

The New Criterion

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Tea and Empathy

by James Bowman

In all the controversy over President Obama's appointment of Sonia Sotomayor to the Supreme Court, I have not yet seen it remembered that "empathy," the prime qualification for high judicial appointments for both the President and his nominee, is a term from art history. Originally *Einfühlung*, it was a word invented by German aestheticians in the late 19th century to describe a kind of response to a work of art which involved "feeling in," or direct emotional engagement with it. When we say we "identify ourselves" — or, more frequently if less comprehensibly, simply "identify" — with a character in a book, drama or movie, we are engaging in an act of empathy. A learned discussion of the word's history can be found [here](#).

The art historian Wilhelm Worringer contrasted Empathy with Abstraction as the contrary principle and so laid the groundwork for modernism in art by teaching artists to avoid sentimentality or what Ruskin called "the pathetic fallacy" by repelling rather than attracting the emotional engagement of the viewer — by making images new, strange, abstract and therefore emotionally uncomfortable, rather than familiar and reassuring. At some point in the intervening century since Worringer wrote, popular psychology has managed to make empathy seem attractive and desirable again, as it obviously is to Mr Obama and Judge Sotomayor, but it is worth recalling what at least some of the original theorists of the term were intending to notice about it, which was that empathy was essentially an *illusion* — a bit of fakery, an attempt to claim a familiarity, even identity with others that could not in fact exist.

We might bear that in mind when we look at the most famous statement by Judge Sotomayor on the possibilities of empathy, and the one that is being quoted by both sides in the debate over her nomination: "I would hope that a wise Latina woman with the richness of her experiences would more often than not reach a better conclusion than a white male who hasn't lived that life." This is, rightly considered, an *anti-empathy* statement. The "white male who hasn't lived that life" is being denied any capacity for empathy, while the "wise Latina woman" who has lived it herself can understand only through having shared the same experiences — not the same thing, surely, as empathy, which by its very nature pre-supposes not two subjects with the same object but a kind of identity between subject and object.

The problem may arise through a form of language inflation. The advocate of "empathy" is, after all, making a very large claim on behalf of his own powers of emotional projection. We all must sense this when someone tells us he knows just how we feel, and we instinctively want to answer, "No you don't!" "Sympathy" or "compassion" (feeling *with*) is a universally-recognized quality of human nature at its most noble and civilized, the opposite of that barbaric condition described by W.H. Auden in "The Shield of Achilles" —

*That girls are raped, that two boys knife a third
Were axioms to him, who'd never heard
Of any world where promises were kept,
Or one could weep because another wept.*

But at around the same time as those words were written — and the word "empathy" was undergoing its popular rehabilitation — people started to think that this was not enough, and that those who thought to distinguish themselves morally from their less enlightened fellows by a higher, stronger and finer sort of compassion ought to have another and better word to describe it. It was all a fake, of course. We should not deny the extent to which we have the capacity to sympathize with or compassionate (v.t.) the feelings of others, but neither should we exaggerate it. In any case, the large claims of the empathetic are not necessary for a judge or Supreme Court justice to identify herself with those it most behooves her to identify herself with, namely the Framers of the Constitution.

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