ISTANBUL TECHNICAL UNIVERSITY ★ GRADUATE SCHOOL

EMPATHY AS A NON-IDEAL NECESSITY: ON THE NORMATIVE ROLE OF EMPATHY FOR JUSTICE UNDER PLURALISM

M.A. THESIS

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İDEAL OLMAYAN BİR ZORUNLULUK OLARAK EMPATİ: ÇOĞULCULUK KOŞULLARINDA EMPATİNİN ADALETTEKİ NORMATİF ROLÜ ÜZERİNE

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To those for whom nothing alien is human,

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ABBREVIATIONS

MESEM **:** Mesleki Eğitim Merkezleri

EMPATHY AS A NON-IDEAL NECESSITY: ON THE NORMATIVE ROLE OF EMPATHY FOR JUSTICE UNDER PLURALISM

SUMMARY

Empathy is a process whereby affective responses congruent with another's situation are elicited through perspective-taking or direct encounter with another. Therefore, it is manifested in various milieus of everyday life where people engage with one another. The necessarily social and affective character of empathy brings forth a vast set of possibilities for political theory where the concept of justice is not strictly demarcated from emotions or care. Having been inspired by such possibilities, this study strives to investigate the normative role of empathy for advancing justice in pluralistic democracies. By combining political theory with moral philosophy and interpretative qualitative analysis, this study adopts an interdisciplinary approach for addressing how empathy is, and ought to be, manifested in political life, as well as for indicating both the potential benefits and dangers such an association between empathy and justice can bring forth. The main argument of the thesis is that empathy has a limited but indispensable role for justice in that it is an epistemic and motivational necessity for justice under non-ideal conditions wherein different forms of domination, motivational deficits and misrecognition occur. To this end, the thesis begins with a conceptual analysis of justice and empathy, mapping their terrain in order to set a framework in which the main approaches, dimensions and elements of the said concepts are clarified. Only then does this study put forward the epistemic part of its argument by claiming that without empathy, lived reasons and socially situated experiences remain systematically invisible under idealized abstractions. That which makes empathy a non-ideal necessity here is that the legitimacy of justice principles under pluralism requires the incorporation of the standpoints of all affected. Since empathy offers a non-substitutable epistemic access for disclosing social suffering and lived experiences, which are otherwise invisible, it becomes a non-ideal necessity for justice, through which the legitimacy of principles can be sustained. Subsequently, the motivational part of the main argument, which comprises two distinct yet converging lines, claims that without the motivational basis empathy provides, it is not possible to sustain solidarity and civic compliance under strain, and to extend recognition-based struggles beyond the directly harmed. Considering empathy as a motivational non-ideal necessity, at this point, is related to the premise that an inclusive form of justice is not only distributive but also relational, and it requires motivational compliance for its own stability. Empathy, by eliciting prosocial motivation through empathic concern, becomes a non-ideal necessity for sustaining the motivational compliance and recognitional struggles for justice under non-ideal conditions. However, this study does not take the contributions of empathy for granted, and emphasizes that the normative role of empathy is limited, since empathy itself can be socially mediated in ways that reproduce the forms of social suffering, and is liable to bias. Since empathy requires critical scrutiny and structural awareness, the main argument of the thesis is

underpinned by a constructive proposal in which the negative understanding of justice as the elimination of injustice is promoted through the juxtaposition of empathic engagement and generalizable rules. Consequently, this study situates empathy as a catalyst for surfacing hidden harms and sustaining solidarity and recognitional struggles against exclusionary patterns, contributing to the challenges raised against liberal frameworks of justice in which material conditions and social positions are abstracted away by idealized forms of rationality, and in which emotions and affective processes are treated as distortions.

İDEAL OLMAYAN BİR ZORUNLULUK OLARAK EMPATİ: ÇOĞULCULUK KOŞULLARINDA EMPATİNİN ADALETTEKİ NORMATİF ROLÜ ÜZERİNE

ÖZET

Empati, ötekine odaklı duygulanımsal bir süreci ifade etmekle birlikte, insanların birbiri ile ilişki kurduğu günlük hayatın çeşitli alanlarında kendini göstermektedir. Empatinin bu sosyal ve duygusal karakteri, duyguların ve duygulanımsal süreçlerin adalet kavramından soyutlanarak göz ardı edilmediği olasıkları siyasal teorinin zeminine getirmekte, dolayısıyla alternatif bir çerçevenin oluşmasına için yeni bir alan yaratabilme potansiyelini imlemektedir. Söz konusu olasılıklardan hareketle bu tez, empatinin çoğulcu ve demokratik toplumlar dahilinde adalet kavramına yönelik normatif rolünü araştırmakta ve adaletin idealize edilmiş ve duygulardan arındırılmış soyutlamalar ile şekillendirildiği yöntemlere karşı öne sürülen itirazlara katkıda bulunma amacını taşımaktadır. Siyaset teorisini ahlak felsefesi ve yorumlayıcı nitel analizle birleştiren bu çalışma, empatinin siyasal yaşamda nasıl tezahür ettiğini ve nasıl tezahür etmesi gerektiğini ele almak; aynı zamanda empati ile adalet arasındaki ilişkinin ortaya çıkarabileceği muhtemel yararları ve tehlikeleri göstermek amacıyla disiplinlerarası bir yaklaşım benimsemektedir. Bu bağlamda tezin temel argümanı, empatinin adalet için sınırlı fakat vazgeçilemez bir rolü olduğuna dayanmakta; farklı tahakküm biçimlerinin, motivasyonel eksikliklerin ve tanınmama durumlarının ortaya çıktığı ideal olmayan koşullar altında empatinin adalet için epistemik ve motivasyonel bir zorunluluk olduğunu ileri sürmektedir. Ancak bu noktada, empatinin epistemik ve motivasyonel önemi, empati kavramına değişmez bir öz atayan aşkın bir bağlamda ele alınmamış, empatinin sosyal inşaya ve yakınlık yahut mesafe gibi psikolojik önyargılara açıklığının altı çizilmiştir. Dolayısıyla, empatinin ihtiyaç duyduğu eleştirel ve yapısal farkındalık dahilinde bu tez, empatik angajmanın genelleştirilebilir kurallar ile birleştirildiği bir hibrit normu, adaletsizliğin ortadan kaldırılması üzerinden kavramsallaştıran bir adalet yaklaşımı temelinde önermiştir. Bu bağlamda empati, görünmez toplumsal acı ve deneyimlerin ortaya çıkarılması ve dayanışma ve tanınma mücadelelerin ideal olmayan koşullar altında sürdürülebilmesi için bir katalizör olarak değerlendirilmiştir.

Söz konusu argümanı ortaya koyabilmek için, ilk önce adalet kavramı dahilinde bir kavramsal analiz yapılmıştır. Adaletin temel boyutlarının, elementlerinin ve öne çıkan adalet yaklaşımlarının değerlendirildiği bu bölümde, tek bir değer üzerinden inşa edilmiş sabit ve değişmez bir tanım yapmanın, kavramın bağlamsal ve sosyal niteliğini göz ardı etmek olacağı öne sürülmüştür. Aksine adaletin, çok katmanlı ve ele alındığı sosyal gerçekliğe duyarlı olarak değişen bir kavram olduğu vurgulanmıştır. Dolayısıyla kavramın dağıtım alanında ortaya çıkan sorunlarla sınırlı olmayan, tanınmama ve sosyal mağduriyet biçimlerini de dikkate alabilecek ilişkisel bir biçimde ele alınması gerekliğini benimsemiştir. Bölüm ne duygulara ne de yaşanmış

adaletsizlik deneyimlerine yer açabilen, dağıtım süreçlerine ilişkin idealize edilmiş soyutlamalara dayanan yaklaşımlara yönelik bir eleştiriyle sonuçlandırılmıştır. Bunu takiben üçüncü bölümde de kavramsal bir analiz yapılmış; ancak bu kez analizin odağı empati kavramı olmuştur. Bu bölümde empatinin boyutları ve kurucu unsurları belirlenmiş, empatiye ilişkin başlıca yaklaşımlar değerlendirilerek empatinin kendine özgün yapısı açımlanmıştır. Empati bu bölümde tekil bir duygu olarak değil; ilgi, şefkat ve öfke gibi duyguları ortaya çıkarabilen bir duygulanımsal süreç olarak ele alınmış ve genellikle eşleştirildiği sempati ve merhamet gibi duygularla arasındaki fark ön plana konulmuştur. Nitekim, empatinin yapısına ilişkin temel tartışmalardan hareketle bölüm, daha kapsayıcı bir empati anlayışına imkân sağlayabilecek bir sentez ortaya koymayı amaçlamıştır. Bu doğrultuda empati, bir başkasının durumuyla uyumlu duygulanımsal tepkilerin, perspektif alma ya da doğrudan karşılaşma yoluyla ortaya çıktığı; aynı zamanda ortaklaşa bir insanlık durumu içinde bir başka deneyim dünyasının kabulünü içeren bir süreç olarak tanımlanmıştır.

