such issues, adopting the catastrophe discourse of memory, testimony, and trauma <http://zochrot.org/en>.
75. On the historical and analytically conceptual continuum of the Holocaust, other genocides and ethnic cleansings, see: M. Mann (2005) *The Dark Side of Democracy: Explaining Ethnic Cleansing* (Cambridge University Press); M. Levene (2005) *Genocide in the Age of the Nation-State* (London: I. B. Tauris); D. Bloxham (2009) *The Final Solution: A Genocide* (Oxford: Oxford University Press).
76. H. Arendt (1973) *The Origins of Totalitarianism* (New York: Harcourt Brace Jovanovich), p. 290.
77. Mostly in his above-mentioned novel: Khoury *The Gate of the Sun*. See my analysis in 'Narrative, Testimony, and Trauma: The Nakba and the Holocaust in Elias Khoury's Gate of the Sun' (forthcoming, in Hebrew).
78. Best known in his famous 1952 poem 'Passover over Caves' – See H. Hever (2012) 'The Post-Zionist Condition', *Critical Inquiry*, 38, pp. 630–48.

Part II
Changes in Historical Sensibility

4

Empathy in the Theater of Horror, or Civilizing the Human Heart

Ute Frevert

In our times, and particularly among Europeans, there seems to be a general consensus that people should be treated with dignity. Dignity has become a crucial political concept and a rallying cry that has been able to mobilize large numbers of citizens. The use of what is perceived as humiliating language or practice encounters sharp criticism. Forms of punishment, state-imposed or other, that appear to infringe on human dignity are not accepted by popular opinion. This includes shame sanctions administered by the US legal system, as much as physical and emotional cruelty, not solely but especially when displayed in public. European citizens are appalled by practices in countries such as China, Saudi-Arabia, Iran, or Afghanistan, where executions (abolished in EU member states) are deliberately and intentionally carried out in public in order to attract large groups of spectators. Terrorist Islamic groups that proudly record the decapitation of hostages and invite the world to watch provoke loathing and aversion.

Why are we so appalled by these kinds of spectacles? What separates 'us' from 'them', from those who seem unable to share our delicate feelings? When and why did Europeans become so infatuated with the notion of human dignity? And how did they develop that sense of empathy or, more precisely, compassion, which cannot tolerate any violation of human dignity, whether by state actions and/or by individual citizens? To reverse the question, what prompts people in other parts of the world to block empathy and agree to, or even enjoy, seeing other human beings suffer?

Phrasing the question in such a manner requires two clarifications. First, its aim is not to construct an essentialist divide between Europeans and non-Europeans. Indeed, as this chapter will argue, Europeans used to act in a similar fashion in the past with crowds gathering at

execution sites and curiously watching how convicts suffered a painful death by the hands of the hangman. In a similar fashion, scenes of public humiliation had been common in European towns and villages, and were only banished towards the mid-twentieth century, after a dramatic and violent re-staging in the 1930s and 1940s. The triumph of empathy/compassion and the quest for human dignity are rather recent inventions preceded by centuries of deliberate violence while empathy was being consistently and successfully blocked.

Second, the fact that there is now a general public European consensus condemning violence, renouncing cruelty, and monitoring human rights violations does not exclude the possibility that individual citizens privately condone such practices. Horror movies find eager audiences, and so do videos depicting incidents in which people are shamed and humiliated. Time and again, surveys reveal that a large number of people (often the majority) would support the death penalty for particular crimes and criminals. Furthermore, there seems to be a great interest in actually watching offenders die. Photos and videos depicting capital punishment circulate freely, and emotional responses are highly diverse.[1] Empathy with those who are executed in more or less cruel ways is only one option, and certainly not the most common and conspicuous one. As Susan Sontag remarked so aptly, ‘no “we” should be taken for granted when the subject is looking at other people’s pain’.[2]

How can one make sense of such phenomena? Two hundred years ago the German philosopher Immanuel Kant referred to the ‘principle of contrast’ that he saw at work in human psychology. People’s ‘enjoyment increases through comparison with others’ pain, while their own pain is diminished through comparison with similar or even greater sufferings of others’. What actually made this comparison possible was sympathy (*Mitleiden*), fellow-feeling, putting oneself in the other’s shoes:

> This is why people run with great desire, as to a theater play, to watch a criminal being taken to the gallows and executed. For the emotions and feelings which are expressed in his face and in his bearings have a sympathetic effect on the spectators and, after the anxiety the spectators suffer through the power of the imagination […], the emotions and feelings leave the spectators with a mild but nevertheless genuine feeling of relaxation, which makes their subsequent enjoyment of life all the more tangible.[3]

Kant was writing at a time when public executions were a common sight everywhere in Europe. Yet the eighteenth century also witnessed the emergence of a cultural movement that gained prominence among educated men and women who valued the concept of sensibility (*sensibilité*, *Empfindsamkeit*).[4] Feelings of sympathy, pity, and compassion became highly fashionable and were considered a sign of a civilized moral character. As the *encyclopédistes* declared in 1765, 'la sensibilité est la mère de l'humanité' and as such it was hailed by those who considered themselves as the vanguard of a new, all-encompassing humanitarian commitment.[5] Even someone like Mary Wollstonecraft, who was not a great believer in the cult of sensibility, considered the education of the heart – 'to civilize the heart, to make it humane' – a major goal.[6]

To sensible and civilized people who preached the gospel of sympathy, the public spectacle of someone being tortured and executed posed a serious problem. In their view, being sympathetic with the criminal meant more than just feeling what he felt; the 'sympathetic effect' to which Kant alluded led to quite different consequences: instead of experiencing relaxation and joy of life after leaving the site of terror, advocates of sensibility would feel compassion for the victim and call for a more humane treatment of criminals.

Sympathy, pity, and compassion thus were at the core of the movement to reform the penal system and ban public displays of cruelty. Yet sympathy did not occur easily: It needed constant education, formation, and cultivation and it could, occasionally, clash with other, equally urgent emotions, passions, and drives.[7] How such conflicts were solved will be explored in four steps: After introducing the eighteenth-century discourse on sympathy we will examine traditional practices of doing justice and involving the public at sites of corporal and capital punishment. We will then investigate the reasons why such practices were increasingly considered offensive and in need of becoming 'humanized', particularly according to the principles of empathy and human dignity. Finally, empathy will be discussed with regard to class and gender identities as they were negotiated and contested in the 'theater of horror'.[8]

4.1 Sympathy, empathy, compassion: the new gospel

Although pity and compassion were by no means invented during the eighteenth century, they experienced an unprecedented surge in public discourse during what became known as 'the Age of Sensibility'.

Philosophers such as Francis Hutcheson, David Hume, and Adam Smith wrote extensively about sympathy and fellow-feeling, which they considered as 'natural' affections and, thus, as universal human qualities. At the same time, those qualities were viewed as the essential foundations of civil societies.[9] On the other side of the Channel, Jean-Jacques Rousseau mused about *pitié* as one of the two principles that guided the 'operations of the human soul' – the other being the concern for one's own 'welfare and preservation'. *Pitié* both accompanied and restrained this concern and allowed men (and women) to co-exist peacefully and pleasantly.[10] In Germany, the playwright Gotthold Ephraim Lessing praised the ultimate moral value of *Mitleid* ('*der mitleidigste Mensch ist der beste Mensch*') and inspired by the Aristotelian tradition wanted tragedies to evoke pity in the audience: pity for all unhappy and suffering people of all times.[11]

Considering the new interest in sympathy, three aspects stand out: Firstly, sympathy or fellow-feeling (which is what present-day neuroscientists call empathy)[12] were genuinely object-neutral. People were supposed to be able to imagine and feel whatever other people felt, joy or fear, shame, or disgust. From very early on, however, attention focused on those 'passions' that were connected with misfortune and suffering and that, to quote Adam Smith, 'more strongly require the healing consolation of sympathy'.[13] What was needed both for the person who suffered and for the one who sympathized was not *Mit-Freude*, but *Mit-Leiden*, pity, compassion, *pitié*.

Secondly, the eighteenth-century discourse did not semantically distinguish between concepts that are differentiated nowadays, i.e. empathy as fellow-feeling, and compassion as promoting proactive behavior. Feeling and acting were perceived as two sides of the same coin. He who just felt pity for a person without coming to their rescue or alleviating the other's sufferings was deemed a weakling.

Thirdly, all those who participated in the debate (mainly philosophers, doctors, and writers) took great care to point out sympathy's natural and universal character. Hume and Smith (more than Rousseau) considered themselves to be outright empiricists, eager to stress that their ideas were not based on metaphysical speculation but on real-life observation. Empirical evidence prompted them to take into account gradations and variations of sympathy. The crucial issue here was what Hume termed 'resemblance', and Lessing '*von gleichem Schrot und Korn*'. Resemblance facilitated sympathy, which in turn fostered social integration and moral consensus. Resemblance was closely linked to

contiguity. 'The sentiments of others', Hume reminded his readers, 'have little influence, when far remov'd from us'.[14] Detachment could occur in various ways: through spatial distance as much as through religious, racial, social, gender, age, or sexual orientation.

The sentiments of others could also be 'removed' in moral terms. Did someone who had committed a crime and was punished for it deserve our sympathy? Did his suffering (by the state's legal or police system) arouse pity? Or, to put it more generally, did all kinds of suffering caused by all kinds of factors, elicit, or deserve compassion?

This was a question that was hotly debated around the end of the eighteenth century. General opinion held that only those who could not be blamed for their own suffering were worthy of sympathy and compassion. Innocence and guiltlessness were thus viewed as prerequisites for pity and *Mitleid*. Yet there were other voices that argued in favor of extending sympathy even to those whose suffering was self-inflicted: 'We state that those who bear the blame due to their own foolishness or vice do not only deserve pity. Rather, they deserve it more than those who are unhappy through no fault of their own. [...] A true human being loves all human beings – which means that he is a true philanthropist. The person next door does not stop being human even if he or she acted in a misguided and vicious way. He or she thus deserves to be loved and, consequently, pitied by other humane people.'[15]

Such radical quest for human sympathy and compassion was clearly at odds with mainstream contemporary attitudes and sensibilities. Most people renounced those who had violated moral norms. Alcohol or gambling addicts who had lost their fortunes did not deserve to be pitied. Those who had committed crimes and purposefully harmed others deserved even less sympathy and rather severe and harsh punishment.

4.2 Punishment and publicity

Eighteenth century communities were used to extreme forms of punishment. Torture was part and parcel of police enquiries and served as a means of both eliciting confessions and punishing an offender. Legal codes and traditions reserved the death penalty, often in monstrously cruel ways, for capital crimes such as murder and theft. As a general rule, executions took place in public and were witnessed by large crowds. Minor offenders, too, received public punishment. Most towns and cities followed the custom of putting offenders of public order in the pillory. For a few hours or even days, the convict was chained to

a post erected at an open central site. Similar forms of public punishment were practiced in the army as well as in rural areas where the local landlord/squire was in charge of administering justice.

Such drastic measures had a long tradition reaching back to the Middle Ages. Apart from exacting vengeance, harsh penalties aimed at deterring potential offenders who were to imagine their own fate when witnessing convicts being humiliated or executed by the authorities, which thus confirmed their own power and restored their monopoly of violence.

Even if the principle of deterrence was not as effective as it was supposed to be, publicity bore a highly symbolic meaning. As civic peace and moral order had been deliberately broken by an offender, restoration of that peace had to take place in front of the general public. Ideally, people waited for a true confession and an apology. Once he offered this, the criminal was granted a 'good death' by the hands of the executioner. Those who watched the execution witnessed a solemn act of redress.[16]

In such ideal cases pity could stand the test. Writing in the 1780s, the Swiss educational reformer Johann Heinrich Pestalozzi recalled the 'old days' when fathers and mothers called in children and servants as soon as they heard the bell of death ringing from an execution site. 'Often accompanied by warm tears', they prayed together and warned against committing the kind of crimes that would lead towards such an 'unhappy ending'. At the site proper, those present shared a 'quiet and solemn meditation'. As the moment of death approached, people 'bared their heads, clasped their hands, and prayed for the unhappy one'. Most spectators 'were visibly moved' by what they observed.[17]

Pestalozzi's account might appear somewhat idealized, since he used harmonious images of former times in order to criticize contemporary attitudes. Yet evidence from the sources suggests that a 'good death' not only left the spectators clearly satisfied with the procedure, but also earned the remorseful offender the pity of the public.[18] Through such drama of cathartic repentance, a convict could evoke sympathetic identification with his lot. Rather than being ostracized from the community, he was reintegrated by dying a good Christian death. Watching him suffer might remind onlookers of Christ's passion and of their own sinfulness and vulnerability. The convict's pain signaled expiation, purgation, and salvation, thereby proving him worthy of being welcome back into the Christian collective. Thus, pain was not condemned as a cruel and inhumane infliction, but was instead supposed to possess an inherent spiritual and soteriological efficacy.[19]

Intense collective participation also accompanied punishment for minor misdemeanors. Offenders chained to a post had to endure onlookers' verbal abuse and aggression. To be exposed to people's stares and offensive comments clearly served as a means of humiliation, often combined with flogging offenders in public and expelling them from the town.[20] In 1778, a woman who had slandered a dead person and was ordered to stand in the pillory complained that 'in my age of some 60 years, it is too harsh to endure such insulting punishment in front of the whole public, and it is also offensive for my close relatives'.[21]

From the eighteenth century, public humiliation that was closely associated with medieval and early modern types of punishment was challenged both by those who had been subjected to it and by others who had witnessed the shameful act. An example is the case of Daniel Defoe. In 1703 the writer, who had published a satirical pamphlet against the political persecution of religious 'dissenters', was sentenced to stand three times in the pillory. Each time the crowd went with him, from London-Cornhill to Cheapside to Temple Bar. His ironic 'hymn to the pillory' spread from mouth to mouth. People adorned the pillory with flowers and drank to Defoe's health. They thereby transferred the disgrace of the pillory to those who had sentenced the writer, thus signaling that authorities and public opinion were not in sync.[22]

This critical attitude to public shaming gave rise to what Michel Foucault has famously called the birth of the prison, with a particular, technologically administered type of discipline and power. The prison (or workhouse) removed criminals from public sight and excluded them from the community while subjecting them to all-encompassing observation and control; at the same time, it excluded the public from taking part in the performance and ceremony of administering justice.[23]

It would be misleading, however, to claim that eighteenth-century European societies shared a general disapproval of shame sanctions. The pillory was still widely in use, as were other forms of public humiliation. In 1721 in rural Scotland Jenny Forsyth was accused of fornication and ordered to 'be branked' by local church officials and community leaders. Several women from the parish then gathered outside Mrs. Forsyth's house, sang loudly, and banged pots and pans, before dragging her out and fitting the brank (an iron helmet) over her head. Subsequently they paraded her through the village until she swore to behave more appropriately and decently in the eyes of God. Such collective rituals of public shaming persisted in Scotland until 1858, as did similar practices in other parts of Britain and the Continent.[24]

Why then did the system of public humiliation as a form of administering justice lose its public appeal? First it was succeeded by a new notion of honor that had to be respected with no exceptions, even for those who had violated the moral or political order.[25] When the old notion of subjects was replaced by the modern concept of citizens with 'unalienable' civic and political rights, to deprive someone of those rights was tantamount to an infringement of their 'civil honor', and should only be reserved for severe crimes. Even then, an offender's personal honor and dignity should be protected and they should be treated in a humane and civilized way. Such treatment served the goal of improving their character and behavior and, in the long run, reintegrating them into civil society.

Second, reform and inclusion stood at the core of the novel concepts of justice and penal law as they had been discussed since the Enlightenment. Instead of collectively shaming criminals and exposing them to the contempt of fellow-citizens, the state had to remove them from public sight and detain them so that they could receive appropriate education and learn how to abide by the law and become good citizens.[26]

Third, the attitude of the crowd itself became a bone of contention: Instead of behaving decently and keeping their passions at bay, many people mocked and ridiculed the convicts.[27] This was considered as mob behavior by those who campaigned for a more restrained mode of applying justice.

4.3 Civilization and the education of sympathy

When legislators contemplated penal law and procedure reforms during the late eighteenth century, they identified several issues to be addressed: the appropriate relation between crime and punishment, the logic of suitable punishment and its desired effects, and, last but not least, the role of the public. Opinions here were divided: While some reformers continued to believe in the necessity of public punishment, others warned against it. They cited many reasons and cases to explain why punishment in front of large audiences should be banned. In sum, they were deeply concerned about the lack of tact and sentiment that they experienced among those who flocked to sites of executions or shame sanctions.

Such obsession with decency and sensibility was part of a broader cultural and emotional shift that characterized the eighteenth century in many parts of Europe. Traces of the 'Age of Sensibility' date back to the seventeenth century when aristocratic circles had chosen to

stage themselves as *hommes et femmes sensibles*. Among them, Madame de Sévigné was doubtlessly one of the most outspokenly emotional women. Her letters to her daughter were full of tenderness, sentiments, and tears, and she proudly defended her expressive *sensibilité* against older notions of stoic control and calmness. Yet when she wrote about public executions (which she frequently did), deep feelings were notably absent. She recorded those events in minute detail and at great length, in an entertaining tone that seemed to convey her own feelings of curiosity and excitement. When in 1676 Marie-Madeleine-Marguerite d'Aubray, *Marquise de Brinvilliers* was executed for poisoning her family, Sévigné did mention, however, that 'Paris' was 'moved' and 'attentive', and that after the execution people were looking for bones and remnants because they considered the Marquise a saint. Her own feelings on the matter, if she had any, remained concealed.[28]

This incident highlights a highly complex emotional setting. On the one hand, 'the people' were depicted as reacting with strong emotions, among them pity and even admiration for the courage displayed by the Marquise upon the scaffold. This was confirmed by Brinvilliers' confessor, who had accompanied her along the route to the execution site: He observed a 'continual murmur' and people who were 'begging God for mercy on her behalf & were pitying her misfortune'. Such conduct was in full accordance with traditional expectations about sympathetic identification with the convicts and their reintegration into the community. But the priest also witnessed different attitudes: 'A greater number insulted her and heaped curses upon her'. Some people seemed to feel a strong urge to repress their sympathy, instead indulging in feelings of revenge, contempt, and hatred.

On the other hand, it was not only 'the people' that appeared divided in their emotional response: Madame de Sévigné may also have experienced mixed feelings. Her self-concept of *sensibilité* may have prompted her to feel sad for the poor sinner or even revolted by the sight of cruelty and painful punishment. But there is no evidence suggesting an overall abhorrence of witnessing other human beings suffer. In 1688, Jean de la Bruyère strongly criticized his contemporaries for their 'vain, malicious, and inhuman curiosity' towards the 'ignominious' spectacle of public executions: 'They run to see the unfortunates; they line up in haste or they place themselves in windows in order to observe the demeanor and the countenance of a man who is condemned and who knows that he will die'.[29]

Obviously, even sensitive ladies such as Madame de Sévigné and her gentleman friends found nothing wrong in being curious and entertained

in the 'theater of horror'. *Sensibilité*, the ability to feel deeply and sincerely, was something that they shared with close family and friends, but not with strangers or those who had detached themselves from polite society. People's suffering at the sight of death, and the pain that they endured while being executed neither called for their compassion, nor reminded them of their own vulnerability and sinfulness. At best, it evoked their curiosity: they wanted to watch and be present at the site.

This presence became increasingly contested and scandalized in later years and decades, when the gospel of sensibility gained momentum, demanding a less complacent attitude towards painful punishment and suffering. As mentioned earlier, sympathy – or what today is called empathy – was on everyone's mind, from doctors who re-conceptualized the sensitive body and the communicative role of the nervous system, to philosophers who praised sympathy and pity as the strong foundations of civil society and cooperation, to playwrights and poets who dealt with the sympathetic effects of tragedy and sentimental novels. What Lynn Hunt has called 'imagined empathy' made headlines and captured people's hearts and minds.[30] Sentimentalism, *Empfindsamkeit*, evolved into a public craze among the educated middle classes, and inevitably attracted skepticism. Kant and others started to criticize what they perceived as an easy and cheap way to feel pity and weep for every suffering creature, whether a human being or a butterfly. What was needed instead of such weak and 'feminine' pity, was true compassion, i.e. a 'manly' attitude of alleviating pain and changing things for the better.[31]

Such controversies cast doubt on the popular notion of sympathy as an anthropological given, as genuinely natural and beyond question. Quite obviously, feelings of pity were malleable and historically contingent. They seemed to answer to social and cultural incentives, rather than being 'naturally' innate in every human being who saw another creature suffer. If contemporary fashion demanded it, they could be evoked and produced *a gusto*. Still, people had to be educated and trained to feel what they were supposed to feel. As the English moralist Samuel Johnson remarked in 1763, 'pity is not natural to man'. Children as well as 'savages', he found, 'are always cruel'. By contrast, pity was 'acquired and improved by the cultivation of reason'.[32] Reason here translated into the concept of a civilized society that expected its members to place pity at the top of their list of emotional concerns and moral virtues.

Why then were pity and sympathy elevated to that kind of iconic status? Why did they acquire such potency among contemporaries of the

eighteenth and consecutive centuries? What was, in Johnson's terms, 'reasonable' about pity?

Considering the eighteenth century as a threshold to modernity and as a period full of avid anticipation of future (still somewhat utopian), ideals, pity and sympathy offered themselves as solid and comfortable bridges between the now and the then. First, pity had a centuries-old tradition of meaning in Christian belief systems that could be used to pave the way for a more secular notion of social integration and cohesion. Pitying those who fared badly in a social and political community had always been a staple of Christian education, dating back to the Passion of Christ that urgently asked any follower for com-passion, i.e. fellow-feeling. Yet compassion underwent a significant change: Instead of merely identifying with the person who suffered, modern compassion was associated with alleviating pain. Older notions of accepting pain as an unavoidable concomitant of suffering was succeeded by fresh ideas that held pain as denigrating individual agency and dignity.[33] In the modern era, pain should no longer be tolerated or hailed as a means to elatedly transcend the realm of material existence as martyrs did. Rather, it was condemned as a cruel and undignified infringement on human integrity.

This attitude was accompanied by both a deep sense of human vulnerability and a weaker faith in religious transcendence. If pain could no longer provide the entry ticket to an afterlife bereft of suffering, chastisement, humiliation, and disempowerment, it needed to be thoroughly reconfigured. According to enlightened opinion, the human body should not serve as the object of deliberate physical violence and destruction. Instead, it should be protected as the bearer of unalienable and, as the French revolutionaries decreed, sacred rights, above all the right to full and unscathed physical integrity.

The concern with unharmed bodies was closely linked with new ideas regarding body politics. These ideas started to proliferate during the eighteenth century even in countries where subjects were not honored as citizens, lacking an active role in the execution of power. An enlightened-absolutist monarch like Frederick II of Prussia disapproved of torture as a means of eliciting confessions from suspected criminals. He did so not quite out of pity, but because he wanted to use state power in a more humane and rationally efficient way.[34] The king also ordered new legal codifications that thoroughly reformed the system of penal law as it had been traditionally practiced. The new code that was enacted in 1794 highlighted a remarkable shift in perceptions regarding punishment. As the Prussian Lord High Chancellor von Carmer

explained, so-called shame penalties (*Ehrenstrafen*) should be imposed less and less frequently since they violated and defied people's honor. An offender who had been debased and humiliated in front of his or her peers would never be able to rise to a level of 'morality' that was deemed necessary to build a society of self-respecting members who likewise respected their fellow-citizens.[35]

When around 1800 civil servants talked about the *Veredelung*, i.e. the refinement and improvement of morality among the 'lower classes', they were envisaging a society that worked towards self-inspection and self-organization. Citizens who cultivated a strong sense of personal worth and honor were supposed to be better at fighting off any temptation to act in dishonorable and criminal ways; those, however, whose commitment to personal honor was already low, and lowered further due to the experience of being publicly humiliated would be lost to any attempt to raise them to the level of self-reflective and responsible citizenship.

To educate citizens with 'well-organized hearts and souls' (von Carmer) not only implied to protect and strengthen their sense of honor, or, as it was later called, moral dignity:[36] It also meant to cultivate their respect for their fellow-citizens, even for those 'poor sinners' who had violated laws, norms, and values. This certainly did not prevent harsh penalties, but it did outlaw all forms of punishment that invited others to actively participate. Active participation might consist in openly malevolent behavior, but also combined acts of blunt curiosity or moral indifference. All were regarded as violating the code of conduct that would befit good citizens.

Similarly in 1785 the writer Friedrich Nicolai was appalled by the mood of 'greatest indifference' that he found dominant among the crowds that were watching and reading about violent executions. Common people had become or threatened to become '*fühllos*', displaying callous indifference to the sight of cruel punishment.[37] Nicolai and other enlightened writers repeatedly demanded executions as solemn affairs rather than 'spectacles for the people'.[38]

Such demands were posed and heard more and more frequently from the late eighteenth century onwards. Middle-class observers increasingly voiced their concerns about what they perceived as an utter lack of appropriate conduct. In 1840, the writer Charles Dickens complained that he 'did not see one token in all the immense crowd of any emotion suitable to the occasion' when witnessing a hanging at London's Newgate Prison in 1840: 'No sorrow, no salutary terror, no abhorrence,

no seriousness, nothing but ribaldry, debauchery, levity, drunkenness and flaunting vice in fifty other shapes'.[39]

Apart from terror and abhorrence, Dickens missed 'sorrow' and 'seriousness' and he did not only miss these qualities among Londoners: After attending a beheading in Rome a few years later, the writer recorded the same atmosphere: 'Nobody cared, or was at all affected. There was no manifestation of disgust, or pity, or indignation, or sorrow. My empty pockets were tried, several times, in the crowd immediately below the scaffold, as the corpse was being put into its coffin'.[40] In France, public prosecutor Alexandre de Molènes was equally appalled by the public's reaction to shameful sanctions like the garrote or brutal scenes of hanging: As he wrote in 1830, it tread, 'pity underfoot', defied shame and 'forgot all sentiments of human dignity'.[41]

By the 1840s, it had become a staple to criticize the 'common people' for a lack of 'sorrow', 'pity', and 'all sentiments of human dignity'. Members of the educated middle classes thereby proclaimed and defended their own norms, which included such sentiments even towards those who had committed violent crimes and shown no pity for their victims. A sensible person, however, could not help but feel pity when violence was exercised against a helpless human being, regardless of who that human being was and what crime he or she had committed. Those who were not sensitive and whose hearts had not yet been 'civilized' had to be taught a moral and emotional lesson so that they would manage to feel what they were supposed to feel when confronted with violent and cruel acts.

4.4 Empathy: issues of gender and class

Among those who expressed their support for such new education there was a general consensus that public executions could not qualify as an appropriate means of education. Although the majority continued to believe in the functional necessity of capital punishment, they strongly advised against its publicity. From around 1800, authorities worked hard to restrict public attendance. As in Bavaria, they banned singing and musical performances at execution sites; furthermore, the convicted would no longer be accompanied by local dignitaries, students, and children's choirs. Insults were banned, and bystanders were continuously admonished for disrupting 'this earnest act of justice [...] by outbreaks of coarseness and insensitivity'.[42]

At the same time, the educated middle classes (including civil servants, particularly, in the legal system) intensified their campaign to

'humanize' the 'act of justice'. The violence of state killings and drastic punishments became a problematic issue. As the legal expert Anselm von Feuerbach remarked in 1828, 'a state that ordered cruel penalties sinned against the nation's character and, through barbaric spectacles of blood, contributed to deadening feelings, brutalizing hearts and souls and nourishing their bestiality'.[43] But even under less barbaric circumstances, the death penalty should no longer be administered in public. By the 1840s, reformers had managed to convince of the necessity to carry out executions indoors in order to prevent the excess of crude curiosity and immoral pleasure. According to the 1851 Prussian penal code, executions had to be carried out in prisons, in front of an audience that consisted, among others, of 12 witnesses and a limited number of respectable local citizens.[44]

Needless to say, the carefully selected group was exclusively male, since nineteenth-century sensibilities could no longer endure the presence of women at terror sites. Beside a protective attitude concerning the physical and psychological effects on 'the weaker sex', there was also a growing sense of unease about the possibility that women might actually enjoy the spectacle as much as men did. Such joy and excitement, however, was not in accordance with the archetypical 'female character' as it became designed, praised and communicated after the late eighteenth century. Women's emotions were generally deemed to be gentler, softer, and more empathic than men's. Furthermore, women were thought to bear an intimate relationship with shame: they were more susceptible to shame and could easily be offended by a conduct that men were much less inclined to find shameful.[45]

Under these circumstances, the authorities took action and, in the 1830s, forbade public corporal punishment for females over the age of ten. As the Prussian minister of justice explained, such chastisement would hurt women's 'shamefacedness' and modesty (*Schamhaftigkeit*). Inside prisons, floggings might still be administered, but again, as the king declared, only when they did not violate women's sense of shame.[46] It was considered equally shameful, however, for the female audience of executions to behave in an indecent and offensive manner. If they were true to their 'female character', they should rather stay away – or feel pity for the condemned criminal. Interestingly, observers of public executions increasingly focused on women when they criticized the crowd's attitude. When the German playwright and theater director Karl von Holtei recorded such an event in the 1810s, he particularly mentioned a gentle-looking woman who 'while the wheel moved blow by blow, calmly ate a large slice of buttered bread'.[47]

Von Holtei and many others like him obviously felt offended by such indifference and equanimity. Women in particular should be emotionally affected and show more compassion towards a person who was being tortured and executed.

Yet it was not only women and members of the lower classes whose behavior was found offensive and inappropriate by middle-class men. Like von Holtei, who reprimanded his younger self for outward curiosity, excitement, and lack of sensible feelings, some of them were also candid enough to analyze their own feelings in detail.[48] Among them was the British poet Lord Byron who recorded his feelings just a few days after he had witnessed three robbers being guillotined in Rome in 1817: 'The first [beheading] turned me quite hot and thirsty- & made me shake so that I could hardly hold the opera-glass (I was close- but was determined to see- as one should see every thing- once- with attention) the second and third (which shows how dreadfully soon things grow indifferent), I am ashamed to say had no effect on me- as a horror- though I would have saved them if I could'.[49]

Of course he could not, and it does not seem as if this had caused him sadness or outrage. Instead, he experienced mixed feelings: Mainly excitement, as well as curiosity. Byron experienced horror only during the first man's killing, and it caused him to feel 'hot and thirsty', i.e. eager to see more. Only later when he recorded his feelings did he feel 'ashamed', once he knew that he should have felt differently. In a similar vein, in 1840, 29-year-old William Thackeray reported on an execution that he had just witnessed in London. He candidly wrote about the 'brutal curiosity which took me to that brutal sight'. Only 'as the last dreadful act was going on' did he shut his eyes. Later, he felt 'ashamed and degraded' about his 'complacent curiosity' and indifference to the culprit's suffering – feelings that he shared with 'forty thousand persons (say the sheriffs), of all ranks and degrees, – mechanics, gentlemen, pickpockets, members of both houses of parliament, street-walkers, newspaper-writers'.[50]

Thackeray as well as Byron and von Holtei did not construct a rift between 'us' and 'them', between the civilized, educated, sensible middle classes and the barbarous, brutal, cruel lower classes. Instead, they identified the same cruelty in themselves, shaped as curiosity or indifference. They experienced emotions that bluntly contradicted popular emotional norms such as pity, compassion, and empathy with suffering human beings. They felt a desire for revenge and, in Thackeray's words, a 'hidden lust after blood'. When speaking out against the death penalty, they thus fought against what they detested in themselves, and

did not mind being criticized as 'foolish sentimentalists', obsessed with 'morbid humanity' and 'cheap philanthropy'.[51] To self-reflective people, public executions brought out the worst instincts and appetites in all human beings, educated and non-educated, men and women, old and young. Banning public executions altogether would thus be a first step towards fighting those desires and keeping them at bay.

4.5 Conclusion

From the end of the eighteenth century onwards radical changes occurred in the penal system and, consequently, in the way in which criminals were treated and perceived. Empathy played a decisive role in these developments. Acknowledging a criminal's humanity also invited people to empathize with them, to feel pity or, to be precise, compassion. This did not preclude punishment, yet punishment should no longer target their physical integrity, and it should not humiliate them in front of others. Instead it should help them to take responsibility for their crime and become a better person. Improvement was the aim of the new compassion gospel. In contrast with pity, compassion had an active component: It imperatively called for pain to be alleviated, for violence to be stopped, for morality to be advanced. Compassion was part of, and conducive to, progress and enlightened change, while old-fashioned pity – despised by Kant and reserved for 'feminine' weaklings – mournfully accepted things as they were.

Our narrative of how ordinary people acted as spectators and bystanders in the 'theater of horror' has indeed identified pity in earlier accounts of public executions. As long as people's attitudes were informed and shaped by Christian beliefs, the public could feel and show pity towards a 'poor sinner' who had repented and atoned for their evil deeds by suffering pain and violent death. If they died a 'good death', they could be pitied, even mourned. Yet these feelings did not lead people to question the pain and violence inflicted by the hands of the hangman. As a general rule, the functional necessity of the brutal act was unquestionable, and the deeply religious aura – the presence of a priest, church bells ringing, open prayers, and public confessions – added to its legitimacy.

Once that aura faded, succeeded by the modern state's more bureaucratic practices, people seemed to replace pity with a mixture of other, more mundane feelings. Writing in the 1780s, Pestalozzi heavily deplored this change of attitude among his fellow-citizens. 'In our days', he wrote, 'human hearts have become much more brutish and indifferent than in former times. People often watch executions as coldly

and unaffectedly as they would watch irrational cattle being slaughtered'.[52] But since human beings, as opposed to animals, were neither irrational nor insensitive, they deserved warm sympathy and, possibly, compassion.

This was how enlightened and sensible reformers introduced empathy and compassion as part of a civic morality that should be nurtured and educated among modern citizens. As capital punishment and shame sanctions were thought to block these emotions, they sought other options. One of them was to abolish the death penalty altogether and to humanize offenders by addressing their feelings, their agony, their remorse, or by drawing attention to their psychological state while they were committing the crime. A more moderate version was to restrict executions to secluded places without public access.

A striking fact regarding the reformist discourse concerns the mixed feelings described by some of its proponents. Instead of attributing the shown lack of pity to the uneducated mob, they observed it among themselves. Even if they felt appalled by the sheer brutality of state law, they could not help being attracted and fascinated by what they witnessed. As they described it, their empathy with the suffering person was blocked by feelings of curiosity, indifference, Schadenfreude, desire for revenge, and thirst for blood. Many contemporaries commented on this moral and emotional ambivalence. Some interpreted the phenomenon through the anthropological givens of the human 'race' (Thackeray) that could only be changed or mitigated by civic education and self-cultivation. Others, e.g. Kant, quoted human psychology that worked 'according to the principle of contrast', and found relaxation in watching others suffer.

But even human psychology could be changed for the better, if necessary. As more and more men and women from higher social strata felt the need to educate and 'civilize' people's hearts and minds (including their own), they suggested and tried out a great number of measures and instruments.[53] Preaching the gospel of human dignity and encouraging citizens to passionately empathize with those whose dignity was violated was one such measure. Reforming penal law and concealing, reducing, and, finally, abolishing corporal and capital punishment was another.

