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Sympathy as Dynamic Social Capital

The specific role of sympathy in effecting political reconciliation

A refreshing study of the psychological, epistemological and moral conditions for a realistic reconciliation of political conflicts, Nir Eisikovits's *Sympathizing with the Enemy: Reconciliation, Transitional Justice, Negotiation*, plays with a number of potentially highly explanatory notions in the broad field of ethics (sympathy, restorative justice, generosity, empathy), and focuses sympathy in its functional sense on the practical contexts of political reconciliation.² Unlike numerous institutions-centred accounts of how the resolution of chronic political conflicts such as those in the Middle East, Eisikovits's approach suggests that providing enemies with sufficiently detailed information about the life and predicament of the other increases their

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² This paper specifically refers to "political reconciliation" in relation to Eisikovits's book, for two main reasons. First, Eisikovits's argument is focused more or less exclusively on political reconciliation, although it does occasionally suggest that the principles under discussion may be applicable in the broader context of human relationships. Secondly, much of what he says, while indeed valid for political reconciliation, does not necessarily hold for reconciliation more broadly conceived. Perhaps the best example is the key idea that adequate familiarity with the circumstances of the other is necessary for political reconciliation; while probably being able to contribute to reconciliation more broadly conceived, such as that in interpersonal contexts, familiarity with another's circumstances is by no means a *precondition* for such reconciliation, as it may be replaced by strongly held value-systems that require forgiveness and even fraternization, based on the presumed deeper commonalities, regardless of the circumstances. Such values systems are provided by the Christian ethic of human fraternity includes even a commandment of love. While this point implicitly broaches a much broader theme than can be discussed in this paper, suffice it to mention that the term "political reconciliation" in the present discussion, with which I tend to agree in most aspects, serves as a partial disclaimer when such broader issues of reconciliation are concerned.

propensity to sympathise and thus the likelihood of reconciliation. In an institutional context, conflict-resolution more often than not goes alongside political change, and such change usually involves increased enfranchisement for marginalized groups.

“Oppressive regimes don’t collapse at once, just because those previously oppressed are now enfranchised. Instead, the slow process of enfranchisement, which was generated by some level of sympathy, then becomes a catalyst for sympathy, which in turn promotes further enfranchisement.”³

Political change, however, may rest on various value-standards, the most common of which is that subsumed under what we ordinarily call “justice”. While justice as a value reigns supreme over the myriad of emancipatory and revolutionary movements around the world, the actual feasibility of reconciliation in most existing political conflicts requires, as Eisikovits rightly points out, that both sides compromise on what ideal justice might entail in their case:

“The Palestinian refugees may be morally justified in claiming a right of return to the properties they left behind in 1948. But insistence on the straightforward implementation of this right may be destructive. Many of the places Palestinians want to return to are now populated by Jews. Removing them would address one tragedy by creating another. Furthermore, the unyielding demand for a right of return is one of the factors blocking the prospects for peace in the region. For Israelis “return” is code for creating an Arab majority in their territory, thus eradicating the Jewish nature of their state. That is an idea that even the most moderate Israelis, those who are both willing to accept responsibility and participate in a compensation program for Palestinian refugees, cannot commit to.”⁴

A willingness to compromise on ideal or “historic” justice for one’s community, along with an ability to perceive some of the intimate detail of the other community’s living conditions, generates the broad context within which political reconciliation becomes a strong practical possibility:

“Exposing oneself to the circumstances under which others live, attempting to imagine how their world works and what their routines look like, introduces shades of grey into the black and white world of absolute justice. To the uncompromising cry “I am right!” sympathy replies with a more hesitant question, “how do I make life bearable’.”⁵

³ Eisikovits, p. 16.

⁴ Ibid, p. 23.

⁵ Ibid, p. 24.

This, indeed is the starting point for Eisikovits's theory of reconciliation that mirrors many of the key points of modern restorative theories of justice and Nils Christie's "limits to pain" tradition that attempt to provide an alternative to the perspectives arising from strictly formalized conceptions of justice understood as either "just deserts" or as various models of proportionality between rights and entitlements.⁶ The legion of literature on these more traditional perspectives of justice simply falls beside Eisikovits's approach that addresses highly practical issues of what it takes to sympathise with a politically opposed community, and how the conditions for sympathy in this context may contribute to a transformation of perceptions and peace. Seeking justice when reconciliation is the prime goal may be counterproductive, or as Eisikovits puts it when discussing war crime tribunals, "(...) the retributive orientation of trials is antithetical to the prospects of real peace".⁷