Empati ve adalet kavramlarına ilişkin kavramsal analizinin ardından, dördüncü bölümde, tezin temel argümanının ilk kısmı ortaya konmuştur. Bu bölümde empatinin adalet için ideal olmayan bir epistemik zorunluluk olduğu ileri sürülmüştür. Argüman, adalet ilkelerinin meşruiyetinin, bu ilkelerden etkilenen herkesin söz konusu ilkeyi seçmiş olmasını ve yine etkilenenlerin deneyimlerinin ve bakış açılarının hesaba katılmasını gerektirdiği varsayımıyla başlamıştır. Ardından ilk öncül olarak, çoğulcu toplumlarda adaletin, birbirinden farklı insanların yaşanmış gerekçe ve deneyimlerinin epistemik olarak içerilmesini gerektirdiği ortaya konulmuştur. Ancak böyle bir epistemik dahiliyetin sonucunda, herkesin perspektifinin kolektif karar alma süreçlerinde göz önüne alınıp alınmadığı geçerli biçimde değerlendirilebilmektedir. Bu doğrultuda, idealize edilmiş rasyonalite biçimlerine dayanan liberal adalet anlayışlarının, içine doğduğu toplumsal alandan soyutlama yaparak ve toplumsal konumlar ile yapılar arasındaki farklılıkları aşındıran bir tarafsızlık ideali varsayarak, günlük hayattaki adaletsizlik deneyimlerini dışladığı savunulmuştur. Bu noktada empati, yaşanmış gerekçelere ve toplumsal acıya ikame edilemez bir epistemik erişim sağlayan ve bağlama duyarlı bir anlayışı geliştiren bir süreç olarak değerlendirilmiştir. Dolayısıyla bölümün sonucunda empati, ideal olmayan koşullar altında adalet için epistemik bir zorunluluk olarak konumlandırılmıştır. Bu zorunluluk olmaksızın, adalet ilkelerinin meşruiyetinin eksik ya da bozulmuş biçimde kurulacağı ileri sürülmüştür. Ana argümanın ikinci parçasını öne süren beşinci bölümde ise empatinin adalet için ideal olmayan motivasyonel bir zorunluluk olduğu savunulmuştur. Fakat ilgili argüman kurabilmek amacıyla empatinin motivasyonel önemine ilişkin iki ayrı fakat birbirine yaklaşan argüman hattı ortaya konmuştur. İlk hat, adaletin istikrarı için yalnızca prensiplerin meşruiyetine değil, aynı zamanda yurttaşların motivasyonel uyumuna da ihtiyaç duyduğu öncülüyle başlamıştır. Bu öncül, en azından demokratik bir "ethos"un yurttaşlık ilişkilerini şekillendirmesi; yurttaşların birbirlerinin deneyimlerine ve kapsayıcı kamusal müzakereye karşı duyarlı kılınması gerekliliğini işaretlemektedir. Söz konusu gereklilik karşısında empati, bir başkasının refahına karşı duyulan sahici bir endişenin oluşmasını sağlayarak yurttaşlar arası uyum ve dayanışma için motivasyonel bir temel halini almaktadır. Empatinin motivasyonel önemine ilişkin ikinci argüman hattı ise tanınma temelli mücadelelerle ilişkilendirilmiştir. Bu bağlamda ilk olarak adaletin yalnızca dağıtımsal değil, aynı zamanda ilişkisel olduğu belirtilmiştir. Zira adaletsizlik; dışlanma ve tanınmama deneyimlerin yahut kişinin kendi sosyal deneyimini yorumlamasını sağlayan anlamsal araçların eksik oluşundan dahi doğabilmektedir. Söz konusu adaletsiz biçimleri, içinde bulundukları toplumsal

yapılara ve bağlamlara gömülü halde bulunmakla birlikte, gündelik yaşamın sayısız pratiği içerisinde bireyler tarafından devamlı olarak deneyimlenen niteliktedirler. Dolayısıyla empati, sağladığı ötekine odaklı empatik endişe ve epistemik alımlanma sayesinde, söz konusu tanınma temelli adaletsizlik deneyimlerini, yalnızca onu deneyimleyen kişiye ait bir mücadele olmaktan çıkararak kolektif bir direnişin oluşmasında motivasyonel bir temel sağlamaktadır. Her iki düzlemde de görüldüğü üzere, empati motivasyonel bir temel olarak ortaya çıkmakta ve söz konusu adaletsizlik şartları altında ideal olmayan bir motivasyonel zorunluluk haline gelmektedir. Zira empati olmaksızın baskı koşulları altında dayanışma ve yurttaşlar arası adalete ve müzakereci süreçlere yönelik desteğin sürdürülmesi ne de tanınma temelli adalet mücadelelerin birinci şahıs bakış açısının ötesine genişletilmesi mümkün görünmektedir.

Tezin son bölümünde ise empatinin bir katalizör olarak sahip olduğu sınırlı fakat vazgeçilmez rolün nasıl kurumsal ve normatif bir bağlam üzerinden çerçevelenebileceğine ilişkin yapıcı bir öneri geliştirilmiştir. Bu çerçevede bölüm, genelleştirilebilir kurallar ile empatik angajmanı yan yana getiren bir normatif formül önermiştir. Söz konusu formül, maddi koşulların ve toplumsal konumların soyutlamaların yapılacağı başlıca kaynaklar arasında yer aldığı ideal olmayan modeller bağlamında geliştirilmiştir. Böylece empatik angajmanın taraflı ya da yalnızca duygusal yakınlığa bağlı bir süreç hâline gelmesi engellenmeye çalışılırken; genelleştirilebilir kuralların da yaşanmış adaletsizlik deneyimlerine duyarsız, soyut ve toplumsal bağlamdan kopuk ilkeler olarak kalmaması amaçlanmıştır. Bölüm, bu normatif formülün ortaya çıkarabileceği pratik imkânları değerlendirerek sonuçlandırılmıştır. Bu kapsamda katılımcı forumlar, yerel meclisler, anlatı temelli müzakere süreçleri, topluluk etki değerlendirmeleri ve tabandan gelişen toplumsal hareketler gibi pratikler, empatinin toplumsal acıyı görünür kılan, dayanışmayı sürdüren ve tanınma mücadelelerini destekleyen bir süreç olarak kurumsal ve siyasal yaşama nasıl dâhil edilebileceğini gösterebilmesi dolayısıyla ön plana çıkarılmıştır.

1. INTRODUCTION

1.1 The Purpose of the Thesis

Empathy, as a concept which has drawn various disciplines' attention ranging from neuroscience to moral philosophy, manifests itself in different milieus of everyday life where an individual engages with another, whether through physical encounter or imagination on the basis of the recognition of shared humanness. It corresponds to a process or a capability of grasping another's state of mind and having an affective response appropriate to those of its object. This indicates that empathy has its own complex components that not only bring about a means to identify and resonate with another's state of mind but also manifest a specific relation to morality because being able to take another's perspective makes it possible to access how another feels and to consider how it would have felt to be in a similar situation with another, which, in turn, grants moral knowledge, regarding to the situation of that very other. This is why in the accounts of philosophers belonging to sentimentalist tradition, such as David Hume (1739/2007) and Adam Smith (1759/1982), empathy —which was then called as sympathy— is put at the heart of moral reasoning, and also why many of the accounts related to empathy have strived to expound the role that empathy plays in relation to justice and the public life within a political community (Clohesy, 2013; Edge, 2016; Morrell, 2010; Slote, 2007).

In the contemporary world, where pluralistic democracies are grounded on liberal models of justice, structural inequalities such as those rooted in class, race and gender; as well as identity-based divisions still prevail. Procedures and principles that mainly regulate the allocation process of goods and status do not account for the contingency that comes with the political sphere, nor do they go beyond from the ideal of impartiality in which varying contexts and particularities are subjected to a totalizing form of rationality that not only does away with affections but also renders the individual as an entity that has no foundation but oneself. These idealized abstractions depend upon the exclusion itself; since presupposing a particular mode of institution,

which then constructed as universal, is to negate all other possible ones. That means there exist different groups of people who face injustices that are not even addressed, perhaps deliberatively, within the framework of liberal justice.

For instance, Kurdish population in modern day Turkey are not only rendered incapable in terms of the ways their experiences are shaped in everyday life since their presence in the public realm depends upon the degree to which they submit to a specific system of meaning; but also they are systematically situated as the other towards which structures of domination and oppression are justified through institutional and social processes that are put to use for disacknowledging the demands arising from the identity in question. A concrete example would be "*Cumartesi Anneleri"* (Saturday Mothers), a term coined for the moms whose children were the victims of forced disappearances. They have attended series of protests, so as to voice their experiences, draw attention to the state-sponsored violence exercised upon their loved ones, and demand political murders to be brought into the light of the day. Yet, not only the sufferings were not acknowledged through the implicit denial of the lived experiences by the state, but also, they were put on trial as the result of implementation of the impartial system of jurisprudence where all citizens are subjected to the same laws. However, this is not a particular instance, where a selected group identity is shaped through patterns of oppression and domination. In a similar but more excessive way, Armenian identity in modern day Turkey, is not just a pointer for a minority group with a limited access to the public realm, but also is a manifestation of the construction of an absolute other whose very existence signifies the edges of the dominant system of meaning. It is not just the recognition issues and identity-formations that are not being resolved through liberal framework of justice; the way economic exploitation brings forth a hierarchy between social groups which results in differences as to what is experienced and practiced in everyday life, and universalization of what was once an instituting intervention born out of radical contingency are also left outside of the scope of liberal justice. For example, Syrian immigrants in Turkey, while having Turkish citizenship, are the main subjects of systematic exploitation in that they are channeled into precarious forms of labor, while also being situated in a social position where their experiences, needs and feelings are to not be fully exercised and expressed.