While the goal of delimiting empathy and protecting human dignity was clearly stated after the late eighteenth century, there was still much to be achieved. There were strong obstacles and counter-currents, and 'sentimentalists' were time and again criticized for their lack of reality awareness and pragmatism. As recurrent instances of organized humiliation and killing proved, the quest for an all-encompassing empathy

and compassion did not go unchallenged. Empathy was mainly denied on racial grounds, as in National Socialism, which strictly confined *Mitleid* to those who belonged to the national community. Human dignity could gratuitously be trampled upon where others who did not belong were concerned. They were exposed to practices of public humiliation that brought back the long forgotten times of the pillory.[54] Similar transgressions took place after European countries were liberated from German occupation in 1944/1945: While male collaborators were executed (often without legal proceedings), women who had had affairs with German soldiers were shorn, outlawed, and paraded through the streets as traitors to the national cause.[55] Under Stalinism those who stood on the other side of the proletarian class line were subjected to public humiliation and ultimately extermination.[56] In the US the practice of mob lynching against African Americans persisted until the mid-twentieth century, with large crowds of people gathering and cheering at the sites where alleged offenders of white racial purity and supremacy were hanged.[57]

Such cases and developments serve as a reminder of how frail and volatile the concept of human dignity has been in Europe (and the US), and how easily empathy could be blocked by racial and/or national considerations, long after it had been established as a crucial asset of 'civilized' sensibilities.

Notes

1. C. J. Setz (2014) *Das grelle Herz der Finsternis*, *DIE ZEIT*, 40, pp. 47–8, on websites and blogs commenting on recent decapitation videos that circulate in the internet. See also A. E. Simpson (ed.) (2008) *Witnesses to the Scaffold: English Literary Figures as Observers of Public Executions* (Lambertville: The True Bill Press), pp. 11–12; J. Martschukat (2000) *Inszeniertes Töten: Eine Geschichte der Todesstrafe vom 17. bis zum 19. Jahrhundert* (Cologne: Böhlau), pp. 244–5.
2. S. Sontag (2003) *Regarding the Pain of Others* (New York: Farrar, Straus and Giroux), p. 7.
3. I. Kant (2009) *Anthropology from a Pragmatic Point of View*, R. Louden (ed.) (Cambridge, UK: Cambridge University Press), pp. 135.
4. F. Baasner (1988) *Der Begriff ‚sensibilité' im 18. Jahrhundert: Aufstieg und Niedergang eines Ideals* (Heidelberg: Winter).
5. D. Diderot, J. Le Rond D'Alembert (eds) (1765) *Encyclopédie. Ou Dictionnaire Raisonné des Sciences, Des Arts et Des Métiers*, 15 (Neuchâtel: Faulche), p. 52.
6. V. Nünning (1998) *'A Revolution in Sentiments, Manners, and Moral Opinions': Catharine Macaulay und die politische Kultur des englischen Radikalismus, 1760–1790* (Heidelberg: Winter), p. 297.

7. Such conflicts and counter-currents are overlooked by Pieter Spierenburg who tends to overemphasize and simplify the role of changing sensibilities in penal reform (P. Spierenburg (1984) *The Spectacle of Suffering. Executions and the Evolution of Repression: From a Preindustrial Metropolis to the European Experience* (Cambridge, UK Cambridge University Press) especially Chapter 6).
8. The term is R. van Dülmen's (1990) *Theatre of Horror: Crime and Punishment in Early Modern Germany* (Cambridge, UK: Polity Press). Dülmen obviously borrowed and adapted it from the Latin '*theatrum poenarium*'.
9. F. Hutcheson (2002) *An Essay on the Nature and Conduct of the Passions and Affections, with Illustrations on the Moral Sense*, A. Garrett (ed.) (Indianapolis: Liberty Fund), p. 56; D. Hume (1985) *A Treatise of Human Nature*, E. C. Mossner (ed.) (London: Penguin), pp. 367 ff., 417–8; A. Smith (2000) *The Theory of Moral Sentiments* (Amherst, NY: Prometheus) pp. 3–30; M. L. Frazer (2010) *The Enlightenment of Sympathy: Justice and the Moral Sentiments in the Eighteenth Century and Today* (Oxford: Oxford University Press), Chapters 1–4.
10. J.-J. Rousseau (1973) *Discours sur l'Origine et les Fondements de l'Inégalité parmi les Hommes*, A. Kremer-Marietti (ed.) (Paris: Aubier Montaigne), pp. 59, 84–5.
11. G. E. Lessing, M. Mendelssohn, F. Nicolai (1972) *Briefwechsel über das Trauerspiel* [1756/57], J. Schulte-Sasse (ed.) (Munich: Winkler), p. 55. See H.-J. Schings (1988) *Der mitleidigste Mensch ist der beste Mensch: Poetik des Mitleids von Lessing bis Büchner* (Munich: Beck), Chapter 3.
12. F. de Vignemont, T. Singer (2006) 'The Empathic Brain: How, When and Why'? *Trends in Cognitive Sciences*, 10, pp. 435–41; J. Decety, W. J. Ickes (eds) (2009) *The Social Neuroscience of Empathy* (Cambridge, MA.: MIT Press). For a critique of the current tendency to define empathetic processes very broadly, inclusively, (and superficially), see J. Slaby (2014) 'Empathy's Blind Spot', *Medicine Health Care and Philosophy*, 17(2), pp. 249–58. doi: 10.1007/s11019-014-9543.
13. Smith, *The Theory of Moral Sentiments,* p. 13.
14. Hume, *A Treatise of Human Nature*, p. 369.
15. J. G. Krünitz (1798) *Oekonomische Encyklopädie, oder allgemeines System der Staats- Stadt- Haus- und Landwirthschaft*, 75 (Berlin: Pauli), pp. 349–50.
16. E. Cohen (1993) *The Crossroads of Justice: Law and Culture in Late Medieval France* (Leiden: Brill), p. 207; van Dülmen, *Theatre of Horror*; Spierenburg, *The Spectacle of Suffering*, pp. 59–64.
17. J. H. Pestalozzi (1819) 'Lienhard und Gertrud. Ein Buch für das Volk' in *Pestalozzi's Sämmtliche Schriften*, 2 (Stuttgart: Cotta), pp. 19–20.
18. J. F. Harrington (2013) *The Faithful Executioner: Life and Death, Honor and Shame in the Turbulent Sixteenth Century* (New York: Farrar, Straus and Giroux), pp. xiii–xv.
19. M. B. Merback (1999) *The Thief, the Cross and the Wheel: Pain and the Spectacle of Punishment in Medieval and Renaissance Europe* (London: Reaktion), pp. 19–20; 126–58; S. Y. Edgerton, Jr. (1985) *Pictures and Punishment: Art and Criminal Prosecution during the Florentine Renaissance* (Ithaca: Cornell University Press), Chapter 5 ('Pictures of Redemption'); J. F. van Dijkhuizen (2012) *Pain and Compassion in Early Modern English Literature and Culture* (Cambridge: Brewer), p. 248. As to the magic beliefs connected to the healing power of bones and blood, see Spierenburg, *The Spectacle of Suffering* p. 30; W. Schild

(2007) *Das Blut des Hingerichteten* in C. von Braun, C. Wulf (eds) *Mythen des Blutes* (Frankfurt: Campus), pp. 126–54.

20. J. F. Harrington, *The Faithful Executioner*, pp. 63–7.
21. R. van Dülmen (1999) *Der ehrlose Mensch: Unehrlichkeit und soziale Ausgrenzung in der Frühen Neuzeit* (Cologne: Böhlau), p. 70.
22. H. Morley (ed.) (1889) *The Earlier Life and the Chief Works of Daniel Defoe* (London: Routledge), pp. 219–56; J. R. Moore (1973) Defoe in the Pillory and Other Studies (New York: Octagon), Chapter 1.
23. M. Foucault (1977) *Discipline and Punish: The Birth of the Prison* (London: Allen Lane).
24. D. Nash and A.-M. Kilday (2010) *Cultures of Shame: Exploring Crime and Morality in Britain, 1600–1900* (Basingstoke: Palgrave Macmillan), pp. 32–46; R. J. Evans (1998) *Tales from the German Underworld: Crime and Punishment in the Nineteenth Century* (New Haven: Yale University Press), pp. 98–101.
25. This interpretation differs radically from Evans' account: While Evans claims that honor was no longer at stake in a civil society and that loss of importance explains the abolishment of corporal punishment and public humiliation, I argue that it was the heightened concern for honor (now defined as civic or citizens' honor) that prevented the authorities from administering humiliating penalties. See later in this chapter.
26. Martschukat, *Inszeniertes Töten*, Chapter 3; R. J. Evans (1996) *Rituals of Retribution: Capital Punishment in Germany 1600–1987* (Oxford: Oxford University Press), Chapter 3; P. Friedland (2012) *Seeing Justice Done: The Age of Spectacular Capital Punishment in France* (Oxford: Oxford University Press) Chapters 8, 9.
27. V. A. C. Gatrell (1994) *The Hanging Tree: Execution and the English People 1770–1868* (Oxford: Oxford University Press), pp. 69–70.
28. Friedland, *Seeing Justice Done*, pp. 146–8.
29. Ibid, p. 149.
30. L. Hunt (2007) *Inventing Human Rights: A History* (New York: Norton), p. 32.
31. Kant, *Anthropology*, p. 132.
32. J. Boswell (1831) *The Life of Samuel Johnson, Ll.D*, new edn, vol. 1 (London: Murray), p. 451.
33. J. Moscoso (2012) *Pain: A Cultural History* (Basingstoke: Palgrave Macmillan); R. Boddice (ed.) (2014) *Pain and Emotion in Modern History*, (Basingstoke: Palgrave Macmillan); J. Bourke (2014) *The Story of Pain: From Prayer to Painkillers* (Oxford: Oxford University Press).
34. M. Schmoeckel (2000) *Humanität und Staatsraison: Die Abschaffung der Folter in Europa und die Entwicklung des gemeinen Strafprozeß- und Beweisrechts seit dem hohen Mittelalter* (Cologne: Böhlau), pp. 19ff. See also, for France, *Hunt, Inventing Human Rights,* Chapter 2.
35. H. Gräff et al. (eds) (1842) *Ergänzungen und Erläuterungen der Preussischen Rechtsbücher durch Gesetzgebung und Wissenschaft*, 7 (Breslau: Aderholz), p. 340. For the long struggle to abolish corporal punishment in Prussia, see R. Koselleck (1975) *Preußen zwischen Reform und Revolution: Allgemeines Landrecht, Verwaltung und soziale Bewegung von 1791 bis 1848*, 2nd edn (Stuttgart: Klett), pp. 641–659.
36. Early Liberals spoke out in favor of the 'moral dignity of the human being' and considered corporal chastisement as 'a thoroughly immoral

punishment, completely contradicting the principle of constitutional monarchy' and one 'which dishonours humanity' (quotes from 1848, in Evans, *Underworld*, pp. 103–4).

37. F. Nicolai (1785) *Beschreibung einer Reise durch Deutschland und die Schweiz, im Jahre 1781*, 6 (Berlin: [Self-published]), pp. 762–3. As to the widely popular street ballads, see Evans, *Rituals*, Chapter 4.
38. Nicolai, p. 768, 761–2; T. W. Laqueur (1989) 'Crowds, carnival and the state in English executions, 1604–1868' in A. L. Beier et al. (eds) *The First Modern Society: Essays in English History in Honour of Lawrence Stone* (Cambridge, UK Cambridge University Press), pp. 305–55, here pp. 330–1.
39. P. Gay (1993) *The Cultivation of Hatred* (New York: Norton), p. 177.
40. C. Dickens (1846) *Pictures from Italy* (London: Bradburg and Evans), pp. 206–7.
41. A. J. D. G. de Molènes (1830) *De l'humanité dans les lois criminelles, et de la jurisprudence* (Paris: Loqcuin), p. 401.
42. Evans, *Rituals*, Chapter 5, p. 209 (from Bremen 1831).
43. A. von Feuerbach (1828) *Aktenmäßige Darstellung merkwürdiger Verbrechen*, vol. 1 (Gießen: Heyer), p. 244.
44. Evans, *Rituals*, pp. 261–6, 305–20.
45. U. Frevert (2011) *Emotions in History – Lost and Found* (Budapest: Central European University Press), Chapter 2.
46. Evans, *Underworld*, p. 117.
47. Gay, *The Cultivation of Hatred,* p. 176; see also Evans, *Rituals*, pp. 211ff.; Gatrell, *The Hanging Tree,* p. 68; Friedland, *Seeing Justice Done,* pp. 180–3, 190.
48. Ibid.
49. G. G. Byron (1976) *'So late into night': Byron's letters and journals, 5, L. A. Marchand (ed.)* (London: Murray, pp. 229–30 (from a letter to his publisher).
50. W. M. Thackeray (1840) 'Going to see a Man Hanged', in *Fraser's Magazine for Town and Country*, 22(128), pp. 150–8. As to the general fascination with executions 'regardless of social standing', see Gatrell, *The Hanging Tree,* pp. 242–58.
51. Thackeray, *'Going to see a Man Hanged',* p. 156–7.
52. Pestalozzi, *'Lienhard und Gertrud'* p. 20.
53. See Frevert, *Emotions in History,* pp. 172ff.; Hunt, *Inventing Human Rights,* Chapter 1.
54. See the frequent cases of public humiliation in cases of 'racial dishonour' caused by miscegenation, analyzed by A. Przyrembel (2003) *'Rassenschande': Reinheitsmythos und Vernichtungslegitimation im Nationalsozialismus* (Göttingen: Vandenhoeck & Ruprecht).
55. F. Virgili (2002) *Shorn Women: Gender and Punishment in Liberation France* (Oxford: Berg).
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57. M. Berg (2011) *Popular Justice: A History of Lynching in America* (Chicago: Dee); M. Berg and S. Wendt (eds) (2011) *Globalizing Lynching History: Vigilantism and Extralegal Punishment from an International Perspective* (New York: Palgrave Macmillan).

5
From Sympathy to Empathy: Trajectories of Rights in the Twentieth Century

Jay Winter

Empathy, sympathy, and the language of human rights

I want to start the way the Greek poet Kafavy said we should always approach the world, at an angle, the angle of poetry. Here is a part of the American poet Mary Oliver's poem, 'Herons in winter on the frozen marsh':

> so the answer is
> they ate nothing,
> and nothing good could come of that.
> They were mired in nature, and starving.
>
> Still, every morning
> they shrugged the rime from their shoulders,
> and all day they
> stood to attention
>
> in the stubbled desolation.
> I was filled with admiration,
> sympathy,
> and, of course, empathy.

My remarks focus on the 'of course' linking sympathy and empathy. Like most ironic poets, in Oliver's hands, the 'of course' means everything but its literal sense. There is nothing common-sensical about the juxtaposition of sympathy and empathy. The two terms circle around each other, maybe like herons, and have been used in very different settings for entirely different purposes.

People in many disciplines have shaped the binary in different ways. There are economic models of sympathy and empathy, philosophical

and linguistic discussions of the two, alongside market-research models, social psychological ones, medical and nursing ones, and much theological speculation on them all. Let us not start by taking for granted any specific set of either alternative or overlapping meanings of sympathy and empathy; let us see how, like a double helix, the two have evolved over the last century or so. I want to trace that history in perhaps an unusual way. First I want to deal with the development of 'empathy' as a term in the psychological literature of the early twentieth century, and then turn to its implicit incarnation, alongside sympathy, in two distinctive forms of what Mary Ann Glendon terms 'rights talk'. By that I mean the discursive fields surrounding humanitarian rights, on the one hand and human rights, on the other. I want to describe their connections and their divergences with respect to a shift from sympathy to empathy, at precisely the moment the term 'empathy' came into common use, in the early twentieth century.

5.1 The birth of empathy

The term 'empathy' of '*Einfühlung*' was first used in 1873 by the German philosopher Robert Vischer in his doctoral dissertation entitled 'On the optical sense of form: a contribution to aesthetics'. 25 years later the philosopher Theodor Lipps, who held a chair in Bonn, used the term *Einfühlung*, which he adopted in the course of a German translation of Hume's *A Treatise of Human Nature*. Medical historians tell us that 'Unlike his predecessors', Lipps 'used the notion of *Einfühlung* to explain not only how people experience inanimate objects, but also how they understand the mental states of other people'. From translating Hume's *A Treatise of Human Nature* into German, Lipps had learned the concept of 'sympathy' as a process that allows the contents of 'the minds of men' to become 'mirrors to one another'.[1] Lipps therefore chose a word that went beyond sympathy to connote inner engagement, rather than the mirroring or reflection of one object or condition in the face and mind of an observer. In a nutshell, Lipps's usage suggests that empathy enters the other; sympathy remains apart. This is the first of the distinctions I wish to reflect on today.

Lipps's work was well known to Freud. In 1911, the British-born psychologist E. B. Titchener, who studied with Wilhelm Wundt and later taught at Cornell University, translated *Einfühlung* (understood as in-feeling) as 'empathy' in 1911, whence the term entered Anglo-American usage. The term *Mitgefühlung* (with-feeling) was already in English usage as sympathy. Thus the early twentieth-century linguistic turn had it that sympathy is a response to a condition from outside of

it; empathy is a response to a condition, into which the observer enters emotionally.[2] Empathy is a feeling, which changes the subject position of the person who feels it; sympathy (in this definition) leaves the subject position of the observer intact. This form is the operational one I adopt in this chapter.

5.2 The birth of humanitarian rights law

It is almost certainly a coincidence that the two words 'sympathy' and 'empathy' emerged as a pair in the field of social psychology and aesthetics at precisely the time that humanitarian rights were being codified, between 1895 and 1914. I would like to speculate the words emerge for many reasons, some of which are located in scientific research and some of which emerge from conversations outside the laboratory. Some sources of new linguistic terms escape those who coin them.

At the same time as Lipps and Titchener were at work, other prominent people were intent on constructing a space in international law in which the victims of war could find effective shelter. I would like to put it to you that such humanitarian law reflected a sympathetic, not an empathetic, perspective. The framers of the first Hague conventions viewed such suffering from the outside. I shall argue later that in due course, when humanitarian law failed to slow the pace of state-sponsored murder and other atrocities, a further shift in the term occurred, to a human rights perspective embodying empathy. More on this argument follows below.

The two cities in which this body of doctrine was codified were The Hague and Geneva, bastions of the Protestant conscience, and sites of nineteenth-century neutrality. That was critical, in that the sense that the victims of war were a class of people in need of protection grew out of the increasing lethality of war in the nineteenth century. The machine gun and artillery tore the human body to pieces, in far more efficient ways than ever before. Henri Dunant saw the human wreckage on the field the day after the Battle of Solferino, and his shock and outrage informed the early days of the International Committee of the Red Cross.

What he captured was the secularized religious commitment to raising up the downtrodden that had infused the anti-slavery movement earlier in the nineteenth century. The same Christian zeal underlay the creation of the Lieber code of military behavior, adopted by the Union army in 1863. It said in effect that when a man puts on a uniform, he does not thereby cease to be a Christian. Christians did not mistreat

prisoners and did not leave the wounded to die in misery. The key point was that prisoners-of-war and wounded men were reduced, vulnerable, and unprotected people, whose plight was not described by nationality, but by humanity, understood in evangelical nineteenth-century Christian terms. The victims of war deserved protection and care not because of their uniform but because of their condition, approximating what Agamben would later term 'bare life', and that, frequently secured (if at all) by a thread. Agamben's '*Homo Sacer*' is an outcast, a man with no cover.[3] The Red Cross aimed to provide that cover in the aftermath of battle.

The critical thinking behind this project was undertaken in 1899 and 1907 in two meetings that certainly proved that strange bedfellows can find common cause. Nicholas II and Andrew Carnegie may not have had much in common, but they did join together to construct two sets of international legal instruments, with the status of treaties, as well as a Permanent Court of Arbitration. Article 4 of the 1899 Convention declared that prisoners of war shall be 'humanely treated'. They can be compelled to work, but neither excessively nor in military operations. They must be maintained in conditions similar to those of the troops who captured them. There must be an information bureau to record their status for their families, and charitable relief associations shall receive 'every facility' for the carrying out of their 'humane task'. The power of belligerents was also limited: no man surrendering shall be killed, and no poison weapons shall be used. The attack of an undefended town is prohibited. Collective punishments are prohibited for the acts of individuals under occupation. In sum, this convention, extended and amplified in 1907, and further developed in 1949, constitutes a body of doctrine we now term humanitarian law, or the laws of war.

The delegates who framed these instruments made it clear that their aim was to protect the weak and restrain the powerful. The angle of their vision was vertical, extending a hand downward to those prostrate or huddled in fear in the face of modern war and modern warriors. My claim is that theirs was the politics of sympathy, of reaching out to the victims, who, through no fault of their own, had a sword hanging over their heads. Humanitarian law aimed to stay the hand of the warrior and put a second hand over the head of the non-combatant, the mutilated, and the prisoner-of-war.

In the same period, the notion of humanitarian action retained its Christian, Western character, full of the condescension of *la mission civilisatrice*. When Gladstone had campaigned against Bulgarian atrocities,

and Americans rallied against crimes committed against Armenians in the massacres of 1896, they pointedly singled out Muslims as capable of crimes Europeans – for which read Christians – supposedly could not commit. The humanitarian crusade against atrocities in the Congo, shifted the terrain of high mindedness slightly, in that among the criminals were rapacious Europeans given a free hand by King Leopold of Belgium to rape, plunder, mutilate, and murder. The outcry over the murder of the Hereros was more muted, but similar in character. Imperial killings were not committed in times of war, and therefore they lay outside humanitarian law, which focused primarily, if not exclusively, on war.

During the Great War, humanitarian action entered a new phase. In 1914 the first humanitarian aid package – food aid – was put together by Herbert Hoover. He led a private charitable crusade to feed the children of occupied Belgium; it was a success, and made a profit too. At the end of the war, that effort extended to most of Eastern Europe, in the grip of continuing violence and famine.

During the Armenian genocide of 1915, the cry to stop ‘crimes against humanity’ drew on this earlier rhetoric of Christian outrage. Armenians were Christians living on the edge of ‘civilization’, people who had endured horrors repugnant to Western opinion, though not sufficiently repugnant to permit Woodrow Wilson to accept a United States mandate over the new and doomed independent state of Armenia. The tradition of twentieth-century humanitarian rhetoric outpacing humanitarian action started here.

The key point is that humanitarian crusades, even in the case of Armenia, were directed towards victims of wartime violence. The humanitarian conventions signed at The Hague, while having the force of treaties, had failed the first major test they had faced. In the terms of this contribution, one reason may have been that sympathy still retained the downward gaze, the view from on high, however distorted, that enabled those shocked to cry out against the fate of victims of war in various parts of the world. Sympathy here meant standing apart – and above – and as such the ‘humanity’ described in the language of protest over ‘crimes against humanity’ was Western, Orientalist, Imperialist, and separate from those whose victimhood they decried.

One way of understanding the emergence of another approach to international law – the human rights approach – is to suggest that it was a change in optics, a move from the verticality of sympathy to the horizontality of empathy. Here I take empathy to be that entering in to the situation of those injured or abused, in which those who

seek action either share themselves or are brought into the condition to be remedied, rather than gazing at it from without. This distinction is a general one, and should not be taken strictly or in any sense absolutely. Throughout the twentieth century, sympathy and empathy shared a common discursive field, that field of protest against collective violence, whatever the source. But within that field, and over time, humanitarian thinking and humanitarian law diverged from human rights thinking and human rights law.

The Nazis were in part responsible for the change, in showing that humanitarian law – the protection of minorities, for example – had no force. In our own time, humanitarian action has had contradictory outcomes. Humanitarian intervention by Western powers has entailed gross violations of human rights among the populations 'aided' by force of arms. The war in Iraq is one such case. More ambiguous is the case of the civil war in the former Yugoslavia. There the character of humanitarian intervention, under humanitarian law, namely the Geneva Conventions of 1949 and 1977, located the operations directly within the terms of reference of assuring the rights of non-combatants in wartime. Those tried in The Hague were and are tried for crimes against the laws of war, including the crime of genocide, which emerged as a direct response to the Holocaust. But what about Rwanda, where warfare had been endemic, but where the genocide was committed by one ethnic group in a state against another? Humanitarian law is not so easily separated from human rights law, but the two have moved in different directions.

I think the distinction between the two matters. Human rights law emerged in parallel with humanitarian law, as the power of the nation state increased in reach and in lethality over the twentieth century. When its array of powers reached a certain level through communication, transportation, and police power, it displayed its sovereignty in the practice of genocide, or war against civilians. This occurred both during international hostilities and in 'peacetime'. That is one reason why the remits of human rights law and humanitarian law have overlapped. But the purpose of human rights law is not that of humanitarian law. It is, I claim, the law of empathy, not that of sympathy, since it affirms an equality of interest and standing between and among men which is independent of the state of belligerency in which they live. It is about the dignity men find in all associative life, in family life, and in personal expression, all of which had been trampled on and torn to pieces in the course of the Holocaust. This is the setting in which the Universal Declaration of Human Rights came into existence.

5.3 The birth of human rights law

Human rights law emerged in the course of the Second World War as a response to Nazi war crimes. The claim was made by a group of exiles in London that the war aims of the United Nations, the name the anti-fascist alliance took on 1 January 1942, were to replace the warfare state of the Nazis and their allies by a different kind of state, one based on respect for human rights. That meant take on board the commitments of Roosevelt's New Deal and generalizing it for the world at large. This kind of American crusade was legitimated by the weight of the American economy in providing the stuff of war, the logistical and material basis of the grinding down of the Axis armies from 1942 on. It was consistent for a brief period with Soviet propaganda about the people's war, and the leftward shift the war aims of the Allies took when the Soviet Union was invaded in June 1941. Human rights meant economic and social rights, as much as political rights.

When the Economic and Social Council charged the nascent Human Rights Commission in 1946 to write a declaration of the rights of man, it was in the spirit of the wartime alliance, rapidly turning cold. On 10 December 1948 the Universal Declaration of the Rights of Man won universal assent in the United Nations assembled in Paris; there were abstentions from the Soviet bloc, engaged in the Berlin blockade and the consolidation of communism in Czechoslovakia, among other things, but no one voted against it. South Africa abstained and so did Saudi Arabia. Its framers claimed, with slight exaggeration, that their document spoke for humanity as a whole.

Since then human rights has had a checkered career. Located within UN conventions approved in 1966, the cause of human rights went into eclipse in the last decades of decolonization. The cause moved into another gear in the 1970s, when the Helsinki final accords of 1975 traded off Western recognition for the western boundaries of the Soviet Union for the right of surveillance of human rights practices within the Soviet Union itself. Brezhnev got it wrong; Helsinki had teeth, not just words, and those teeth bit into the thin legitimacy of the Warsaw pact states and the Soviet Union itself. There were many reasons why the Soviet empire and the Soviet Union collapsed, but Helsinki was not the least of them.

Thus it is apparent that human rights law, now embedded in regional human rights regimes in Europe, Latin America, and Africa, came out of humanitarian concerns but moved into another register not fully described by humanitarian law – the law of war. How did they come together, and how did they come apart?

To tell this story, I need to go back to the Great War, from which virtually everything long-lasting in the twentieth century and after can be traced. The reason for doing so is that we can see in the elaboration of humanitarian principles concerning the world of veterans' pensions the parting of the ways between sympathy as the charitable raising up of the downtrodden and empathy as the assertion of rights between and among equals. When wounded veterans rejected the lady-bountiful approach to their rights, they were preparing the grounds, unbeknownst to them, for the rights revolution of the later twentieth century.

5.4 Disability and capabilities: from injury to pensions to human rights

The distinction between empathy and sympathy can help us understand the shift from the realm of humanitarian law to the realm of human rights law in a number of specific ways. One is located in the politics of disability pensions for wounded veterans of the Great War.

Let me dwell on one emissary of empathy, understood as distinct from sympathy. I speak of the French Jurist René Cassin. In August 1914 René Cassin was a 26-year-old lawyer, born in Bayonne to a prominent Jewish family living in the south west of the country. The outbreak of war found him in Paris, from where he immediately journeyed south to join the 311th Infantry Regiment in Aix.[4] In September he was promoted to the rank of corporal and served near St Mihiel. He remained in this sector, where, on 12 October, he was ordered to take a squad of 16 men and advance towards a German strongpoint near Chauvencourt on the outskirts of St Mihiel. German emplacements made such a probe suicidal. All 16 men in his unit were hit by flanking fire from well-entrenched machine guns and artillery. He himself was hit in his side, his abdomen, and his left arm. He knew that a stomach wound was almost always fatal. Cassin refused evacuation, but told a passing soldier to inform their commander of the strength of the German positions in his sector. In addition he begged this man, Sergeant-Quartermaster Canestrier, to write to Cassin's father that he had died painlessly (which was a lie) and to send to his family a leather cigarette case, two gold 100-franc pieces and some small bills. Canestrier vanished, and so did Cassin's valuables.

Clearly Cassin thought he would never survive. He asked a priest if someone could say Hebrew prayers with him. The priest replied that his prayers were for everyone, and gave him the benefit of his company.[5] Somehow, he got through the night, and was then handed over to the French army medical services.

The way these units were organized in the early days of the war almost killed him. The rule was that on mobilization you reported to your regiment, in whatever region you were assigned. After battle, you returned to *that* site, either intact, wounded, or in a coffin. Cassin would not be treated in the north east of France, but in Provence, 600 kilometres away. He was sent by wagon and then by train south, and after a journey of several days arrived in the regiment's hospital in Antibes on the Mediterranean. There, surgeons were astonished to see that he was still alive, despite the fact that his abdomen had been torn to shreds. Cassin had been wise enough to drink virtually nothing on the trip. They then told him that his case was critical, and that they did not know if he would survive more than a few hours. That meant they did not have time to anaesthetize him, but needed to operate immediately. This Cassin accepted, and somehow endured an hour under the surgeon's knife. He later said he was fortunate that the operation was on a less than sensitive part of his anatomy.

While in convalescence, he wrote the story of his service, and framed it in terms of a conventional French patriot and a Jew. One of the Jewish men with whom he served had told him that a Jew had to be more courageous than others in order to evade accusations of cowardice. This bravery was Cassin's trademark. But for our purposes what is intriguing in his own narrative is how laconic it is. He nowhere dwells on the hideousness of being wounded, of the incompetence of his own medical service, of the appalling cruelty inflicted on him by it. His train journey alone, holding his intestines in his stomach with great difficulty, is a middle passage that might have broken many other men. He saw and felt what battle was, and yet managed to frame his part in it without feeling that it had undermined his own identity.

The courage of his war service was palpable, but so was the incompetently managed medical treatment he received. This was hardly exceptional among the wounded or among those disabled and discharged, then or now. What followed his convalescence was a fight not against the enemies of the French state, but against the callous, inefficient bureaucracy of the French state itself. This was the target against which he was able to rally hundreds of thousands, and later millions, of men. In so doing, he helped found the French veterans movement, and worked tirelessly to assure that men who had been wounded in the service of their country or their widows would have a decent pension, or that the orphans of the men who did not return would be given a start in their lives.[6] This work brought him up against recalcitrant and indifferent authorities. These rights were earned, not only by military

service and the shedding of blood, but thereafter by long political struggle. French veterans, like others in Europe, were given their pensions grudgingly, not as a right but as a privilege, wrested from the hands of unfeeling administrators and the physicians who served them.

This struggle for natural justice for the lame, the halt, and the blind, for men who had answered their countries' call, but then found that few were prepared to heed the voices of the wounded, created something new in European affairs – a pacifist veterans' movement. The notion of soldier-pacifists may seem like a contradiction in terms, but in interwar France it was not at all oxymoronic. French Republicans like Cassin saw it as their life's work to ensure that their sons would not have to enter *la boucherie* – the slaughterhouse – of modern warfare. They knew what it had been like and were determined that the young would be spared the fate they had suffered. In striking contrast to the myth of the war experience and lies about the nobility of armed conflict conjured up by the Nazis – veterans too – the French *ancien combattant* movement made war on war. On 11 November they marched to the war memorials in every tiny village; they did so in civilian dress and deliberately out of step. They had been civilians in uniform, and they bore a message from their comrades who had died to the young: war must never return.[7]

This political programme was crippled from the start. The focus of the veteran movement in France was justice for their brethren, and for the widows and orphans they had left behind. But their mission extended into the field of international relations as well, and that meant struggling with and through the League of Nations.

Today I want to focus not on the League, but rather on the domestic side of the story. Here we encounter an unintended and unstudied precedent for what we now call the welfare state. On 20 March 1948, in the final lead-up to the framing of the Universal Declaration of Human Rights, Cassin recalled that it was in the Great War, and through veterans' struggles, that they laid down in stone the principles of the right to medical care at the expense of the state and to a disability pension enabling a veteran to escape from penury.[8]

He knew of what he spoke, since he was a central figure in the fight for these rights. The first issue was probably the most important. It was the setting into the Pension Law of 1919 the principle that when a soldier made a claim for a pension, its legitimacy was established by the claim itself. The state could contest the claim, on the grounds, for example, that the disability arose from a pre-existing condition. But it was the state, which had to challenge the validity of the claim the disabled man had made.

Things were very different in Britain, and to the best of my knowledge, everywhere else in the world. In Britain, when a man made a claim for a war disability pension, he had to prove it was not based on a pre-existing disability and that the wounds or injury were sustained on active service. The fact that he had made the claim carried no weight at all; it was not established by his word, but by a long and tedious bureaucratic process, in which the claim could be rejected at many points as undocumented and unjustified. The burden of proof in this, what I term the British disability system, was on the shoulders of the disabled man, and many of them were unable to sustain it. How many we will never know, but we do know that 70 per cent of the men who applied for a war pension in France received it; 40 per cent is the British figure. And that does not touch the unknown number of people who never bothered to jump through the bureaucratic hoops to get one. A conservative estimate would be that one million more British men would have received a disability pension in the interwar years had French principles applied to their entitlements.

The word 'entitlement' is the key. French soldiers came from a political culture with a long Jacobin tradition of embedding citizenship in military service. In 1914, nearly all the men who served – all eight million of them – were citizens. In Britain perhaps one quarter of those who served and who died in the war had the vote. The rest were subjects, not citizens.

In both cases, the men who went to war entered into a contract with the state. They were deemed to be able-bodied at the time of enlistment, usually by a medical examination, and if they incurred a wound and were disabled, the state would make payments to them to put them in no worse a position to support themselves or their families than they had been when they had joined up. Here is where political culture and political struggle comes in. This contract was managed differently in the French state than in the British state; Cassin and his colleagues had ensured that this would be so. In the language of this argument, they demanded empathy, in the form of rights, and not sympathy in the form of charity, and charity very grudgingly given at that.

Empathy is the right word here, since the men who claimed their rights in France had bled for the country. Many, like Cassin, had come close to dying while on active service. Why should they make do with charity, or the sympathy of those who bought matches from one of the amputees Otto Dix painted after the war on the streets of Dresden or Berlin? They were inside the story, not outside it. They knew the pain, the loneliness, and the harsh terrain of rehabilitation. They insisted

on horizontal justice – eye to eye with other citizens – rather than the top-down, vertical justice of charity. It should give us pause that to this day in Britain the second largest charity in the country, accounting for over 50 per cent of funds available to help those injured in war or their families, is the Royal British Legion, a private charity, with Prince Charles as its patron.

Just one story should highlight how significant this difference was. Private Arnold Loosemore, a Sheffield man, won the Victoria Cross for conspicuous bravery during combat in the Ypres Salient in August 1917. A year later, he was severely wounded and had to have a leg amputated. He returned to England, and married his childhood sweetheart in 1920. The Sheffield Rotary Club provided the couple with a bungalow and a pony. Loosemore died at the age of 27 in 1924, six years after the Armistice. When his widow, who was left with a three-year-old son, applied for a pension, she found out that she was ineligible. The reasoning of the Ministry of Pensions was that if she had married Loosemore in 1914, she would have been entitled to a pension. But she married him after he was wounded, and thereby entered into a marital contract with a damaged man, in full knowledge of the status of his health. Furthermore, she married him after his discharge from the army. Here there wasn't even a doubt about the cause of his death; but the state acted in such a way as to reduce the costs of caring for those bearing the wounds of war and for their families. To add insult to injury, when he was given a funeral by the town, the bill was apparently sent to the widow by the Council.[9]

In France, things worked differently; such a case would have been treated as the scandal that indeed it was. The reason was that veterans had substantial political clout and used it to stop bureaucrats from making stupid and insensitive decisions.