Clearly Eisikovits's perspective is functionalist in the sense that, contrary to the strong "structuralist" Kantian ethic of "respect through retribution" (retribution is "due" based on deserts and failure to mete it out is equivalent to not taking seriously one's humanity in its moral meaning — the strong retributive thesis), for him the truth commissions are justified because they are "capable of promoting sympathy between former enemies. Insofar as (they provide) detailed accounts of life under apartheid, and to the degree (they) created an atmosphere of political generosity, the truth commission(s) put in place both conditions for the inculcation of sympathetic attitudes".⁸ Thus Eisikovits sides with an entire consequentialist tradition in ethics that considers the functional consequences of the variously value-loaded directions of action as key to justifying the action, rather than basing such justifications on highly formalized deontic and, in a sense, structural views of justice.

Eisikovits' theory is methodologically not very different from the essentially consequentialist methodology that provides a silver lining even in the "strong" versions of utilitarianism (where the requisite concept of "utility" is defined simply as satisfaction in the broad sense, or even as "happiness").⁹

When such consequentialism is couched in values other than satisfaction or happiness, and yet those values contribute to an overall amount of satisfaction of large numbers of people, such as is the case of reconciliation or peace, there

⁶ Nils Christie, *Limits to Pain*, Norwegian University Press, Oslo, 1981.

⁷ *Ibid.*, p. 87.

⁸ *Ibid.*, p. 110.

⁹ Jack Smart famously used the metaphor that all humans are "buckets" into which happiness can be "poured"; his theory, however, is anything but banal or trivial — it provides highly subtle methodological guidelines for a proper value-consequentialism. See J.J.C. Smart, *Essays metaphysical and moral: Selected philosophical papers*, Blackwell, Oxford, 1987.

is no reason for not considering the end value of the consequentialist, or functionalist approach, to be equivalent to “utility”. Thus Eisikovits’s approach can indeed be considered deeply utilitarian, which is not to say that it is in any way contrary to the common intuitions about the role of justice in reconciliation. Simply put, that role is limited while the role of the end “utility”, whether it is merely peace as coexistence at the minimum threshold, or the “higher tier” of peace exhibited in fraternity.¹⁰

The internal conditions for sympathy

If familiarity with another’s circumstances is a pre-condition for sufficient empathy to allow reconciliation, clearly, as Eisikovits himself points it out, “(i)t takes a certain kind of disposition to be willing to notice such detail about an enemy’s life”.¹¹ While most of the argument in the book is about the external conditions for sympathy (e.g. people without specific anti-discriminatory political views who meet the significant others at road blocks tend to develop politically sensitive views on discrimination and conflict more generally), one wonders what the internal, value-loaded conditions are for being able to sympathise with a particular someone. The first question to be raised with regard to Eisikovits’ argument is thus what sort of value-structure it takes for someone to change their views on the Israeli-Palestinian conflict, to acknowledge the consequences of election of Arien Sharon to government in 2000, or the eruption of the second Intifada at much the same time, as opposed to someone who, regardless of encounters at a road block, feels no sympathy at all. Eisikovits’s argument seems to suggest that sympathy is indeed an “in-built” sentiment in all of us, and that most of us will simply automatically react by developing sympathy once we are faced with the predicament of others. This may indeed be so in many cases, but there is also ample evidence that some (not so few) people remain unmoved by the suffering of others.

The examination of the values and internal conditions for the effective role of sympathy is an area that remains to be covered by a comprehensive account of the role of sympathy in political reconciliation. The question may or may not be a criticism of Eisikovits’s argument: his arguments about political reconciliation are fair enough when one considers all practical circumstances of the Arab-Israeli conflict, or the former Yugoslav wars, or the post-Apartheid South Africa, which are the examples that he discusses. In this sense, the point raised here need not be critical of his account. On the other hand, examining the “internal” conditions for sympathy, while covering a broader field than just

¹⁰ Eisikovits, *ibid*, p.10.

¹¹ *Ibid*, p. 145.

political reconciliation, would almost certainly contribute to a better understanding of the way negotiations between the conflicting sides in the Middle East or in the former Yugoslavia might have been improved.

The civil war contexts are particularly illuminative of the point I raise here. While Eisikovits suggests that a depersonalization of the enemy makes atrocities easier, the warfare in the former Yugoslavia, for example, showed that many of the perpetrators of crimes were in fact former neighbours or co-workers, who had presumably had a highly personalized picture of the victim and certainly could not perceive it simply as a number or a representative of her ethnicity. A similar consideration applies to the perpetrators of mass war crimes: while in that context the perception of the enemy may indeed be couched in a broad view of the enemy collectively, still the ability to shoot at frightened women and children required a considerable internal value-depravity. Similarly, and conversely, what are the internal value conditions for the reverse phenomenon, namely for a person's ability to withdraw all sympathy by "merging" her personal identity in the ranks of her collective ethnic, professional, military or corporate identity?