All of the examples above indicate that neither the atomist understanding of the self is capable of addressing the concept of identity in a context-sensitive way, nor the

distributive focus of liberal models wherein justice is almost equated with the allocation of benefits and burdens gives answer for both the tacit and concrete forms of domination and oppression. Therefore, this thesis stands in opposition to the Rawlsian, Gautherian and other accounts of justice where the self is a subject without a history, carried alongside the ideal of impartiality. Empathy, in this context, has a unique significance as a process that can disclose lived reasons and socially situated experiences and foster prosocial motivation, since empathy renders it possible to take into account of the perspectives and experiences of others, particularly of those who are subjected to injustice, and to have an affective reaction towards its object. By coupling a sense of shared humanness between people with empathic concern, i.e., other-oriented responses elicited for the welfare of another, empathy can provide the shift from the accounts of justice where human being is necessarily presupposed as a self-interested desirer. In other words, as opposed to the conceptions where politics is deemed driven by the power struggles and self-interest, empathy brings forth the possibility of being a catalyst for promoting contextual understanding that does not utilize idealized forms of rationality that abstract away from the material conditions and everyday life. Empathy, thereby, brings forth the possibility to challenge the liberal framework through which justice is restricted mainly to the distribution of goods and status, and is organized through the ideal of impartiality.

This study, inspired by the possibilities that empathy offers for an inclusive justice, asks the question of what role does empathy have in relation to justice, particularly in the context of multi-cultural and democratic societies? Following this main question, the thesis also seeks to engage with complementary questions: Can empathy offer a normatively compelling foundation for the pursuit of justice in democratic societies? Should empathy play an inclusive role in regard to the cultural, ideological and identity-based divisions? Does empathy interact with political values such as equality, recognition or deliberation?

To engage with these questions, in its essence, is to inquire about whether empathy has a normative foundation firm enough to be based on when grounding justice so as to challenge the traditional models of justice wherein the idea of impartiality is universalized through a specific form of rationality that considers the person as a self-interested desirer. Therefore, this thesis strives to investigate the normative role of empathy in advancing justice in democratic societies so as to contribute to the ever-

growing field of political ethics. It offers theoretical insights and normative guidelines, addressing both the potential benefits and dangers that can be associated with empathy in its manifestation in political life by combining political theory, moral philosophy, and interpretative qualitative analysis in order to adopt an interdisciplinary approach to address its research questions.

In light of the abovementioned questions, this thesis will argue that empathy has a limited but an indispensable role for justice in that it is an epistemic and motivational necessity for justice under non-ideal conditions wherein withheld recognition, exclusion and domination are prominent. This argument is comprised of two parts. The first of which, the epistemic variant, will claim that empathy is a non-ideal epistemic necessity, because without the non-substitutable access that empathy brings forth, justification of justice principles under pluralism becomes distorted as idealized forms of rationality systematically exclude lived reasons and experiences, which are to be taken into consideration for justification. The motivational variant, on the other hand, will be conducted through two different yet converging lines so as to argue that empathy is a non-ideal motivational necessity, because without the motivational basis it provides, sustaining solidarity under strain and extending recognition struggles beyond the first-person standpoint are not possible, as they require motivational compliance and uptake. However, this dissertation will circumscribe both the epistemic and motivational imports of empathy, because empathy can be socially mediated and is liable to bias, and will offer a hybrid norm with which said risks can be mitigated. As a result, empathy will be addressed as a catalyst that is indispensable, yet on its own, insufficient for bringing about the conditions to achieve justice.

Consequently, the contribution this paper seeks to make is to indicate that through the shared acknowledgment of the other as a center of experience, empathy, in the context of pluralist democracies, offers an alternative to the totalizing rationality of self-interest and impartiality from which justice can be negatively considered in relation to the conditions that give rise to hidden harms and motivational deficits. Such a contribution not only does aim to underpin the efforts given to broaden the scope of justice, but also challenge the eminence of the classical liberal frameworks.

1.2 The Methodology of the Thesis

To consider the main research question as well as the subsidiary questions that derive from it, this paper adopts a qualitative and interpretative approach grounded essentially in political philosophy. Therefore, it makes use of the methods of conceptual analysis, normative political theory and critical analysis. In this sense, so as to clarify the definition and map the concept in a comprehensive manner, a conceptual analysis will be conducted for empathy through identifying its dimensions and components as well as the prominent approaches in its literature. Here, the difference between cognitive and affective aspects of empathy will be investigated for situating the relation between perspective-taking and empathetic concern; while also empathy will be differentiated from sympathy and compassion. Then, the way that empathy is related to moral judgments and motivation will be clarified.

As for justice, although the concept itself cannot be pinned down to a sole definition, a conceptual analysis will be conducted with the objective to indicate that justice, which was once an ethico-political concept that regulates the good-life of community, deals mainly with the distribution of goods and status in its liberal formulations while drawing rigid distinctions such as the one between rationality and emotion. Here, the slippery nature of the concept will be juxtaposed with the contingency of the mode of institution of society as well as the established social and political organizations. In doing so, the relation between justice and political theory will be questioned in relation to the main approaches, dimensions and components of justice.

Secondly, this paper draws from normative political theory so as to answer whether or not empathy has a normative role for justice under non-ideal conditions with the purpose of advancing recognition and capabilities of individuals within pluralist democracies. Engaging with various scholars, such as Rawls (2003a), Nussbaum (2003), Dworkin (2013) and Sen (2011), this paper strives to critique the theories of justice wherein empathy is overlooked or deemed inconvenient to be considered in relation to justice. Therefore, drawing mainly from recognition theories of Honneth and Fraser (2003), as well as from Young (1990), this dissertation critiques the theories of justice wherein empathy is overlooked or deemed inconvenient, and strives to situate empathy within the concept of justice.

Lastly, this dissertation employs critical analysis so as to disclose not only the ideological underpinnings of concepts mainly associated with moral objectivity, such as impartiality, but also the ways empathy can be instrumentalized as techniques that appropriate social sufferings as private feelings so that it would be possible to reaffirm and reproduce the structural conditions according to which everyday instances of injustice is experienced.

1.3 The Outline of the Thesis

The next chapter will make a conceptual analysis as to the concept of justice. It will begin with tracking the shift of both the meaning and scope of justice in modern day as opposed to antiquity. Then, it will set out the dimensions of justice, each of which has a particular understanding towards that which justice is comprised of. After identifying these main dimensions, it will focus upon the different theories of justice and put an emphasis upon the core elements of justice. Finally, it will make a synthesis that indicates the multi-layered and context sensitive structure of justice, while challenging against those idealized conceptions in which justice is divested of power relations and modes of oppression.

The third chapter will also utilize the same methodology and analyze the concept of empathy. Firstly, it will indicate how empathy was first constructed in sentimentalist tradition and its relation to moral judgments. Then, the chapter will investigate the main difficulties surrounding empathy and its directedness towards the other. After that, the chapter will focus on the key distinctions and approaches that structure the concept of empathy, and will strive to clarify the boundaries between empathy and prosocial emotions such as sympathy and compassion. Lastly, the chapter will indicate the core elements of empathy and give a comprehensive definition that bridges the different dimensions of empathy.

In the fourth chapter, the first part of the main argument will be put forward. It will be claimed that empathy is a non-ideal epistemic necessity for justice under pluralism. The structure of the argument will be as follows: the chapter will begin with the presupposition that justification requires inclusion of the perspectives of all affected. Then, it will be opted that justice requires lived reasons and experiences for justification. Subsequent to this first premise, it will be indicated that such forms of experiences and reasons are systematically overlooked through modes of rationality

that utilizes idealized abstractions. At this point, it will be claimed that empathy offers an epistemic access to socially situated experiences through enabling contextual understanding coupled with empathic concern and perspective taking. Therefore, it will be claimed that empathy is an epistemic necessity for the legitimacy of justice principles under non-ideal conditions. The chapter will end with identifying and answering the possible criticisms and limitations that the argument can bring forth.