This story was repeated all over the world. Everywhere, there was a shifting landscape of entitlements, reflecting varying levels of organization and political will among veterans and veterans' groups to press their case. To be sure, even when entitlements were recognized in a liberal manner, whatever the level of reparation provided by the state, it never fully compensated for the suffering and hardship the war wounded and their families endured.

This negotiation over what constitutes a war-related condition or injury, and how to compensate the men and women who bore them, continued throughout the twentieth century. It is with us still. That is why it makes sense to see it as a field of force on which the different claims of sympathy and empathy – charity and rights – were fought out.

From 1919 on, the French veterans' struggle for their rights highlighted the difference they saw between sympathy and empathy. The French language uses different terms for these concepts, since 'sympathie' is synonymous with being agreeable company, but the essence of the conflict was the same as elsewhere.

In France two separate offices were set up to manage pension rights. The first was the Office National des Mutilés de Guerre (ONM); the second was the Office des Pupilles de la Nation (ONP). This latter office served orphans whose fathers had been killed, and who were given money to buy land and other help in starting a farm or small business so that they could support a family. Paternalism is a good name for this, and it entailed a recognition that 80 per cent of the men killed in the war – that is 1,200,000 men – were farmers, and that their sons would never be able to marry and raise a family and stay on the land without financial assistance. Here is a form of entering into the family life of the overwhelming majority of those who had to live in the shadow of the slaughter of the First World War.

Who should run these offices? There were dozens of private charities, some secular, some religious, who poured out their hearts and their cash for the wounded, the widowed, and the orphaned. I have no doubt as to the sincerity of their motives. But Cassin spent three years establishing the right of disabled veterans themselves to have a majority vote in these offices and in their administrative committees. It was there, in these obscure bureaucratic gatherings, that flesh and bones were put on the skeleton of the Charter of Pensions, written into law on 31 March 1919. And the men who did so were wounded veterans themselves.

Cassin was by then Professor of Law at the University of Lille, and his training as a jurist enabled him to write most of the regulations on which these bodies operated. But his clout and standing came from his growing prominence in the National Union of Disabled Veterans. He was vice-president and then president of this organization, which was at the heart of the largest veterans' movement in the world. Fully three million men subscribed to this organization in the early 1920s, and one reason they did so is that Cassin and his colleagues delivered the goods – not charity, the language of sympathy, but rights, the language of empathy. Cassin lived the story of disability from within. He wore a surgical belt every single day of his life after having been wounded in 1914, including the day he received the Nobel Peace Prize in Oslo in 1968. He had not a single day without pain in the 62 years between his injury during the Battle of the Marne and his death in 1976.[10]

5.5 Conclusion

The road between these obscure meetings of pensions' administrators and the presentation by Cassin of the Universal Declaration of Human Rights in Paris in December 1948 is a long one, and I will not detain you with more of its rich detail here. Suffice it to say for our purposes that this one moment in the history of social policy discloses a much wider choice individuals and groups have faced throughout the twentieth century.

As wounded veterans, Cassin and his colleagues were subject to certain rights as victims of war. They won those rights, but not without a long, hard struggle. What of those unluckier than they? There were millions of them, and their number increased as the violence of the post-war years continued. The nascent field of humanitarian rights was framed to deal with them. And yet when it came to the crunch, humanitarian rights had no purchase against the power of the nation state, in particular in the form of Nazi Germany and Stalin's USSR. As long as state sovereignty remained absolute and inviolable, humanitarian rights, as Hannah Arendt famously said, were a function of state citizenship, understood as the right to have rights. What remained for them were sympathy, charity, and prayer.

Cassin moved from one rights domain to another in the course of the interwar years. We do not have time to enter into his work as a delegate to the League of Nations between 1924 and 1938. He represented disabled veterans in the French delegation. From that period, disastrous as it was in essence, he moved into another life, this time, in London as de Gaulle's jurist in *France Libre*, and from there into the field of establishing human rights as the core commitment of the new United Nations. Here is an even longer story that I do not have the time to tell.

All I want to do here is to say that the move away from sympathy to empathy captures his entire career. It entailed a shift from helping *am sridei charev*, in Jeremiah's poetry, those who had survived the sword, after the fact, to establishing a new kind of rights regime, one which truncated state sovereignty in order to construct a durable peace. Humanitarian thinking is admirable, and it can take us far into the realm of remediation, but it does not deal with the fundamental engine of violence, which is the nation state and its claims to inviolable sovereignty.

Over the course of the twentieth century, both humanitarian law and human rights law have grown considerably. I want to put it to you that the sympathy of humanitarian law and the empathy of human rights

law did not come out of a clear blue sky. Both were products of political structures and struggles. Humanitarian law never challenged the essential sovereignty of the nation state. The Red Cross is a *locus classicus* for that statement, working with the Nazis in sometimes debased ways. Witness the whitewashing of conditions in Theresienstadt concentration camp in 1944. Human rights law challenges state sovereignty by putting above national law a higher set of legal principles. In many countries, these trans-national instruments are indigestible. But in some, they have taken root, and provided a pathway not to sympathy, not to charity, but to empathy and a kind of civility hard to imagine in Europe or anywhere else, for that matter at the end of the Second World War.

To be sure, the failures of the human rights conventions promulgated 50 years ago are evident. The record of humanitarian rights is not much more glorious. And yet the fact that this dialectic between sympathy and empathy in law and in practice is ongoing is a major step away from the century of violence we have hopefully left behind. And that is a conclusion with which I hope my readers will be sympathetic.

Notes

1. C. Montag et al. (2008) 'Theodor Lipps and the Concept of Empathy: 1851–1914', *American Journal of Psychiatry*, clxv, pp. 1261–76.
2. E.B. Titchener (1909) *Lectures on the Experimental Psychology of Thought Processes* (New York: Palgrave Macmillan).
3. G. Agamben (1998) *Homo Sacer: Sovereign Power and Bare Life,* trans. Daniel Heller-Roazen (Stanford: Stanford University Press).
4. *Souvenirs de la campagne 1914–1915*. 382AP/1. Pierrefitte-sur-Seine, Archives Nationales. These memoirs were composed about a year after the outbreak of the war. Cassin wrote that they constituted a 'Temoignage vécu, à l'histoire d'une campagne d'un regiment de ligne au cours de la guerre franco-allemande'.
5. *Guerre 14–18, Souvenirs de la campagne 1914–1915*. 382AP/1.
6. *Anciens combattants*. 382 AP/10.
7. M. Agi (1980) *De l'idée d'universalité comme fondatrice du concept des droits de l'homme d'après la vie et l'oeuvre de René Cassin*. Thèse pour le doctorat d'État, Université de Nice, 10 December 1979 (Antibes: Éditions Alp'azur).
8. *Conseil D'Etat* (1948) PV/CA/ENA. CAC 19900256/1. 20 March. Paris, Archives du Conseil d'Etat.
9. J. Winter (2010) 'War wounds', *BBC Radio 4*, 8 November.
10. A. Prost and J. Winter (2011) *René Cassin et les droits de l'homme. Le projet d'une génération* (Paris: Fayard), p. 382.

6
The Management of Empathy in the Third Reich

Peter Fritzsche

In an extraordinary book, a kind of 'docu-drama,' published in spring 1940, the popular nationalist writer Edwin Erich Dwinger fabricated a holocaust that ethnic Germans had suffered at the hands of the Poles in the days after Germany's invasion in September 1939. Fantastically embellishing the events of 'Bloody Sunday' on 3 September in Bromberg (Bydgoszcz), Dwinger's book, *Death in Poland*, opens with Polish soldiers and civilians attacking ethnic German communities in Western Poland.[1] Random violence against German civilians grows increasingly systematically and eventually includes an astonishing number of elements that later appear in Germany's war against the Jews. The prophetic nature of the work is startling: Poles round up German civilians in marketplaces against the background of burning churches; they assign Germans color-coded identity passes (red, pink, and white) which classify their political reliability (much as Germans would do with Poles they considered to be ethnically German); they force Germans on 'hunger marches' and confiscate their last possessions, including, Dwinger specifically notes, purses (which German authorities actually snatched from Schneidemühl's Jews during March 1940 deportations); guards lock up helpless civilians in barns which they threaten to burn down; soldiers separate men from women and discuss the morality of murdering women – and Dwinger pointedly has one Pole decline to do so in order to establish the deliberate nature of shooting civilians by the majority; and Polish soldiers 'liquidate' stragglers at the end of the column who have fallen sick or become weak (*Death* 136).[2] German children are deliberately killed with exactly the same justification with which SS shooters explained the murder of Jewish women and children in summer and fall 1941: 'in ten years they will be men who will sire more German dogs, they will be women who will give birth to more

German dogs' (36–7). Elsewhere Polish irregulars round up German civilians and escort them to the edge of town where, beside a lake, which was 'the favorite place for an excursion' (45), they are shot. Later on Germans pass the following advice down the line: 'Take off your glasses!' – the Polish commander intended to 'destroy our entire intellectual class' by killing men with glasses (153–4). (As Dwinger was writing, this is precisely what the Germans were doing to the Poles.) Eventually two columns of prisoners meet, prompting one German to remark: 'That is how we look [...] but unfortunately no one else sees us', a reference to world public opinion that has ignored the plight of the German deportees (122).

In Dwinger's world view, the world in view is one in which empathy has been completely extinguished. Evidence of the solitary Pole who refuses to murder German women is countermanded by the steady radicalization of the course of events. The court of world opinion is silent or, worse yet, absorbed by the fate of the 'poor Poles,' indifferent in any case to that of the Germans (123). The book's narrator, the 'Old Siberian', a German who had been imprisoned in Russia at the end of World War I and was modelled on Dwinger's own experiences, commented on the differences between the deportations in the Russian civil war in 1919 and his own circumstances in Poland in 1939: the Red Army 'had thousands shot, but let ten thousands die. It is on the word 'let' that the emphasis falls here. Epidemics [...] that is the big difference.' He goes on to say that even 'the red Jew-commissar' had ordered a wounded 'White' he had captured to be bandaged: 'Have you ever heard that, from a single Pole, ever?' (113–5).

The atrocities of World War II are not regarded by Dwinger as originally 'Bolshevik' or 'Asian', as the historian Ernst Nolte would later insinuate when he asked (in the opening shot of the 1986 *Historikerstreit*) 'wasn't the Gulag Archipelago prior to Auschwitz?'[3] Rather they are the specific evidence of German suffering and of Polish cruelty. In other words, Germans contemplated the first steps toward the Holocaust through self-absorbed fantasies of their own demise; perhaps this is what makes the Holocaust German. Dwinger repeatedly suggests that what makes this war different is the killing of civilians which, as Jeffrey Herf notes about German propaganda in the early 1940s, is regarded 'as a typical and common feature of the war in which Germany was now engaged'. It was a practice that Germany's 'archenemy was intending to inflict on the Germans' and thus a policy that Germans would have to pre-emptively deploy.[4] The 'old Siberian' himself recognized the collective guilt of the Poles and consequently the need to deport them: 'Who

after these events will ever expect Germans in the border provinces to live with Poles again as close neighbours? Isn't every Pole at least [related to] a murderer […] and weren't they all complicit intellectually, even if they did not participate with their own hands?' (165). Another prisoner already anticipated the gigantic, murderous scale of Germany's hard-won victory:

> Whatever will happen to Poland in this war, whether its cities will be entirely destroyed, or whether its intellectual class falls in battle, or whether one-third of its population perishes in the hail of bullets – I can't think of any consequences of the war that I would regard to be unjust. (123)

This extraordinary counteroffensive against the entire Polish nation is frankly genocidal and leaves behind the conventional bounds of atrocity literature.[5] In this contemporary world, bullets and battles are acknowledged to be the means by which civilians go under.

Death in Poland quickly became one of the key texts in the workshops the SS organized to prepare units for deployment in Poland and the Soviet Union. In one summer 1940 course, the speaking points for Dwinger's book read as follows:

> To be emphasized: it was not just the rabble that was behind these crimes; the Polish intellectual class took part and representatives of the Church tolerated it. Conclusion: the truly guilty: England (Juda). No matter how severe, every German measure in the East is justified'.[6]

In other words, the book served to expand the category of 'perpetrator' to include civilians and thereby expand the notion of the enemy in the same way. Although the evidence is inconclusive, it is tempting to consider *Death in Poland* as a 'play book' or game exercise for SS shooters who would be mobilized in the Soviet Union.

Death in Poland recapitulated the National Socialist version of post-World War I history. The Nazis believed that Germany was mortally threatened by a whole series of military, political, and biological dangers: Poland and the Treaty of Versailles, which had redrawn borders to Poland's advantage, to begin with, but also political and social conflicts and racial degeneration which Germany's unexpected defeat in 1918 had exposed. National Socialism believed its historical mission was to revitalize Germany as a racial compact in order to make permanent

the nationalist solidarities of 1914 and thereby preclude the 'stab in the back' that had occurred in 1918. To get back to 1914, Germany would have to successfully tough out 1918. To ensure national survival, Germans in the Third Reich needed to be as ruthless as Dwinger imagined the Poles to have been in 1939, to acknowledge the bitter realities of the post-1918 world, and to accept the self-evident nature of ethnic mass murder.

Of course, Nazi leaders pushed the propaganda point that, as Goebbels put it in guidelines to the press in July 1941, Polish massacres in Bromberg and Soviet ones in Lemberg 'basically' represented 'the Jewish-Bolshevik condition of normality.'[7] But what is astonishing is the degree to which Germans had already, in the 1930s, come to accept basic premises of the Nazi world view. After the Great War and the Great Inflation, Germans were increasingly apt to picture themselves as a virtuous, but beleaguered Volk beset by nefarious, only partially visible enemies. Nazism built on this melodramatic self-representation. In my view, the great success of the Nazis was to get more and more contemporaries to adhere to fundamental premises of Nazi history: the extraordinary suppression of Germany since 1918; the belief that the Third Reich had attained a real measure of freedom in the years since the Nazi seizure of power in 1933; and the fear that this freedom was not only imperilled by the new war but also justified the harsh methods that a victorious Germany had to impose to cover its back. Insofar as this *Sonderleidungsweg* demanded a new morality of means and ends, it imposed on Germans a far-reaching and self-imposed complicity with Nazi crimes. Duty and service to Germany required purging again and again any traces of *Humanitätsduselei*, a false sense of humanity.[8] The suffering of individuals might be seen, and had to be grappled with, but was trumped by the suffering of Germany itself. Identification with the collective subject continuously overwhelmed empathy for the individual subject.

In some cases, individuals figured out Nazi precepts all by themselves. In Braunschweig, in April 1933, Elisabeth Gebensleben was asked by her daughter, living in the more liberal atmosphere of Holland, to explain the 'mean', 'horrible' 'campaign against the Jews' and the recent boycott of Jewish businesses. Elisabeth began with a concession, contrasting the '*happiness*' of the world-historical events taking place in Germany with her 'sympathy' for '*the fate of the individual*'. Thereafter, Elisabeth pulled herself together to justify the boycott: 'Germany is using the weapon it has' to respond to 'the smear campaign' from abroad. In other words, Germans were the actual victims. The next word is predictable since

discussions about Jewish suffering frequently switched to the subject of German suffering: 'Versailles' had taken the 'opportunities for life' away from Germans, who were now 'completely understandably' fighting back on behalf of their 'own sons'. Elisabeth's reasoning is obviously faulty, for she argued that German Jews would have to make up for what the Allies had taken by restricting their representation in the professions to their proportion in the population: 'that is one per cent'.[9] But her rhetoric captures the work of becoming a Nazi. Elisabeth confronted Nazi terror, hesitated momentarily, and dismissed the consequences as justified in the name of German suffering. In her world view, the fact that ethnic populations were locked in mortal combat precluded sympathy for individuals in the other camp. There were only friends and foes, so that belief and solidarity with friends outmaneuvered doubt about actions against foes.

In other cases, gossip reflected a more socially learned process of moral readjustment, although traces of '*Humanitätsduselei*' remain visible. In Bremen, in November 1941, a German woman struggled with the knowledge of the deportation of her Jewish neighbours. 'They are being sent to Poland, to Lodz', she wrote to her husband on the eastern front: 'In our neighbourhood, they had to assemble in two big schools, right near Heinz and Alma. There they reside with kit and caboodle and they look just terrible. […] They leave the Reich the poorest of the poor […]. Many find this bitter hard […]. But now they all have to take responsibility for their kind. Now I have given enough 'honour' to the Jews, having sacrificed half a page of writing paper on their account. So let's change the subject'.[10] The alleged sins of the collective – 'their kind' – justified the acknowledged sufferings of individual Jews, a conclusion that took a bit of work to reach, but was ultimately safe-guarded by the desire not to confront the issues.

War and the criminal nature of the German military enterprise also clarified conceptions of 'friend' and 'foe'. The crimes of 'friends' created an enduring 'foe'. In Celle, in June 1942, the soldier Walther Kassler finally returned on leave from the Soviet Union with a mish-mash of responses to the murders of Jews he had witnessed. His brother-in-law transcribed the difficult conversation in his diary. 'Walter emphasized repeatedly "We can be happy that we are not Jews"'. This was the swaggering, victorious warrior speaking, but Kassler was now at home with his family and probably needed to provide a little more in the way of moral justification. 'At first I didn't understand', he admitted, 'but now I know, it is a matter of existence or non-existence'. Still, his brother-in-law pressed the point: 'But that is murder'. Certainly the rest of the

world would consider the shooting of civilians a murder, a realization that made Kassler briefly evaluate the actions of the Germans from the perspective of the victims. He replied: 'Certainly it has gone so far that they will do to us as we have done to them, if we should lose the war'.[11] The perpetrator realized his crime at the moment he contemplated his own defeat, so that the only alternative was victory.

Even Heinrich Böll, the future writer who hated the mighty Nazis for their godlessness, and who felt he had been raped by the war, accepted the basic structure of National Socialist history. In France, in November 1942, the 24-year-old Böll, like millions of other soldiers, contemplated Germany's defeat. 'God willing', he hoped, 'that everything turns out alright. It would be terrible if everything once again is for nothing [...] if in a pure political sense it is all in vain for our people. We have already had at least 20 bitter poor and unhappy years since Versailles'. Böll not only loved Germany; he could not imagine losing 'the freedom' – and this is precisely the word he uses – the Nazis had gained for it: 'freedom we have come to know [...] But peace, peace we don't know yet'.[12] Böll was completed wrapped up in the trauma of Germany's defeat in 1918. He viewed the previous 20 years as a struggle against national disintegration, cherished the German freedom that had been achieved, and insisted that such an accomplishment was now under siege. As such, he accepted the Nazi view of history in which the present was the difficult moment of redemption which vanquished the catastrophe of the past: Versailles and German un-freedom.

The incontestable fact that Germans had qualms about Jewish suffering exposed how deliberate and self-conscious the process of reflection about Nazi misdeeds was. Repeatedly, Germans grappled with Nazi crimes, aired their doubts, but most ultimately re-armored themselves with appeals to German's collective fate. Doubt thereby strengthened conviction, even if revived conviction never entirely eliminated lingering doubts. The Nazis themselves accelerated this process of self-scrutiny in countless workshops and training camp exercises that focused on acquiring a 'Nazi conscience'.

Knowledge about the 'final solution' was extremely toxic. In summer and fall 1941, news about the mass murder of Jewish civilians began to seep through German society. Information travelled via soldiers returning home or via letters and became the subject of gossip and speculation among family members and neighbours. News about the killing fields in Russia, the Baltic countries, or the Ukraine could make its way back to Germany with astonishing speed: Willy Cohn, a Jewish high-school teacher in Breslau, had already heard about a 'big bloodbath' in Kiev on

11 October 1941– two weeks after the massacres at Babi Yar.[13] Three elements made up the frightening scraps of information: (1) that women and children were among the Jewish civilians murdered; (2) that victims often went to the graveside partially or wholly unclothed; and (3) that they lost courage to continue or went mad. By spring 1942, when the first general leaves were announced on the eastern front, soldiers, packed together in trains, pieced together the genocidal enterprise in which they had played smaller or larger parts. At least in Germany, the summer of 1942 was the time when wives, parents, and children would finally receive direct confirmation of the rumours that had circulated since the previous year: we know that in Celle, Walther Kassler had to explain himself to his relatives. Goebbels himself anticipated the difficult encounters between German soldiers and German civilians and attempted to choreograph them. In view of the upcoming leaves, Goebbels wrote an article in *Das Reich*, 'Gespräche mit Frontsoldaten', warning civilians that homecoming soldiers might well resemble strangers. The war was a 'gigantic struggle of world views', he explained, although 'it is understandable' that 'uncompromising thinking about the war and its causes, consequences, and aims' would produce 'points of friction' with 'life at home'. Families needed to 'live up' to the brutal 'face of the war'. Goebbels was publicly preparing Germans for what soldiers on leave would tell them about the murder of Jews and other innocents.[14]

Given the National Socialist conception of the 'gigantic struggle of world views', in which even simple soldiers such as Walther Kassler insisted that the stakes amounted to 'existence or non-existence', friends and foes often stood across from each other as mirror opposites. Nazi propaganda claimed to have unleashed the war to pre-empt a Soviet attack, and publicized Soviet atrocities and Soviet intentions in ways that anticipated or imitated Germany's own brutal actions. Over the course of 1941 and 1942, the justification for pre-emptory war often slipped into lavish detail about the 'final solution', with the only difference being that the Soviets were cast in the role of perpetrators and the Germans as victims, just as Dwinger's play book had done for the Polish people in 1940.

The Holocaust became increasingly visible in the projections of German victimization with which high-profile figures such as Göring and Goebbels sought to stiffen morale and redirect empathy from Jews to Germans – but visible as a negative. Even before Stalingrad, Goebbels told Nazi party members in Wuppertal that, in the event of victory, the Allies would implement exactly what the Jews 'had already threatened

to do to us', namely 'to deport our children or to impose a super-Versailles and force re-education on the nation' to render us harmless – we all know this. We *know* this!'[15] New details, which registered what the Germans were already meting out to Poles and Jews, accumulated after Stalingrad. Goebbels' 'total war' speech in the Sportpalast on 18 February 1943 referred to 'the liquidation of our educated and political elite', 'forced labour battalions in the Siberian tunda', and 'Jewish liquidation commandos' in the event that Germany lost the war.[16] Six months later, Göring applied Germany's racial judgment on the Jews onto the Germans, who would be totally exposed to the wrath of the Jews if the Allies won the war. 'And whoever you were, whether a democrat or a plutocrat or a Nazi or a Social Democratic or a Communist, that won't matter at all. The Jew sees only the German', he explained: 'He intends to destroy what is racially pure, what is Germanic'.[17] Delivered in Berlin's Sportpalast on 4 October 1943, Göring's speech invoked Social Democrats and Communists, predicting publicly that none would be spared, just as Goebbels had insisted that there is 'no difference between a Jew and a Jew' in his scurrilous November 1941 article, 'The Jews are Guilty!' in *Das Reich*, and just as Himmler, speaking to the SS leadership in Posen on the same day, dismissed the idea that there could by 'one decent Jew' or an 'A-1 Jew', announcing in closed company that none would be spared.[18] Whether Himmler, Göring, or Goebbels was speaking and whether one or the other referred to imaginary German victims or real Jewish ones, the play book was the same.

Furthermore: references to the murder or deportation of German children, which Dwinger had already raised in *Death in Poland*, ended up balancing out the attention drawn to Jewish women and children in the rumors that raced across the Reich in summer and fall 1941. The murder of children registered the genocidal intentions of Germany's enemies and, by implication, the genocidal counter-attack that Germany was required to undertake in response. Germany's children and grandchildren also featured in Himmler's retrospective explanation of the totality of the final solution. As he explained to the Wehrmacht in May 1944: 'In my view, despite all our heartfelt sympathy, as Germans we must not permit hate-filled avengers to grow up, with the result that our children and grandchildren will then be obliged to confront them because we, fathers and grandfathers, were too weak and too cowardly and left it to them to deal with'.[19] Not only was strength to murder nourished by empathy for Germany's children and grandchildren but the revenge in the future to which Germany's children and grandchildren would be subject could only be undertaken

by present-day Jewish children and grandchildren, who therefore had to be murdered. The unassailable guilt of Jewish children protected the unassailable innocence of German children. This was the self-professed 'idealism' by which the SS carried out its tasks, in contrast to the 'economic' standpoint of the Wehrmacht, which was more apt to husband the Reich's Jewish slaves into an undetermined future.

The same vocabulary of 'duty' in the present in the name of 'concern' for coming generations was employed by other leading Nazis. 'The task we are assuming today', noted Goebbels in his diary in March 1942, 'will be an advantage and a boon to our descendants'. Moreover, the historic responsibility was all the weightier because future generations might not have the resolve to act. After speaking to Hitler later in the month, Goebbels concluded that 'no other government and no other regime would have the strength to solve this problem in such a comprehensive way'.[20] Future leaders, Goebbels reasoned in October 1942, would lack 'true-to-life' experience with Jews, which Nazis in the 1940s still had; therefore the 'present-day generation would have to solve the overall problem'.[21] The heavy responsibility of history was laid down to outweigh the weakness of individual shooters who lost their nerves.

The emphasis on the historic responsibility of the present generation to secure the future echoed throughout the killing fields. 'Ludwig B', a private stationed in or near Kiev, passed on news about the massacre of Jewish civilians at Babi Yar at the end of September 1941: 'For eight days the city has been burning – it is all the work of the Jews. As a result, Jewish men between the ages of 14 and 60 were shot, and women too, otherwise there'll never be an end to it'.[22] In June 1942, Fritz Jacob, a police inspector from Hamburg, reassured his SS superior that he had marshalled the necessary strength to continue killing. He too referred to the appeals to history by which the SS mobilized killers: 'We will clear the way without pangs of conscience, and then', he added 'the world will be at peace'.[23] SS shooters on trial in 1958 also remembered appealing to history as they encouraged each other to accept their obligations: 'Menschenskinder' (literally 'the children of men' but figuratively 'dear fellows' or 'man alive') – the term itself is interesting – 'this is what our generation has to endure so our children will have a better future'.[24]

It was seizing the historic moment, and at once commemorating the 'difficult task' and emboldening future generations who might not have sufficient strength to understand the task at hand or to resist renewed Jewish influence, that impelled the Nazis to lay plans to document the 'Final Solution'.[25] If Himmler referred to the 'glorious, never-to-be written' page of history to mark the final solution in his speech to SS leaders

in Posen in October 1943, the page was in fact to have been written in 1941 and 1942. It is not possible here to trace the extent of photographic evidence left behind by ordinary soldiers as well as SS units. Berlin was already demanding documentary material about the work of the SS death squads at the end of July 1941. Suffice to say that photographs both provided authoritative documentation of the hard realities of a titanic military struggle in which enemy civilians posed existential dangers, and also offered material for commemoration and celebration. Photographers, filmmakers, and novelists (including Dwinger and Hanns Johst) arrived on the scene alongside SS death squads. According to one postwar source, Johst even claimed that German writers could not properly represent Germany's epic military triumph unless they had taken part in the 'executions in the east'.[26] In Paris, in spring 1942, Ernst Jünger had already learned a great deal about what he described as 'ghost festivals', featuring 'the murder of men, children, women. The gruesome booty is quickly interred, then other ghosts arrive to dig it out again; they film the dismembered, half-decomposed corpses with nightmarish glee. And then they screen these films for others'.[27] Ultimately photography and film provided the frame for the epic historical moment, which gave meaning to the brutality of the massacres. They facilitated the performance of necessity and judgment. They set the stage for the 'final solution' and for the appearance on that stage of the hardened, weighted-down bodies of righteous killers.

Two photo albums, in particular, lingered over the fate of Jewish women and children. They make explicit use of women and children to register the Nazi commitment to erase any future Jewish threat to German women and children. The first photographic excerpt is from the Stroop Report commemorating the fact that in May 1943 the 'Jewish Ghetto' in Warsaw 'is no more'. Assembled and selected by Jürgen Stroop (who incidentally in 1941 changed his name from the too-Catholic Joseph and the child-like moniker 'Jo-Jo' to which it had degenerated to the more SS-friendly Jürgen), the photo album, including the famous one with the boy with his hands raised, was framed through the eyes of the SS.[28] The boy in the picture is a Nazi emblem first. The photograph portrays the comprehensive, historical, necessary, and immediate responsibility that the SS men believed themselves to be carrying out. The pictures in Lili Jacob's 'Auschwitz Album' were also photographed and captioned by the SS. The album details the arrival in Auschwitz of a convoy of Hungarian Jews in May 1944.[29] We can be sure that the vast majority of these sorts of albums disappeared as the Soviets advanced in 1945: the commemorative archive of destruction was very

nearly destroyed. But this particular album survived by an unknown twist of fate and was found by one of the survivors of the convoy after she arrived many months later in Bergen-Belsen. A large number of the photographs in the album focus on women and children waiting outside the gas chambers.

What to us appear to be damning records of Nazi outrages are in fact celebrations of the genocidal project. That is why the caption for the photograph of the small boy is not a mockery, a contradiction (Wirth), or an arbitrary add-on (Raskin).[30] The English translation, 'pulled out of bunkers by force' is not adequate to the German original, 'Mit Gewalt aus Bunkern hervorgeholt'. 'Hervorgeholt' (roughly 'brought out to appear' so that others could see and witness) has something performative to it, not so much to confirm to the SS the fantasy that Jewish women and children were actually involved in terrorist activity but rather to confirm the willingness of the SS to murder all Jews *including* precisely women and children for the sake of the future. 'Hervorgeholt' echoes a line from Paul Celan's 'Death Fugue' in which the Wachtmeister 'pfeift seine Juden hervor lässt schaufeln ein Grab in der Erde'.[31] This can be translated as 'he whistles his Jews out' or 'he whistles his Jews to appear'; the movement is from the wings to the stage. Indeed the next line refers to 'an arrangement for a dance' ('spielt auf nun zum Tanz'). 'Hervorgeholt' and 'hervorpfeifen' indicate the parts that are being played on the stage of the final solution.

The killing operations always generated doubt. The Nazis themselves reflected on their 'difficult task'. However, the performative aspect to the violence against Jews served both to briefly stage and then finally banish doubt. It created a choreography of history in which innocent victims played an outsized role; Jewish children and grandchildren stood arrayed against German children and grandchildren. The stated intention to murder women and children became the guarantee for the future of the Third Reich.

Notes

1. E. Dwinger (1940) *Der Tod in Polen* (Jena: Diedrichs).
2. On purses, see the report by Hans Lammers, 16 March 1940 published in H. Adler (1974) *Der verwaltete Mensch. Studien zur Deportation der Juden aus Deutschland* (Tübingen: Mohr), pp. 144–5.
3. E. Nolte (1986) 'Vergangenheit, die nicht vergehen will', *Frankfurter Allgemeine Zeitung*, 6 June.
4. J. Herf (2006) *The Jewish Enemy: Nazi Propaganda during World War II and the Holocaust* (Cambridge: Harvard University Press), p. 127. On the explicitly

racial nature of Germany's campaign against Poland, see A. Rossino (2003) *Hitler Strikes Poland: Blitzkrieg, Ideology and Atrocity* (Lawrence: University Press of Kansas).

5. J. Horne and A. Kramer (2004) *German Atrocities, 1914: A History of Denial* (New Haven: Yale University Press).
6. J. Matthäus (2003) 'Die "Judenfrage" als Schulungsthema von SS und Polizei: "Inneres Erlebnis" und "Handlungslegitimation"' in J. Matthäus et al. (eds) *Ausbildungsziel Judenmord? 'Weltanschauliche Erziehung' von SS, Polizei, und Waffen-SS im Rahmen der 'Endlösung'* (Frankfurt a. M.: S. Fischer), p. 85.
7. Cited in P. Longerich (2006) *'Davon haben wir nichts gewusst!' Die Deutschen und die Judenverfolgung 1933–1945*, 2nd edn (Berlin: Siedler), p. 159.
8. On the 'moral' retraining of Germans in the Third Reich, see C. Koonz (2003) *The Nazi Conscience* (Cambridge: Harvard University Press) and T. Kühne (2010) *Belonging and Genocide: Hitler's Community, 1918–1945* (New Haven: Yale University Press).
9. Elisabeth Gebensleben to Irmgard Brester, 6 April 1933, quoted in H. Kalshoven (1995) *Ich denk so viel an Euch: Ein deutsch-holländischer Briefwechsel* (Munich: Luchterhand), p. 189.
10. Isa to Fritz Kuchenbuch, 8 July and 23 November 1941. Kempowski Archive. 5483. Akademie der Künste, Berlin.
11. K. Dürkefälden (1985) ' *"Schreiben wie es wirklich war ..." Aufzeichungen Karl Dürkefäldens aus den Jahren 1933–1945'* in H. and S. Obenaus (eds) (Hannover: Fackelträger), p. 110. See also C. Browning (1992) *Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland* (New York: Harper Collins), p. 58.
12. Heinrich Böll to Annemarie Böll, 14 December 1942, in H. Böll (2001) *Briefe aus dem Krieg 1939–1945*, J. Schubert (ed.) (Cologne: Kiepenheuer and Witsch), pp. 573–4. On 'rape,' see Kühne, *Belonging and Genocide*, p. 97.
13. Entry for 11 October 1941 in W. Cohn (1984) *Als Jude in Breslau 1941*, J. Walk (ed.) (Gerlingen: Bleicher), p. 106.
14. J. Goebbels (1942) 'Gespräche mit Frontsoldaten', *Das Reich*, 26 July.
15. Goebbels on 17 November 1942, quoted in B. Dörner (2007) *Die Deutschen und der Holocaust: Was niemand wissen wollte, aber jeder wissen konnte* (Berlin: Propyläen), p. 151.
16. G. Moltmann (1964) 'Goebbels' Rede zum Totalen Krieg am 18. February 1943', *Vierteljahreshefte für Zeitgeschichte*, 12, p. 22.
17. Göring on 17 November 1943, quoted in B. Dörner (2007) *Die Deutschen und der Holocaust,* p. 143.
18. J. Goebbels (1941) 'Die Juden sind schuld!', *Das Reich*, 16 November and H. Himmler (1943) 'Rede in Posen', 4 October NS19/4010. Bundesarchiv Berlin.
19. P. Longerich (2008) *Heinrich Himmler. Biographie* (München: Siedler), p. 715; F.-L. Kroll (1999) *Utopie als Ideologie: Geschichtsdenken und politisches Handeln im Dritten Reich* (Paderborn: Ferdinand Schöningh), p. 255.
20. Entries for 7 and 27 March 1942, J. Goebbels (1994) *Die Tagebücher von Joseph Goebbels. Sämtliche Fragmente*, E. Fröhlich (ed.) (Munich: Saur), part II, vol. 3, pp. 431, 561.
21. Quoted in C. Barth (2003) *Goebbels und die Juden* (Paderborn: Ferdinand Schöningh), p. 199, 233.