Travelers departing Israel via the Ben Gurion airport in Tel Aviv may be excused for wondering on the above point while they are repeatedly searched and held in lines for hours and hours by modern-looking young men and women of the Israeli security, whose faces are totally blank to human frustration and pain.

A group of Serbian paramilitaries shooting a group of captured Muslims (regardless of whether they were soldiers or civilians), which was shown on Serbian television in 2008, and led to a war crime trial and convictions in Belgrade, not at the Hague) suggested what most of the Serbian public regarded as a completely socially unacceptable set of personality traits and regarded the punishments as obviously deserved, unrelated to the public's view of the ethnic relations underlying the conflict. However, to what extent did the "corporatisation" or "ethnicisation" of the personal identities make possible the more or less dramatic withdrawals of sympathy? These questions may well be theoretically more challenging and practically more difficult to answer than even the motivations of many suicide bombers whose family members had been killed by Israeli police, the occupation forces in Iraq, or by the coalition troops during the invasion of Afghanistan.

A more comprehensive ethics of sympathy?

Another question that arises in relation to Eisikovits's book is whether sympathy, which in his argument is treated within a strictly limited domain of political reconciliation, may be the basis of a comprehensive ethics. This is especially relevant when the view of the limited role justice has to play in effective reconciliation, which Eisikovits draws convincingly, is taken into account. Can such an ethic be a basis for a broader, decidedly non-retributive, crucially restorative, concept of justice? Much remains to be said about restorative justice, for it is treated only as a subsidiary theme in Eisikovits' book: perhaps the most rewarding angles on restorative justice arise from the various types of "restoration" that may be involved. Restorative justice need not only restore relations between the offending and the injured party; it may well serve to restore the offender's self-esteem or the community's trust in the institutions and their ability to effectively mediate social relations. Depending on the meaning of "restoration" involved restorative justice is an exceedingly rich concept that allows for a plethora of interpretations at least some of which might usefully inform a discussion of political reconciliation.

As far as the restoration involved concerns mainly the parties in conflict, it gives rise to a related ontological question: to what extent can the fraternization that may result for highly successful exercises of restorative justice generate new psychological, but also new "external" realities that influence our world? If sympathy is sufficiently strong to lead to genuine fraternisation, it could be argued that it influences our life both internally and externally, by changing the way we act and perceive others, and thus also by changing the relationships with others.¹² The ability to engage with others based on increased sympathy for their conditions changes not just the perceptions, but the moral and social quality of our lives. This is why the question of whether sympathy could be the basis for a comprehensive ethic is so tempting, though Max Scheller, arguably the most authoritative theorist of sympathy in the western philosophical history, repeatedly claimed that sympathy is the basis for the philosophical elucidation of human relationships generally, and even for the theorizing of cognition, but cannot be a basis for a special ethics.¹³ This is probably because Scheller follows Kant in his idea that morality is essentially a "vertical" relationship between ones' self and God, and that the "objective hierarchy of values",

¹² See Nikolay Loski, *Bog i svetsko zlo*, transl. by Miloš Dobrić, Zepter Books, Beograd, 2001, p. 14–16; Vladimir Solovjov, *Duhovne osnove života*, transl. by Marija and Branislav Marković, Logos, Beograd, 2008, pp. 43–50; Martin L. Hoffman, *Empathy and Moral Development*, Cambridge University Press, Cambridge, 2000.

¹³ Max Scheller, *The Nature of Sympathy*, transl. by Peter Heath, Routledge & Kegan Paul, London, 1954.

supposedly internal to the moral agent, does not depend on the “social situation” one finds oneself in:

“There may be facts of sympathy having a genuine bearing on the metaphysical postulate of a self-same, all-inclusive, supra-individual reality inherent in the existence and nature of all men; but at all events the phenomena of companionate, vicarious and fellow-feeling are not among these facts, and nor are those of love (in the strict sense). (...) There is nothing *essentially* or even exclusively *social* about the moral phenomenon; it would remain standing even if society collapsed, and is by no means a product of our relation to others or to the community. (...) But the notion of an objective hierarchy of values, central to the whole of theoretical ethics, can be elaborated without regard for the facts of the situation between “self and neighbour” or “individual and community”; being valid for man as such, it holds equally for the isolated individual and for the community or any other collective group. There can be no truck with any proposal to set up ethics on a social basis, and none therefore with the attempt to found it on a metaphysics of the “whole” as a sort of reality underlying the appearances of social life.”¹⁴