Subsequently, the fifth chapter will propose the second part of the main argument by arguing that empathy is a non-ideal motivational necessity for justice under pluralism since it functions as a motivational basis from which inclusive compliance for the stability of justice is fostered, and recognition struggles are extended beyond the directly harmed. This conclusion, however, will be laid out through two distinct yet aligned lines of argument. Concordantly, the chapter will first indicate that justice requires motivational compliance for its stability and sustaining solidarity under non-ideal conditions. Then, it will be claimed that empathy provides prosocial motivation through empathic concern, and therefore, it functions as a motivational scaffold for stability and cultivation of solidarity. After this first line, the next one will be stipulated with the assertion that justice is not only distributive but also relational as injustice also extends to the forms of oppression take place in intersubjective relations. The premise will be followed by another that states empathy provides a motivational basis for both the uptake of recognition claims, and for collectivizing recognition-based struggles beyond the directly harmed. Therefore, in order to converge these two lines, the chapter will conclude that empathy is a non-ideal motivational necessity for inclusive justice, meaning that without it, the ongoing civic compliance and recognition struggles become unstable under pluralism. Lastly, the chapter will strive to answer to the objections regarding both the soundness of the argument and the structure of empathy.

In the last chapter of this dissertation, an integrative model will be proposed so as to mitigate the deficits of empathy, and render it consistent on an institutional level. The chapter will at first make an overall summary of the previous chapters by indicating empathy as a catalyst which has an indispensable but restricted role for justice under non-ideal conditions. Then, it will set out a constructive proposal with which empathy can become a reliable device. In this sense, it will offer a normative formula that brings together generalizable rules with empathic engagement, signifying that empathic

engagement has to be practiced through critical scrutiny and directed towards the oppressed. Lastly, the chapter will indicate the practical implications of the said formula through emphasizing upon both the sites and practices that can materialize the potential of empathy.

2. DEFINING JUSTICE: A CONCEPTUAL ANALYSIS

2.1 Introduction

This chapter aims to provide a conceptual groundwork for justice through mapping the main elements, dimensions and frameworks within which justice has been theorized. Rather than advancing a single and overarching conception of justice, this chapter will reconstruct the conceptual terrain in which different theories operate.

In this context, the chapter will begin with a preliminary examination of the concept of justice from a historical and conceptual perspective, contrasting ancient ethico-political understandings of justice found in Plato and Aristotle with modern liberal conceptions that seek to propose a common idea of the good life. This contrast will be used to show how changing social and political contexts shape both the scope and the meaning of justice. The next subsection will introduce several influential distinctions and demonstrate the ways they structure what justice is about and in what sense it to be pursued. Then, this chapter will strive to map the terrain in regard to justice, introducing several influential distinctions and demonstrating the ways they structure what justice is about and in what sense it to be pursued. Through such an effort, the main features and limitations of different approaches will be emphasized, and the relational and structural approaches to justice will be presented as alternatives that reorients justice toward emotions, social relations, and structural causes. Subsequently, this chapter will highlight the four core elements that recur albeit in different modalities, within diverse conceptions of justice: practical reasoning, agency, impartiality and obligation. This chapter will be concluded with a synthesis that considers justice as a context-dependent, and multi-layered concept that cannot be pinned down to a sole definition.

2.2 The Concept of Justice

From Greek antiquity to this day, justice holds its importance as a concept debated and contested via different theories in the literature of political theory. One can find myriad ways of implementing different values—such as desert, need or equality—into the very design of conceptualizing justice. Yet, the variety in question comes with its own cost, that of the difficulty to reach an overarching definition from which the different conceptualizations of justice adopt a common basis for circumscribing what justice is and what it is about. To illustrate, a general example inspired from MacIntyre's (1988) work that contrast ancient and modern traditions regarding justice, can be given here (pp. 1–12). In Plato's Republic*,* justice is conceived as a virtue that can be found both in the soul (1935, 353b–354a) and in the city-state (1935, 433c). Thus, justice constitutes a basis from which the functioning of the city-state is ordered in the sense that it requires citizens to do that which they are ought to do, which is designated in accordance with the tripartite system of both the soul and social class (1935, 433a–434b). Similarly for Aristotle, justice, in its complete sense, is defined with reference to the idea of good life for all citizens within political community, since it is considered as the sum of all virtues and is exercised in relation to someone else; it is that which is good for another[1] (2014,1129b–1130a). In both of the cases, justice is grounded on an ethico-political framework (Heller, 1991, p. 74) in the sense that it is regarded as an encompassing virtue that necessarily indicates good life for all, since righteousness of a good man can only be ascribed to all in a body-politic that promotes the righteous to thrive. On the other hand, in modern inquiries, and particularly in liberal ones, having a particular assumption towards human nature, which brings about a unified form of good-life chosen for all, is to be avoided as individuals have their own conceptions of good-life. That means the plurality of conceptions of good-life in a modern liberal society, in this context, ought not to be molded into an encompassing concept of justice but to be treated in such a way that every individual is able to pursue his/her chosen ends without indiscrimination. That which this contrast between modern and ancient traditions clearly shows is that conditions, contexts and the mode of institution of a political community inevitably shape both the concept of justice itself and the way it is treated.

[1] Just like Aristotle, Plato also considers justice as "the other fellow's good" (1935, 343e).

The abundancy of the ways justice is conceptualized, however, does not mean that it is simply a vain attempt to seek for an inquiry regarding justice itself since there are common elements, themes and distinctions that surround justice throughout its history. Hence, defining justice ought not to be simply correspond to choosing a particular principle and systematically applying it to all spheres of life; but to an effort to analyze the concept through mapping its terrain without foregoing the diversity it inevitably possesses. It is in this sense one can indicate a general schema for the approaches envisaged in relation to the concept of justice.

2.3 Dimensions of Justice

Here, what is referred as dimensions is actually corresponds to the common distinction grew in time throughout the accounts of justice. In this sense, these distinctions bring about a certain difference as to the nature of justice pertinent enough to be conceived in a different manner. While, through nitpicking, one can identify various distinctions within the concept of justice, this part aims to indicate those that can be considered as main points of departure when conceiving what justice is about.

2.3.1 Ideal and non-ideal justice

Within the limits of ideal theory, philosophers draw from the abstract hypotheticals in order to arrive at a set of principles for justice. Universal assumptions towards the self and favorable circumstances are invoked in order to laid out a perfectly just society. Here, in its extreme form, ideal justice might run the risk of lacking to guide real-world actions, and therefore fail to connect political philosophy with political practice (Farrelly, 2007, p. 846). Non-ideal theory, on the other hand, is fact-sensitive in the sense that it does not presuppose favorable conditions with which it is possible to reach justness. Rather, non-ideal theory strives to address conditions and circumstances, whether be it economical, historical or social, where injustice takes place through actual institutions and behavior, and offers to remedy the selected problems through practical reasoning. Yet, just as its counterpart, in its extreme form, non-ideal theory runs a greater risk as it can simply restrict itself with the current situation and conservatively reach the conclusion that the way things are is still the only convenient answer.

However, the ideal/non-ideal distinction, does not occur only in a biliteral form where an account of justice is formulated completely in line with either one or another. Rather, there are accounts wherein different aspects of both theories are invoked without foregoing the allegiance it pledges. A prime example of such a middle ground, so to say, can be found in Rawlsian canon of justice. In his book, A Theory of Justice, Rawls considers society as a "cooperative venture for mutual advantage" (Rawls, 2003a, p. 4), comprised of free and equal members who are able to recognize and act accordingly to the chosen rules of conduct with which a fair system can be established to advance the good of the said members. Yet, as Johnston (2011) points out, what Rawls proposes almost intuitively is, in itself, highly controversial in terms of history as it nonetheless is a form of abstraction that deliberatively overlooks particularities in order to adhere to an idealized form of society that underpins the principles chosen through the fairness of the original position (pp. 207–209). This is why this idealized version of society is later toned down when Rawls (2005) introduces non-ideal elements in his theory through acknowledging the plurality of modern societies and restricting his idea of society in the sense that it is to be applied towards western democratic societies (p. 441).

Lastly, the distinction in question manifests itself, albeit sometimes only in terms of a familial resemblance of an idea, as a point of departure not only for deriving other distinctions but also for designating the role that practical reality holds in justice. For instance, in the accounts of Miller (2013, pp. 40-48) and Sen (2011, p. 7), one can find different variations of the distinction in question. For the former, a fact-sensitive conception of justice can be brought about by adhering to the contextualism, which suggests to take into account the different social realities and practices when arranging the just distribution while still making objective claims, rather than universalism, which considers it possible to identify principles that are pertinent in each and every situation, regardless of the context it is employed (Miller, 2013, pp. 41–46). In a similar way, for the latter, the ideal/non-ideal distinction translates into the difference between transcendental institutionalism, where the attention is given to identify perfectly just institutions whereby society can be well-ordered, and realization-focused approach whose main aim is to mainly combat with manifest injustices within the community it is embedded in (Sen, 2011, pp. 7–8).