22. Letter of 28 September 1941, quoted in S. Müller (2004) 'Nationalismus in der deutschen Kriegsgesellschaft 1939 bis 1945', in J. Echternkamp (ed.) *Die Deutsche Kriegsgesellschaft 1939 bis 1945* (Munich: DVA), vol. 2, p. 84.
23. Fritz Jacob to Rudolf Quener, 5 May and 21 June 1942, cited and discussed in F. Bajohr (2002) '"... dann bitte keine Gefühlsduseleien". Die Hamburger und die Deportationen', in Forschungsstelle für Zeitgeschichte (ed.) *Die Deportationen der Hamburger Juden 1941–1945* (Hamburg: FZH), pp. 20–1.
24. W. Kempowski (2002) *Das Echolot: Barbarossa '41* (Munich: Albrecht Knaus), pp. 88, 215–6. Generally, H. Heer (1999) *Tote Zonen: Die deutsche Wehrmacht an der Ostfront* (Hamburg: Hamburger Edition), pp. 120–3.
25. See also J. Potthast (2000) 'Antijüdische Massnahmen im Protektorat Böhmen und Mähren und das "Jüdische Zentralmuseum" in Prag', in I. Wojak and P. Hayes (eds) *'Arisierung' im Nationalsozialismus. Volksgemeinschaft, Raub, und Gedächtnis* (Frankfurt a. M.: Campus), p. 178.
26. R. Düsterberg (2004) *Hanns Johst: 'Der Barde der SS'. Karrieren eiens deutschen Dichters* (Paderborn: Ferdinand Schöningh), p. 303.
27. Entry for 12 March 1942, E. Jünger (1955) *Strahlungen* (Tübingen: Heliopolis), p. 90.
28. International Military Tribunal (1947–9) *Trial of the major war criminals before the International Military Tribunal, Nuremberg 14 November 1945 – 1 October 1946* (Nuremberg), p. 26; and J. Stroop (1979) *The Stroop Report: The Jewish Quarter of Warsaw is No More!* (New York: Pantheon). On Stroop, K. Moczarski (1981) *Conversations with an Executioner*, M. Fitzpatrick (ed.) (Englewood Cliffs, NJ: Prentice-Hall), p. 92.
29. S. Klarsfeld (ed.) (1980) *The Auschwitz Album: Lili Jacob's Album* (New York: The Beate Klarsfeld Foundation).
30. A. Wirth (1979) 'Introduction', in J. Stroop, *The Stroop Report: The Jewish Quarter of Warsaw is No More!* (New York: Pantheon); and R. Raskin (2004) *A Child at Gunpoint: A Case Study in the Life of a Photo* (Aarhus: Aarhus University Press), p. 16.
31. P. Celan (1971) 'Death Fugue', in *Speech-Grille, and Selected Poems*, J. Neogröschel, trans. (New York: Dutton), pp. 28–9. The translations are mine.

7
Looking Away in Nazi Germany

Aleida Assmann

7.1 Introduction

More than 20 years after the end of the Second World War, the psychoanalysts Alexander and Margarete Mitscherlich published a book in which they took stock of the mental disposition of post-war Germans, pronouncing their famous diagnosis of a collective 'inability to mourn'.[1] They also described the psychic post-war milieu as a state of collective amnesia, characterized by a general habitus of 'looking away, listening away and feeling away'.[2] The Mitscherlichs diagnosed this habitus of psychic numbing as the root of post-war German de-realization: frenetically investing into the economy of the future, Germans lost contact with their past and their own lives.

Günter Anders also diagnosed a similar collective amnesia in post-war Germany. In a book that appeared shortly before the Mitscherlichs' *The Inability to Mourn*, Anders did not deal with the German society as a whole, but addressed a single individual: Klaus, Adolf Eichmann's eldest son. Rather than trying to reach the emotions and moral consciousness of the perpetrator generation, he aimed at creating a new awareness of concerned citizens in the next generation, raising in them a sense of responsibility for this past and kindling a sense of empathy for the victims of Nazi terror. In his analysis, Anders made the important point that, in the case of the Nazi crime, amnesia was not an effect of hindsight, a retrospective strategy of disavowal and covering up the traces, but an essential part of the crime itself. He emphasized 'that repression often does not only start after the deed but already in the doing itself, no,' Anders went on, 'it even comes before the act and is its effective precondition'.[3] Forgetting, according to Anders, was thus not just a

reaction and coping strategy to protect the perpetrators, it was already inscribed into the crime of the Holocaust itself.

In the following chapter, I will focus on such acts of forgetting, ignoring, and repressing that are all directly related to blocking empathy. The general habitus of 'looking away, listening away and feeling away' that the Mitscherlichs had diagnosed in the 1960s in West Germany was clearly not only a belated response to the Nazi crimes but also an integral component of the crimes themselves. After analyzing some of the paradoxes involved in the act of looking away, I will turn in the second part of this chapter to the visual regime of the Nazi era and the role of photography. In a further step and third part, I will look at German literary texts written around 2000, comparing responses to the involvement in the Nazi regime from the point of view of the so-called 'Flakhelfer' generation (born 1926–1928) and the 1968-er generation (born between 1940 and 1950). While certain forms of amnesia and blocking of empathy can be detected in the writings of the older generations, the post-war generation is eager to change the perspective on the war, liberating themselves from family ties and memory bonds to establish a new empathic connection with the historic events. The blind spots of the first generation thus became the second generation's privileged points of access to the Nazi past in an attempt to fill the gaps of their parents' cognitive and emotional perception.

7.2 Looking away in Nazi Germany

In spring 1945, the following incident occurred in a German town in Silesia. A 12-year-old boy named Wolfgang observed something that was utterly incomprehensible for him. In his memoir, he writes:

> While my father was making a telephone call in his office near by, I remained outside in the street and noticed something terrible. On a square about a hundred meters away there were about 10 people in the striped habit of KZ inmates who stood in line for a roll call. One man stood before them, probably a notorious capo, and another man in a leather coat, obviously an SS-man. It was the time when the inmates of concentration camps were marched back from the camps and outposts to Germany, and many Germans, myself among them, caught a glimpse of them for the first time. The man in the leather coat shouted an order to the capo, which I could not understand because of the noise in the street. Following the order, the capo hit

> the last person in the row to the left. This had a horrible effect: these people were so weak, that they all fell down, one after the other, very much like wooden puppets or dominos. When my father returned from the office, I pointed to him in this direction, upon which he made a gesture with his hand and eyes, signaling that I should pretend that I had not seen anything. Looking away was a typical reaction among the multitude of Germans; they did not want to become visible in fear of attracting the attention of the surveying state power when showing anger or pity.[4]

This incident presents an emblematic scene of what I want to explore in this chapter in its different stages and dimensions: the reflex and habitus of 'looking away' in Nazi Germany. This description of a childhood experience is obviously saturated with the hindsight knowledge of the adult writing his memoir. From this retrospective point of view, he is able to identify KZ prisoners by their striped suits and the SS man by his leather coat. He also knows about the enforced death marches when inmates were forced to flee through German cities from the advancing Red Army before the end of the war. This retrospective knowledge notwithstanding, the description also captures a moment of genuine shock, deepened by the collision between the bewildered boy who points out the scene to his father and the father who cuts him off with a mute gesture. The son's gut response, his state of alarmed attention and wonder, is blocked by the father with the immediacy of a reflex. Without any exchange of words, the son is ordered to submit to a regime of vision and attention that automatically filters out incidents like the present one. This episode teaches him the visceral lesson that there are things that are visible and exposed to general view but must not be seen. This lesson is all the more unforgettable because it is wordless. With the immediate gesture of covering up the eyes, the child is initiated into a complicit code of behavior, learning how to edit out unspeakable information and pretending to not having seen anything.

The father's injunction to cancel the perception, to forget what the son had just seen, obviously made this incident all the more memorable for the young boy who had been unwillingly exposed to what he was by no means supposed to see. By blocking not only vision but also speech, and remaining mute, the father reinforced a strong social and political taboo. Had he answered and provided an explanation about what the son was to learn later in post-war Germany, saying: 'These are inmates of German concentration camps on an enforced death march moving westward in flight from the Eastern front to prevent their discovery and

liberation', the father would have opened a Pandora's box of terrible secrets from which this generation of bystanders had struggled very hard to keep a safe distance by looking the other way. In hindsight, the son not only supplies this information, which, at the time of writing, has become common knowledge in Germany, but he also adds his own comment and explanation to the scene which had struck him at the time as frustratingly enigmatic. He generalizes his experience, transforming the incident into a rule: this was no exception, he explains, this was 'a typical reaction among the multitude of Germans' who did not allow themselves to pay attention or generate emotions of anger or pity in case they would attract the dangerous attention of the surveying state power. The writer explains this blocking of empathy as a habitus of preemptive conformism adopted by the multitude of Germans to ensure their security and survival in the dictatorship. In the last sentence, the focus thus shifts from the *empathy* with the suffering prisoners on the death march as helpless victims of Nazi terror to the *fear* of the bystanders as potential victims of the repressive Nazi regime.

In the first months of 1945, as the Red Army moved westward, the troops liberated the Jews and other victims in various eastern death- and concentration camps. As the Russian front came increasingly close, the KZ organizers destroyed the sites. They eliminated in haste the criminal evidence and fled the sites of their crimes, forcing along with them, with harsh violence on atrocious death marches, those inmates who were still able to move. This last chapter of the Holocaust has recently become the focus of new historical research. It differs from previous phases in that it was no longer kept secret but evolved in the open on German roads and in German cities and villages, to be witnessed 'under German eyes'. Before the concentration camps were opened and inspected by the liberators who published their shocking images all over the globe, their inmates had been forced on these death marches in the coldest months of the year without food, necessary equipment, and clothing. According to Daniel Blatman, out of the 700,000 surviving inmates of concentration camps, 250.000 were killed on the brutal death marches in the last weeks of the war. They came from more than 20 nations and included Jews, Christians, Muslims, old and young people, women and men. As Blatman notes: 'These killings did not happen somewhere in the East, they were not perpetrated in the manner of the Holocaust, but with the active participation of normal citizens [...] before the front door of the society which had produced the perpetrators'.[5]

In this final chapter of the death marches, the murder of helpless victims became a public event in Germany, but it was one without

witnesses. The majority of Germans continued to look the other way, be it out of fear or shame. Some even participated in killing the frail survivors out of ideological hatred or fear of revenge; very few opened their doors like the Seebass family who welcomed Adolph Weissmark and Rudolph Klepfisz into their home.[6]

Let us come back to the episode of interrupted and forbidden witnessing. It can be read as a description of conditioning perception in a dictatorship. This conditioning, however, only works if it is not only imposed from without, but also supported from within. We are dealing here with a mode of perception that synchronizes three different perspectives:

I **Perspective of the state** ***official propaganda***	**II** **Perspective of the father** ***internalization/taboo***	**III** **Perspective of the boy** ***naïf perception***
creating frames of knowing and not knowing	'repressing' uncomfortable knowledge	asking questions, bewildered, overwhelmed

7.3 Photography and the visual regime in the Nazi-State

In order to learn more about the third element in this structure, the official forms of knowing and not knowing, we must turn to the visual regime of the Nazi state and its joint use of propaganda and modern technology. In his book, *How to Look Away. Photography in the NS State* (*Die Erziehung zum Wegsehen. Photographie im NS-Staat*), Rolf Sachsse has, for the first time, attempted a comprehensive study of the visual regime of the NS state as modeled by the modern medium of photography. He shows that the Nazi state-regulated visual propaganda relied heavily on photography to visualize the National Socialist myth, thus conditioning the gaze of the population by forming and spreading positive visual stereotypes. These consisted mainly in a very restricted canon of the human body emphasizing health, strength, beauty, and ethnic markers, and the omnipresence of the idyll. Whatever jarred with these strong and clear-cut visual norms was marginalized and rendered invisible. This 'coordinated production of a positive collective memory' covered up all evidence to the contrary.[7] Sachsse's book takes this argument an important step forward. He points out that the state not only relied on propaganda and its centralized hold on the mass media, it also extended an invitation to the population to actively engage in this visual regime. The new decentralized medium of photography, which was put in the hands

of the citizens to coproduce and maintain a shared collective memory, was central here. 'The power of the state', he writes, 'rested not so much on the contribution of the grand visual images provided by professionals, artists and photo-journalists, as on the simple praxis of shooting photos by anybody who could hold a camera in his or her hand'.[8] The project of the NS state, in other words, was to transform, as far as possible, external propaganda into personal practice, choice, and habit. Together with the mass distribution of new private cameras, a visual regime was constructed and implanted into the minds of the citizens who then collectively practiced, shared, and consolidated the iconic images of the NS state themselves. Thus, the new medium of photography was deployed to actively shape individual perception according to the ideological frame of the State. In this way, a new alliance was formed between dictatorship and democratization and the collective and the individual. This visual policy attempted to ensure a total correspondence between individual and mass perception. This aim was summed up by Goebbels when he said: 'with the help of the camera the experience of the individual has been turned into a collective experience of the people.'[9]

7.3.1 Photography as an instrument of NS propaganda

An interesting example of the seamless interaction between top down visual propaganda and bottom up photographic practices was documented in an exhibition that was opened in 2009 and shown in Munich and other German cities.[10] It was based on public collections and private loans from about 100 former soldiers. Entitled 'Targeting Strangers. Photo albums of the Second World War' (Fremde im Visier. Fotoalben aus dem Zweiten Weltkrieg), this exhibition was curated by Art Historian Petra Bopp. Unlike previous photo-exhibitions on the atrocities of the 'Wehrmacht', which had used photographs mainly as historical sources and material evidence to document Nazi crimes, Bopp's exhibition focused on photos in their historical and practical cultural frames. She showed that the soldiers going into the Second World War in September 1939 had not only been equipped with weapons but also furnished with cameras in order to shoot photos that would highlight their participation in a seminal historic event and lay the foundation of their retrospective individual and generational memories. In contrast to previous exhibitions that had used photos to focus directly on the historical reality of the war, this new approach tried to reconstruct the way in which historical reality was perceived and shaped through photographic practices. For the first time, photos were shown and investigated as modes of individual and collective

perception embedded in integral material albums and connected to the context of cultural practices.

As Bopp has emphasizied, in her work, it is not always easy to sever the individual perspective from the collective vision. In the beginning, the individual gaze reproduces the templates of state propaganda, reinforcing the official visual regime. This confirms Goebbels' statement about the correspondence and circularity between private and official norms of perception. But the experience of the war also confronted the soldiers with experiences that jarred with their heroic logic of warfare. Although photos of acts of violence were circulated by SS men as photographic trophies, representations of these excesses of violence in the war of extermination waged against Poland and Russia rarely made it into the private albums and into the visual archive of the war.[11] These albums also tell another story. They show that from a certain point in time, it was impossible to uphold the official narrative of national pride, military prowess and victory on which the script of their albums had been premised. This can be seen by many obvious and less obvious traces of breaks, sudden stops, and, even more telling, conspicuous lacunae on certain pages in the albums where images were forcefully removed after the war. The last image in the catalog of the exhibition presents an empty page showing the faint traces of glue indicating the active erasure of a photo. We cannot tell whether it had become an object of retrospective shame or a piece of dangerous evidence after the official narrative had changed in the post-war years.

7.3.2 Photography as a 'cold' medium

According to western myths and legends, the retina of the human eye is a highly sensitive substance that is easily and deeply affected by what it sees. It cannot bear to look at traumatic events without being wounded. Perseus had to avert the dangerous gaze of Medusa with the help of a mirror in order to survive, and the wife of Lot turned into a pillar of salt when looking back at the destruction of the city of Sodom. Shock and awe block the perceptive power of the senses. A more recent example is an autobiography in which the black narrator describes the experience of witnessing a lynching scene in the American South in the 1920s. The writer recalls an incident in which a black man was burnt to death by white men. He describes the cries of the tormented, the desperate and begging eyes of the victim and continues: 'I was fixed to the spot where I stood powerless to take my eyes from what I did not see'.[12] In such extreme and traumatic cases of witnessing violence, an overflow of

affects intervenes with the effect of blurring the vision and shrouding the object from sight.

In stark contrast to the affected human eye, photography has been described as an impartial an objective medium, testifying in minute detail and with undeterred scrupulousness what the human eye may not bear to look at. Ernst Jünger admired what he called 'the cold gaze of photography' and argued that it can do something that the human gaze cannot do, namely yield an exact and undistorted picture. He was interested in photography as a 'cold medium' that breaks away from human emotions and perceptions, offering an exact, clean, and dehumanized picture. For him, photography became the model for a cold gaze that registers truthfully what lies before us without being affected by the constraints of human perception and the flaws of the sensitive senses. Jünger was fascinated by the non-human abstention from values in the photograph that pays equal attention to what is important and unimportant, to what is dead and what is sensitive. 'The photograph', writes Jünger in an essay 'On Pain', 'exists outside of the zone of sensibility. It has a telescopic character [...]. It focuses as truthfully on the bullet in flight as on the human being in the moment he is torn apart by an explosion'.[13] Jünger was fascinated with cold objectivity of the photographic lens that registers inanimate and animate events with the same inviolate glance. He was hoping that with the help of photography, humans would eventually be able to transform their senses and thus significantly enlarge their grasp on reality and power: 'Photography is the expression of a specific, and a very cruel mode of seeing. We may go so far to speak in this context of a form of evil gaze, a form of magic appropriation'.[14]

I would like to draw attention to a paradoxical structural similarity between the evil and cold photographic gaze of imperial power and appropriation on the one hand and the gaze of the victim who is cut off from any technical medium to record his or her traumatic experience. In his book *Images malgré tout*, (Georges Didi-Huberman) quotes Zalmen Gradowski, a member of the Sonderkommando at Auschwitz who had to witness the burning of his parents. Gradowski wrote his testimony on little pieces of paper which he buried in the hope that they would be rediscovered some day and pass on to posterity the truth about the terrible crime of the Holocaust. On one of these pieces of paper he wrote: In order to be able to live up to the horror of the images of destruction 'the heart has to turn into stone and the eye into a camera'.[15] Helmut Lethen comments on this sentence: 'his use of the motif of the heart of stone and the transformation of his

eyes into a technical apparatus which promises objectivity points to a will towards mortification. Without this numbing of the affects which sharpens his perception, he cannot hope to become a true witness for posterity'. Thus the shedding of subjectivity, the mortification of the emotions and the transformation into insensitive matter became part of his ethics and practice of witnessing; this was the only way to bear, to persevere, and to preserve – as photography does – a trace of the traumatic encounter with the real.

Most of the photos related to the Holocaust were taken by the perpetrators. They were an essential part of the visual regime of the NS state and of war bureaucracy. Some of them were even carried as trophies and amulets by the perpetrators.[16] After the war, this archive of NS photos underwent a total transformation. In the terminology of the Warburg School of Art History we may speak of an 'energetic inversion'. What had been documented before 1945 in the spirit of defiance and triumph turned, after 1945, into historical and legal evidence for the greatest crime against humanity. This abrupt change of values went hand in hand with a radical reframing of these photos. The same photos that had been taken in a state of utter lack of empathy with the victims were suddenly charged with enormous empathy with the victims. The cold medium of photography thus turned into a hot medium fueling and substantiating the counter narrative of the victims.

7.4 The social production of unconsciousness

After this excursion on photography, propaganda, witnessing, and contrasting visual regimes let me come back to the act of looking away. In the previous example of the naive perception of the boy that was corrected by his father we are not dealing with a lack of attention or absent-mindedness, but with a strategy of intentional forgetting. It has been frequently claimed that intentional forgetting is impossible. Is there such a thing as an art of oblivion? Umberto Eco asked this question in an influential essay in the 1980s and immediately provided his own answer which has become a standard reference: you can forget such a form of forgetting because it is impossible to focus attention on that which at the same time is supposed to disappear from consciousness.[17] There are, however, other studies that have delved more deeply into the paradox, studying its mechanism in more concrete political and psychological contexts. In the 1930s and 40s, George Orwell studied various totalitarian regimes in Europe. In his famous novel *1984*, written in 1948, he analyzed a mental strategy flourishing in dictatorships, which

he called 'doublethink'. In this form of thinking an obvious cognitive dissonance is overcome by neutralizing its contradictory effect, thus normalizing what is otherwise deemed impossible. Orwell describes doublethink as a collective habitus and an internal form of mental and emotional conditioning that is much more subtle and effective than external censorship. It is a form of active forgetting via controlled regression: 'That was the ultimate subtlety: consciously to induce unconsciousness, and then, once again, to become unconscious of the act of hypnosis you had just performed'.[18]

In his 'Notes on Nationalism,' written during the Second World War, Orwell also explicitly addressed the problem of Holocaust memory. 'Many English people', he wrote,

> have heard almost nothing about the extermination of German and Polish Jews during the present war. Their own antisemitism has caused this vast crime to bounce off their consciousness. In nationalist thought there are facts which are both true and untrue, known and unknown. A known fact may be so unbearable that it is habitually pushed aside and not allowed to enter into logical processes, or on the other hand it may enter into every calculation and yet never be admitted as a fact, even into one's own mind.[19]

Writing in 2006, Oskar Negt returned to the topic of blocked empathy, the strategy of not knowing and the numbed German psyche.[20] While the major part of the German population may not have directly witnessed what was going on in the death camps, they certainly had witnessed the continuous exclusion, de-humanization, and persecution of their Jewish neighbors in broad daylight. Negt asked the question: Why had these events not been perceived by the major part of the German population? Why had they not been admitted as facts and communicated and transmitted, but covered up?

According to Negt, totalitarian states prescribe a strict regime of the senses. The personal capacity of seeing and hearing is dramatically curtailed in order not to raise difficult questions and suspicions, thus discouraging citizens from thinking and acting along their individual tracks. This regime of the senses is self-imposed and deeply internalized in order to prevent the risk of dangerous collisions with the oppressive regime. Negt describes this regressive and self-enforcing form of social adaptation and political self-protection with the Kantian term as 'self-inflicted immaturity' (selbstverschuldete Unmündigkeit, 80).[21] Under such political and social circumstances, overlooking and ignoring what

does not fit the standard frame can become a general habit. Referring to the Holocaust, Negt writes:

> It is a terrible past, of which we know today very much – in those days, however, people looked the other way when the Jewish owner of the colonial shop around the corner suddenly closed his business and disappeared with his family. The otherwise intact reason lost its promptings of curiosity and had no motivation to enquire after the paths of such disappearances.

And he adds an important caution: 'Looking away, this enforced blindness of the senses, wherever humans are persecuted and expelled, raped and publicly tormented, is not a thing of the past (81).

Indeed many of the Jewish victims were confronted in the 1930s and 40s with a shocking transformation of their neighbors. After the 'Anschluss' in March 1938 in Austria, for instance, many people changed from one day to the other and cut off all personal contact with their Jewish neighbors. This experience is amply documented in many memoirs of survivors. What hurt the humiliated and expelled Jews most was that nobody cared. They may not have expected effective help from their former neighbors but they had not imagined that they would suddenly be dropped and expelled from all social communication. When nobel laureate Eric Kandel returned with his family on a trip to Vienna he visited the former toy shop of his father and explained to his children the circumstances of his flight in 1938 as a nine year old boy. What he particularly missed were minimal signs of empathy. 'Nobody said: "it must be very hard for you these days" or anything of the sort'.[22] From one day to the next, all social ties that had grown over many years were suddenly cut as the Nazis came to power and the collective emotion of nationalist pride and exclusionary ethnic identity took a firm hold in the minds and hearts of the people.

Orwell's and Negt's description of the psychosocial mechanism of a sudden constraining of vision, reason and empathy can be related to Mario Erdheim's concept of the 'collective production of unconsciousness'.[23] In an important ethno-psychoanalytic study, Erdheim distinguished between mechanisms of adaptation and mechanisms of defense. Before 1945, the vast part of the German population deployed mechanisms of adaptation that prevented them from witnessing what happened to their Jewish neighbors when they were excluded, persecuted, and deported. By confining their radius of perception to what did not compromise the prevailing political norms, they either supported

or resigned to the status quo. In such a repressive social and intellectual climate there is no place for a 'why?', which means that forms of attention, curiosity, judgment, criticism, courage, and empathy become scarce resources of resistance. After 1945, these mechanisms of adaptation were turned into mechanisms of defense. In the new postwar environment the Nazi stakes and values had lost all credibility. Under these circumstances the Germans adapted to the new regime, making sure, however, that the irritating perceptions, memories and emotions that they had stowed away during the Nazi period remained safely locked up. It is no wonder that a climate of 'unaddressability' (Alexander Mitscherlich) prevailed after the war that prevented the emergence of a memory culture dedicated to restoring the dignity of the victims and acknowledging their suffering.[24]

7.5 Looking away and belated empathy in contemporary German novels

In his fictional autobiography *Ein springender Brunnen* (a splashing fountain) Martin Walser presents a German boy of his generation (1927) at various stages of his life.[25] He is introduced at the age of 5, before the Nazis rise to power; he is 11 when they are at the peak of power, a year before the beginning of the Second World War; and 17 and 18 shortly before and after the end of the war. His upbringing reflects the typical socialization of German youth into the Nazi state. Walser draws a portrait of the artist as a young man, but he also includes important Nazi-specific elements in the psychic development of his protagonist, which are of special interest here. The young boy Johann is deeply imbued with Nazi stereotypes; he is impressed by the cult of beauty, heroism, and manliness and is unable to deal with other aspects of reality and experience such as ugliness, vulnerability, and fear. Whenever he is faced by experiences that challenge his simplistic world-view he reacts by refusing to take in the reality around him. Even when his brother is killed in the war, he does not feel the emotional impact: 'Johann did not suffer. He wanted to be sent to the front' (348). As an artist he learns to build a defensive wall around himself, using poetry and nature as escapist resources. Reading Nietzsche becomes a formative experience that helps him to build up and maintain his ideal of virile superiority. His world is carefully framed and the frame serves as a mechanism of exclusion; what does not fit cannot enter into it. This mental state requires continual effort. When he hears from another soldier that he had participated in murdering Jews, he has literally no words for a

response. 'Johann turned to the wall, the soldier lay down again' (357). The implication here being, writes Stephen Brockmann, 'that anything having to do with death and destruction – or guilt – gives Johann a feeling of absolute powerlessness which must be avoided at all costs'.[26] Braced with a strong sense of purpose, collective will, and elation, nothing can penetrate him. 'Nothing terrible could reach him. Anything terrible fell off from him as it had come' (388–89).

Johann succeeds in warding off the threatening reality with a strong adaptation mechanism during the Nazi period and an equally strong defense mechanism after the war. After building the wall around himself, which made him impervious to Jewish suffering during the war, he lacks a language and the emotions to deal with this complex of guilt after the war (396). The flip side of his fantasy of power is complete powerlessness when confronted with this topic. He is afraid of the emotions that he has fenced off so effectively. 'Johann fought against the fear in which Mrs Landsmann had lived' (396). This sentence is an amazing description of the blocking of empathy. Generally speaking, empathy is a voluntary act of taking the position of the other in the imagination. In this case, however, opening this mental and emotional door is conceived as a deep threat that will undermine his identity. In this way, Johann suffers from a strange fear of fear. 'He feared that Frau Landsmann would contaminate him with her fear. He had to think away from her fear' (132). In his novel, Walser analyzes a widespread German syndrome: the efforts to ignore and to maintain ignorance. Resisting knowledge had become an every day practice of self-censorship for a whole generation; its aim was to maintain the entrenched individual and collective self-image against all odds. By contrast, empathy with the victims was conceived as a deep threat because it would have induced endless anxieties coming with the knowledge of vulnerability, death and guilt; a knowledge that was bound to shatter the heroic frame of German superiority, and, along with it, the personal self-image.

It is well known that willful ignorance and the defensive gesture of warding off shame, guilt, and a sense of responsibility persisted in Germany after 1945. Although the Allies at first tried to spot and remove former Nazis from public offices, this procedure did not prove feasible for practical and functional reasons. The effect was a broad reintegration of the former Nazis into post-war society. Hermann Lübbe termed this new strategy that prevailed in Germany between 1948 and 1965 'communicative silence' (kommunikatives Beschweigen).[27] It was a new social contract, again based on looking away. Rather than a looking away from atrocities committed against Jews and other minorities

or enemies of the NS regime, this was a looking away from the past activities and entanglements of former Nazis. In 1965, the year of the Auschwitz trials organized by state prosecutor Fritz Bauer, Martin Walser belonged to the young generation of Germans that spoke up; no longer looking the other way, they actively engaged with the Nazi crimes of the past, pointing to obnoxious ‚brown' continuities within West German society, institutions and the state.

When Walser gave his acceptance speech in the Paulskirche in Frankfurt in 1998, the context had again changed.[28] The further the Nazi past receded in time, the more it was being recalled, addressed, presented, and hotly discussed. From the 1980s onwards, a new German 'memory culture' was being built up, which reached a peak in 2005 with the dedication of a central Berlin monument to the murdered European Jews. Walser's speech centered on his discontent with this new German memory culture in the making and he made a number of claims in this speech that provoked heated debates. One was the claim to German normality 50 years after the end of the war. He feared that the new emphasis on the German Nazi past in public discourse and global media would consolidate the state of exception of the Germans as perpetrators for all times. Another contested point was the question of a 'national conscience' (the idea of a 'national memory' was not a part of Walser's mental world). He critiqued self-appointed German intellectuals acting as representatives of the nation in matters of morals, claiming that conscience is a strictly personal resource that cannot be delegated, and thus should not be connected with the national collective.

The theme of looking away is again a leitmotif of Walser's speech, which already features in the introduction: 'I had to learn to look away. I have various escape routes that I use when the TV screen presents the world to me as an unbearable one. I think my reaction is acceptable. I do not have to bear the unbearable. I am also well versed in thinking away. Without looking away and thinking away I could not make it through a single day, let alone through the night' (8). This is a self-assured confession, which even contains a note of defiance. Looking away is a necessary competence that the speaker had to learn; it was imposed on him. He does not specify, however, under which conditions he had to learn it. There is no longer any reference to his experiences during the Nazi past. It is now the present that overwhelms and undermines by confronting him with ever-new instances of the unbearable. The defense mechanisms of warding off and ignoring are hailed as salutary protective shields and necessary remedies in a memory culture that help him to maintain his identity and sanity. There are two topics that Walser

finds particularly difficult to digest and therefore has to turn away from in order to protect his psychic economy. The first are neo-Nazi activities in Germany, which are presented so shockingly that they 'exceed his political and moral imagination' (11). By shifting the emphasis from the event itself to the way in which it is presented, Walser suggests that the scandal lies not in the crimes of the neo-Nazis, desecrating cemeteries and burning houses of asylum seekers, but in the tactless and aggressive way that the media present these facts. They also flood Germans with images of Jewish victims, molesting the image and feelings of Germans. These images and films inflict pain on the helpless and defenseless viewer. Walser sums up: 'Instead of being thankful for the continuous presentation of our shame I start looking away'. He shifts the focus from the what to the why and surmises that 'more often than not the motive is no longer the commemorating, the injunction to never forget, but the instrumentalization of our shame for contemporary purposes' (12).

Walser's speech was a visceral reaction against an early stage of German memory culture. At the center of his discontent was his qualification of this memory culture as a 'monumentalization of our shame' that perversely destroys the national self-image. This argument is built on a strong sense of national pride that is no longer current amongst younger generations of Germans. The strategy of looking away is once more invoked to protect this collective national self-image that is based on the values of honor and shame.

A specific problem of German post-war memory arises from this continuous mode of blocking empathy and looking away. I have argued that by radically contracting the frame of perception, conflicting information was conveniently neutralized and ignored. After having produced a state of collective unconsciousness and socially shared unknowing, it was impossible to reactivate this knowledge as memory after the war. 'We did not know!' was the general cry of defense when the Holocaust and Nazi atrocities were reintroduced into public discussion in the 1980s. Psychoanalysts and neuroscientists have given us elaborate descriptions of this mingling of knowing and not knowing. What was not perceived then – because it was shameful or irritating – could later not be remembered. In order to be remembered, something must have been registered, there must be some trace. Blind spots cannot be recalled. Blocked empathy led to blocked memory. To quote Freud: something that was 'never "forgotten", because it was not registered at any time, something that was never in consciousness', cannot be recalled afterwards.[29] Cognitive psychologists today discuss 'seven sins of memory', one of which consists in an absence of attention during the

act of perceiving: 'a great part of our forgetting is due to the fact that we have paid too little attention at the moment of registering to recall. It is due to an absence of mind'.[30]

The habit of looking away in Nazi Germany provided the following generation with a specific historical project. It consists in addressing the blind spots of the older generation, to uncover what remained hidden, and to transform into knowledge what had remained in a state of latency or non-knowledge. There is a further aspect involved in this memory project that is the special domain of art and literature, and this is the transformation of blocked empathy into belated empathy. It is this creation of belated empathy that particularly fuels contemporary family novels and memory practices. The unaddressable past and 'family secrets' weighing on the German nation have been revisited and re-inspected by the following generations. A prominent example is Uwe Timm's book *In My Brother's Shadow* (2005).[31] In this autobiographical text, the writer, born in 1940, picks up the front diary of his brother Karlheinz, 16 years his senior. This creates a kind of dialogue across the abyss of time and death. He sketches the portrait of his older brother, whose biography no longer fits into the current frames of memory and as one of hundreds of thousands is condemned to being forgotten. The life stories of the two brothers radically diverge as they are dictated by their dates of birth: the older volunteered to become a member of the SS, participated in the invasion of Russia and died in 1943 in the far east of Europe, while the younger became a member of the 1968 protest movement and became a writer. When reading his brother's war diary, a deep estrangement already starts with the brother's use of the German language, which has 'lost its innocence', as it is marked by the brutalization and repression of Nazi jargon. Timm detects a whole repertoire of words that distort perception. He recognizes 'dark words' ('Wortverfinsterungen'), which were in common use far into the post-war era such as 'Umsiedlung' and 'Endlösung'. Timm notes that war and killing start with a language that covers up reality and enables the killing: 'Untermenschen', 'Parasiten', 'Ungeziefer'; given the suggestive quality of such words, murder can be presented as a 'measure of hygiene'.

Timm analyzes the mental and emotional conditioning of whole cohorts. The principle behind this programming was a selective empathy that was focused exclusively on the own 'we-group', classifying everything that was done to the 'others' as self-evident, normal, and necessary. On the firm basis of this ideological bias excessive violence was routinized. When reading his bother's diary, Timm is shocked by

'the partial blindness that registers only what is normal', searching in vain for a sentence 'that shows a hint of empathy or a criticism of what is experienced' (152). Empathy strictly ends at the borders of the own family and the nation: 'almost all have looked away and remained silent, when Jewish neighbors were deported and disappeared. Most of them kept silent also after the war when it became clear where and how the disappeared had disappeared'. What had been blocked off before and during the war was warded off after the war in standardized formulaic language.

Karlheinz Timm had broken up his wartime diary with the following remark: 'I herewith end my diary since I don't think that it makes sense to register the brutal events that sometimes happen' (124).[32] This gap in the diary becomes an imaginary space into which the younger brother projects his own wishes and messages.

> 'There is the wish, my wish, that this gap might stand for a no, for a 'non servo' [I do not serve], standing at the beginning of rejecting obedience and affording more courage than for blasting breaches into trenches for approaching tanks. That would be the courage that leads into isolation and is nourished by the pride and pain of the lonely individual' (152).

What inspires and drives the literary text of the younger brother is the wish to fill this gap, to readdress the unspoken legacy of German history and to build a bridge of common knowledge and shared feelings between the past and the present.

There is a significant difference between the second and third generation of Holocaust survivors and the second and third generation of Nazi families: while the children of Jewish victims and survivors are haunted by what their parents and grandparents *have seen and experienced*, the children of German families are haunted by what their parents and grandparents *have not seen and erased from their memory*. While in the families of survivors, generations are linked by a trans-generational trauma, German writers and artists are linked to their national and family history by a trans-generational urge for belated empathy. In both cases, trans-generational transmission is characterized by silences, gaps, blanks, which in the first case occurred through the destructive violence of the trauma and in the second case through the withholding of attention, awareness, and empathy. Uwe Timm's literary memory work, which consists in re-imagining that which his brother was unable to perceive and take to heart during the Second World War, provides

a salient example of this. Timm re-imagines for instance the living existence of a smoking Russian soldier whom his bother aimed at with his rifle, or the situation of civilians in Russian villages, where German soldiers dismantled the ovens in the homes to build streets. In addition, Timm counters the tenacious voluntary ignorance of the older generation by studying historical sources, filling their memory gaps with his acquired historical knowledge.