The starting point of Scheller’s argument is clearly opposite to the essentially inter-subjective concept of values and sympathy as their manifestation that is suggested by Eisikovits, along with an entire modern tradition in value enquiry following John Searle’s idea that our views, cognition and values arise from a prior, and pre-requisite, “intentional direction” towards each other.¹⁵ Eisikovits would thus most likely part with Scheller on this point, and I would agree with this theoretical divorce from the “systematic” tradition of sympathy and Scheller’s views on the morals. However, once we agree to such parting, the question comes back at us of why sympathy would not serve as the basis for a comprehensive “intentional” or, as Scheller says, *essentially social* ethics. If such a role of sympathy would indeed be possible, far more can be said about sympathy as a normative concept than just discussing its systematic contribution to political reconciliation. The important consequence is that such a broader perspective would allow political reconciliation itself to be placed in a highly explanatory context of ethics of negotiations. Such a contextualisation would invite a departure from the strictly instrumentalist and functionalist views on why sympathy works and would include a discussion of why we should be sympathetic on moral grounds when engaged in a political

¹⁴ Ibid, p. 72.

¹⁵ John Searle, *Intentionality: An Essay in the Philosophy of Mind*, Cambridge University Press, Cambridge, 1983.

conflict. The question of ethical norms with regard to the need for sympathy appears to be lacking in Eisikovits's account.

Sympathy and a decision to fight

One of the crucial points in Eisikovits' argument about the need for sympathy as a pre-requisite for political reconciliation is that sympathy, while making it more difficult to decide to fight and causing one to think twice, does not ultimately and necessarily *prevent* one from taking a decision to fight. He correctly points out examples where thinking twice would have been a more prudent choice than rushing into violence. This point also marks fertile ground for a broader conceptualisation of sympathy.

While it is true that being sympathetic does not prevent us from fighting, and this is witnessed by the numerous occasions where people fought their loved ones, for whom they surely felt sympathy, based on ideological reasons (Second World War Eastern Europe comes to mind), the main "mechanical" question here appears to be located in the field of decision theory. It seems that the real question in assessing a sympathetic person's ability and willingness to fight is really what factors make that person decide to fight rather than not to fight. Sympathy is a dynamic factor that suggests avoiding the fight; however, this is only one factor. There may be other factors, other desires arising from perceived circumstances and internalised values (such as patriotism) that will be stronger. Frank Jackson's influential analysis is highly relevant here: in his 1984 essay "Weakness of Will", he espouses "an account of how desires can evolve in accord with the agent's reason: weak-willed behaviour being behaviour springing from desires that do not evolve in this way".¹⁶

Jackson's view is that what constitutes the mechanics of making a decision is a competition of desires of various strength: while a person might be aware that moral requirements entail type of action (a), she may chose action (b) because the desire to achieve some degree of personal satisfaction provided by action (b) is stronger than the desire to conform to the moral requirement. When this perspective is somewhat relaxed, and moral choices *per se* are not involved explicitly, it becomes clear that when one's community is threatened, or terrorist acts need to be prevented, one's sympathy for the individual suspected of plotting the action might well be over-ruled by what Jackson calls "strongest desire", in this case to achieve optimum security for one's community, which entails unsympathetic action towards the suspect. The perspective on desires in

¹⁶ Frank Jackson, "Weakness of Will", *Mind*, vol. 93, no 369, January 1984, pp. 1–18, quote from p. 1.

decision-making clarifies that there is no controversy from the point of view of fighting the enemy in Eisikovits' emphasis on sympathy as a tool for reconciliation.

Conclusion

Eisikovits' argument, cogent and persuasive as it is, provides a good normative platform for the design of applicable models of negotiation that would allow greater chances for success. It is a highly practical account that arises from the conceptualization of some of the more intractable political conflicts the world faces today.

What remains as a lingering sentiment after reading this stimulating writing is the feeling that something is left out in the sense of what it takes to cultivate and strengthen sympathy as a natural disposition so as to turn it into a sufficiently "strong desire", or a sufficiently highly positioned value in our value-system, to make greater use of it in political conflicts. Such an account, that departs from the facts of how sympathy works, and ventures into the normative field of how to make sympathy more important, how to make sure that it is the "causally operative" value in deciding how to act in conflicts, would, again, inevitably invite broader considerations of an ethics of sympathy. Perhaps that is the direction of future argument for which this book paves the way.