2.3.2 Distributive justice

One of the main points of discussion regarding modern day conceptualizations of justice lies both at the scope and the content that ought to cover that which justice is about. In the accounts regarding justice and the way it figures into political philosophy, that which garnered the most attention has been the distributive justice. It refers to the allocation of goods, status and other resources. It is about the process of how resources are distributed by the agent of justice towards its myriad recipients, and therefore manifests a certain principle according to which the due of each recipient is designated. For instance, in the Aristotelian framework, distributive justice describes allocation of material goods and honors between equals in relation to the contribution they make in political community, and as the famous flute example of Aristotle illustrates, the criterion on which his conception of distributive justice rests is merit which signals proportionality between equals and unequals (2014, 1131a-b). For contrast, the chosen criterion might as well claim that resources are to be distributed in accordance with the need that each has, as it is the case in the maxim "to each according to his need" (Marx, 1875/2017, p. 16). As is seen, distributive justice is to be considered in different senses, yet it corresponds to how benefits and burdens; material resources and social status are to be allocated among the members of society, and hence, brings about a presupposition towards the social structure and the mode of institution of society. The chosen presuppositions and principles can affirm an individualized sense of society where impartiality prevails; as well as oppose the way individual is atomized. Thus, it brings about a distinction between the concept and the conception of justice in the sense that the former corresponds to distribution process itself; the latter, on the other hand, is considered as the interpretation of this process, meaning that, it signifies different set of principles and ways chosen for bringing about a certain form of distribution (Hart et al., 1994, p. 158; Rawls, 2003a, p. 5). It is not a surprise, in this sense, that there exist multiple traditions and principles within which the process of distribution takes different shapes.

2.3.3 Procedural and substantive justice

The distinction in question and the types of justice derived therein is about the sense that justness is achieved. In this sense, the former is concerned with the procedures that ought to be used when allocation goods, status and resources amongst recipients;

while the latter is about the outcome of final distribution. Here, it is intuitive to conceive the procedural justice as a function of its counterpart, since a fair procedure is generally expected to bring about fair outcomes. For instance, when there exists an examination to become a public official where all are selected according to the scores they get, it would not be implausible to expect that those with the highest scores are to be appointed to the said spots. However, this does not mean that procedural justice has no fundamental importance on its own. Procedures themselves designate that which is adequate for bringing about the intended results, while also carrying with themselves the implicit moral judgment through the criterion implemented. This is why it is possible to find a taxonomy between the types of procedural justice. For instance, Rawls (2003) argues that there are three types of procedural justice (pp. 74–77). The first of which *is* "perfect procedural justice", which rests on a prior criterion through which a just outcome is guaranteed. The second is "imperfect procedural justice" which is, just as the former, based on an independent criterion but does not bring forth the fair outcome at all times. Lastly there exists "pure procedural justice" which exists when there is no anterior principle to be based on and therefore no independent criterion when deciding upon how benefits and burdens are to be distributed amongst members of society. Thus, principles are to be considered fair should the designated procedure is properly followed—since this is the only possible option left for attributing the justness. As is seen, procedural justice, albeit through implicit means, holds its importance, sometimes independently of its particular outcome.

In the context of accounts of justice, it would not be inconvenient to differentiate them in relation to their approach towards the role that procedures and outcomes. Here, for instance, an extreme attachment towards procedural justice can be found in Nozick (2001) who claims that the outcome is irrelevant in regard to the allocation of resources, as long as such allocation is made in terms of a procedure with which the possibility of infringing that which people own due to their entitlements, or in other words, fundamental rights is negated (pp. 150–151).

2.4 Approaches to Justice

As is emphasized, justice is a concept envisaged through invoking different principles or prioritizing a particular reasoning with which the concept itself ought to be defined. Therefore, an analysis striving to hold justice as its subject matter ought to face the

prominent conceptions of justice and the approaches arising from adopting a certain understanding towards justice. Only then, can one hope to establish a framework with which that which justice is can be explored in all of its complexity.

2.4.1 Fairness-based approaches to justice

John Rawls (2003a), in one of his most well-known works, A Theory of Justice, sets out to propose a theory that situates justice as the "first virtue of institutions" as it is the virtue that organizes structure and mode of society (p. 3). In this respect, Rawls puts forwards the idea of the "original position", which corresponds to a hypothetical initial stage of equality, so that principles regarding the structure of society can be designated fairly (Rawls, 2003a, p. 10). In the original position, individuals would not be able to know their status, skills, conceptions of good life and possible positions in a given society. That way, the "veil of ignorance" cast upon the free and rational individuals render them mutually disinterested against each other without nullifying their will to pursue their own interests. For Rawls, a position where parties have similar standings and could not advocate for principles that favors particular conditions and positions (2003a, p. 11), is the terms required for reaching fair agreements on the fundamental principles regarding the basic structure of society, that is, justice as fairness.

As for what would the chosen principles be in the original position, so as to assign basic rights and distribute the benefits and burdens, Rawls argues that there are two principles of justice with which the basic structure of society is arranged in line with considered moral judgments of the parties taking place in this hypothetical setting. The first is equal liberty which Rawls describes as the principle where all individuals hold equal right to the most exhausting system of basic liberties (Rawls, 2003a, p. 220). These basic liberties, such as freedom from coercion, political liberties or freedom of thought, for Rawls, are to be considered as for their own sake, meaning that, liberties cannot be overridden in account of a greater social or economic benefit whatsoever (2003a, pp. 53–54). Subsequently, the second principle that would be agreed upon in the original position is the difference principle which suggests that distribution is to be arranged in a way that ensures the greatest benefit of the least advantaged (Rawls, 2003a, p. 266). That which is evident, at first glance, is that Rawls discredits such conceptions where the idea of merit is considered as the main determinant in regard to

distribution of resources. Nor does he find equal opportunity sufficient on its own for a well-ordered society. Rather, social and economic inequalities are to be regulated through arrangement made in favor of those in the worst position since neither the natural talents with which one was born, nor the positions that one is situated after the basic structure of the society is designed are deserved; instead, they are social contingencies and therefore not fit to be considered as just or unjust (Rawls, 2003a, pp. 86–87). As a result, therefore, whilst the original position and veil of ignorance bring about a fair situation wherein impartiality is emphasized both through the selection process of the principles, and in general as a value to be uphold so as not to arrive at a certain unified form of a good life ascribed to all, the two principles in question become the main pillars of Rawlsian justice in terms of creating and maintaining well-orderedness of society at the level of the basic structure[2].

In the Rawlsian contract, however, the absence of an affective dimension, which results directly from the individualistic conception to which Rawls adamantly appeals ought to be emphasized. Herein, the fact that Rawls draws from rational choice theory and portrays ahistorical picture through abstracting the individual from the social in the form of self-interested desirers, underpins the claim that in the original position parties are mutually disinterested and excludes empathy and other elements of caring in a systematic manner. Rawls deliberatively negates the very role that can be played out by empathy in the original position because the veil of ignorance makes it rather impossible to take in another's perspective in an other-oriented way since one would not even have a clue as to the other's situation, conception of good-life and social position. Instead, in Rawlsian justice, the place of empathy is replaced by the self-interest which is nonetheless restricted through impartiality.

2.4.2 Entitlement-based approaches to justice

As a staunch defender of libertarianism, Nozick (2001) strived to alter the eminence of Rawlsian understanding of justice, while also adding another account to the growing critique of utilitarianism, through his entitlement-based approach to justice, in which it is supposed that there are natural rights seen as entitlements that cannot be coerced or violated by institutional mechanisms, regardless of the situation (pp. 10–13).

[2] There is also a personal level which indicates duties and obligations at the level of individual for bringing forth a well-ordered society.

Therefore, any redistributive pattern aimed at relocating that which have been rightfully acquired by individuals, within the limits of its historical legality, necessarily violates the rights of individuals, such as right to property, or liberty.

That which ought to be unpacked, in this context, is the way Nozick envisages a conception of justice dependent upon his theory of rights. Drawing from a Lockean state of nature where everyone is endowed with natural rights, Nozick (2001) considers rights are inviolable but "side constrained", meaning that they are to function as constraints upon actions that violate them rather than being ends in themselves (pp. 30–31). Within such conception, wherein rights become entitlements and cannot be possibly taken away through coercion or pursued as an end by others, justice is to become a matter related to ensure non-violation and rightful enforcement of rights. Therefore, Nozick argues that justice, in the context of distribution, takes its subject as holdings, which, then, is conceived within three principles (2001, p. 150). The first is the acquisition of holdings which suggests that the right to property for an unowned object is derived when one mixes, or appropriates, their own labor with the object in question, so long as the appropriation does not cause the worsening of other's conditions (Nozick, 2001, pp. 174–175). While the second one is the transfer of holdings wherein the right to property is transferred through voluntary exchange, provided that the previous owner holds the right to its property. The last one is the rectification of past injustices, which is related to the rectification of the situations where a property is a result of a past injustice (Nozick, 2001, pp. 151–152). In this respect, distribution is just as long as people in question are entitled to their holdings through either of these three principles of justice (Nozick, 2001, p. 153). That means, the end-result is to be negated by the very fact that distribution in question has come about through the intended procedures. Lastly, the emphasis on the procedural principles only grows stronger as Nozick considers his theory of justice as historical, distinguishing it from the other theories that are either end-state or pattern oriented. Accordingly, he argues that conceptualizing the process of distribution in accordance with a certain end-state such as equality, or merit, and designating a pattern according to from which resources are to be distributed can only correspond to taking away the properties of individuals, which were justly acquired.