As Thane Rosenbaum has put it in one of his stories, the Holocaust 'was once done under the black eye of indifference'.[33] Hannah Arendt was convinced that 'such remoteness from reality and thoughtlessness can wreak more havoc than all the evil instincts taken together which, perhaps, are inherent in man – that was, in fact, the lesson one could learn [at the Eichmann trial] in Jerusalem'.[34] Arendt pointed out that the Holocaust was not only the result of *hot* and aggressive emotions such as resentment, aggression, and murderous hate, but at the same time also the result of a *cold* state qualified by a complete lack of emotions. Given these horrendous consequences, indifference and absent-mindedness are mental states that deserve more attention. They are both built on the blocking of empathy, on the reflex of looking away. Blocking of empathy entails the willful withdrawal of interpersonal understanding and sentiments. This capacity for pro-social emotions is a fund that every human being is genetically endowed with; it can, however, be effectively blocked by confining it to the in-group and withholding it from the out-group. Though such selective empathy works as an internalized habit, this reflex has to be socially learned, culturally acquired, and politically maintained over time. We have looked at some of the contexts and examples of these conditioning mechanisms. Through rigid social constraints of perception, situations can be defined in such a way that they rule out alternative options for acting. Such a total adaption to the status quo requires a voluntary regression from the principle of individual choice and agency to a mere functioning within a larger system. What is thereby eliminated through mechanisms of looking away, ignoring, and not knowing sinks into oblivion and unconsciousness from where it is not easily to be recovered. 'We did not know!' was the usual retrospective declaration of those who were involved in this self-enforcing mechanism of repression. Looking away in Nazi Germany was not only a way to adapt to and support the prevailing power structure, but also to maintain a habitus of self-defense after 1945 that kept the events relating to the German nightmare of shame and guilt at a safe distance. By narrowing the doors of perception, fantasies and phantasms could be upheld while the encounter with the real

world lost its touch of reality ('Wirklichkeitsakzent').[35] Restoring a vital link to the missed reality of their parents and grandparents therefore became an urgent project of succeeding generations.

There seems to be a logic at work in German mnemo-history which demands that what has been overlooked and remained unnoticed by one generation has to be picked up and addressed by the next. It became manifest in a collective project which consisted in transforming a negative cognitive and emotional legacy by retrospectively filling the blanks and the blind spots of their ancestors. This is also the aim of the genre of German family novels, which boomed after the year 2000. In this literary genre, members of the succeeding generations confront and work through the reduced perspective and 'absent-mindedness' of their elder siblings, parents, and grandparents of the Nazi period. It is these blind spots of consciousness and gaps of memory that ignite and drive the writing and memory work of post-war generations. This work is fuelled by the wish to retrospectively break up the armor of indifference, to assume the position of a secondary witness by acquiring historical knowledge, and to answer the blocking of empathy with new artistic forms of generating belated empathy.

Notes

1. A. and M. Mitscherlich (2007) *Die Unfähigkeit zu trauern. Grundlagen kollektiven Verhaltens*, 24th edn (München: Piper).
2. Mitscherlich, *Die Unfähigkeit zu trauern*, p. 15. [Trans. A. Assmann.]
3. '… dass das Verdrängen oft nicht erst nach der Tat, sondern im Tun selbst, während des Tuns, nein: vor dem Tun, geradezu als dessen Voraussetzung, wirksam ist.' in G. Anders (2002 [1964]) *Wir Eichmannsöhne. Offener Brief an Klaus Eichmann* (München: Beck), pp. 79–80. [Trans. A. Assmann.] This strategy of secrecy, covering up and repression is at least an indirect evidence for a sense of guilt among the perpetrators.
4. W. J. C. Müller (2008) *Das Ende der Kommandantur des STALAG VIII A Görlitz und das Kriegsende 1945 in Arnau* (Stetten a. Bodensee: Unpubl. manuscript), p. 4.
5. D. Blatman (2011) *The Death Marches: The Final Phase of Nazi Genocide* (Cambridge, MA: The Belknap Press of Harvard University Press). K.-D. Henke (2011) 'Mord an lebenden Leichen', *FAZ*, 141, 20 June, p. 8.
6. M. S. Weissmark, a daughter of the Holocaust survivor A.Weissmark, has written and published her father's story; he escaped from the KZ Buchenwald with a friend in the last weeks of the war and found shelter in the home of a German family. In addition to her book *Seeing the Other Side – 60 years after Buchenwald,* a 15-minute documentary was also made about this story. *JUF News*, May 2007. http://www.video.google.com/videoplay?docid=-7650435739104968253&q=Weissmark or http//www.weissmark.com.

7. R. Sachsse (2003) *Die Erziehung zum Wegsehen: Fotografie im NS-Staat* (Dresden: Philo Fine Arts), p. 17.
8. Ibid., p. 16.
9. Ibid., p. 11.
10. P. Bopp (2009) *Fremde im Visier. Fotoalben aus dem Zweiten Weltkrieg* (Bielefeld: Kerber). (Catalogue of the exhibitions in Odenburg, Munich, Frankfurt and Jena.) Photographic practices have been the object of previous studies: K. Hoffmann-Curtius (2000) 'Trophäen und Amulette. Die Fotografien von Wehrmachts- und SS-Verbrechen in den Brieftaschen der Soldaten', *Fotogeschichte*, 78, pp. 63–76. P. Jahn and U. Schmiegelt (eds) (2000) *Foto-Feldpost. Geknipste Kriegserlebnisse 1939–1945* (Berlin: Museum Berlin-Karlshorst); M. Y. Arani (2008) *Fotografische Selbst- und Fremdbilder von Deutschen und Polen im Reichsgau Wartheland 1939–1945* (Hamburg: Kovac).
11. B. Boll (2002) '"Das Adlerauge des Soldaten". Zur Fotopraxis deutscher Amateure im Zweiten Weltkrieg', *Fotogeschichte,* 85/86, pp. 75–88. P. Jahn and U. Schmiegelt (eds), *Foto-Feldpost* and M. Y. Arani, *Fotografische Selbst- und Fremdbilder.*
12. J. W. Johnson (1927) *The Autobiography of an Ex-Colored Man* in J. H. Franklin (ed.) (1965) *Three Negro Classics* (New York, Avon) pp. 393–511, p. 497. See also S. Sontag (2003) *Regarding the Pain of Others* (Farrar, Straus and Giroux).
13. '[…] steht außerhalb der Zone der Empfindsamkeit. Es haftet ihr ein teleskopischer Charakter an; […] sie hält ebenso die Kugel im Fluge fest wie den Menschen im Augenblick, in dem er von einer Explosion zerrissen wird.' H. Schwilk (ed.) (2010) Ernst Jünger: Leben und Werk in Bildern und Texten (Stuttgart: Klett-Cotta), p. 110. [Trans. A. Assmann.]
14. 'Die Photographie ist also ein Ausdruck der uns eigentümlichen, und zwar einer grausamen, Weise zu sehen. Letzten Endes liegt hier eine Form des Bösen Blickes, eine Form von magischer Besitzergreifung vor. Das empfindet man sehr wohl an Stätten, an denen noch eine andere kultische Substanz lebendig ist. Im Augenblick, in dem eine Stadt wie Mekka photographiert werden kann, rückt sie in die koloniale Sphäre ein.' E. Jünger (2002) *Sämtliche Werke, Band 7*, 2nd edn (Stuttgart: Klett-Cotta, p. 183. [Trans. A. Assmann.]
15. H. Lethen (2008) 'Einbildungskraft trotz allem', *IFKnow*, 1, p. 5.
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17. U. Eco (1998) 'An Ars oblivionalis? Forget it!', *PMLA,* 103.3, pp. 254–61.
18. G. Orwell (1950) *1984* (Orlando: Signet Classic), p. 35.
19. Orwell (1968 [1945]) 'Notes on Nationalism' in S. Orwell and I. Angus (eds) *The Collected Essays, Journalism and Letters Vol 3.'As I Please': 1943–1945* (London: Secker & Warburg).
20. O. Negt (2006) *Die Faust-Karriere. Vom verzweifelten Intellektuellen zum gescheiterten Unternehmer* (Göttingen: Steidl).
21. Ibid.
22. *In Search of Memory* (2009), a documentary film by P. Seeger. The film (named after Kandel's biography) *In Search of Memory: The Emergence of a New Science of Mind* (2006) intermingles footage from events in Kandel's Columbia University laboratory, his career, interviews, lectures, family life, and trips to Vienna where Kandel lived before World War II until age nine, and Brooklyn where he grew up.

23. The term is used by M. Erdheim in his seminal study (1984) on the fanaticism at the beginning of the Great War: *Die gesellschaftliche Produktion von Unbewußtheit: Eine Einführung in den ethnopsycho-analytischen Prozeß* (Frankfurt a. M.: Suhrkamp).
24. A. Mitscherlich (1965) 'Phase der Unansprechbarkeit' in: *Die Unwirtlichkeit unserer Städte. Anstiftung zum Unfrieden* (Frankfurt a. M.: Suhrkamp).
25. M. Walser (1998) *Ein springender Brunnen* (Frankfurt a. M.: Suhrkamp). English translation: xxx
26. S. Brockmann (2002) 'Martin Walser and the Presence of the German Past', *The German Quarterly*, 75.2, p. 130.
27. H. Lübbe (2007) *Vom Parteigenossen zum Bundesbürger. Über beschwiegene und historisierte Vergangenheiten (München: Fink).*
28. M. Walser (1998), Erfahrungen beim Verfassen einer Sonntagsrede', in: *Die Walser-Bubis-Debatte. Eine Dokumentation,* ed. Frank Schirrmacher, Frankfurt: Suhrkamp, 1999, 8–17.
29. S. Freud (1969) 'Erinnern, Wiederholen, Durcharbeiten', in A. Freud et al. (eds) *Gesammelte Werke. Werke aus den Jahren 1913–1917*, Bd. 10, 5th edn (Frankfurt a. M.: Fischer), pp. 126–36, p. 128.
30. D. Schacter (1999) 'The Seven Sins of Memory. Insights from Psychology and Cognitive Neuroscience', *American Psychologist*, 54.3, pp. 182–203, p. 186.
31. U. Timm (2005) *In My Brother's Shadow: A Life and Death in the SS*, trans. A. Bell (New York: Farrar Straus Giroux). [2003, *Am Beispiel meines Bruders*, Köln: Kiepenhauer und Witsch.]
32. Daran hängt Uwe Timm folgende Erklärung an: 'Über die Leiden zu schreiben, über die Opfer, das hieße auch die Frage nach den Tätern zu stellen, nach der Schuld, nach den Gründen für Grausamkeit und Tod – wie es eine Vorstellung gibt von den Engeln, die über all die Schandtaten und Leiden der Menschen Buch führen. Wenigstens das – Zeugnis ablegen' (124).
33. T. Rosenbaum (1996), 'Cattle Car Complex' in *Elijah Visible*: *Stories* (New York: St. Martin's), p. 5.
34. 'Dass eine solche Realitätsferne und Gedankenlosigkeit in einem mehr Unheil anrichten können als all die dem Menschen vielleicht innewohnenden bösen Triebe zusammengenommen, das war in der Tat die Lektion, die man in Jerusalem lernen konnte' Arendt (1986), p. 57; Eng. edn: (1963) *Eichmann in Jerusalem. A Report on the Banality of Evil* (Harmondsworth: Penguin), p. 288.
35. G. Rosenthal (1988) 'Geschichte in der Lebensgeschichte', *Bios. Zeitschrift für Biographieforschung*, 2, p. 14.

Part III
Ethical Issues

8
Empathy for Empathy's Sake: Aesthetics and Everyday Empathic Sadism

Fritz Breithaupt

8.1 Empathy as a moral practice

Jesse Prinz, in a recent article called 'Against Empathy', discusses many cases of the 'dark side of empathy' that show how empathy may lead to an unfair judgment and may favour some at the expense of others.[1] The problem with empathy, Prinz holds, is that empathy interferes with morality due to its 'intrinsic partiality' and 'ineluctable locality'.[2]

While I agree with Prinz in this assessment, I disagree with his conclusion, namely to ban empathy when considering ethics. I agree in so far that empathy does not in itself lead to fair judgment. An aggravation of these unfair distributions of empathy that Prinz only touches upon can be found in the possibility of the misuse of empathy to justify criminals. Even the criminal would evoke positive feelings when he stands on the gallows, as Adam Smith suggested.[3] Empathy and side-taking enforce and strengthen each other until any position can seem justified, including those that are morally wrong. One can always have empathy, even with the bad guy, and find reasons to support someone via a feedback loop of side-taking. In these cases, empathy reduces the ambiguity or 'grayness' of a conflict and turns it into a black-and-white picture. This does not mean, however, that the one who empathizes will necessarily make the better choice. Empathy can justify either side of a conflict (Figure 8.1).

Still, this should not lead one to be 'against empathy'. This is only a problem if one holds the – mistaken, I believe – view that the empathizer always chooses the right side. Empathy appears to be ethically problematic, as Prinz suggests, if one makes the claim that all morals must be based on empathy, in which case empathy's partiality would be a problem. Few, if any, hold this view. If, however, one makes the

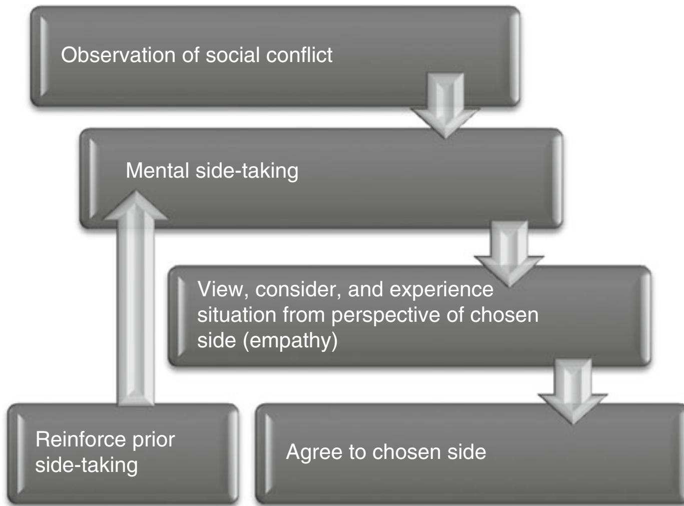

Figure 8.1 The core model of three-person empathy takes its start from the observation of a social conflict and a mental side-taking, which is reinforced through empathy
Source: F. Breithaupt (2012b) 'Empathy Does Provide Rational Support for Decisions. But is it the Right Decision?' *Emotion Review*, 4, pp. 96–7.

more logical claim that empathy supports sociability and that sociability is deeply interwoven with moral behaviour, one can begin to see the moral impact of empathy. If one assumes that empathy is first of all a tool to relate to and understand others, one can understand its positive, but also its negative moral effects and uses more clearly.

This article will not dwell the positive sides of empathy, which have often been described.[4] Instead, it will develop one morally negative effect of empathy. It will approach the dark sides of empathy not by considering fairness, as Prinz does, but by examining those morally bad acts that are committed or desired *in order to* experience empathy.

8.2 Empathy and the dangers of empathy

This article defines empathy as co-experience. To have a co-experience means to be transposed into the situation of a different person, character, or being and to react emotionally and cognitively to that situation while more or less remaining aware of one's difference to that person. Still, as will become clear later, empathy has many facets and involves

many elements. A rich discussion of the definition of empathy can be found in the lucid introduction of this volume.

On the one hand, we know much more about empathy than 20 years ago. Researchers have made many inroads toward understanding our capacity to empathize. Several core mechanisms have been suggested to account for various aspects of empathy, such as the Perception Action model that proposes that the brains of someone executing an action (or experiencing an affect) and an observer of that action utilize similar neural routines.[5] Neurologically, mirror neurons have revealed a remarkable aptitude for simulation.[6] On the level of empathy-related skills, we know more about mimicking and Theory of Mind than before.[7] Furthermore, we have gained insights into how empathy operates from studying the diversity of abilities and inabilities, from autism[8] to psychopathy.[9] It is possible to distinguish among different notions of empathy; see especially Batson's distinction of eight different phenomena that are all called empathy.[10] Furthermore, we can distinguish how the observation of both sensorimotor pain (another's bodily injury) and affective pain (another's emotional reaction) can trigger vicarious experience/empathy.[11] Work is also beginning on the question of to what degree empathy requires a prior 'semantization of emotional processes' that is a complex and culturally diverse matching of emotional processes with names.[12]

On the other hand, however, we have not come much further in understanding when and why our capacity to empathize is turned on or off, or when a core mechanism, such as Perception Action couplings, leads from a neurological level of simulation to awareness, consciousness, and distinct empathic action, such as helping others. The mere fact that we have the ability to engage in mind-reading or empathic caring, for example, does not explain how and when we engage in these practices and when not.

This article will suggest, by means of examples, that different experiences of empathy may involve a process in which several distinct facets of empathy with different self- and other-related forms of experience are evoked sequentially. Part of such a process or sequence can be the judgment of others. A study by Tania Singer et al. has established that observers, especially male observers, experience less empathy when they attribute moral wrongdoing to the observed.[13] This is more than an issue of social context or cultural diversity. It shapes the nature of empathy. If empathy is determined by particular stimuli – or negatively by blockers – then these stimuli, triggers, and inhibitors must be considered as part of the architecture of empathy.

Suzanne Keen has made a remarkable suggestion in this respect. She suggests that there is a reason why we engage in empathy more easily in the domain of fiction. We slip into the shoes of literary characters easily because there are few costs and risks associated with it.[14] In her playful experiment, students were more likely to feel for the character in a work of fiction than for a supposedly real person writing an email or a hand-written letter with a plea for help. She suggests that because empathy binds us and we are cautious to engage in it, we limit it to few situations or to domains of fiction. Fiction is safe(r), since the character will not turn around and ask us for money.

This suggestion raises the question of the costs of empathy – and hence the potential downsides of empathy. From an evolutionary standpoint, of course, there are large costs associated with the development of a brain that is able to process something as complex as empathy.[15] However, there are also costs and risks that arise after acquiring the capacity and ability for empathy. These include the feared obligations one may experience when someone asks for help, as Keen's experiment suggests. These obligations indicate an imaginary alliance that limit the independence of the individual and thereby bind him or her.

An aggravation of this effect is self-loss. Whoever 'empathizes' or 'identifies' with someone else may, at least to some extent, also slip out of her own shoes, so to speak, and lose her own interests and identity for at least some time.[16] This self-loss can be pleasurable and enriching, as in the case of fiction, but it can also be bordering on the psychotic, as in the case of Stockholm Syndrome or Hostage Identification Crisis.[17] Hence, abilities to block empathy – the topic of this volume – need to be considered alongside positive instances of empathy.

Following this architecture of empathy and its dangers, the threshold of where 'empathy' begins could be marked by where the danger of self-loss emerges. In response to this danger, the blocking of empathy appears as a prime strategy to protect the self. This article will examine a second strategy. This strategy or practice is one in which empathy is admitted but does not lead to caring for the other. It is a strategy in which the experience of empathy is linked to a return to the self.

8.3 Aesthetics of empathy

In the history of aesthetics and in the theory of tragedy in particular, one issue is often raised and usually immediately dismissed, which is that the spectator somehow desires the misfortune of the protagonist, in order to feel elevated or purified by these big feelings. Edmund Burke,

for example, famously notices the joy in the pain of others, and he immediately finds a pro-social reason for this odd form of joy:

> I am convinced we have a degree of delight, and not a small one, in the real misfortunes and pains of others [...].
>
> If this passion would be simply painful, we would shun with the greatest care all persons and places that could excite such a passion [...].
>
> And as our Creator has designed we should be united by the bond of sympathy [...].
>
> [...] it is absolutely necessary my life should be out of any immanent hazard before I can take a delight in the sufferings of others, real or imaginary [...].[18]

Now, I would like to pause here and take this assertion that the pain of the other pleases us seriously without immediately buying into Burke's teleology of pro-sociality. Do tragedies indeed *foster* the wish for misfortune of the hero? Or do they merely *imply* the misfortune while teaching us to pity the hero?

The difference is neither trivial, nor simple to draw out. The later option, to be sure, seems to be the one favoured by most theories of the tragedies of the eighteenth century. Gotthold Ephraim Lessing asserts that tragedies teach pity (*Hamburgische Dramaturgie*, 1767–1769). Nevertheless, it is indeed obvious that it is the misfortune of the hero that brings about emotions, feelings, or thoughts in the spectator that seem to be somehow desirable and to be the very point of tragedy. In film studies, this phenomenon is known as the sad movie paradox: We are moved by sad stories and associate being moved with aesthetic pleasure and aesthetic quality.[19] But does this mean that the feeling of empathy is the end for which tragedy is a means? If it were, that would mean that tragedy is a particularly potent dose of feeling to revel in, without regard to the content, and, in this sense, without regard for the content of the hero's fate. In this sense, the experience of engagement would become an end, untethered to that of the hero's. Jean-Jacques Rousseau holds such a position when he discusses and dismisses tragedy.[20]

The question remains of whether the tragic arousal is focused around the self or the other. Of course, as Keen might point out, the very point of fiction is that the difference is disabled.[21] We have fiction – one could overstate this point – in order to enjoy empathy devoid of any obligation. (Still, self-loss could occur even in fiction.)

There is one element of the spectator's engagement in tragedies that needs to be stressed: One feels for the hero from the position of his or her tragic destiny. Hence, it could be suggested in our vocabulary that it is the anticipation of the hero's bad fate that gets one involved in the first place, that makes one empathize, identify, participate, and feel compassion. If this is true, the anticipated bad fate of the hero triggers the spectator's empathy. One could argue that the typical spectator of a tragedy sides and empathizes with the one for whom we fear for moral reasons. However, not all tragic heroes are particularly morally attractive. There is another possibility that stems from the mechanics of empathy. Tragedies offer a fairly risk-free involvement with the character since they promise both access to and escape from the character: After some strongly-felt emotions of pity, the spectators are released when the character tragically falls apart.

The attraction of this return ticket becomes clear in the context of the above-described dangers of commitment and self-loss. As a consequence of these dangers, we learn to use our empathy selectively and prefer to empathize when we know that we will 'return' to ourselves after a short empathic involvement. Hence, narratives and tragic narratives in particular are especially suited for empathy since we know they will come to an end; we can anticipate our release after some sequence of events, which is the tragic climax. There will be strong emotions, but they will come to an end with the character, so that the spectator is cathartically cleansed of the character, as Aristotle expounded, and can return to herself. A case in point is Aeschylus' *The Persians*, where the Greek audience's knowledge of history lets them 'safely' cheer for their archenemy.

Of course, traditional readings of aesthetics admit that the tragic fate is necessary, but they seem to take the position that the spectator does not desire the hero's tragic fate, but rather desires only the emotions and reflections that the hero's tragic fate causes in the spectator. However, it seems likely that the spectator desires exactly that which is required for his or her emotional involvement and empathy: as such, what is desired is empathy, and not necessarily the salvation of the hero.

In short, the question is of whether empathy is a means in itself or can become one. If it is, the involvement of spectators in tragedies would be an ideal form of this empathy for empathy's sake.

8.4 Empathic sadism

This empathy for empathy's sake is not limited to aesthetics and aesthetic theory. There seem to be a variety of physically, emotionally, or

mentally harmful acts that are committed *in order to* feel empathy. These tend to be cases in which the suffering of the victim allows the perpetrator or some third party to empathize.

There is a range of actions that fall under this description.

(1) *Retributive pain empathy*. There are acts committed out of vengeance and the desire for retribution. The punisher wants to inflict pain on someone and he or she wants to feel the pain of the other as a means to get back at the other for some prior act. In a more abstract way this seems still to be an essential aspect of the penal code of law. Knowing that someone receives justice behind bars, on the gallows, or by being singled out in court may still carry the emotional knowledge of the criminal's pain. Even if one directly identifies with the victim of an aggression, it may be via the perspective of the victim that one empathizes with the pain of the punished perpetrator to find some enjoyment in this very pain. The desire to witness the pain of the perpetrator is a commonly-cited motivation for family members who watch an execution in the United States.[22]

One could object that observing the pain of the punished individual does not involve a simulation and vicarious experience but just some 'cold' attribution of the pain in the other. Nevertheless, I wonder whether even this pain-recognition in the case of retribution might be best explained as a process that begins with a vicarious experience that is then redirected to some other feeling. More precisely, the satisfaction of seeing justice served may be the result of a transformation of other-focused empathy into self-gratification.

(2) *Direct sadism with pain participation.* Sadism consists of wanting to inflict pain on the other or to watch the pain of the other (perhaps in order to sense superiority, but perhaps for other reasons). To accomplish this, the sadist also needs at least to recognize the pain of the other. There is debate over whether people with strong sadistic tendencies are capable of empathy, or rather suffer from the lack of empathy. The dominant view, supported by fMRI evidence, is that psychopaths lack empathy entirely.[23] Nevertheless, we also know that some psychopaths are gifted manipulators and appear to be good at mind reading and Theory of Mind. They just do not care for the wellbeing of others and apparently do not simulate the emotions of the other in their system.[24] Still, it seems likely that the sadistic psychopath recognizes that the other is in pain and enjoys the other's pain. Why else would he even bother to inflict the pain otherwise? Hence, instead of simply saying that psychopaths lack

empathy entirely, it may be more precise to say that psychopaths lack – or block – vicarious experiences and instead use a self-focused way of mindreading the other's emotions that allows them to derive pleasure from this activity. Perhaps the differentiations between different forms of off-line vicarious experience need to be considered.[25]

Of course, not all sadists are psychopaths. In fact, I want to suggest in the following that some small dose of empathic *sadism* is part of everyday culture.

(3) *Manipulative predictive empathy*. There is the 'aesthetic' attitude in everyday life when someone 'tunes in more' to others in certain situations and thus aims to bring about and emulate those situations and scenarios. This can be situations of suffering, negative emotions, embarrassment, being criticized, feelings of inferiority, or shame, but also includes positive feelings, ranging from joy when we receive a gift or receive good news to learning situations where the observer is happy about the learner experiencing an insight. This aesthetic attitude may be quite subtle and may consist in a mere teasing of others, a probing or testing of others to provoke a predictable emotional reaction. Cinderella's stepmother may well experience such an emotion when she spills the peas and the rice and orders Cinderella to sort the seeds, well knowing that this will derail her wish to attend the ball. Cinderella's stepmother may not merely want to forbid Cinderella to attend the ball (she could have done this more simply), but she wants to cause an emotional reaction in her when she understands the impossibility of solving the pea-sorting task in time. The emphasis may not be on predicting the precise emotion or affect of the other, but the recognition and expectation *that* the other will emotionally react to the manipulation.

Obviously, these three cases are quite different, while also overlapping insofar as they all involve some induced restriction, ranging from direct pain to emotional embarrassment of the others as keys to understanding and participating in the feelings of the restricted other. One could point out here that in the first two cases – of retributive pain empathy and direct sadism, empathy is only the means for some other goal, namely assuring that one gets even with the other, or the feeling of superiority. Only the third case of manipulative predictive empathy, in its 'aesthetic' attitude, presents something closer to empathy for empathy's sake. Still, in all three cases some form of empathy is the goal of the manipulating actions even if this empathy serves another secondary

goal, such as vengeance. And in all three cases, empathy leads to a self-centred empowerment of the empathizer by granting him the privilege of knowing and perhaps controlling the emotions of the other. In this sense, the 'empathy for empathy's sake' could also be described with a different emphasis, as 'empathy as a means of self-empowerment'.

This is what I would like to describe as empathic sadism. Empathic sadism is what I call those manipulations of others that allow one to predict or anticipate their feelings so that one finds it easier to empathize with them, which allows for an enjoyment independent of whether we 'care' for the other and wish them well. The emphasis of this prediction or anticipation ranges from knowing *that* the other will have an emotional reaction to a precise estimation of *what* exactly he or she will feel. And depending on this prediction, the enjoyment of the empathizer ranges from a sense of self-empowerment, since one can control the other's emotion, to a more intellectual satisfaction to having correctly predicted the other's reaction. In both cases, the enjoyment of the other's pain is self-focused. This also includes the joy of watching others in a predicament when we do not actively bring about these manipulations but just contemplate them. It also holds for reading fiction when the situations of the characters allow us to recognize how they will react emotionally.

As indicated, these manipulations also extend to positive feelings. In the case of positive feelings, it seems more proper to speak of an empathic manipulation instead of empathic sadism. Both share a core structure of manipulating others in such a way that their feelings become predictable and therefore accessible for empathy, which one can subsequently enjoy. (This could account for the partially egotistic or self-focused nature of gift-giving.)

In all three cases, we can also observe that while empathy is central, this empathy does not lead to active compassion, since this would involve stopping the cause of the suffering. In other words, empathy is indeed enabled together with a consequent blocking or limiting of some aspect of empathy. At first glance, this sounds paradoxical. The target of empathic sadism is to trigger empathy only to then block this very empathy? However, as outlined above, empathy seems to bear with it the risk of self-loss or over-investment. Hence, the admission of empathy and its suppression or blocking has the effect of limiting empathy, and hence also the self-loss associated with empathy. Hence, these elaborations suggest that at least in these cases empathy appears to be a process of several stages, and not classifiable simply as a one-step phenomenon. The culminating point in this process is the empathizer's

celebration of his or her mastery over the other's emotions. Arthur Schopenhauer and especially Friedrich Nietzsche express similar views about the joy of domination over others.[26]

I owe the following elaboration and in fact extension to Kevin Houser:

> This reminds me of surfing – though in this case emotional surfing; one seeks waves of feeling, paddles out to ride them, and one hopes to escape. And 'empathy-surfers' will try to create the very waves they hope to ride – as people create drama so that they can 'draft' and 'tack' the breezes and disturbances they themselves have created. And they can use these emotions to move without the same danger of being moved by them. The idea is that riding other's emotions is safer for the self. One has emotions, but has them 'once-removed'.[27]

Blakey Vermeule similarly speaks of the way readers relate to characters as 'going along for a ride'.[28] Her point is that readers are usually not simply identifying with one character, but that they follow them both from within and from above at the same time. Readers know more than the character, but they simultaneously participate in the feelings and more limited perspective of the character.

8.5 Stages of empathic sadism

Empathic sadism, like other social emotions, is certainly acquired and learned. Of course, we know little about how this learning occurs, but we may propose that it is linked to the feeling of self-mastery and superiority. This is a possible sequence for the acquisition of empathic sadism:

(1) One person traps or manipulates another person.
(2) This makes the other's emotional reaction to his or her situation predictable for the manipulator.
(3) The predictability and misery of the other simplify/allow/trigger empathy.
(4) The manipulator shares the emotions, including pain, of the other.
(5) The manipulator blocks the shared pain.
(6) The manipulator gets joy out of either: (1), (2), (3), (4), (5), or some combination of these. One could speak of 'empathic sadism' only if the joy stems from (2)–(5).

Here is a more concrete case, a case that I have had the pleasure to witness in my own house while writing this article: Three siblings, A, B,

and C are playing. Things are getting a bit rough. And one starts to pin down another one on the couch so that the second can no longer get up. Now it seems to me that there are three distinct pleasures that the dominant child can get out of this:

The youngest child, C, might simply enjoy the domination of overcoming an older and stronger sibling: 'I am so strong!' This would correspond to step (1). It does not require empathy, though it can and probably does include an understanding that the dominated child suffers. However, the enjoyment may not have to be linked to sharing the suffering.

The second child, B, might enjoy dominating the weaker child, C. Since B would be expected to be stronger, it seems less likely that domination alone is the reward. Instead, child B might enjoy the predictability of C's emotional behavior (as in step (2)). Child B learns that one can manipulate both the physical *and* the emotional state of others: 'I can cause strong emotions in you!' and: 'I am smart since I know how you are feeling when I do this to you!' Child B might stop the act of suppression once this behaviour leads to shared emotions (as in step (4)).

The oldest child, A, might enjoy dominating her siblings. She has already learned the lesson of B and has learned to predict and empathize with her siblings. But she nevertheless engages in the game. A might take enjoyment out of the fact that she can control her emotional involvement, that is, that she can empathize and block empathy at will – step 5: 'I feel your pain, but it does not move me'. Still, one could expect a rather controlled form of dosing the pain to the other. Child A turns the domination partly inward as a form of self-control and thus self-empowerment.

Elements of this everyday practice of empathic sadism include: embarrassing and shaming, disappointing, criticizing, teasing, testing whether we have the power to shame others, putting pressure on students in learning situations, moralizing, mistreatment by subordinates in the work place, sexual domination, being devil's advocate in moral situations, etc. – often in quite subtle forms, such as irony. Thomas Mann's narrator in *The Buddenbrooks* seems to understand this everyday sadism of empathy quite well, when he addresses Tony as 'die arme Tony' ('poor Tony') before narrating her suffering from her sense of a socially inadequate marriage.

8.6 Cultures of empathy

It is common among researchers of empathy to separate emotional simulation-based forms of empathy from cognitive mind-reading forms

of empathy. This conceptual differentiation might lead some to suggest that the term 'empathy' is an overly vague concept, used inappropriately to describe separate things. Here I disagree. Batson's conceptual[29] clarity, for example, should not mislead one to assume that we have, functionally and practically, eight fully separate forms of empathy. Instead, the differentiation allows one to understand how different aspects of empathy can be put into the service of each other. In the case of this article, one of these cases is the way that emotional simulation is put into the service of cognitive understanding of the other's feelings: By manipulating a situation (physical pain, psychological stress or discomfort, etc.), one can predict his or her emotions. And then one can even emotionally enjoy this knowledge. In this case, the emotional simulation of a negative feeling triggers an intellectual understanding, which then triggers a positive feeling. Hence, this article supports the view that even the seemingly separate aspects of 'cold' and 'hot' empathy often come together as cultural practices.

Through the combination of these facets, empathy can serve many purposes, including social control over others and extracting enjoyment from their pain. To be sure, even – and perhaps especially – in these cultural practices of empathy, social bonding emerges.

This way of building culture by means of sadistic empathy, or empathy for empathy's sake, seems to be a human specialty. Non-human animals certainly have many ways to establish hierarchies and domination. However, it is unclear whether empathic feeling for the suffering of the inferior animal is a goal of establishing domination. However, human beings seem to excel in this ability. It may be because of this empathic sadism that we can indeed say that man is the empathic being (as Michael Tomasello and others have suggested).[30] Put differently, the culture and politics of empathy may be based not so much on pity and altruism, as on a more self-focused Machiavellian intelligence.

Empathy is certainly one of the key bonds of society. Still, the aim of this article has been to suggest that empathy is not a sugarcoated method of happy community building. The objections to such a vision came from two sides. First, empathy is not only a means of social appreciation, but also negotiates competition and negative feelings toward others. And second, empathy can use empathy-related feelings for others as selfish means, which I called empathy for empathy's sake. Still, positive-natured people might suggest that even this potentially sadistic empathy for empathy's sake or self-empowerment by means of empathy is a vehicle for training socially positive empathy and finding enjoyment in empathy, which cannot but further social bonding in the

end, as Edmund Burke has already suggested. There is nothing in this article that would contradict such a vision.

Acknowledgements

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Notes

1. J. Prinz (2011) 'Against Empathy', *The Southern Journal of Philosophy*, 49, pp. 214–38.
2. The main problem of Prinz's argument is that he reduces empathy to shared feelings. Thereby he rules out the more intellectual component of empathy: to *understand* the feelings *and situations* of others. And he neglects the important case where the empathizer feels with someone who does not even understand or react to his or her own situation. Once one reduces empathy to shared feelings and suggests that these shared feelings need to account for all ethics, then indeed empathy cannot live up these expectations.
3. A. Smith (1976/1759) *The Theory of Moral Sentiments* (Indianapolis: Liberty Classics).
4. J. Halpern (2001) *From Detached Concern to Empathy: Humanizing Medical Practice* (Oxford: Oxford UP); M. Tomasello (1999) *The Cultural Origins of Human Cognition* (Cambridge, MA.: Harvard UP).
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6. V. Gallese (2001) 'The Shared Manifold Hypothesis. From Mirror Neurons to Empathy', *Journal of Consciousness Studies,* 8, pp. 33–50; L. Fogassi et al. (2005) 'Partial Lobe. From Action Organization to Intentional Understanding', *Science,* 308, pp. 15–65.
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9. C. L. Harenski, K. A. Harenski, M. S. Shane and K.A. Kiehl (2010) 'Aberrant Neural Processing or Moral Violations in Criminal Psychopaths', *Journal of Abnormal Psychology*, 21, pp. 1–12.

10. Batson suggests that the concepts of empathy respond to two distinct questions: 'How can one know what another person is thinking and feeling? What leads one person to respond with sensitivity and care to suffering of another?' The distinction between these two modes of empathy, namely knowledge and care/sensibility, does not in itself imply that there is a transition from the first to the other, but it raises the question of whether they may lead to each other. D. C. Batson (2009) 'These Things called Empathy: Eight Related but Distinct Phenomena' in J. Decety and W. Ickes (eds) *The Social Neuroscience of Empathy* (Cambridge, MA: MIT Press), pp. 3–16; S. Leiberg and S. Anders (2006) 'The Multiple Facets of Empathy: A Survey of Theory and Evidence', *Progress in Brain Research*, 156, pp. 419–40; E. Thompson (2001) 'Empathy and Consciousness', *Journal of Consciousness Studies*, 8, pp. 5–7, 1–32.
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19. See J. Hanich, V. Wagner, M. Shah, T. Jacobsen, and W. Menninghaus (2014) 'Why We Like to Watch Sad Films, The Pleasure of Being Moved in Aesthetic Experiences', *Psychology of Aesthetics, Creativity, and the Arts*, 8 (2), pp. 130–43.
20. See *Lettre à M. d'Alembert sur les Spectacles*, 1758.
21. S. Keen (2007) *Empathy and the Novel* (Oxford and New York: Oxford UP).
22. J. Madeira (2012) *Killing Timothy McVeigh* (New York: NYUP).
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9

The Aesth-*ethics* of Empathy: Bakhtin and the *Return to Self* as Ethical Act

Sophie Oliver

> The particular horror of the camps, the horror that convinces us that what went on there was a crime against humanity, is not that despite a humanity shared with their victims, the killers treated them like lice. That is too abstract. The horror is that the killers refused to think themselves into the place of their victims, as did everyone else. They said, 'It is *they* in those cattle cars rattling past'. They did not say, 'How would it be if I were in that cattle car?'[1]

In the above extract from JM Coetzee's novel *Elisabeth Costello*, the title character of the book expresses the popular view by which empathy – in Costello's words, the capacity to imagine oneself as someone else, to think oneself into the place of the victims – is perceived as a virtue: a moral or ethical *good* intimately related, if not essential, to altruism.[2] In most 'pre-theoretical' understandings of the term, then, empathy is understood either as a motivator for pro-social action, or simply as part of what allows us to feel genuine care and concern for others, whether we act upon that concern or not. Conversely, a lack of empathy is perceived as a moral deficit that makes it possible for human beings to mistreat, abuse, or remain indifferent to the suffering of others. This ethical reading of empathy has not only been central to philosophical reflections about how or why such terrible crimes as the Holocaust – to invoke Costello's historical reference – could occur; it has also played a role in the conceptualisation of cultural memory practices dealing with limit events. In line with the rhetoric of emotional or empathic persuasion more commonly seen in humanitarian campaigns, memorials and museums that address traumatic pasts are increasingly designed and constructed in such a way as to maximise the possibility of identification and empathic response in their interlocutors, for example

through the use of personal stories or props to facilitate identification with victims. And yet, convincing arguments can and have been made as to why empathy might not always be the desirable response when faced with the suffering of others. *Too much* empathy can, it is claimed, present as many problems as *too little* empathy. One aim of this article is to work against intuition in order to consider some of these critiques of empathy, in particular as they relate to the reception of cultural memory work. The arguments put forward by the Russian literary critic Michael Bakhtin in an early essay entitled 'Author and Hero in aesthetic activity' are especially pertinent in this respect. In this essay, Bakhtin is critical of 'pure' empathy approaches that focus solely on the act of identifying empathically with others. He proposes instead an ethical theory of *outsideness* or *exotopy* that emphasises the importance of retaining one's own unique place 'outside' the other. It is only by retaining this sense of difference, he suggests, that ethical action is possible. The concept of difference is already present, of course, in most philosophical and psychological understandings of empathy. What Bakhtin's theory adds to the discussion, however, is an attentiveness to the aesthetic as well as the ethical function of empathy - pointing, I argue, to a significant tension between the two. The final section of the chapter considers this tension as it reveals itself in the context of visitor encounters with two 'experience-based' memorials and museums: the Jewish Museum and the Memorial to the Murdered Jews of Europe, both in Berlin. Both make use of architectural elements in order to stage for visitors an embodied 'experience' of space in which emotional effect takes precedence over intellectual effect. The aesthetics of experience evoked by these contemporary memory spaces is designed, I suggest, to position visitors as secondary or metaphorical *witnesses*, infusing the act of reception with an apparently ethical dimension based in empathic emotion. Referring to visitor accounts of these two memory spaces, I aim to demonstrate how the spatial choreography of empathy at such institutions actually produces highly ambivalent emotional experiences which could be said to defer, rather than encourage, pro-social action. I propose that a possible response to this risk can be found in Bakhtin's aesthetics of exotopy.

9.1 The ethical currency of empathy: defining qualities

> The overwhelming evidence […] is that most people, when they witness someone in distress, feel empathically distressed and motivated to help. Thus empathy has been found to correlate positively with

> helping others in distress, even strangers, and negatively with aggression and manipulative behaviour.[3]

What is empathy and why is it so often thought of as a *good* thing? In order to better understand how and why empathy might work pro-socially, and why, sometimes, it might fail to do so, we must first unpack our definitions of empathy as a concept. On the most general level, empathy has been described as the process by which one comes to experience an affective or mental state more applicable to the situation of another person, usually through the attended perception or knowledge of that person.[4] While this broad definition provides a useful starting point, it belies the high level of variation, both qualitative and of degree, at work in different conceptual understandings of empathy. Much of this variation stems from a difference of opinion as to the primary function of empathy. If we assume from the outset that empathy is first and foremost an ethical faculty, linked to human (co-)survival,[5] our definition of what 'counts' as empathy will differ from that offered, for example, by those for whom empathy is above all an epistemological process (by which one gains knowledge of another person or experience) or an *aesthetic* one (in which we have to do with the manner by which the viewers or receivers of art experience and gain insight into its objects).

An important area of distinction for understanding empathy as *ethical* currency relates to its emotional dimension versus its intellectual or imaginative characteristics. For psychologist Martin Hoffman, who sits quite clearly in the ethical camp, empathy is multi-determined. An evolving faculty, it makes use of both pre-verbal or 'cognitively shallow' processes, such as mimicry, conditioning, and association (I feel what you feel, without conscious reflection), and complex imaginative efforts, such as mediated association and perspective-taking (I imagine how you feel or how I might feel were I in your situation).[6] In philosopher Ann Coplan's view, the second of these is the most critical: empathy without the 'higher-level' dimension of imaginative effort, she argues, constitutes little more than 'emotional contagion' (and thus may not qualify as empathy at all).[7] For Hoffman, however, such preverbal or emotional mechanisms are *ethically* valuable precisely *because* they do not require cognitive work, but rather give rise to 'a passive, involuntary affective response, based on the pull of surface cues'.[8] Such mechanisms 'not only enable a person to respond [...], but they also compel him to do it – instantly, automatically, and without requiring conscious awareness'.[9]

A further difference of opinion exists in relation to the degree of affective accuracy demanded of empathy; if 'knowing' or 'understanding' is the priority function of empathy, then the need for the affect experienced by the empathiser to be 'qualitatively identical' to that of the target will be greater, since it is through this accuracy that my knowledge of the other is legitimised.[10] If, on the other hand, we prioritise the pro-social role of empathy, it may be enough for the empathiser to be emotionally affected in a similar (but not identical) way. 'Empathic accuracy', in Hoffman's view, does not imply identity of affect, but rather suggests a more general response of 'empathic distress' or discomfort. 'Empathic distress' may encompass a range of empathy-derived emotions, such as anger (against the cause of the victim's suffering), guilt (over one's inaction or inability to help) and a sense of injustice (where one is motivated to 'right a wrong'). Each of these may evolve out of an observer's empathic distress and serve, within concrete circumstances, to motivate pro-social action, without constituting the accurate affective matching demanded by some empathy theorists.[11] This more approximate affective response resembles what Dominick LaCapra has called 'empathic unsettlement'. For LaCapra, empathic unsettlement consists in 'being responsive to the traumatic experience of others, notably of victims'; it involves 'a kind of virtual experience through which one puts oneself in the other's position while recognising the difference of that position'. Opening oneself to empathic unsettlement is *epistemologically* useful, LaCapra argues, because 'it complements and supplements [the] empirical research and analysis' of traditional historiography by helping us to 'understand traumatic events and victims'.[12] In Hoffman's view, empathic distress can also be ethically useful in promoting sustained and active engagement in the face of injustice and the suffering of others.

9.2 Empathy and the ethics of witnessing

In what circumstances, then, does the ethics of empathy function best? Stanley Cohen describes one instance of empathy working as a catalyst for altruism in his by now seminal book, *States of Denial*. Reflecting upon the motivations of so-called 'rescuers' during the Holocaust – people who agreed to hide, help or protect Jewish and other victims of Nazi persecution – Cohen attributes altruism to an already-there tendency to welcome the outsider within one's circle of concern, which he calls 'extensivity'. Manifested in the act of 'caring for others beyond immediate family and community',[13] extensivity 'implies seeing the

'other' as part of your shared moral universe' – something that Cohen believes empathy can help us to achieve.[14] But is such empathic extensivity limited to situations in which immediate and direct action can be taken, or can it also inform our responses to aesthetic encounters with representations of suffering, as at memorials or museums? That we may feel empathy and care for those beyond our circle of proximity is a proposal upheld by Michael Slote in his book, *The Ethics of Care and Empathy*. While granting that it may be easier to feel care and empathy for a person standing before us in the here and now, Slote argues that the evolutionary nature of empathy means that we can learn to extend it to individuals and groups that are not within our immediate reach.[15] Hoffman makes a similar assumption, describing the scenario in which a story of suffering – heard first or second hand – can arouse sufficient empathy to inspire a long-term engagement on behalf of a group or cause that extends beyond the immediate situation. He calls this type of ethical engagement 'witnessing':

> I define witnessing specifically as empathic distress that becomes so intense and penetrates so deeply into one's motive system that it changes one's behaviour beyond the immediate situation. One not only feels compelled to help the group in the present, but becomes committed to act on their behalf beyond the situation and often over an extended period of time and at great personal cost.[16]

That empathy can inspire attitudes of witnessing in this way is something that has also been explored by humanities scholar E. Ann Kaplan in her work on the impact of atrocity images upon spectators.[17] Referring to Susan Sontag's description of being deeply moved and altered after viewing images of the concentration camps for the first time, Kaplan observes that it is possible, through empathy, for spectators to be 'essentially transformed by the experience' of seeing images of suffering.[18] Sontag's first encounter with these iconic images of the Holocaust, and the empathic distress it caused her, initiated a lifelong engagement – both scholarly and personal – with human suffering and its representation. This, for Kaplan, is a paradigm case of empathy as a response to cultural representations of suffering working in a pro-social manner: 'witnessing' for Kaplan is more than empathising with the suffering of a person before us (whether in an image or in the here and now); 'it involves feeling so shocked by suffering that one is moved to act'.[19] 'In witnessing,' she writes, 'we understand empathy's potential social impact, especially when it is deeply and enduringly

felt'.[20] This model of empathic witnessing might help to explain the experiential turn in cultural memory: by providing visitors with an emotional experience and thereby encouraging them to identify imaginatively with victims, memorials and museums hope, perhaps, to create long-lasting forms of engagement akin to that which Kaplan and Hoffman describe. However, for Kaplan, witnessing is only one possible outcome of empathy. It stands in contrast to 'the fragility of empathy', which manifests itself in ways that – as we will now go on to see – not only do not always promote, but sometimes even work against, ethical action.

9.3 Critiques of empathy

> Though clearly a pro-social motive, empathy is limited by its fragility, dependence on the salience and intensity of distress cues and susceptibility to influence by one's relationship to the victim [...] it can be trumped by egoistic motives such as fear or personal ambition, and one may not help even if it makes one feel guilty.[21]

The link between empathy and ethics is neither a necessary nor a sufficient link; empirical and theoretical evidence has shown that empathy *can* act as a motivator for pro-social action, but not that it will always do so. In other words, empathic distress does not *conceptually* entail caring attitudes or pro-social action.[22] Moreover, according to philosopher Jesse Prinz, empathy is not necessary for basic moral competence: 'one can acquire moral values, make moral judgements, and act morally without empathy'.[23] When we accept that empathy is not integral to morality, Prinz suggests, we also come to understand why we might not want it to be; in this light, the 'dark sides' of empathy must be attended to as much as its supposed benefits. An ethics based on empathy is fragile because it is easily disrupted by both internal (psychological) and external (social, historical, or political) factors. These may be situational blocks to empathic feeling, as described above by Hoffman and by Stanley Cohen in *States of Denial*,[24] or more complex barriers to moral intervention; ethical response dulled by habituation, for example, or the will to act paralysed by emotional over-arousal. While there may be strategies to address these limitations, their very existence challenges the pre-reflective privileging of empathy as innately 'good' and invites us to consider its more complex manifestations and effects.

Partiality, in the form of personal or group bias, can, for instance, have a considerable impact upon empathic ability. It may be common

sense that we are more likely to feel empathy for those people about whom we are able to form positive opinions; people we find attractive, people we perceive as being innocent, or simply people that we perceive to be 'like us'. Those who fall outside of these categories are less likely to arouse our empathy, if only because we have fewer associative references to draw upon as we try to imagine their perspective. As Adam Morton notes, the fact that there may be a limit to our will and capacity to empathise becomes clear when we consider whether we could feel empathy for the perpetrators of atrocity:

> The fact is that when we try to find anything like real empathy for people who commit real atrocities we come up against a barrier. We can describe the motives, and we can often even imagine what it might be like to do the acts, but there are deep obstacles to the kind of sympathetic identification required for empathy.[25]

While the failure to empathise with perpetrators of gross atrocities may not be a priority concern for most people – most of us would rather empathise with the victim than the aggressor – it is precisely so for Morton because this specific failure makes visible the weakness of empathy as a moral and epistemological tool more generally. There are limits to our imaginative, and therefore our empathic capacities, and in so far as we base our ethical decisions upon empathy these limits will always end up excluding certain categories of people from our moral universe. Seen this way, empathy begins to look like a selective privilege – one that is open to all forms of abuse and mis-use. Indeed, that the suffering of some will always be less salient, and thus less demanding of our empathy, than the suffering of others, is by no means arbitrary: salience is something that can be constructed. Certain causes are more visible than others precisely because those with the power to do so make them visible. The potential for empathy to be manipulated and choreographed by interested parties, who may or may not be acting with the best of intentions, is thus a danger that certainly needs to be acknowledged. As Hoffman himself notes, 'empathy can serve many masters';[26] the risk is that its affective impact will serve to conceal the often very rational and calculated aims of those who manipulate it for their own purposes.

We have begun, then, to detect a clear dark side to empathy: its potentially fickle nature, and its vulnerability to manipulation. These relate to 'empathy gone wrong', but are there also dark sides to apparently successful empathising? In her essay *The Risks of Empathy*, Megan

Boler suggests that an ethics based on empathy and identification may not be as extensive and other-centred as some claim:

> To be moved by the other only as a result of my identification with the other, and the self-concerned fear that the same fate could befall me, falls short of the kind of recognition I want to encourage.[27]

According to this view, the idea that we can only come to care for the other by seeking imaginatively to occupy her position, or by relating her experience to our own, constitutes a fairly narrow ethics that is centred more upon the self than upon the other. There is also a very real potential for empathy to lead to illusory identifications that conceal or distract from the real and distinct needs and situation of victims. This results in what Amy Coplan has called 'pseudo empathy,' in which we believe we understand the other's point of view when in fact we do not; our focus is on our own feelings of distress, rather than upon the pain or distress of the other.[28] This is also open to misuse. If empathy represents for many a means of speaking with victims, for others it may be used as proof of entitlement to speak for them, to represent or 'name' victims in a way that simultaneously silences them. In this sense, empathy might also be seen as a 'way to gain control, to possess, to master others'.[29] This can be connected to what Carolyn Dean has critically called the 'pornography' critique; according to which over-exposure to stories and images of suffering has led us to 'consume' suffering in ways more akin to pornography than ethical concern:

> Expectancy, excitement, voyeurism – all of these then violate the dignity of memory by taking the historical event out of context, by appropriating it for our own pleasure and rendering meaningful empathy impossible.[30]

On a practical level, psychologists and sociologists have shown how overexposure to empathy-arousing representations of suffering can have a paralysing effect, acting as a barrier to rather than a motivator of pro-social action. It may be easier, Hoffman suggests, for high-empathy individuals to 'share' in the pain of victims than to confront their feelings of guilt, responsibility or impotence.[31] E. Ann Kaplan describes this phenomenon as 'empty empathy': 'the transitory, fleeting nature of the empathic emotions that viewers often experience; [when] what starts as an empathic response gets transformed into numbing by the succession of catastrophes displayed before the viewer'.[32] Thus, while

Kaplan recognises the potential for exposure to images of suffering to arouse a positive empathic response in spectators, she also stresses the possibility for too much empathy or *empathic over-arousal* to have the negative effect of limiting or precluding pro-social behaviour. Kaplan further points to the risk of what she calls 'secondary or vicarious trauma', when 'the empathic response to an image of catastrophe may be so strong and so painful that the individual turns away, or thinks distracting thoughts, unable to endure the feelings aroused'.[33] In this case, not only does too much empathy have a paralysing effect, the experience of empty empathy itself becomes a form of harm or violence against *spectators*.

> The trouble with images that arouse empty empathy is the passive position such pictures put the viewer in […] they do not move the viewer to action. They rather make one feel hopeless.[34]

In many ways, this critique sums up most of the problems we have already identified and reduces them to one, crucial question. If we cannot accept empathy as an ethical end in itself, then we need to ask: how reliable is empathy as a motivator of ethical or pro-social *action*?

Kimberly Nance focuses on precisely this issue in her work on Latin American *testimonio* literature and its reception. Nance challenges the assumption that the ideal reader or receiver of testimony should as a matter of ethical course seek to identify and empathise with the speaker or testifier. She argues that this emphasis upon empathy 'disarms' the texts by allowing readers to forgo their responsibility to 'return and to act'.[35] In constructing her argument, Nance cites the following passage from Michael Bakhtin's 1923 essay 'Author and Hero in aesthetic activity', which was published posthumously in the collection 'Art and Answerability':

> Let us say that there is a human being before me who is suffering […] I must experience – come to see and know – what he experiences; I must put myself in his place and coincide with him, as it were […] But in any event my projection of myself into him must be followed by a return into myself, a return to my own place outside the suffering person, for only from this place can the other be rendered meaningful ethically, cognitively or aesthetically. If this return into myself did not actually take place, the pathological phenomenon of experiencing another's suffering as one's own would result – an infection with the other's suffering, and nothing more.[36]

For Bakhtin, empathic *'feeling-into'* the suffering other, and the projection of myself into that other, is on its own 'quite fruitless and senseless', resulting merely in a pathological 'infection' with the other's pain that hinders rather than encourages ethical action.[37] In response to this flawed ethical model, Bakhtin proposes a theory of outsideness or *exotopy* – a term stemming from the Greek 'exo', meaning 'to exit or move out of'. Bakhtin's theory of exotopy emphasises the importance of retaining and returning to one's own unique place 'outside' the other. Without a sense of difference or otherness, he suggests, ethical action is not possible. Nance's example of testimonial literature provides a useful illustration of this, since it is precisely the *difference* between the readers' relative privilege, power, and resources vis-à-vis those of the testifiers that places them in a position to act on their behalf –by raising awareness or launching a political campaign, for example. 'If difference is effaced in the quest for a pathological and ultimately illusory empathic identity', writes Nance, 'the possibilities of dialogic action are correspondingly diminished'.[38] In this case, Nance argues, privileging empathy as an ethical end in itself plays the role of 'converting the temporary identification that Bakhtin identifies as preliminary for action into a defence against social responsibility'.[39]

9.4 Empathy as aesthetic activity: Bakhtin and the *Return to Self* as ethical act

It is important to note that Bakhtin's ethical theory of empathy and exotopy is also deeply rooted in his aesthetic theory. The question in Bakhtin's work is one of rendering the other meaningful ethically, cognitively and *aesthetically*. While empathy has today come to refer almost exclusively to relationships between living (usually human) beings, the term was first used within philosophical aesthetics of the nineteenth Century to describe our experience of objects. More specifically, empathy or *einfühlung* described the act of 'feeling into' (through embodied and affective imitation or projection) works of art or nature, and thereby developing an aesthetic appreciation of the works and their meaning.[40] In Bakhtin's formulation, it is the aesthetic relationship between the *author* and the *hero* of the literary text that best explains both the ethics and the aesthetics of exotopy. As creator, the author necessarily occupies a position of *outsideness* in relation to the artistic work and its hero. This position is marked by an *excess of seeing*, whereby the author-creator 'not only sees everything seen and known by each hero individually and by all the heroes collectively, but he also sees and knows *more* than they

do'.[41] This allows him to 'form' that hero as a whole and consummated human being. According to Bakhtin, the ideal identificatory position for the contemplator of art is also that of the author-creator in the sense here described, since only from a position of outsideness and excess of seeing can the reader or spectator experience the wholeness of the aesthetic event. To illustrate the importance of exotopy for the contemplator, Bakhtin uses the example of Da Vinci's *The Last Supper.*

> Passing from one figure to the other, I can, by co-experiencing, understand each figure taken separately. But in what possible way can I experience the aesthetic *whole* of the work? [...] What I have before me is a unitary yet complex event, in which every participant occupies his own unique position within the whole of it, and this whole event cannot be understood by way of co-experiencing with each of its participants, but, rather, presupposes a position outside each one of them as well as outside of all of them taken together.[42]

As Ilya Kliger explains, Bakhtin's idea of properly aesthetic experience necessarily involves 'a double operation whereby the reader or viewer aligns herself with the "intentional" perspective of the hero and *simultaneously* recoils back into the totalizing outsideness of the author'.[43] Aesthetic activity proper begins for Bakhtin not at the point where we *feel into* the art object, but 'at the point where we *return* into ourselves, when we *return* to our own place'.[44] While empathy is an important stage in this process, it is on its own insufficient to secure the wholeness of the aesthetic event. And the same assessment may be made in ethical terms, for empathy's failure to reveal to us the 'consummated whole' of the other is as pertinent when that other is a flesh and blood human being as when it is a fifteenth-century mural. The suffering person standing before me

> experiences his outward expressedness only partially [...] He does not see the agonising tension of his own muscles, does not see the entire, plastically consummated posture of his own body, or the expression of suffering on his own face. He does not see the clear blue sky against the background of which his suffering outward image is delineated for me'.[45]

According to Bakhtin, I can and should make the most of the excess of my seeing, by which I am able to see these outward features imperceptible to the sufferer himself, as a means for empathically projecting

myself into him. At the same time, however, I must hold on to the unique position 'outside' that provides me with this excess of seeing in the first place. It is only by returning to our place 'outside the suffering person' that we can 'start to form and consummate the material we derived from projecting ourselves into the other and experiencing him from within himself'.[46] The author-hero relationship is in this sense also a trope for the self/other relationship, in which I need the other (as the other needs me) in order to *be*. 'I' exist as an unrepeatable and finalisable individual only through my dialogic interaction with the other, without them I cannot 'form' myself or conceive of myself as a complete and finalised whole.[47] An excess of empathic projection thus compromises both my own and the other's subject position and, in so doing, renders effective ethical action impossible.

Many of the reservations that Bakhtin has about empathy can be linked to the more contemporary critiques already described; while empathising and identifying with the suffering of others represents a significant, even necessary step in the journey towards ethical action, it is not sufficient. The risks of exploitation, over-identification, and over-empathising are great, and can, in the end, act as de-motivators for pro-social behaviour. Nonetheless, it would be a misinterpretation of Bakhtin's position if we were to throw out the colloquial baby with the bathwater in this case. Empathy is an important stage in ethical answerability; it must however be paired with the exotopic return to self, to a position 'outside' the other from which both ethical action and ethical relations become a possibility.

So how does this notion of an exotopic return to self tie in with the ethics of empathy described above? A clear link can be found in the concept of self-other differentiation, which is integral to both Hoffman and Coplan's definitions of empathy. For Coplan, 'clear self-other differentiation is essential for empathy' because it prevents us from becoming enmeshed or fused with the other. 'Sharing another's affect in the absence of self-other differentiation', she writes, 'provides minimal connection to or understanding of the other or his experience'.[48] For Hoffman, too, *mature* empathy is characterised by a cognitive sense of the self as physically and psychically separate from the person with whom we are empathising.[49] The moment in a child's development at which he or she attains a sense of self as separate from others is pivotal, in Hoffman's view, for understanding how empathy functions pro-socially; it is at this stage that a child is able to recognise her own distress as a *response* to the other's presumed or actual pain, rather than as an independent source of suffering in itself. This in turn allows for

a transformation of 'empathic distress' into 'a more reciprocal feeling of concern for the victim', by which the motive to comfort oneself 'is correspondingly transformed into a motive to help the victim'.[50] Similarly, in psychotherapeutic definitions of the term, empathy *does not* call for the empathiser to 'lose' him or herself in the other's pain, since to do so in the therapeutic context would inhibit the therapist's ability to offer assistance; 'pure' empathy here involves more than the ability to put oneself in another's shoes and to see the world from his or her perspective, it also expressly demands the ability to *return to self*.[51] The suggestion, then, that we should for ethical reasons seek to nurture feelings of empathy need not and *must* not for all that imply that we should abandon our own – relatively secure – subject position. Empathy and exotopy can and should be thought of as two sides of the same coin.

9.5 Witnessing and the aesthetics of experience: empathy in Berlin's memory spaces

I would like to conclude by returning briefly to the tension between aesthetics and ethics that emerges in Bakhtin's study, and to think about this specifically in relation to empathy and exotopy as they might be seen to function within acts of secondary by-standing or witnessing at memorials. The scenario of secondary by-standing – a visit to a memorial, the reading of a testimonial text, for example – differs from the earlier example of 'the suffering human being standing before me' because it involves an aesthetic encounter with a representation of suffering, rather than with a real and present human being. The ethical and the aesthetic are therefore occurring simultaneously, whence a potential conflict may arise. Let me refer for clarification to another example from Bakhtin's original text. In *Author and Hero,* Bakhtin offers an example of what is for him an 'appropriate' aesthetic response in his anecdote about a theatre spectator who warns the hero of the play he is watching about an impending ambush (within the play), and who is ready to rush to the hero's aid when he is attacked. Anyone who has been to a Pantomime will recognise this formula – popularised in the audience intervention 'He's behind you!' – by which the spectators of the performance attempt to warn the hero on stage of a danger that they can see but he cannot. For Bakhtin, the attitude assumed by the audience towards the hero is *ethically* 'quite correct'. 'In this attitude', writes Bakhtin,

> the naive spectator assumed a stable position *outside* the hero, took into account those features which were transgredient to the hero's

> consciousness, and was prepared to utilize the privilege of his own *outside* position by coming to the aid of the hero where the hero himself, from *his* place, was powerless.[52]

Where the attitude adopted by the intervening spectator falls short, however, is in his failure to develop his activity in an aesthetic rather than an ethical direction by finding his place outside the aesthetic event as a whole. In warning the hero, the naive spectator 'stepped across the footlights and took up a position *beside* the hero on one and the same plane of life lived as a unitary and open ethical event, and, in so doing, he ceased to be an author/spectator and abolished the aesthetic event'.[53]

It is in this passage that we detect the most serious tension between aesthetics and ethics in Bakhtin's theory of exotopy. To act ethically is also, in this instance, to abolish the aesthetic event. But does the preservation of the aesthetic whole, as Bakhtin puts it, necessarily preclude ethical action, or can the two coincide? What about our case of the spectator of representations of distant suffering, which can at the same time be thought of as ethical *and* aesthetic events? We might consider it desirable that, for example, a visitor to a genocide memorial remain 'within' the aesthetic event, that he or she remain blind to the artifice and narrative construction, in as much this 'naïveté' allows for an ethical 'standing beside' the victims of suffering. If we understand witnessing, as Hoffman and Kaplan do, as a form of long term engagement brought on by the transformative experience of empathic distress, then we may well demand that the memorial visitor forgo his or her position of spectatorship in favour of the attitude of ethical *besideness* exhibited by the intervening theatre-goer. And yet, both Hoffman and Kaplan stress the need for self-other differentiation as a condition of pro-social motivation and action, suggesting that it may be equally important for the empathic witness to return to his or her own position outside the plane of victims' suffering.

Let us consider these questions more concretely in relation to two case studies of visitor responses to the *Jewish Museum* and the *Memorial to the Murdered Jews of Europe* in Berlin. Both are official 'memory spaces' which, through their use of spatial and other elements, can be said to arouse emotional responses in their visitors akin to the kind of empathic distress described by LaCapra and Hoffman. The spatial design of these two memory spaces correspond to an architectural trend towards memorials and museums that seeks to offer visitors an emotional and emotive experience. A similar approach has already

been seen in so-called 'interactive' memory museums, such as the *The United States Holocaust Memorial Museum* in Washington, or the *German Emigration Centre* in Bremerhaven, northern Germany, both of which use props in order to help visitors imagine themselves into the shoes of the individuals whose stories are being told – ID cards at the Holocaust Museum, and boarding passes in Bremerhaven. In a similar way, more and more memorial spaces are being designed to, in Andrew Gross' words, 'act out the trauma of the Holocaust as architecture; walking through them is supposed to be a step towards working through that trauma as feeling and experience'.[54] This affective experience of the memorial space is intended to provide visitors without a direct connection to the Holocaust with a personal, corporeal memory of their encounter. It is, in this sense, an affective and empathic experience.

Gross is writing here about the Jewish Museum in Berlin, where the architectural form itself seems to prescribe an affective response in visitors, and by no means a pleasant one: jagged lines and narrow spaces, the juxtaposition of light and dark, cold and warm all contribute to the unease of the visitor. As Gross notes, 'discomfort and disorientation are central to the design'.[55] Similar observations have been made about Peter Eisenmann's design for the Memorial to the Murdered Jews of Europe in Berlin, an equally disorienting space consisting of 2,711 concrete stelae arranged in a grid pattern on an undulating piece of ground in the centre of Berlin. Visitors are invited to lose themselves in the memorial, which to some resembles a maze, to others, a cemetery. But what is the effect of all of this? My own first encounter with the Jewish Museum was one of such considerable distress that I felt obliged to leave, unable to continue my tour of the museum and its exhibits. On one level, my empathic experience of the space forced me to 'shut down' my engagement with it. And yet, I find I am still writing about the experience today, years later. My investigations into other visitor experiences of the museum have uncovered similar experiences of emotional and sometimes corporeal distress and unsettlement. For one woman, the Jewish Museum represented the culmination of a series of emotion-filled cultural memory experiences in Berlin that resulted in precisely the kind of ethical disempowerment highlighted in many empathy critiques:

> While all of the historical information we took in was incredible, it took an emotional toll on my husband and I. There's just no way that you can tour Berlin's Nazi sites and museums without coming to the conclusion that most Germans were culpable in the rise of Hitler and

> the majority carried out his fanatical and genocidal policies without question. In the Jewish Museum cafeteria, I covered my face with my hands. 'So basically, most humans are evil', I said to him. 'Pretty much', he replied.[56]

Comparable responses can be found in accounts from visitors to the *Memorial to the Murdered Jews of Europe*. In responses to a survey asking visitors to describe their experience of the memorial, words such as 'claustrophobic', 'confusing', 'oppressive', and 'trapped' reappear again and again to describe the emotional and physical effect of the space. People also reported a number of physiological responses, including goose-pimples, increased heart-rate, and general feelings of tension.[57] As with the couple cited above, such experiences of emotional distress can result in empathic over-arousal, producing a pathology of powerlessness and paralysis that sits very well within Bakhtin's critique of empathy. But is it also possible that the affective experience of these memory spaces could work, as Sontag's encounter with concentration camp images did, to motivate some form of ethical engagement, not only with the history or the Holocaust and its victims, but with the struggle against injustice more generally? In other words, can the type of empathic distress experienced at these memorials give rise to an ethics of witnessing, in Kaplan's sense of the term? For a number of visitors, myself included, it did seem to offer this possibility:

> Being in Berlin and visiting the memorial brought all of my latent feelings and emotions about the Holocaust into very sharp focus [...] My visit to Berlin was a whirlwind of activity; visiting the Memorial provided me with a moment of calm.[58]

> I generally remember that it was always very intense moments walking through the memorial. The slight loss of orientation, the disconnection to what happens outside the memorial when diving into it and the quietness are encouraging emotions and thoughts. Apart from these feelings I always felt anger and frustration about people running around, shouting without any signs of reflection. I was often tempted to confront them to think about what they do and where they are doing it.[59]

These two responses to a visitor survey about the *Memorial to the Murdered Jews of Europe* clearly indicate a link between affective or empathic distress and a subsequent process of reflection and intellectual engagement, which, in the second extract, is expressed as a recognition

of the responsibility of visitors to memorials to respect and honour the memories of victims by abstaining from certain forms of behaviour, and a motivation to act upon that recognition by confronting other visitors. In both cases, in line with Bakhtin's model, the respondees are only able to reach this point by returning to a place 'outside' the aesthetic event. They are reflecting, sometimes critically, upon the memorial and their experience of it. This exotopic move allows them to 'de-pathologise' their experience and to make judgements regarding whether and how they should act subsequent to it. But is it enough to return, as Bakhtin suggests, to one's own place outside the event, if this means returning unchanged? What was crucial about Sontag's empathic encounter with images of concentration camps was that she emerged transformed; she was haunted by her affective experience and this haunting sustained her motivation to dedicate her life and work to what Kaplan and Hoffman call the ethics of witnessing. Similarly, for these visitors to Berlin's *Holocaust Memorial*, the exotopic move of finding one's place outside the aesthetic event – and retaining the self/other distinction so integral to mature empathy – is crucial for ethical engagement, but it may only be successful in this sense if they continue, even in this 'outside' space, to be haunted by their empathic experience.