Yet, Nozick's conception of distributive justice has its own flaws due to the varying elements and presuppositions adopted within his theory. As Campbell (2010) argues,

the Lockean proviso, which stipulates that no one should acquire so far that there exists nothing for others, contradicts with pure procedural form Nozick strives to implement as it can bring a purpose to the whole system of property acquisition (pp. 59–60). Secondly, while claiming to be historical, Nozick gives a fairly redundant picture of history, devoid of any consideration regarding social structures which shape the ways that resources are distributed while also ascribing a fairly atomist quality upon individuals through its over-emphasis upon autonomy. Overall, it paves the way for the ground shaped by an assumed fixity upon order of things, in which one can found no alternative as to different forms of oppression.

2.4.3 Utilitarian-based approaches to justice

At the surface, utilitarianism and its different variations are amongst the most criticized theories in the context of justice. This is because, not only the general happiness principle, which suggests that an act is right in proportion to the satisfaction it creates, and wrong in proportion to pain it causes (Mill, 2003, p. 186), but also the general feasibility of the concept of utility tends to override that which is intuitively thought about justice, particularly in the sense of giving each her due. Since, within the classical utilitarianism, main focus is upon the consequences, and whether the net total of happiness, i.e., aggregate welfare of all members of a community, is maximized through distribution, it is in direct contrast with desert-based approaches which emphasizes history so as to eliminate past injustices and put up a fairer system based on a designated desert criterion. Yet, Mill (2003) did not shy away from this apparent contrast, and acknowledged the desert as one of main aspects of justice as it brings about perfect obligations with which individuals make moral claims that necessarily require protection (pp. 226–228). The problem is such moral claims are made against the variety of backgrounds wherein individuals cannot take the full credit of the desert base in question. For instance, one's achievements are also shaped by the morally arbitrary conditions such as social status one born in or one's natural talent. In order to escape this inner impasse, it would, once again, be plausible to turn to the principle of utility and find out in which base, people's choices generate most utility (Mill, 2003, pp. 229–230).

Aside from Mill's effort to find a common ground for the principle of utility and justice, utilitarianism generally figures in justice through its two strands. The first is

preference utilitarianism, according to which distributing the most aggregate amount of welfare can be realized through giving as many people as possible the most welfare available. However, this type of utilitarianism, in practice, corresponds to the realizing the wills of the majority, and causes serious harms to minority groups (Campbell, 2010, pp. 120–121). Subsequently, the second type is rule-based utilitarianism which indicates that the net total of aggregate welfare can be maximized through rules that brings about the most satisfaction, or the least pain, should it be properly followed, and therefore it makes it possible to maintain formal equality, since utility is not conceived as the sole principle that governs the order of the social. Yet, such variant is still subjected to peculiar outcomes that might come depending on the chosen rules, such as institutionalization of slavery. Lastly, in contemporary conceptualizations of utilitarianism in regard to justice, that which is mostly emphasized is the prioritarian variant, wherein the outcomes are ranked in relation to their betterness. This priority view is championed by Derek Parfit (2000), according to whom the worse the people are the more it matters to benefit them (p. 101). Not only is this an explicit distributive principle made in accordance with maximization of the welfare of the worse off, but also it maintains a non-comparative aspect as that which matters is the maximum level of individuals. In this context, the priority view that Parfit suggests sharply departs from the classical utilitarianism where the well-being of people is not taken as a separate aspect to be ranked in order to designate the way distribution take shape.

Nonetheless, utilitarianism in general is criticized in two main grounds. First off, it is argued that rights are overridden by utility, and therefore leads to the emphasis upon greater good regardless of the situation it brings about for particular individuals whose rights are violated. Secondly, the utilitarian maxim when implemented as a justice principle can easily lead to the tyranny of majority wherein the sufferings that minority groups might be subjected are justified.

2.4.4 Egalitarian-based approaches to justice

One of the most circulated notions associated with justice is equality. Yet, the concept of equality holds in itself a complex structure as not only that which equality means but also how and to what extent it is to be exercised differ. Hence, when it becomes juxtaposed with justice, there exist different variations with reference to designating its role.

2.4.4.1 Luck egalitarianism

As opposed to its pure egalitarian variant, luck egalitarianism is responsibility-sensitive, meaning that it does not offer a strict equality upon goods, status and resources; rather, it justifies certain inequalities so long as they are the end-result of a deliberate choice of the related subject. In this sense, one of the most featured accounts regarding luck-egalitarianism belongs to Ronald Dworkin who depicts a market-oriented version of resource-based equality. According to Dworkin (1981a), equality ought to be understood in terms of resources, rather than welfare as the latter is not only untenable as it cannot possibly fare well against the arguments such as expensive tastes[3] but also the very notion of welfare can be interpreted in myriad ways and thus, there exist different variations even for the criteria of welfare from which equality is measured. Instead, Dworkin (2013) offers a normative basis in which individuals are placed at the center in that one's behavior and decisions are to be considered as having fundamental importance, and in which rights as treated as "trump cards", ultimate one being the equal concern and respect that corresponds to being treated equally as human beings who are capable of suffering and of having a conception of a good-life (p. 326).

Dworkin builds upon his normative basis through envisaging a hypothetical situation of an auction in which resources are distributed in accordance with the principle of equal concern and respect. Accordingly, the participants of the auction are given the same amounts of selected means to bid for the lots designated by the auctioneer[4], and the division that emerges after that transaction is put to "envy test", meaning that, it is rearranged until no one would want to acquire another's bundle of resources, rather than her own bundle (Dworkin, 1981b, p. 285). Herein, the bundle of resources auctioned as lots are exclusively related to resources owned privately, and the value for each bundle of resource is to be designated through market economy because the market itself gives everyone the same means and opportunity to pursue one's own

[3] The expensive tastes argument claims that when equality is considered in terms of welfare, more resources are to allocated to those who happen to have expsensive tastes than those who do not, meaning that it brings about a morally arbitrary advantage.
[4] Because no one is antecedantly entitled to any of the resources.

personal preferences with the help of the envy test (Dworkin, 1981b, p. 284). Therefore, Dworkin considers the as-if market not just solely as a mechanical device but also as an institutionalized form of an adaptive process that underpins the idea of equal concern and respect. It is in this context Dworkin argues that the distribution of resources is allowed to be "ambition sensitive", which refers to the situations where inequality is being brought by the outcomes of the preferences and ambitions of the persons participating in the auction, since those who have taken greater risks or chosen to spend less ought to be able to acquire their gains (Dworkin, 1981b, p. 311). This is the manifestation of the desert-based underpinnings of Dworkin's theory.

However, there are two main problems within such conceptualization of justice. The first is the lack of consideration regarding emotions as it can be seen that there is no place for intersubjective experiences, every person is subjected to being a self-interested desirer whose position and identity in different spheres are at the mercy of the results of the auction. Therefore, neither pro-social emotions such as compassion or sympathy, nor any empathic attunement towards another is given importance. Then, the second one is the very separation between personal and external preferences indicates that it is simply feasible to differentiate the nature of preferences. That means, not only does it overlook the social sphere wherein one's preferences are shaped, but also it negates the flux occurring within the relationality between personal and external preferences because individuals might as well have external underpinnings in their self-interested desires, and vice versa.

Another prominent scholar defending a form of luck-egalitarianism is G.A. Cohen (1989) who agrees with Dworkin as to the dismissal of equality of welfare, and who, just as Dworkin, emphasizes on individual choices and responsibilities. However, for Cohen, the problems posed by equality cannot possibly be solved through shifting the focus solely on resources; rather, both the welfare and resource are to be incorporated into the conceptualization of justice. This is why Cohen suggests a new principle for egalitarians with which it is possible to alleviate the inequalities arising from the lack of capabilities and deprivations. The principle in question is the "equal access to advantage" which suggests that involuntary disadvantages are to be eliminated, and which presents a broader extent than that of welfare (Cohen, 1989, p. 907). That which is referred as involuntary disadvantages corresponds to brute luck which indicates those sufferings wherein the sufferer cannot be held responsible as the result is not

directly caused by one's choice (Cohen, 1989, p. 916). Hence, for Cohen, justice, which can only be fully realized when the access of each individual to "desirable conditions of life" is equal, is a compromise between self-interest, or the choices it brings forth, and the claims of equality (Cohen, 2008, p. 71). Although, Cohen departs from Dworkin's idea of equality of resources, the same criticism made against Dworkin nonetheless holds also true for him. Not only does he overlook how emotions and emotional process might affect the interpersonal relations, and can ground the motivation as an alternative element aside from rationality; but also, he neglects social oppression wherein one is subjected to failure of recognition, which leads to the disruption regarding the development and maintenance of full agency.

2.4.4.2 Capabilities approach

As Sen (2011) claims, every conception of justice has an informational focus with which it designates the subject matter of justice and assesses the situations accordingly (p. 231). The capability approach, in this sense, takes its informational focus as overall individual advantages and strives to judge society accordingly since, within the system of meaning this approach makes use of, capability refers to a person's real opportunity to do the things that one reasonably values, or to real freedoms to achieve valued functionings (Sen, 2011, pp. 232–233). This informational focus, however, does not give blueprints for concrete situations in relation to policy-making, but does create a new line of analysis for the concept of equality through its stress on the difference between the capabilities of individuals which designate the choices and opportunities that one has for pursuing and fulfilling the ends that one value. Therefore, it does not designate the means, such as income, status and in general primary goods that Rawls amply stresses, as the ends for a good-life, but rather, it considers them solely as means for pursuing other things, that is, as different types of instrumental good. While it draws from the Rawlsian principle of liberty, capabilities approach departs from Rawlsian justice as it does not purse what Sen calls "transcendental institutionalism" whereby a perfectly just society is described. This also holds true, albeit in a less explicit way, for Nussbaum too as she indicates that capabilities approach does not give a full political account for envisaging a just society (Nussbaum, 2006, p. 155). The main difference between Nussbaum and Sen, however, lies at the fact that the former indeed designates specific fundamental capabilities without which leading a dignified life is impossible; while, for the latter, the capabilities can be of varying

degrees of importance in accordance with the context in which they are employed. The difference, therefore, stems mostly from the ways they contemplate on the concept of justice. For Sen, justice is to be considered in terms of a "realization-focused comparison" (2011, p. 7) approach where the focus is to disclose the concrete forms of injustice in already established societies through public reasoning from which comparative judgments as to the functioning of human lives are derived. Nussbaum, on the other hand draws much more from Rawls as she depicts an idealistic, albeit a limited, picture in virtue of the emphasis she puts on human dignity and of establishing basic and universal entitlements fixed for each and every individual.

However, in the context of the capabilities that Nussbaum puts forward, main problem is not that empathy and pro-social emotions such as compassion or sympathy, are dismissed, but they are conceived in a static manner. However, affections and affective processes are relational; they incorporate relations of towardness, meaning that emotions themselves shape, and being shaped by the objects (Ahmed, 2014, p. 7), which means they are entangled with the social wherein cultural practices, symbols and relations of power reside. This is not surprising as the way Nussbaum conceptualizes justice lies squarely with liberal tradition where the main emphasis in on individuals and universalized entitlements ascribed to them (Nussbaum, 2006, p. 216). As for Sen, the main issue that ought to be stressed is the dichotomy between his invocation of a contextual method and his reliance on the device of impartial spectator, whereby objective and disinterested judgments are to be made within the context of public reasoning, signifying the possibility of abstraction in virtue of sociability, affiliations and particularities that comes with being in a political community.

2.4.4.3 Relational justice

Relational justice posits an alternative route for going beyond the dichotomy between rationality and emotions, while also broadening the way that justice is conceived. It is through this relational justice that empathy and other related pro-social emotions figure into, or rather underpin, the disclosure of sufferings occurred as the results of both implicit and explicit forms of domination and oppression, and are utilized for recognizing the other as a person of equal worth who has particular needs and capabilities.

One of the main tenets of relational justice is recognition theories which strive to broaden, or in certain accounts resituate, the scope of justice towards the matters that arisen in social relations and everyday practices. That means a partial departure from distributive justice so as to incorporate the issues, such as loss of self-respect, esteem and exclusion, into the considerations regarding justice in general. Here, one of the prominent works, which accommodates the demands arising from social movements, as well as everyday practices of social sufferings belongs to Nancy Fraser. For her, justice requires both recognition and distribution, and therefore, one ought to strive for arriving at a critical-theoretical framework that functions both with recognition and redistribution (Fraser, 2003, p. 9). In the former, injustice take place as a result of status formation of society wherein institutionalized patterns of values impede the subjects from participating in social interactions as full partners, meaning that there exists a status subordination as to one's standing in social life (Fraser, 2003, p. 17). Here, recognition is taken as a matter of justice, rather than self-realization as it indicates the relation of subordination with which one's social status is impaired. In the distributive sphere, however, injustice is manifested through the maldistribution within economic structure, and exploitation of one's labor through the institutionalized patterns of the mode of production (Fraser, 2003, pp. 15–16). Thus, that which is required to eliminate injustice here is the redistribution of material goods and resources so that the subject can be truly independent. Yet, in practice, the issues such as gender and race, are multi-dimensional, requiring the incorporation of the both spheres of justice, which interact with each other without being irreducible to one another (Fraser, 1995, p. 74). Therefore, Fraser (2003) argues that distribution and recognition is to be harmonized through what she calls as the "parity of participation", according to which justice is to be realized when each person is able to interact with each other as equals through the rearrangement of the relevant institutionalized patterns of the social, which requires not only the distribution of resources in a way that gives voices to all but also institutionalization of values that express equal respect and esteem for all (p. 36).

Another important scholar who considers recognition as fundamental to justice is Axel Honneth. However, for him, justice does not require a dual structure; rather, Honneth (2003) argues that recognition itself is able to subsume those matters which conventionally belongs to the distributive sphere of justice (p. 126). Yet, this is not the only difference between Honneth and Fraser, as for the former, the concept of

recognition has clear Hegelian roots, meaning that it is to be conceived as a form of self-realization which occurs when the subject acknowledges as well as being acknowledged by the other. This emphasis on mutual recognition is underpinned by the idea that any impediment upon the identity-formation of a person is to be considered as a form of injustice which indicates a "social injury" against the ways one interacts as well as experiences the world. In this sense, the very experience of injustice stems from the withheld recognition, modalities of which are to occur in relation to the one's quality that one consider as being unrecognized (Honneth, 2003, p. 135). The fundamentality of given to recognition, therefore, makes it possible to understand justice through the moral grammar of the recognition-based struggles wherein self-realization, or what Charles Taylor (1992) calls "vital human need" is at stake (p. 26). For Honneth (1996), thereby, the dependency as to intersubjective recognition is shaped by the particular mode in which granting of the recognition manifests the pattern of institutionalized recognition order within a society. That means, not only does distributive matters of justice can be considered as sufferings arising from the specific spheres of recognition, such as the spheres of legal and achievement recognition, but also justice itself is to be equated with securing the conditions where the identity-formation of an individual which is rooted in mutual recognition is to be adequately realized (Honneth, 2003, p. 174).

The other prominent tenet of relational justice is care-based theories which are perhaps one of the most explicit theories that challenges the prominent principles of modern liberal understanding of justice. The first, as emphasized in various sections, is impartiality, in which all individuals are to be subjected to same norms and laws but nonetheless creates justification for neglecting the varying needs as well as particular capabilities of each individual. Subsequently, the second one corresponds to the motivational ground of liberal theories, that is, self-interest. Here, rather than considering the atomist portrayal of the self and thereby ascribing the universality of the idea of autonomy, care ethics depends on the interdependency between people since it assumes that it is not possible to exist without being cared for and that the self cannot be realized without the context and social structure in which it is embedded.

2.4.4.4 Structural justice

Herein, justice is not mainly conceived, through the unifying logic of impartial reason, as a matter of distributing goods, resources, and status, but as a matter of structuring social relations and eliminating forms of dominance so that individuals stand in relations of equality, recognition, and non-domination. Structural justice in which the idea of impartiality is to be loosened by the emphasis on the varying contexts and particularities regarding social structure and by a form of rationality that makes it possible to envisage beyond the dichotomy between communitarianism and liberalism, posits an alternative route for situating justice within the context of structures that pattern both opportunities and burdens as they correspond to the social positions within which fundamental life prospect of persons are located (Young, 2001, p. 14). Moreover, due to its criticism upon the overemphasis regarding distribution, structural justice is at odds not only with the logic of distribution in which institutional context is either ignored or presupposed in a way that clouds injustice related to routinized practices and class relations, but also with impartiality on which allocation process are grounded as it is but is but a systematic disregard for the social structures and contexts so that even the forms of oppression are subjected to the totalization in which no other possible alternative is left when deliberating about justice.

One of the leading accounts of structural justice belongs to Young (1990) who claims that institutional context is broader than mode of production as it involves any structure or practice, routinized by norms and values, which inhibit people from participating in collective actions and from exercising their capabilities (p. 22). This is why Young's conception of justice stands in a close relation with recognition theories and care ethics with their shared focus on the particularities and conditions that render people unable to express themselves and communicate in an equal ground.

That which is striking about Young is not that she begins to conceptualize justice through exposing the deficits of distributive paradigm wherein an individual is to be regarded as a self-interested desirer whose conception of the good is abstracted from that of its community and prioritized as opposed to the social so that a basis that negates all the flux of particularities and intersubjective experiences can be established, but that she makes a taxonomy for the constrained conditions of injustice in the form of oppression and domination. While the former depicts institutional processes which prevents people from realizing and maintaining their individual

capacities; the latter considers social structures through which self-determination is restrained (Young, 1990, pp. 37–38). Consequently, justice is to be defined as the realization of the institutionalized conditions that requires that basic needs of every person are met and that the public engagement is ushered for designating the collective good that ought to be pursued within the framework of democratic processes (Young, 1990, p. 91).