9.6 Concluding thoughts

Bakhtin's 'ethical aesthetics' of exotopy makes a valuable contribution to scholarship on the ethics of empathy, especially in relation to secondary by-standing, where subjects are asked to respond not to flesh and blood human beings standing before them in the here and now, but to the aesthetic encounter with cultural representations of suffering that is often temporally and/or spatially distant. As the Turkish scholar Sevda Çalişkan has put it, Bakhtin's theory 'allows for empathy, or rather sympathetic co-experiencing, but it also necessitates a return to our previous position of outsideness, thus ensuring a space for both participants. Such a relationship respects difference and plurality. It does not attempt to obliterate the other'.[60] Exotopy or outsideness is thus ethical both in its facilitation of ethical action and in its promotion of dialogic attitudes of mutual recognition. Bakhtin's theory offers a response to many, though not all, of the most pressing critiques of empathy. The return to self may help us to avoid many of the pathologies of empathy, but it cannot eliminate of its fragility entirely. Nor, as we have seen, can exotopy replace empathy. Both empathy and exotopy

are crucial to the ethics of secondary witnessing; the one must always haunt the other. This mutual haunting should, I suggest, be added to our already fluid conceptualisation of empathy.

Notes

1. J. M. Coetzee (2003) *Elizabeth Costello: Eight Lessons* (London: Secker & Warburg), p. 79.
2. Note that Costello in fact refers to this capacity with the term 'sympathy'. The two terms are frequently confused, particularly where the pro-social or ethical dimensions of empathy are emphasised. Historically, of course, both David Hume and Adam Smith used the term sympathy to describe what we now commonly call empathy. According to Stanley Cohen, 'empathy' is defined as feeling what the suffering of others must be like *to them,* while 'sympathy' suggests that one *feels sorry for* victims, without experiencing any suffering oneself. See S. Cohen (2000) *States of Denial: Knowing about Atrocities and Suffering* (Cambridge, UK: Polity), p. 216.
3. Hoffmann (2011) 'Empathy, Justice and the Law' in A. Coplan and P. Goldie (eds) *Empathy: Philosophical and Psychological Perspectives* (Oxford: Oxford University Press), pp. 231.
4. Stephanie Preston and Frans de Waal offer just such a broad definition of empathy, which they describe as 'any process where the attended perception of the object generates a state in the subject that is more applicable to the object's state or situation than to the subject's own prior state or situation'. See S. D. Preston and F. B. M. de-Waal (2002) 'Empathy: lts Ultimate and Proximate Bases', *Behavioural and Brain Sciences*, 25, p. 4. Martin Hoffman takes as a general category 'empathy defined as an affective response more appropriate to another's situation than one's own'. See Hoffmann (2000) *Empathy and Moral Development: Implications for Caring and Justice* (Cambridge: Cambridge University Press), p. 4. The disadvantages of adopting such generalised approaches are discussed by Amy Coplan in her article A. Coplan (2011) 'Understanding Empathy: its Features and Effects' in A. Coplan and P. Goldie (eds) *Empathy: Philosophical and Psychological Perspectives* (Oxford: Oxford University Press), p. 7.
5. 'Empathy,' Martin Hoffman writes, 'is the spark of human concern for others, the glue that makes social life possible'. See (2000) *Empathy and Moral Development*, p. 3.
6. Hoffmann (2000) *Empathy and Moral Development*, p. 5.
7. See A. Coplan (2011) 'Understanding Empathy', pp. 8–9. Already in *The Theory of Moral Sentiments*, Adam Smith placed an emphasis on imagination as the mechanism by which 'we place ourselves in [the other's] situation, we conceive ourselves enduring all the same torments [...] and thence form some idea of his sensations, and even feel something [...] not altogether unlike them'. See A. Smith (2009) *The Theory of Moral Sentiments* (Norderstedt: GRIN), p. 8.
8. Hoffmann (2000) *Empathy and Moral Development*, p. 5.
9. ibid.

10. A. Coplan (2011) 'Understanding Empathy', p. 16.
11. Hoffmann (2000) *Empathy and Moral Development*, p. 93–100. According to Hoffmann (pp. 5–6), there are times when empathy may even require a certain mismatch of affect to be effective in ethical terms. If, for example, the target of our empathy is wracked by feelings of powerlessness and hopelessness, it may be useful to be cognitively aware that this is how she is feeling, but it does not do much good if we too are overwhelmed by feelings of impotence and despondency.
12. D. LaCapra (2001) *Writing History, Writing Trauma* (Baltimore: John Hopkins University Press), p. 78.
13. See S. Cohen (2000) *States of Denial*, p. 263.
14. Ibid., p. 216.
15. M. A. Slote (2007) *The Ethics of Care and Empathy*, p. 33.
16. Hoffmann (2011) 'Empathy, Justice and the Law', p. 236–7.
17. E. A. Kaplan (2008) 'Global Trauma and Public Feelings: Viewing Images of Catastrophe', *Consumption Markets and Culture*, 11(1), pp. 3–24; E. A. Kaplan (2011) 'Empathy and Trauma Culture: Imaging Catastrophe' in A. Coplan and P. Goldie (eds) *Empathy: Philosophical and Psychological Perspectives* (Oxford: Oxford University Press), pp. 255–76.
18. For Sontag's description of this event, see *On Photography* (1977).
19. E. A. Kaplan (2011) 'Empathy and Trauma Culture: Imaging Catastrophe', p. 257.
20. Ibid.
21. Hoffmann (2011) 'Empathy, Justice and the Law', p. 250.
22. H. D. Battaly (2011) 'Is Empathy a Virtue?' in A. Coplan and P. Goldie (eds) *Empathy: Philosophical and Psychological Perspectives* (Oxford: Oxford University Press), p. 285.
23. J. Prinz (2011) 'Is Empathy Necessary for Morality?' in A. Coplan and P. Goldie (eds) E*mpathy: Philosophical and Psychological Perspectives* (Oxford: Oxford University Press), p. 213.
24. Cohen lists factors such as distance; misperception; diffusion of responsibility; fear; denial; boundaries; psychic numbing; desensitisation; lack of channels of help and ideological support for the world view of the perpetrator as potential situational barriers to empathy and moral extensivity. See S. Cohen (2000) *States of Denial*, p. 143.
25. A. Morton (2011) 'Empathy for the Devil' in A. Coplan and P. Goldie (eds) *Empathy: Philosophical and Psychological Perspectives* (Oxford: Oxford University Press), pp. 321.
26. Hoffmann (2011) 'Empathy, Justice and the Law', p. 253.
27. M. Boler (1997) 'The Risks of Empathy: Interrogating Multiculturalism's Gaze', *Cultural Studies*, 11 (2), p. 4.
28. A. Coplan (2011) 'Understanding Empathy', p. 12.
29. R. J. Pelias (1991) 'Empathy and the Ethics of Entitlement ', *Theatre Research International*, 16(2), p. 142.
30. C. J. Dean (2004) *The Fragility of Empathy after the Holocaust* (Ithaca, N.Y.; London: Cornell University Press), p. 26.
31. M. L. Hoffman (1991) 'Is Empathy Altruistic?', *Psychological Inquiry*, 2(2), pp. 131–3.
32. E. A. Kaplan (2011) 'Empathy and Trauma Culture', p. 256.

33. Ibid.
34. Ibid., p. 268.
35. K. Nance (2001) 'Disarming Testimony: Speakers' Resistance to Readers' Defenses in Latin American Testimonio', *Biography*, 24(3), pp. 570–88; K. A. Nance (2006) Can Literature Promote Justice?: *Trauma Narrative and Social Action in Latin American Testimonio* (Nashville, Tenn.: Vanderbilt University Press).
36. M. M. Bakhtin, M. Holquist, Michael and V. Liapunov (1990) *Art and Answerability: Early Philosophical Essays* (Austin: University of Texas Press), p. 26.
37. ibid.
38. K. Nance (2004) 'Let us Say that there is a Human Being before Me Who Is Suffering: Empathy, Exotopy and Ethics in the Reception of Latin American Collaborative Testimonio' in V. Z. Nollan (ed.) *Bakhtin: Ethics and Mechanics* (Illinois: Northwestern University Press), p. 64.
39. K. Nance (2001) 'Disarming Testimony', p. 582.
40. See in particular Robert Vischer's *On the Optical Sense of Form: A Contribution to Aesthetics* (1873) and Theodor Lipps' *Ästhetik* (1903–06). For Lipps, empathy not only played a role in the aesthetic appreciation of objects, but also extended to enable us to recognise each other as minded creatures, an understanding that is closer to current usage of the term.
41. M. M. Bakhtin (1990) *Art and Answerability*, p. 12.
42. Ibid., p. 65.
43. I. Kliger (2008) 'Heroic Aesthetics and Modernist Critique: Extrapolations from Bakhtin's Author and Hero in Aesthetic Activity', *Slavic Review*, 67(3), p. 556.
44. M. M. Bakhtin (1990) *Art and Answerability*, p. 26.
45. Ibid., p. 25.
46. Ibid., p. 26.
47. S. Çalişkan (2006) 'Ethical Aesthetics/Aesthetic Ethics: The Case of Bakhtin', *Cançaya University Journal of Arts and Sciences*, 5, p. 6.
48. A. Coplan (2011) 'Understanding Empathy', p. 17.
49. Hoffmann (2011) 'Empathy, Justice and the Law', p. 231.
50. Ibid., p. 87.
51. According to the well-known psychotherapist Carl Rogers's model, for example, in order to be a 'confident companion' to the client the therapist must be 'secure enough in his or her own identity to enter the other's world without fear of getting lost in what may turn out to be bizarre or even frightening terrain'. See B. Thorne (1992) *Carl Rogers* (London: Sage Publications), p. 39.
52. M. M. Bakhtin (1990) *Art and Answerability*, p. 78.
53. Ibid., p. 78–9.
54. A. Gross (2006) 'Holocaust Tourism in Berlin: Global Memory, Trauma and the "Negative Sublime"', *Journeys*, 7(2), p. 76.
55. Ibid., p. 82.
56. Excerpt from C. Faust (2010) 'Berlin: Third Reich Site', *Chris Around the World: A Travel Journalist's Tips from the Road*, travel blog [online]. Available at: http://caroundtheworld.com/2010/12/01/berlin-third-reich-sites/, date accessed 9 March 2012.
57. These responses were collected as part of my preliminary empirical research into visitor experiences of the memorial, carried out through an online

survey and through analysis of travel blogs about Berlin. The survey is online at: http://edu.surveygizmo.com/s3/464124/Experiences-of-Memory-The-Memorial-to-the-Murdered-Jews-of-Europe-Berlin, date accessed 9 March 2012.

58. Response to the survey 'Experiences of Memory' (Ibid.), September 2011. Male, 35, from New Zealand.
59. Ibid. Male, 27, German.
60. S. Çalişkan (2006) 'Ethical Aesthetics/Aesthetic Ethics', p. 7.

10

'For ye know the Heart of the Stranger': Empathy, Memory, and the Biblical Ideal of a 'Decent Society'

Jan Assmann

The biblical story of the Exodus tells the miraculous escape of the Israelites from thraldom in Egypt. In doing so it has once and for all denigrated the image of Ancient Egypt in the memory of humanity as the epitome of despotism, slavery and cruel oppression. This image, we must add, has no traces in historical reality, but fulfils first and foremost an important narrative function. The story follows the typical pattern in which 'a lack' is transformed into the liquidation of this lack,[1] leading from a bad state of extreme oppression, godforsakeness, and humiliation to the highest possible status and divine presence. In order to present the finally achieved status – the Israelites as a Chosen People in the covenant with God – in the brilliant light of freedom, justice, and dignity, it must be shown against the backdrop of a situation that paints the plight and the helplessness of the Israelites in glaring colours. The core of the story, however, is not about the relationship between Israelites and Egyptians, but about the inner transformation of the chosen people on its path from serfdom to freedom. The Egyptians have had to live with this unfavourable biblical portrait of their Pharaonic past, which was even politically instrumentalized in the Arab Spring in 2012, when Mubarak was stigmatized as '*fira'ûn*' (Pharaoh) on posters and graffiti. With Ridley Scott's new film *Exodus*, the Egyptian response has moved into a new direction. The officials of the state were again offended and banned the film because of an important 'historical inaccuracy'. The Egyptians, proud of their pyramids as World Heritage Sites, now reject the view that it was the Hebrews who built their key monuments.

The memory of the sojourn of the Hebrews in Egypt plays an important role in the Bible, especially in the Pentateuch. Its function, however, is everything but a foundation of hatred and vengeance towards

the Egyptians. On the contrary, it may even serve as the foundation of empathy towards those who are in a comparable situation. The crucial passage from the book of Exodus reads: 'And thou shalt not oppress a stranger for ye know the heart (*næpæš*) of the stranger, seeing that ye were strangers in the land of Egypt' (Exod. 23: 9).[2] The Hebrew word *næpæš* belongs to a triad of terms referring to the concept of inner self, the other two being *leb/lebab* 'heart' and *neshama* 'soul'. The meaning of *næpæš* points in the direction of 'vital force' or 'vitality' and has more to do with the emotional than the intellectual self; oppression will severely damage the vital force, the élan vital of a person who lives as a stranger amongst the Israelites.[3] The outstanding importance of this verse lies in the fact that it formulates a concept of empathy ('knowing the inner self of the other')[4] and relates it to the faculty of memory. Before further elaborating on this concept, I will briefly outline the context in which this striking utterance occurs.

The book of Exodus tells of God's liberation of the Israelites from Egyptian bondage. He sends them a savior, Moses, who leads them to Mt. Sinai, where God forms an alliance with the fugitives that is based on a corpus of commandments and laws which he reveals to them directly (the Decalogue) and by mediation of Moses: the 'Book of the Covenant' or 'Covenant Code'. The main part of this latter code contains a collection of formal laws (with sanctions) and moral admonitions (without sanctions). This combination of penal law and moral exhortation serves as a constitution, by which the group of fugitives is to be organized as a social, political, and spiritual community – a 'holy people and a kingdom of priests' (Exod. 19: 6).

We are dealing here with an idea of law and justice that is very different from what we understand by 'law' in our Western tradition, because it is based not only on law but also on mercy, which in our tradition is considered rather the opposite than a supplement of law. The juridical aspect of this constitution deals with criminals of various sorts and prescribes their adequate punishments. The 'mercy' aspect, however, deals with the underprivileged whose lot is to be relieved not by actionable rights but by appeals to the beneficence of the privileged. It is this system that Nietzsche had denounced as 'slave morality' – based on the resentment of the notorious underdogs against the rich and powerful that he deems typical of the Judeo-Christian tradition. By far the most maxims of Biblical morals, however, have their parallels in Ancient Egyptian and Babylonian wisdom literature, where they form the ideology of the elite. In the context of the Egyptian and Ancient Oriental kingdoms, we meet with the same idea of a 'saving justice' (*rettende*

Gerechtigkeit), where 'judging' (*Richten*) and 'saving' (*Retten*) belong inextricably together.[5] There, however, this rescuing aspect of justice is never associated with empathy and memory, but with a concept of 'vertical solidarity' (beneficence from above, loyalty from below) that is primarily the matter of the state and its officials. It is the king who is responsible for establishing a concept and a sphere of justice on earth, where the criminal will be punished and the poor and underprivileged will be protected against oppression and exploitation on the part of the strong and mighty.[6] The great innovation of the Biblical idea of 'saving justice' is to transform this political concept of a patriarchal welfare state based on vertical solidarity into a primarily ethical concept of brotherhood or 'horizontal solidarity' based on individual empathy and memory. To be sure, there is also a vertical axis involved here, because we are dealing with divine justice. The idea of divine justice is the core concept of the new ideas of religion and society that are instituted with the 'covenant' at Mt. Sinai. Until then, gods were believed to act as judges, watching over the strict observance of the laws, but never as lawgivers themselves. This was the role of the king to whom the gods delegated to install justice on earth.[7] By replacing this traditional concept of royal justice with the novel concept of divine justice, the Torah withdraws the law from human manipulation but keeps the vertical axis. The alliance or 'covenant' (*b'rît*) that God offers the Israelites and the constitution he gives them do not just mean freedom (Hebr. *kherût*, a term not attested in Biblical language), but 'service' (*avodah*), the same term that is used for the Egyptian bondage. The difference and the principle of liberation lie in the fact that the Egyptian service is directed towards Pharaoh, a human being, and the service of the Chosen People is directed towards God. Divine service and divine justice save humans from human oppression as symbolized by 'Egypt'. In practising justice and mercy, the Israelites are summoned to follow the model of God who is

> merciful and gracious, longsuffering, and abundant in goodness and truth, keeping mercy for thousands, forgiving iniquity and transgression and sin, but leaves no crime unpunished, visiting the iniquity of the fathers upon the children, and upon the children's children, unto the third and to the fourth generation.
>
> (Exod. 34: 6–7)

It is the 'mercy' aspect of Israelite law that is elaborated in the second collection of the 'Book of the Covenant' (*sæpær ha-b'rît*), which concerns the handling of the underprivileged.[8] It starts and ends with

admonitions concerning the stranger, beginning with Chapter 22, verse 21: 'Thou shalt neither vex a stranger, nor oppress him: for ye were strangers in the land of Egypt' and ending with our verse Chapter 23, verse 9: 'Also thou shalt not oppress a stranger: for ye know the heart of a stranger, seeing ye were strangers in the land of Egypt'. The topic how to deal with a stranger could not be given more prominence in this act of mercy-legislation.[9]

The stranger appears as the most important member of the class of the underprivileged which comprises, moreover, the poor, widows and orphans, and sometimes even the Levites, because they are excluded from land-ownership and thus dependent on the beneficence of the society. We meet this group again and again in the Torah. These admonitions are often accompanied by a reminder of the sojourn in Egypt and the suffering under Egyptian oppression (the 'Egypt-'*ebed*-formula').[10]

The most general and principal formulations appear in Deuteronomy and Leviticus:

> For the LORD your God is God of gods, and Lord of lords, a great God, a mighty, and a terrible, which regardeth not persons, nor taketh reward: he doth execute the judgment of the fatherless and widow, and loveth the stranger, in giving him food and raiment. Love ye therefore the stranger: for ye were strangers in the land of Egypt.
> (Deut. 10: 17–19)

> And if a stranger sojourn with thee in your land, ye shall not vex him. But the stranger that dwelleth with you shall be unto you as one born among you, and thou shalt love him as thyself; for ye were strangers in the land of Egypt: I am the LORD your God.
> (Lev 19: 33–34)

Other admonitions concern special devices to lighten the situation of the poor and the stranger, e.g. the prohibition of gleanings. To glean should be the right of the poor and the stranger:

> Thou shalt not pervert the judgment of the stranger, nor of the fatherless; nor take a widow's raiment to pledge: but thou shalt remember that thou wast a bondman in Egypt, and the LORD thy God redeemed thee thence: therefore I command thee to do this thing.
> When thou cuttest down thine harvest in thy field, and hast forgot a sheaf in the field, thou shalt not go again to fetch it: it shall be for the stranger, for the fatherless, and for the widow: that the LORD thy God may bless thee in all the work of thine hands. When thou

> beatest thine olive tree, thou shalt not go over the boughs again: it shall be for the stranger, for the fatherless, and for the widow. When thou gatherest the grapes of thy vineyard, thou shalt not glean it afterward: it shall be for the stranger, for the fatherless, and for the widow. And thou shalt remember that thou wast a bondman in the land of Egypt: therefore I command thee to do this thing.
>
> (Deut. 24: 17–22; cf. Lev. 19:10 [vineyard] and 23:22 [field])

Also very characteristic of this spirit of mercy and solidarity are the exhortations to integrate the stranger into the community by celebrating the Shabbat and the great festivals. Thus the Book of Exodus prescribes, concerning the feast of Passover:

> And when a stranger shall sojourn with thee, and will keep the Passover to the LORD, let all his males be circumcised, and then let him come near and keep it; and he shall be as one that is born in the land: for no uncircumcised person shall eat thereof. One law shall be to him that is homeborn, and unto the stranger that sojourneth among you.
>
> (Exod. 12: 48–49)

Similarly in Numbers:

> And if a stranger shall sojourn among you, and will keep the Passover unto the LORD; according to the ordinance of the Passover, and according to the manner thereof, so shall he do: ye shall have one ordinance, both for the stranger, and for him that was born in the land.
>
> (Num. 9: 14)

The idea that there should be one common law for the stranger and for the Israelites is emphasized again concerning the presentation of burnt sacrifice:

> And if a stranger sojourn with you, or whosoever *be* among you in your generations, and will offer an offering made by fire, of a sweet savour unto the LORD; as ye do, so he shall do. One ordinance *shall be both* for you of the congregation, and also for the stranger that sojourneth *with you*, an ordinance for ever in your generations: as ye *are*, so shall the stranger be before the LORD. One law and one manner shall be for you, and for the stranger that sojourneth with you.
>
> (Num. 15: 14–16)

It is interesting to see that the principle of equality before the law seems to extend only to the participation in feasts and offerings, but these are the very occasions of celebrating community and solidarity.

Concerning the feasts of Shavuot and Sukkot, we read in Deuteronomy:

> Thou shalt rejoice before the LORD thy God, thou, and thy son, and thy daughter, and thy manservant, and thy maidservant, and the Levite that *is* within thy gates, and the stranger, and the fatherless, and the widow, that among you, in the place which the LORD thy God hath chosen to place his name there. And thou shalt remember that thou wast a bondman in Egypt: and thou shalt observe and do these statutes.
>
> Thou shalt observe the feast of tabernacles seven days, after that thou hast gathered in thy corn and thy wine: and thou shalt rejoice in thy feast, thou, and thy son, and thy daughter, and thy manservant, and thy maidservant, and the Levite, the stranger, and the fatherless, and the widow, that *are* within thy gates.
>
> (Deut. 16: 11–14)

Here, the 'Egypt-'*ebed*-formula' appears again, as well as, most famously, in the regulation concerning Shabbat, the fourth commandment, in its Deuteronomy version:

> Keep the Sabbath day to sanctify it, as the LORD thy God hath commanded thee. Six days thou shalt labour, and do all thy work: but the seventh day *is* the Sabbath of the LORD thy God: *in it* thou shalt not do any work, thou, nor thy son, nor thy daughter, nor thy manservant, nor thy maidservant, nor thine ox, nor thine ass, nor any of thy cattle, nor thy stranger that *is* within thy gates; that thy manservant and thy maidservant may rest as well as thou. And remember that thou wast a servant in the land of Egypt, and that the LORD thy God brought thee out thence through a mighty hand and by a stretched out arm: therefore the LORD thy God commanded thee to keep the Sabbath day.
>
> (Deut. 5: 12–15)

In ancient societies, such as New Kingdom Egypt, it was not a problem to integrate strangers into the community. This is documented for instance by the fact that we find bearers of Semitic names in the highest offices of the state. The biblical story of Joseph, who ascends to a position second only to Pharaoh, gives a correct picture of this

situation (Gen. 37–50). A historical example is the vizier of Akhenaten, a man named Abdi-El ('Servant of God').[11] Nationality was not yet invented as a category of membership with special rights and rules of admission. The same seems to apply to other ancient societies as well. In this respect, Israel, with its strong ideas of covenant and fidelity, based on laws that were not only rules of behaviour but also conditions of belonging, formed a clear exception. The Books of Exodus and Deuteronomy show Israel as a prototype of what later became the modern nation. The notions of 'resident stranger' (*ger*) and 'non-resident foreigner' (*nokhri*) have to be seen in the light of this new exclusive construction of national and religious identity. Mose, it is true, bears an Egyptian name, like other members of the Levite tribe such as Phineas (Pa-Nehsi 'the Nubian') or Putiel (Pa-di-El 'Gift of God' = Theodore). It was possible to become an Israelite by marriage as is shown by Moses' wife Zippora, a Midianite, and Ruth, the Moabite. This inclusive practice reflected in some of the narratives, however, was overturned by Ezra and Nehemia (at the very time when the Exodus narrative assumed its final literary shape), who radically closed this door with their merciless action against 'mixed marriages' after the return from Babylon.[12] In Deuteronomic and early 'covenantal' law, a stranger (*ger*) remained a stranger[13], and an exception was only made for the Edomites and the Egyptians who were allowed to join the community in the third generation:

> An Ammonite or Moabite shall not enter into the congregation of the LORD; even to their tenth generation shall they not enter into the congregation of the LORD for ever [...]
>
> [However,] Thou shalt not abhor an Edomite; for he *is* thy brother: thou shalt not abhor an Egyptian; because thou wast a stranger in his land. The children that are begotten of them shall enter into the congregation of the LORD in their third generation.
>
> (Deut. 23: 4; 6–7)

At first it may seem surprising that the exception granted to the Edomites – descendants from Abraham through Ishmael, the son of Hagar, the Egyptian concubine of Abraham – was extended also to the Egyptians. Given the sufferings of the Israelites in Egypt, one would have expected the Exodus narrative to found an eternal enmity between Israelites and Egyptians, but the opposite is true. The Egyptian experience, as transmitted in the memory of the Hebrew people, established not enmity but a sense of similarity, of something that both peoples have

in common. We have already shown how the Exodus myth founded and defined Israelite identity in contradistinction to Egypt, from where the Chosen People had to be liberated in order to enter the Covenant that forms the constitution of its 'national' and religious identity. However, this opposition concerns only the harsh system of sacred kingship as represented in the person of Pharaoh, and not the Egyptian people themselves. It is the state (and its gods) that are perceived as oppressive and cruel, not the population. There are even three passages in the text that present Egyptians in a favourable light: (1) The midwives Shifra and Puah (who are clearly Egyptian)[14] assigned to assist the Hebrew women in giving birth and who refuse to obey Pharaoh's order to kill the male newborn (Exod. 1, 15–22); (2) The statement that 'God gave the people favour in sight of the Egyptians, so that they lent unto them such things as they required', *viz*. 'jewels of silver, and jewels of gold, and raiment' (Exod. 12, 35f.); and (3) The note that 'a mixed multitude' of Egyptians and others joined the Israelites in their move-out (Exod. 12, 38; cf. Num. 11, 4) which precludes a purely ethnic definition of the emigrants. The most decisive argument, however, that warns us not to over-emphasize the difference between Israelites and Egyptians (or non-Israelites in general) is the similarity that is established by the book of Genesis between all nations as common descendants of Noah.[15]

The ideas of election and covenant construct a difference between Israel and the (other) nations (*goyîm*) that is repeatedly emphasized without, however, suppressing the fact that the whole earth is God's and his care extends to all his creatures: 'Now therefore, if ye will obey my voice indeed, and keep my covenant, then ye shall be a peculiar treasure unto me above all people: for all the earth is mine' (Exod. 19, 5). The distinction between Israel and the nations does not have the quality of the distinction between friend and foe in the sense of a total negation of similarity that erects an insurmountable border and leaves no room for empathy.

There is, however, one exception to this liberal, universalistic, and humanistic view of the multi-national world as outlined in the book of Genesis. This concerns the indigenous inhabitants of the Promised Land, the Canaanites that are explicitly excluded from any empathetic attitude. Their expulsion and extermination is even prescribed as a sacred task and they are denied the very mercy that is commanded vis-à-vis the stranger: 'Thou shalt smite them, and utterly destroy them; thou shalt make no covenant with them, nor show mercy unto them' (Deut. 7: 2, cf. the whole passage 7: 1–6, and similarly Exod. 23: 27–33; Exod. 34: 15f., Deut. 12: 2f., and many more).

The prohibition of mercy is a classic example of the blocking of empathy towards a group that is denied any similarity and defined as the absolute other. Who are these Canaanites and how can we explain this uncompromising anti-Canaanism?[16] We are dealing here with a hatred and an abomination turned against the past of the Israelites who were Canaanites themselves, worshipping Ashera and Ba'al alongside Yahveh – as the prophets kept scolding and reminding them – before converting to a pure monotheism during and after the Babylonian exile. What we have before us is the violent abomination of the convert towards a past that he has left behind. The story of Exodus and the identity it has shaped and is continuously shaping have to be interpreted not in the light of the Late Bronze Age, in which the events are situated, but in the light of the tense time in which the texts were written: the sixth and fifth centuries, and the foundation of Second Temple Judaism.

This historical explanation applies also to our point of departure: the exhortation to empathize with the stranger while remembering that one has been a stranger oneself in the land of Egypt. There is wide-ranging consensus among Biblical scholars that the Exodus never happened as an historical event. The Exodus is a matter of memory but not of history. This makes the connection between empathy and memory all the more interesting. Why does the Torah so emphatically insist on the Egyptian origin of the Israelites and on their suffering there as strangers, oppressed with forced labour and genocidal persecution? If there is no *historical* basis for this event, what could the *symbolic* meaning of this myth of origin be?[17] A possible answer can be found in a famous passage in Deuteronomy that gives a short version of this myth in the form of a confession or self-definition that the Israelite is supposed to recite when offering the first fruits, presumably at Sukkot:

> A rambling Aramean *was* my father, and he went down into Egypt, and sojourned there with a few, and became there a nation, great, mighty, and populous: and the Egyptians evil entreated us, and afflicted us, and laid upon us hard bondage: and when we cried unto the LORD God of our fathers, the LORD heard our voice, and looked on our affliction, and our labour, and our oppression: and the LORD brought us forth out of Egypt with a mighty hand, and he hath brought us into this place, and hath given us this land, *even* a land that floweth with milk and honey. And now, behold, I have brought the firstfruits of the land, which thou, O LORD, hast given me.
>
> And thou shalt set it before the LORD thy God, and worship before the LORD thy God: and thou shalt rejoice in every good *thing* which

> the LORD thy God hath given unto thee, and unto thine house, thou, and the Levite, and the stranger that *is* among you.
>
> (Deut. 26: 5–11)[18]

The 'rambling Aramean' is Jacob called Israel, the ancestor of the Israelites who have never been at home, living first as respected strangers (*gerîm*) in Canaan and then as oppressed strangers in Egypt before finally entering the Promised Land as full citizens. The symbolic meaning of this history of '*ger*'-ship is firstly to distinguish the Promised Land as the true home of the Israelites, secondly to declare them as 'allochthonous'[19] with regard to the land they are living in, thus setting them off as sharply as possible against the other indigenous inhabitants and thirdly to define them as a 'remembering' and therefore 'empathic society'. The memory of the (however symbolic and fictional) Egyptian past enables them to feel with the stranger, the poor, and the slave in their midst. The appeal to remember the Egyptian bondage appears in three contexts:

(1) You must not oppress the stranger, because you have been a stranger yourself in Egypt
(2) You must not exploit the slave, because you have been a slave yourself in Egypt
(3) You will only understand the meaning of the laws you are to observe if you do not forget that you were liberated from Egypt.

The self-definition of an Israelite requires that he sees him/herself as a former stranger, a former slave and a mindful freedman/woman (if only on condition of observing the law) who remembers his/her past. For the Israelites, the time of suffering in Egypt forms a defining element of their self-image and of their image of God. God is the liberator who redeemed them from Egyptian bondage and they themselves remained slaves but became servants of God who says: 'For unto me the children of Israel are servants; they are my servants whom I brought forth out of the land of Egypt' (Lev. 25: 55). This statement occurs in the context of the regulations concerning the year of jubilee when all the slaves in Israel have to be set free. With regard to this institution we read in Deuteronomy:

> And if thy brother, an Hebrew man, or an Hebrew woman, be sold unto thee, and serve thee six years; then in the seventh year thou shalt let him go free from thee. And when thou sendest him out free from thee, thou shalt not let him go away empty: thou shalt furnish

> him liberally out of thy flock, and out of thy floor, and out of thy winepress: *of that* wherewith the LORD thy God hath blessed thee thou shalt give unto him. And thou shalt remember that thou wast a bondman in the land of Egypt, and the LORD thy God redeemed thee: therefore I command thee this thing to day.
>
> (Deut. 15: 12–15)

For the Israelites, the past, however traumatic, however humiliating, matters because its memory makes them mindful, sensitizing them for the needs of the other and preventing them from ever exposing others to experiences like those they had made in Egypt. Empathy is conceived in these passages as a matter of memory rather than of immediate response or mirror-neurons. It is the past more than the present that makes a person or, in this case, a society empathetic. If you had not been strangers and slaves in Egypt, the texts seem to argue, you would not be able to create a new form of society where nobody is oppressed. Suffering receives a meaning in this line of argumentation and is represented as a form of education: *mathein* 'learning' through *pathein* 'suffering', as the famous Greek dictum runs.[20] Even if the motif of Egyptian bondage and suffering is a mythical fiction, the sufferings that the Israelites incurred from the hands of the Assyrians and Babylonians were as real and historical as can be.

The memory of Egyptian bondage – regardless of whether its historical or mythical – creates what Aleida Assmann has termed 'resonance'.[21] She uses resonance 'to describe the interactions or reverberations between an experience, on the one hand, and a psychic or cultural frame and emotional deep structure on the other'.[22] The myth of the Exodus with its gripping description of the sufferings of the Israelites in Egypt provides the 'psychic or cultural frame and emotional deep structure' that informs the Jewish experience. If we realize the context of historical experiences within which the Exodus myth became acute: the fall of the Northern Kingdom of Israel through the Assyrian conquest and the mass deportation of Israelites ('the lost Ten Tribes') into Assyrian captivity (722 BCE), the catastrophe which the early prophets Hosea and Amos prophesied in alluding to the Exodus tradition, and the fall of the Southern Kingdom of Judah by the hands of the Babylonians (587 BCE) when these traditions were codified in the books of Exodus and Deuteronomy, we see what experiences and resonances were involved in creating the Jewish self-definition as a remembering and, for this reason, empathic society. This utopian self-image was devised in a traumatic or post-traumatic situation, in exile, as a blueprint for

creating or recreating an ideal Jewish community after the return to the Promised Land.

In A. Assmann's terminology, the motif of Egyptian serfdom serves as a 'prefiguration'[23] of the experiences that Israel was to make during the Assyrian deportation and the Babylonian exile, as well as the experiences that Jews were exposed to during the Seleucid and Roman occupation of their country and during almost two millennia of living in the diaspora. 'All cultures', A. Assmann writes, 'create systems of prefiguration which help their members to cope with events and endow experience with meaning'.[24] The myth of the Exodus, with its motifs of serfdom and liberation is a classic example of such a 'system of prefiguration', which has helped the Jewish people through their countless experiences of oppression and persecution.

Everyone familiar with the situation of the Palestinians in modern Israel, however, knows that the exhortation 'do not oppress the stranger who lives in thy midst' is no longer the leading maxim of Israel's interior practice and politics. The resonance of Egyptian serfdom has been blotted out by an event that could no longer be integrated into the semantic framework of the Exodus tradition: i.e. the Shoah. For such events, A. Assmann introduces the term 'impact' as a complement to her concept of resonance, meaning

> an event that is not prefigured, for which we have no cultural templates and schemata and which therefore stands out as direct and immediate (though not necessarily unmediated). It is the unexpected par excellence, which cannot be anticipated and which is not culturally prefigured.[25]

In modern Israel – I am not referring here to anything like 'Jewish mentality', but to explicit right-wing politics – the impact event of the Holocaust led to a blocking of memory and empathy, replacing the maxim 'do not oppress the stranger' and the myth of Exodus with the maxim 'never again a victim', and the myth of Masada.[26]

In all other respects, however, the memory of the Holocaust has led to a general sensitization to injustice, oppression, and violence. As Jeremy Rifkin argues, humankind is moving in the direction of becoming an 'empathic civilization'.[27] The verse from which we started reminds us that this development is not only a matter of globalization and communication technology but of memory, and it is precisely the memory of the Holocaust, along with other traumata of the past such

as colonization, wars of annihilation, and the Gulag, that has brought about this epochal change. In the same way as the Israelites were warned to never forget that they were slaves and strangers in Egypt in order to be able to feel with the underprivileged and to form an 'empathic civilization' where nobody will ever be oppressed, we are summoned to remember the holocaust in order to become an 'empathic civilization' and finally to arrive at a global enforcement of human rights.

Notes

1. Alan Dundes, *The Morphology of North American Indian Folktales*, Helsinki: Suomalainen Tiedeakatemia, Academia Scientiarum Fennica, FF Communications No. 195, 1964.
2. All Biblical quotations are given in the translation of the King James Version. I am grateful to Ronald Hendel for reading a first draft of this essay and for his critique and encouragement. This article owes much especially to Aleida Assmann's critical reading.
3. Horst Seebaß, Art. *näpäs*: ThWAT 5 (1986) pp. 531–555. Theologisches Wörterbuch zum Alten Testament Bd. 5, Stuttgart: Kohlhammer.
4. In Prov. 12: 10, this concept of empathy is even extended to the animals living in the household: 'the righteous knows his (domestic) animals soul (*næpæš*) but the mercies of the wicked are cruel' – mercy without empathy can amount to cruelty.
5. See Jan Assmann, Bernd Janowski, Michael Welker (eds), *Gerechtigkeit*, Munich: W. Fink 1998; Bernd Janowski, *Die rettende Gerechtigkeit*, Neukirchen-Vluyn: Neukirchener Verlag 1999; Dirkie Smit, 'Justification and Divine Justice', in: Michael Weinrich, John R. Burgess (eds), *What is Justification about?* Grand Rapids: Eerdmans 2009, pp. 88–121.
6. See Jan Assmann, *Ma'at. Gerechtigkeit und Unsterblichkeit im Alten Ägypten*, Munich: C. H. Beck 1990.
7. The relationship between god and king in matters of law and justice is beautifully represented on the famous Stela of Hammurabi, where the king is shown standing before the sun-god Shamash sitting on his throne. The god commissions the king to make laws and to establish justice, but he does not make the laws himself and hands them over to the king, like Yahweh, who gives Moses the tablets with the Decalogue and dictates to him the rest of the laws. An important Egyptian text defines the role of the king vis-à-vis the sun god in similar terms:

   Re has installed the King
   on the earth of the living
   forever and ever,
   to administer justice to human beings and satisfy the gods,
   to fulfil Ma'at and annihilate injustice.

   The king is responsible to the sun-god for establishing law and justice on earth, but he does not receive eternal laws revealed to him by the sun-god.

8. See especially Michael Welker, 'The Power of Mercy in Biblical Law', *Journal of Law and Religion*, June 2014, 29, 2, pp. 225–235.
9. Cf. C. van Houten, *The Alien in Israelite Law*, JSOT.S 107, Sheffield 1991; Chr. Bultmann, *Der Fremde im Antiken Juda,* FRLANT 153, Göttingen 1981; J. E. Ramirez-Kidd, *Alterity and Identity in Israel,* BZAW 283, Berlin 1999; O. Kaiser, 'Die Ausländer und die Fremden im Alten Testament', in: Peter Biehl (ed.): *Heimat – Fremde*. Jahrbuch für Religionspädagogik 14, Neukirchen-Vluyn 1998, pp. 65–83; E. Otto, 'Gottesrecht als Menschenrecht', in: id., *Rechts- und literaturgeschichtliche Studien zum Deuteronomium*, Beihefte zur Zeitschrift für Altorientalische und biblische Rechtsgeschichte 2, Wiesbaden: Harrassowitz 2002, pp. 239–247.
10. Cf. Christof Hardmeier, 'Die Erinnerung an die Knechtschaft in Ägypten', in: Frank Crüsemann et al. (Hg.): *Was ist der Mensch …? Beiträge zur Anthropologie des Alten Testaments*. München: Festschrift Hans Walter Wolff 1992, pp. 133–152.
11. Alain-Pierre Zivie, *Découverte à Saqqarah, Le vizier oublie*. Seuil, Paris 1990. The name has formerly been read as Aper-El or Aperia.
12. Neh. Chapters 9 and 10.
13. The Bible distinguishes between *ger* 'stranger' in the sense of a resident non-Israelite, and *nokhri* 'foreigner', who has no right of abode in Israel. Cf. Deut 14: 21: 'Ye shall not eat of any thing that dieth of itself: thou shalt give it unto the stranger (*ger*) that is in thy gates, that he may eat it; or thou mayest sell it unto an alien (*nokhri*): for thou art an holy people unto the LORD thy God'.
14. For the discussion of this question in Jewish tradition see Nehama Leibowitz: *Studies in Shemot I*, Jerusalem: The World Zionist Organization. Department for Torah Education and Culture in the Diaspora, 1981, pp. 31–38.
15. A certain difference is reintroduced into this political genealogy by the distinction between the descendants of Sem and Yaphet on the one hand and those of Ham on the other, a distinction, however, that by no means overrides the basic similarity of all humanity as created by and in the image of God.
16. Cf. Othmar Keel, 'Der zu hohe Preis der Identität oder von den schmerzlichen Beziehungen zwischen Christentum, Judentum und kanaanäischer Religion', in: Manfried Dietrich/Oswald Loretz (eds.): *Ugarit. Ein ostmediterranes Kulturzentrum im Alten Orient* I, Münster 1995, pp. 95–114; id., *Kanaan – Israel – Christentum. Plädoyer für eine ‚vertikale' Ökumene*, Franz Delitzsch-Vorlesung 2001, Münster 2002; Thomas Staubli, 'Antikanaanismus. Ein biblisches Reinheitskonzept mit globalen Folgen', in: Peter Burschel, Christoph Marx (eds), *Reinheit*, Wien: Veröffentlichungen des Instituts für Historische Anthropologie Bd. 12, Böhlau 2011, pp. 349–388.
17. In an internet discussion following the publication of an article by S. David Sperling 'Were the Jews slaves in Egypt?', one interlocutor very pertinently wrote: 'For some there is no convincing proof that the Israelites were ever slaves in Egypt, for others there's no convincing proof that they [never] were. For the rest of us, likely the bulk of those who consider ourselves Jewish, the archaeological evidence for neither is particularly persuasive – and the debate may be beside the point. Whether taken as history, parable, metaphor, invention or myth, the story of Exodus remains one of the most powerful narratives in human history and its lessons are

unchanged' (http://reformjudaismmag.org/Articles/index.cfm?id=3184, date accessed 11 October 2013).

18. Cf. Gerhard von Rad, 'Das kleine geschichtliche Credo' in: id., *Gesammelte Studien zum Alten Testament,* Munich: Chr. Kaiser 1958, pp. 11–20.
19. Allochthony is the opposite of autochthony, referring to immigration and foreign origin. 'Home' in the Biblical context is not a question of origin, but of destination.
20. Heinrich Dörrie, *Leid und Erfahrung; die Wort- und Sinn-Verbindung patheinmathein im griechischen Denken*, Mainz 1956 (AAWLMG 1956/55).
21. Aleida Assmann, 'Impact and Resonance. The Role of Emotions in Cultural Memory' (www.liv.ac.uk/soclas/conferences/Theorizing/Kurzfassungok2.pdf); *ead., Impact and resonance – towards a theory of emotions in cultural memory*. Lecture held at Södertörn University May 18, 2011. Södertörn Lectures 6. Huddinge: Södertörn University 2012.
22. Loc. cit. 14 (Internet version).
23. For this term and its correlative 'remediation', A. Assmann refers to David Bolter, Richard Grusin (eds), *Remediation. Understanding new Media*, Cambridge MA: MIT Press 1999; Richard Grusin, 'Premediation,' in: *Criticism. A Quarterly for Literature and the Arts*, Winter 2004, 46, 1, pp. 17–39.
24. A. Assmann, loc. cit. p. 8 (Internet version).
25. Ibid. p. 13 (Internet version). For the concepts of 'impact event' and 'impact narrative', she refers to Anne Fuchs, *After the Dresden Bombing: Pathways of Memory 1945 to the Present*. London: Camden, Plagrave Macmillan 2011.
26. Yael Zerubavel, *Recovered Roots. Collective Memory and the Making of Israeli National Tradition*. Chicago: University of Chicago Press 1995; Nachman Ben-Yehuda, *Masada Myth: Collective Memory and Mythmaking In Israel*, Madison: University of Wisconsin Press 1995; id., *Sacrificed Truth. Archaeology and The Myth of Masada*. Amherst: Prometheus Books 2002.
27. Jeremy Rifkin, *The Empathic Civilization: The Race to Global Consciousness in a World in Crisis*, Cambridge: Polity Press 2010.

11
Diaspora, Art, and Empathy

Jacqueline Lo

The discussion thus far has offered different interpretations and deployment of empathy within a largely European context. We have explored the historical emergence of the concept of empathy and its role in creating different forms of affective communities in the global West but there is less interrogation of how empathy as heuristic device and/or social phenomenon travels and translates across hemispheres and between cultures. In this essay, I address one such gap in the scholarship by focusing on two transnational art projects by an Asian Australian artist working between Europe, Australia, and China. What meaning systems are invoked in the deployment of transnational artworks and how do they test the ideological horizons of empathy as both theoretical abstraction and social practice?[1]

11.1 Asian Australia

John Young was born in Hong Kong in 1956, the youngest of a Catholic family. His parents sent him to a Sydney boarding school in 1967 to remove him from the immediate consequences of China's Great Proletarian Cultural Revolution. Aside from regular trips to Hong Kong, Young has made Australia his home. He belongs to what might be considered the first wave of Chinese/Asian Australian artists that include Lindy Lee and William Yang – these Chinese Australians grew up and began their professional careers at a time when Asian migration was curtailed by the so-called White Australia policy and cultural assimilation was the only pathway into mainstream society. Although the work of all three artists investigates, in different ways, their Chinese cultural heritage, this was not always the case: their early works are underscored by modernist and postmodernist Euro-American precepts. Young's intellectual and

artistic education is resolutely Western; he read philosophy of science and aesthetics at the University of Sydney and studied sculpture and painting with European-trained artists at the Sydney College of the Arts. His formative years of art training were in European and American modernism, and he maintains a strong interest in European philosophy, especially the works of Walter Benjamin and Ludwig Wittgenstein.

Despite this European influence, Young's work has been read through conventional diasporic frameworks, particularly in the mid-1990s, when contemporary Asian art gained increasing currency in the international arts market. This was a period when multicultural policies in education, culture, and the arts were gaining particular traction under the Australian government of the day, and there was a campaign to promote Asian literacy as a way of developing Australia's economic prospects in the region. While the multicultural paradigm operating at the time created new spaces for non-Anglo artists to present their works, the interpretation of the works tended to be subsumed under simplistic identity discourses of hybridity and fusion. Young's work was consistently interpreted as a signifier of his Chinese-Australian identity. For example, his 'Double Ground' series that began in 1995 developed his technique of painting over layered digital photographic prints on canvas to create a single plane of vision that was segmented and palimpsest. One of the pieces from this series, *The Comprador's Mirror #3* (1998) is a large work composed of juxtaposed images of an ancient Roman relief, a female nude, and an aerial landscape. According to Carolyn Barnes, by juxtaposing these diverse images on the same picture plane, the artist resists forming a singular narrative or core meaning. He did not want to be seen as simply an 'ethnic' artist charged with the weight of representing a social or cultural group. 'Rather, he saw the primary value of being positioned both within and outside the structures of western thought and culture as enabling him to meet the idea of difference head on'.[2] The double ground trope refers not only to the layering of images and the unstable plane of sight but also to the ways it speaks to different kinds of audiences – from the West and Asia. Yet despite some critical attempts to theorise the processual and intertextual aspects of the paintings, Young's work has largely been interpreted as representing the tensions between these separate cultures. The visual distinction between Asian and Western references in the works, as well as his technique of merging painting with digital imaging technology are interpreted as signifiers of Young's own contested and hybrid cultural identity.

The orthodox multicultural paradigm operating at the time led to a tendency to over-emphasise the biographical and ethnic identification

of Asian Australian artists as the primary means of elucidating the artworks. The institutionalisation of such practices within academia and the arts market had the unfortunate consequence of delimiting Asian Australian artworks as ethnographic testimonials of racial difference, thereby reinforcing the location of the works at the fringes of mainstream Australian culture. In 1996 Young led a team of artists to establish Gallery 4a, Australia's first exhibition space for Asian Australian artists. 4a is the shorthand for Asian Australian Artists' Association. He became the Founding President of the association in 1997 when it formally launched its role of public advocacy for Asian Australian art. This was in the heyday of the Asianisation of Australian arts, when the government-funded Australia Council for the Arts had a designated budget for developing relations with Asia, and local Asian Australian artists, theatre practitioners, and writers were making inroads into mainstream institutions. Young was heavily involved in the activities of 4a for the next few years but in early 1999, he resigned from the presidency after moving to Melbourne. He was starting to have doubts about the impact of the Asianisation push. He perceived a destructive cycle emerging that racialised artists fell into when trying to assert their identity and transcend stereotypes.[3]

By the late 1990s, multiculturalism as government policy was on the wane in Australia. The idea of the Asian Australian artist, while a factual reality, became increasingly problematic from the perspective of policymakers and funding bodies. The decision to express cultural allegiance outside a performative Australianness was perceived as lacking identification with the nation, while encouraging in some factions a kind of cultural cannibalisation or excessive production and consumption of ethnic and racial Otherness. 4a's commitment to the specificities of Asian Australian identity and in particular, its distinction from fixed notions of Australianness, often resulted in the delimiting of ways to find common ground with mainstream culture, as well as overlooking the diversity within Asian Australian cultural practices.

The challenges faced by 4a and Young's unease with the prevailing discourses of diaspora and racialised positions offered by the hyphenated Asian/Chinese-Australian category reflects wider concerns in diaspora and critical race studies in Australia and in North America. While a subject position such as Asian Australian was founded as a platform for political solidarity among minority ethnic communities to challenge hegemonic racialised institutions and practices in mainstream society, these platforms are equally at risk of reification and reproducing the

same racialised norms that they set out to critique, albeit from a position of alterity.

11.2 The challenge of post-race

The term post-race entered popular discourse when Barack Obama became the first African American President of the USA. Simplistic notions of post-race assume that race no longer mattered: racism was 'over' with the instatement of a 'coloured' man in the country's highest office. For others, the term post-race is used with more subtlety as a political challenge and intellectual problematic. Post-race in this context signifies a turn from essentialist views about race as a biological 'fact' and the search to find a framework that offers political agency to critique new forms of racism informed by cultural differences, rather than notions of race as biological heredity.

This form of neo-racism – what Etienne Balibar calls 'racism without races' – 'does not postulate the superiority of certain groups or peoples in relation to others but "only" the harmfulness of abolishing frontiers, the incompatibility of lifestyles and traditions'.[4] Neo-racism 'presents itself as having drawn the lessons from the conflict between racism and anti-racism'[5] and argues that if you want to avoid racism, you must maintain cultural differences and, 'in accordance with the postulate that individuals are the exclusive heirs and bearers of a single culture',[6] keep collectivities separate. As the increasing visibility of far-right anti-immigration and anti-Islamic groups in the USA, Europe, and to a lesser extent in Australia evidences, the social purchase of 'race' and the effects of 'racism' are still prevalent. For Asian diasporic scholars, artists, and activists, the post-race challenge has been to find ways of engaging critically with race-consciousness by working paradoxically with *and* against the theoretical tools that we have yet to replace. Recent academic attention to concepts such as empathy and global compassion are indicative of the struggle to create new terminologies and theoretical frameworks to critique new hegemonic landscapes.

John Young's recent work is instructive in this respect. Rather than focusing on issues of racial or transcultural identity, his interest has turned instead to the question of how people act in cross-cultural situations. Globalisation has had a profound impact on the international arts market, opening new opportunities across national borders. As noted, there has been a surge of interest in contemporary Chinese art since the 1980s with the likes of Cai Guo-Qiang, Wenda Gu, and Xu Bing

becoming major figures in festival circuits. Although the international art world is now a diffuse network of institutions and circuits of collaboration, production, and exchange, Young maintains that the work of these Chinese artists is still required to perform racialised roles and deal with stereotypical Chinese issues in order to maintain currency. He also sees international curators adopting a deterritorialised approach to the works themselves, specialising in the thematic manipulation of artworks drawn from diverse locations with little attention to the historical contexts that support the artworks.[7] For Young, the speed of globalisation has exacerbated this sense of ethical indifference in the constant search for the next 'hot', saleable commodity. He sees a role for art in linking the present to 'a world of forgotten stories, discarded objects, and memories […] Making art not only means to recollect stories, but to reawaken an intrinsic ethical impulse in the present'.[8] This shift to 'situate ethics and moral judgment within the context of crossing from one culture to another'[9] began with his exhibition, *Bonhoeffer in Harlem*, staged at St. Matthew's Church in Berlin's Kulturforum in 2009.[10]

11.3 Art and ethics

Dietrich Bonhoeffer was a German Lutheran pastor and theologian who became known for his resistance to the Nazi dictatorship, and specifically to the genocidal campaign against the Jews. He was also involved in plans by members of the *Abwehr* (German Military Intelligence Office) to assassinate Adolf Hitler. He was arrested in April 1943 by the Gestapo and executed by hanging in Flossenbürg in April 1945, a mere 23 days before the Nazis surrendered. Bonhoeffer received his doctorate in theology at the tender age of 21; he returned to the Berlin in 1929 to work on his *habilitation* thesis, which was conferred a year later. As he was considered too young to be ordained, Bonhoeffer was sent on a teaching fellowship in 1930 to New York City's Union Theological Seminary. While the American seminary did not live up to his exacting scholarly expectations, he was exposed to a very different way of life. He met Frank Fisher, a black fellow seminarian who introduced him to the Abyssinian Baptist Church in Harlem, where Bonhoeffer taught Sunday school and formed a lifelong love for African-American music. He heard Adam Clayton Powell, Sr. preach the Gospel of Social Justice and became aware not only of issues of discrimination and social inequity wrought by the authorities and mainstream society, but also of the Church's own ineffectiveness in improving the situation. It has been suggested that this period abroad played a crucial

role in his intellectual and spiritual development, where Bonhoeffer 'turned from phraseology to reality'.[11] The Harlem experience made him a sensitive critic of American racism and deepened his resistance to German anti-Semitism. He returned to Berlin in 1931 with a clear conviction to fight against racist ideologies. He was ordained at St. Matthew's Church on 15 November 1931.

There are many memorials to Bonhoeffer in Europe, including a bronze torso beside the Zion Church in Berlin and its replica in Breslau/Wroclaw, and a statue in Westminster Abbey. What distinguishes Young's artwork is that it is not a static memorial but rather an installation that stages a process of remembering with particular sensitivity to issues of race and dispossession. While most monuments commemorate Bonhoeffer's undoubted heroism and sacrifice, Young's installation at the site of Bonheoffer's ordination and symbolic return to Germany explores his connections with the Harlem community, a community that understood all too well the trauma that an ideology of racial supremacy is capable of generating. If empathy, as has been argued in this collection of essays, is the capacity to forge new ties of understanding across differences, then *Bonhoeffer* could arguably be read as a test for the invocation of transnational empathy (Figure 11.1).

Young took inspiration from the stained glass from the Abbysinian Baptist Church in Harlem and translated it, firstly into an oil painting of swirling Afro-colours capturing the vivacity and joy of the church community that so inspired Bonhoeffer. The painting was then interpreted into a tapestry woven with Chinese silk in Nepal by the Berlin-based textile artist, Dolma Lob Sang, who comes from a family of Tibetan exiles. The tapestry hung as the centrepiece in St. Matthew's, and in the words of Young, it was 'like listening to black gospel music'.[12]

The series of chalk-drawings on blackboard paint-covered paper are a reference to the 1970s blackboard drawings of Joseph Beuys and Rudolf Steiner's blackboard lectures on social reform following the First World War. As a tool for teaching, the blackboard underscores the more didactic aspects of Young's recent work. Written in German, English, and Chinese, the works revisit his earlier concept of double ground and the effort and losses of crossing cultures, languages, and media. The visibly erased text in some of the works haunts and eludes totalising epistemological capture – the chalky residue embodies visible reminders of lives lost, stories untold, and the nagging presence of pain and loss.

While appearing deceptively simple, the chalk drawings communicate the weight of history in three different languages: Chinese, German, and English. The inscribed words in one painting, '*Sanctorum Communio*

Figure 11.1 Installation view, *Bonhoeffer in Harlem,* St. Matthew's Church, Berlin 2009
Source: Image courtesy of John Young for J. Lo

(Communion of Saints)', is a reference to the title of Bonhoeffer's thesis, while 9 May 1930 denotes the date he arrives in New York. Also written in Chinese is the injunction 'Evil – oppose it directly'. In another painting, '*Eine Speiche im Rad des Staats*' is German for 'a spoke in the wheel of the state'. Bonhoeffer believed that in the face of an illegitimate State, the Church had a role as a disruptive force: to jam a spoke in the wheel of authority. 2 February 1933 denotes the date when Bonhoeffer, on his return to Berlin from the USA, spoke on radio against the rise of Nazism. The authorities abruptly terminated the broadcast. The palimpsest of erased writings evokes the struggle of religious and moral ideologies. The Chinese characters proclaim 'real concrete social action', while the German 'Schem Hamphoras' is a reference to the controversial anti-Jewish text *Vom Schem Hamphoras und vom Geschlecht Christi* (*Of the Unknowable Name and the Generations of Christ*) by Martin Luther, published in 1543. Also written in English is 'Sermon on the Mount', the collection of teachings by Jesus about morality found in the Gospel According to Matthew. There are also visible signs of another erased text in Chinese characters denoting 'responsible action, a highly

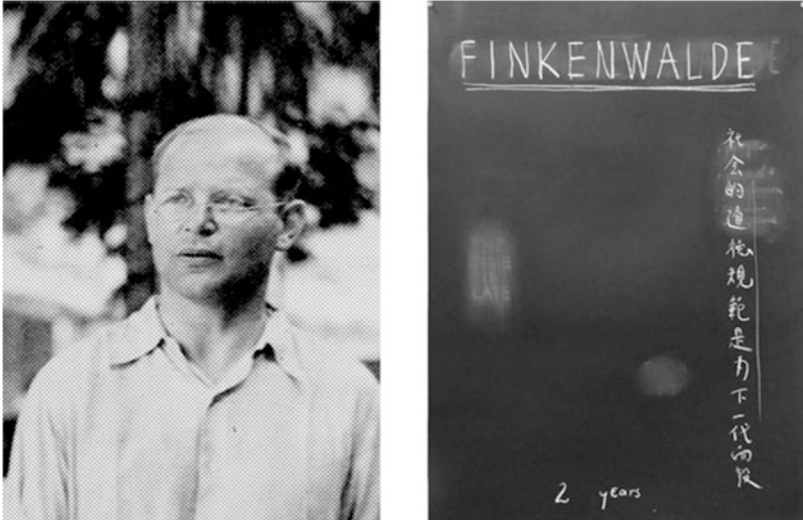

Figure 11.2 *Bonhoeffer* (2008) unique edition digital inkjet print on photosatin paper; 100 × 70 cm and *Meditation* (2008) chalk on blackboard paint on paper; 100 × 70 cm
Source: Images courtesy of John Young for J. Lo

risky action'. The overlaid markings of a small handprint – perhaps of a child – adds to the poignancy of the work (Figure 11.2).

The chalk-drawings are sometimes paired with digital inkjet prints from photographs, for example of Bonhoeffer in his prime. The combination of digital technology and chalk-drawings underscores the passing of time, drawing attention to the ways in which memories are stored, mediated, and re-presented. In *Meditation*, Finkelwalde refers to the location of the seminary that Bonhoeffer led from 1935–1937 for the Confessing Church, a church established in opposition to the Nazi-controlled German Evangelical Church. Written in Chinese is the phrase 'The test of the morality of a society is what it does for its children'.

The paired images that denote the final years of Bonhoeffer's life are stark, yet poetic. In *Prison*, 8.4.1945 marks the date when Bonhoeffer was hanged in the concentration camp at Flossenbürg. '*Teure Gnade*' means 'costly grace' in German. Also written in German is '*Eine Drossel, die singt*' (a thrush, that sings). During his incarceration, Bonhoeffer would sometimes hear a bird sing through the bars of his window. He wrote about this in a letter just before his death to his fiancée Maria von Wedemeyer. Also written in Chinese, 'action springs not from thought

but from a readiness for responsibility'. The sheer simplicity and beauty of the inkjet image of the thrush stands in strong contrast to what we know happened in the camps.

Bonhoeffer in Harlem is an artistic tour de force. Young plays with various media and materials so that glass becomes silk or canvas, paper becomes blackboard, and what is dark and forgotten comes to light once again. Working on Bonhoeffer's story also led Young to another cluster of lost stories of humanitarian action: this time about foreigners who stayed behind to assist the Chinese during what became known as the Nanjing Massacre. This led to the development of *Safety Zone*. This work comprises 60 blackboard drawings and digital images, three large paintings entitled *Flower Market (Nanjing 1936)*, and two vertical, oil-on-raw linen paintings entitled *The Crippled Tree*. The exhibition premiered at Anna Schwartz Gallery in 2010 and was restaged at the University of Queensland Art Museum in 2011 and The Australian National University's Drill Hall Gallery in 2013.

The Crippled Tree paintings are Young's highly personal reflections about this historic event. The chopped off limbs and vestiges of violence marking both surface and inner core of the tree recall some of the untold brutalities inflicted by the Japanese assailants. While undertaking research for this essay, I came across a number of photographic documents including John Magee's work (one of the members of the International Committee who photographed the brutalities of the Japanese soldiers in an effort to communicate the reality of the violence to the international community). One of the most horrific photos I came across was of a female corpse profaned by a large tree branch inserted into her vagina.

As in *Bonhoeffer in Harlem*, Young also uses a series of chalk-drawings on blackboard paint-covered paper interspersed with inkjet prints from archival images for the *Safety Zone* panels. Most of these images focus on the atrocities. As the Japanese marched closer to Nanjing in 1931, most foreigners left the city except for 15 American and Europeans who stayed behind and formed the International Committee to protect the Chinese. They set up a Safety Zone of some 3.85 square kilometres. At the height of the Nanjing invasion, the International Committee protected some 200,000 civilian Chinese. Among many individuals acknowledged in Young's work are John Magee, mentioned earlier, and Robert Wilson, the only surgeon left in the Nanjing Hospital. Here, I focus on two other foreigners whose stories resonated with Young (Figure 11.3).

Figure 11.3 From *Safety Zone*: detail from display of 60 blackboard drawings and digital images
Source: Image courtesy of John Young for J. Lo

John Rabe was a businessman working for the German electronic and engineering company, Siemens. He was appointed leader of the International Committee largely because he was a member of the Nazi Party. This afforded him some negotiating capacity, as the Germans were allies with the Japanese at the time as part of the Anti-Commintern Pact. When the Safety Zone was disestablished in 1938, Rabe was sent back to Berlin. After Hitler's reign, however, he and his family encountered great hardship because of his Nazi association; he was first held by the Gestapo and then, after the war, by the Soviet NKVD (The People's Commissariat for Internal Affairs), and later by the British Army. He was forced to undergo an arduous de-Nazification process and lost his job at Siemens. He and his family lived in poverty to the point of starvation until the citizens of Nanjing heard about his situation. They sent money and later monthly food packages to help the family. Rabe died in 1950 in pitiful circumstances. In the painting, 'You have the heart of a Buddha' (in German, '*Du hast das Herz einer Buddha*'), the interplay of two languages operate dialogically. Written in Chinese is 'This is a drawing for John Rabe'. The text under erasure in Chinese denotes: 'You have saved thousands of poor people from danger and want', which is juxtaposed against Rabe's own writing in German: 'Everyone thinks I am a hero and that can be very annoying. I can see nothing heroic about me or within me'. Then, in Chinese, 'for Mr. Rabe'.

The other person of note is Minnie Vautrin, an American who established the Ginling Girls College and saved hundreds from rape and worse fates. But even Vautrin could not prevent numerous incursions by the Japanese soldiers who came into the College and raped girls as young as three years old, as well as their mothers and grandmothers. Vautrin was sent home along with other foreigners in 1938 when the Safety Zone was abolished after the Japanese army claimed formal control of the city. Traumatised by the events she had witnessed and feeling responsible for the lives she could not protect, Minnie committed suicide by turning on the gas stove in her apartment in Indianapolis in 1940. The inkjet portrait of girls innocently playing in the Safety Zone compound are identified by the caption 'Ginling College', then we find, once again, Bonhoeffer's quote used by Young in the *Bonhoeffer in Harlem* show, reproduced here in Chinese: 'The test of the morality of a society is what it does for its children'. For this writer, these words seem all the more chilling, when accompanied by the image of youth.

'Victim' depicts the only full-face portrait of a Chinese subject in Young's panel, and thus, an important assertion of embodied Chinese

agency and resistance to the violence at the time. It is likely that this young girl was the victim of rape and a patient of the only foreign doctor who stayed behind at the University of Nanking Hospital, Dr. Robert Wilson. The image with the caption, 'Unspeakable acts of Evil' also includes a reference to Unit Ei 1644, the Japanese unit that undertook biological and chemical experimentation on captive human subjects. The erased text denotes 'human experiments, acetone, arsenate, cyanide, nitrate, prussiate, cobra poison, habu, amagasa venom, germs, gases'. 'Unspeakable Acts of Evil, Becoming Banal' was mentioned many times in the witnesses' records at the Nanjing War Crimes Tribunal. This quote is attributed to George Ashmore Fitch, the Director of the International Committee who kept a diary and filmed some of the events during his time in Nanjing.

11.4 Empathy and diaspora

Histories of war and trauma are powerful world-making forces. More specifically, war and trauma make powerful national memories. The memories of the Holocaust and the Nanjing massacre have been contested and deployed by the states of Germany, Israel, China, and Japan at different times towards different (and sometimes similar) ends. Despite the difference in modes of operation, the narratives are typified by the logic of zero sum game: there are clear-cut positions assigned for perpetrators and victims of violence. The limitation of trauma studies as they currently stand is that they simplify the field of violence by ignoring subject positions beyond obvious victims and perpetrators, however complexly conceived. As Michael Rothberg asserts, trauma theory 'leaves out of the picture a large and heterogeneous collection of subjects who enable and benefit from traumatic violence without taking part in it directly'. Rothberg's work on the implicated subject focuses on the 'indirect responsibility of subjects situated at temporal or geographic distance from the production of social suffering' and seeks to 'direct our attention to the conditions of possibility of violence as well as the lingering impact and suggest new routes of opposition'.[13] While I agree with his claim that trauma theory simplifies the field of associations and implications, I find the focus on rethinking subjects of responsibility limiting. The emphasis remains on identifying a wider field of culpability rather than the conditions of possibility for people to act on moral decisions based on an ethics of relationality and empathy. In contrast to official memory projects that perpetuate the former, Young's work reimagines violent events from a diasporic

perspective, centring on ordinary people who find themselves caught up in extraordinary circumstances that require moral decisions to be made and sustained. In this respect, *Bonhoeffer in Harlem* and *Safety Zone* are theoretically closer to Marianne Hirsch's concept of postmemory, which is characterised as:

> the relationship that the generation after those who witnessed cultural or collective trauma bears to the experiences of those who came before, experiences that they 'remember' only by means of the stories, images, and behaviors among which they grew up. But these experiences were transmitted to them so deeply and affectively as to *seem* to constitute memories in their own right. Postmemory's connection to the past is thus not actually mediated by recall but by imaginative investment, projection, and creation.[14]

What is striking about Young's work is that this postmemory was not bequeathed to him as a member of the German, American, or Nanjing Chinese communities per se. Rather, his work demonstrates the ways in which the transnational memory of the Holocaust and Nanjing has been memorialised from an inter-diasporic perspective. Young's memory-making is not a conventional postmemory, in the sense of a memory that has been bequeathed to the artist. However, I assert that a convincing case can be made on the grounds of affective communication and imaginative contamination. Postmemory is thus less about veracity – typified by debates about how many Chinese or Jews were actually murdered, or about who qualifies as a perpetrator or victim – but rather about the structures of feeling that the memory-making inspires, and the ways in which this memory-making echoes something of the ethics and history of the memory-maker.

I believe that while the transmission of pain, loss, and displacement in the works echoes something of Young's own history and desires, nonetheless that is not the primary objective of the works. These works are not concerned with the vertical pronoun – the 'I', but a search for mutuality and reciprocity with an 'Other'. The artworks neither simplify the field of power differentials nor celebrate the fantasy of universal likeness that seeks to erase all differences. Rather, Young's work acknowledges a sense of mutuality that bridges personal and collective memories, producing new narratives of social belonging and new affective capacities across diasporas, and challenges us to rethink collective responsibility along different lines of affinity and empathy. In this respect, the works come close to the concept of 'unselfing' as described

by another great artist, Iris Murdoch. Young's memorial works engage with the past with a political and ethical imperative that Tessa Morris Suzuki conceptualises as 'implication'.

> 'Implication' means the existence of a conscious connection to the past, but also the reality of being (in a legal sense) 'an accessory after the fact'. We who live in the present did not create the violence and hatred of the past. But the violence and hatred of the past, to some degree, created us. It formed the material world and the ideas with which we live, and will continue to do so unless we take active steps to unmake their consequences.[15]

These are important lessons for memory, trauma, and diaspora studies that have been founded on discourses of violations and woundings: of racism, discrimination, and political marginalisation by mainstream culture; of genocidal ideologies; and aggressive nationalisms and imperialisms. John Young's work offers a way to grieve for such histories from a position of alterity, neither to reify a victim discourse or promote cultural chauvinism, but rather to reimagine, re-engage, and co-exist with others with compassion and empathy.

Notes

1. Parts of this essay were first published in a catalogue for *John Young: The Bridge and the Fruit Tree* for the Drill Hall Gallery, The Australian National University, Canberra Australia, 2013. Funding for the research was enabled by an Australian Research Council Discovery Project, DP 0880038.
2. C. Barnes (2005) 'Towards a Layered Imaginary' in *John Young* catalogue (Fishermans Bend, Vic: Craftsman House), p. 61.
3. Ibid., p. 60.
4. E. Balibar and I. Wallerstein (1991) *Race, Nation, Class – Ambiguous Identities* (London and New York: Verso) p. 21.
5. Balibar, p. 22.
6. Ibid., pp. 22–3.
7. Barnes, p. 61.
8. Young cited in T. J. Berghuis (2011) 'John Young: Situational Ethics', *Art & Australia,* 48.3, p. 440.
9. Ibid., p. 440.
10. St. Matthew's Church today is still a predominantly 'white' monocultural congregation. At the opening of the installation, a black Harlem jazz singer, Jocelyn B. Smith, and the Berlin Choir of Hard Knocks performed, which was a strong contrast to its usual musical repertoire.
11. Quote from Bonhoeffer (1973) *Letters and Papers from Prison. The Enlarged Edition* (New York: MacMillan), p. 275 and cited by C. J. Green (1999) *Bonhoeffer: A Theology of Sociality*, rev. ed. (Grand Rapids: Wm. B. Eerdmans),

pp. 105–6. See also D. F. Ford (1997) *The Modern Theologians: An Introduction to Christian Theology in the Twentieth Century* (Oxford: Blackwell).
12. C.-G. Neubert and A. Ochs (eds) (2009) *John Young: Bonhoeffer in Harlem* catalogue, (Berlin: Edition St. Matthäus), p. 80.
13. M. Rothberg (2014) 'Trauma Theory, Implicated Subjects, and the Question of Israel/Palestine', *Profession*. https://profession.commons.mla.org/2014/05/02/trauma-theory-implicated-subjects-and-the-question-of-israelpalestine/ (Downloaded 18 April 2015).
14. M. Hirsch (2008) 'The Generation of Postmemory', *Poetics Today,* 29.1, pp. 106–7.
15. M. Hokari (2003) 'Globalising Aboriginal Reconciliation: Indigenous Australian and Asian (Japanese) Migrants', *Cultural Studies Review*, 9.2, pp. 97–8.

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