2.4.5 Desert-based approaches to justice

Justice, when conceived in relation to the concept of desert and meritorian arguments, can be traced back to maxim of giving each to his due, as it is mostly related both to the responsibilities and rights that people have. While the notions of merit and desert can be differentiated from each other in that the former is about individual qualities that a person can possess, whereas the latter is about the acts that has been done by an individual, they are fundamentally connected and interrelated (Miller, 1999, p. 133). Therefore, once can indicate the respective notions without making a strict demarcation between the two as merit can be considered as a secondary desert judgment which depends on primary ones for its moral value, meaning that within the latter desert-basis is established in virtue of a morally relevant action.

Aside from its focus on individuals due to the emphasis put on intentional acts and responsibilities derived from them, as Campbell claims, a desert-based approach to justice is historical; it considers the past grievances as well as the entitlements so as to designate that which is due to individual according to the chosen desert-basis. Secondly, the notion of desert, is value-laden, meaning that it always involves moral judgment with which the other's responsibility and the quality of the action is assessed in relation to a chosen value (Lamont, 1994, p. 49; Sadurski, 1985, pp. 117–118). This is why desert is to hold a fundamental importance in regard to corrective justice, which is related to compensation of breaches in fair exchanges, injuries and punishments as it functions as a corrective principle invoked when one's legal holdings are at the stake. It mainly is an effort to rectify both the harms and losses, and therefore, is situated at the heart of the relation between the wrongdoer and its victim. The role of desert however, is not restricted to the context of corrective justice; it can easily be invoked in order to designate distribution principles. One of the prime examples of such dual implication can be seen in Aristotle according to whom justice, in its partial sense, is

divided in two as distributive justice, which describes allocation of material goods and honors between equals in relation to the contribution they make in political community, and as corrective justice which indicates voluntary and involuntary transactions between equals governed by arithmetic proportion that sets a mean between the gains and losses (Aristotle, 2014, 1130a–33a). Here, it is clear that both the partial sense of justice is mainly characterized by the desert-based concepts such as contribution and arithmetic proportion.

Moreover, in the context of distribution, there are two main approaches regarding desert (Lamont, 1994, pp. 57–58). The first of which is effort-based understanding of desert where that which a person deserves is designated by a corresponding act she takes intentionally. Here, the assumption is that benefit is to be designated by the effort given by an individual for a certain act, since intentionality can only be fully encapsulated through the concept of effort. Whereas the other approach, i.e., productivity, considers that a benefit is to be deserved through the productivity that one produces. That means, natural abilities, which are deemed as morally arbitrary, can very well figure into the concept of desert.

Lastly, differentiated from luck-egalitarianism, a certain level of equality with which opportunities that individuals ought to have is to be equated can be promoted without negating the inequality created by the people's informed actions and choices so that it would be possible to hold a meritorian theory informed by the principle of equal worth, while also promoting unequal worthiness after the baseline of equal opportunity (Campbell, 2010, p. 246).

2.4.6 Universal approaches to justice

The main aim of universal justice, in general, is to extend the reach of justice beyond the boundaries set by the international system where the interactions between the nation-states are the main point of reference. This means, not only does universal justice set its scope on transcending communitarian reasoning in which people are to be defined with communities they are embedded in, but also overcoming its close relative, that is, international justice as the latter is to be incorporated into the concept of justice within limits of nation-states. Particularly due to the rapidness that globalization has reached in the last decades, owing much to the neo-liberal practices with which migration and growing interdependence between institutions, states and

actors take place as the results of systemic economic integration, the obligations arisen out of justice is to be expanded in a way that considers the systemic inequalities between different regions of world, the spawning climate catastrophes or the cases of that which is labelled as terrorist attacks aside from wars. Therefore, the concept of justice is expanded in accordance with the extent of the problems to which it strives to answer.

In this sense, the accounts of universal justice tend to inquiry about not only that which is owed to one another and between states but also to the be distant others. Yet, this is one of the most controversial matters within the scope of globalization as the lack of legitimate body vested with the power of coercion renders it precarious even the applicability of the assumed obligations, even should one choose to affirm it. Nonetheless, that which is explicit with the invocation of universal justice, regardless of its practical outcomes or theoretical variations, is the fact that it brings forth a unique way to contemplate upon the concept of justice without marrying it with the realism-based patterns of thought.

2.4.6.1 Cosmopolitan justice

Cosmopolitanism is a well-established tradition whose roots can be easily traced from antiquity to classical and modern periods (Appiah, 2007, pp. xiv–xv; Campbell, 2010, pp. 227–228; Caney, 2006, p. 4). That which is striking, then, according to Pogge (2005), is the fact that all cosmopolitan accounts share three basic assumptions: individuality, which means the subject matter of justice is persons, rather than the communities or other social units they belong to, universality, according to which every person is to have an equal worth, and the last one is generability, which depicts ultimate unit of concern for all persons regardless of their close bonds, or the lack thereof (p. 85). These elements shared by all conceptions within the limits of cosmopolitanism are the affirmation of the universal bindingness of both the obligations, and the concern that each ought to have towards others. Yet, approving the said criteria does not come the mean that the way justice is conceptualized is to be similar. Quite the reverse, as the accounts can be differentiated through an emphasis derived from a selected moral theory in relation to ascribed cosmopolitan idea.

Another point, which implies a departure from the commonality introduced with the three distinctions above, is that there are two main types of cosmopolitanism (Pogge,

2005, p. 86). The first of which is legal cosmopolitanism whose aim is dedicated to bring forth a body of institutions through which it is possible to establish a global order so that all persons have equal rights and duties. The second one, moral cosmopolitanism, however, stands as a more abstract type, which assumes that all persons are in a certain moral relationship with one another, and therefore ought to be treated with the same status regarding their equal moral worth. While possessing a weaker practicality against its counterpart due to the level of abstraction it has, moral cosmopolitanism furnishes the possibility to be conceptualized in various ways depending on the chosen principle for stressing how such a moral concern is to be fleshed out.

Aside from this fundamental distinction within its structure, it is to be emphasized that the universality criterion of cosmopolitanism, while being criticized as an reductive condition, is balanced by the individuality one so that the variety regarding the good-life is protected through respecting the differences, values and beliefs without aiming to converge all in a particular mode of life (Appiah, 2007, p. xv; Caney, 2006, p. 6)

Consequently, the main assumption, which holds true for any cosmopolitan accounts, in relation to justice is that principles of justice ought to be applicable both for domestic and global level, as there is no morally fundamental different between these two spheres (Caney, 2006, pp. 265–267). The principles designated for domestic sphere, therefore, are to be carried over to the global sphere. For instance, should luck-egalitarian principles be adopted, then, cosmopolitanism requires that those who are affected by the brute luck are to be compensated globally. Yet, this assumption does not indicate that one sphere can be subsumed into other, but that there can be consistent application between them. While the reasoning might be different as to why there exist no morally significant difference between the two spheres, for instance O'Neill (2000) considers globalization as the main cause for the need to revise the boundaries of justice (p. 3), the same consequence nonetheless holds.

2.4.6.2 Environmental justice

The last branch of global justice is climate justice wherein the main point of reference is set upon the duties owed to future generations as well as to the world that people live in. Yet, aside from injustices about the transnational distribution of resources, that which is given rise to growing importance as to this particular dimension of justice is

inevitably bound up with the growing global threat due to climate change and greenhouse pollution, and it is in this sense both the matters related to economics and philosophy become intertwined within the context of climate justice (Kanbur et al., 2018, pp. 2–5). For instance, Rawls (2003a) argues that people have a duty for saving to the point where the next generation would not be left with social circumstances wherein it is not possible to exercise equal liberties effectively (p. 254). Then, the duty of a society is to maintain the just institutions and the base they are grounded on so that future people would not be in a worse off situation than their previous generation. This is, then, as Rawls calls it, the "just savings" principle which suggests an understanding for future generations in order to preserve and realize the main tenets of just society through carrying designated burdens (Rawls, 2003a, p. 259). So, in the context of climate justice, just savings requires not only a concern for the economic burdens arising from climate change, but also the maintenance of the conditions of life, without which it is not possible to exercise one's liberties, in accordance with the impact climate change can leave upon the mechanisms of just institutions.

In this context, that which is open to controversy is the criteria that designates the extent of the duties owed to future persons and the way how they can be distributed amongst the agents of climate justice. For instance, polluter pays principle, while ascribing a responsibility to the states with higher carbon emission, it also implies that the extent of responsibility can be restricted via material means. This is why, in an attempt to designate the scope of responsibility, Caney (2018) stipulates "causal impact principle" according to which the impact of the actions and inactions of the agents towards future people is that which designate the extent of the duties they ought to be held accountable for (p. 163). Yet, responsibility for him, is grounded in capabilities approach which requires the realization of a threshold level for every person in regard to basic capabilities (Caney, 2018, p. 165).

Consequently, climate justice is concerned with the shared burdens and responsibilities in regard to climate change and with the ways how its impacts can be mitigated fairly (Kanbur et al., 2018, p. 1). This requires accounting for both the principles of justice chosen for the global sphere and for the relation between and within generations.

2.4.7 Particular approaches to justice

That which is situated as the direct opposite to the universal conceptualization of justice is particular justice, which is mainly manifested through statism and the context-dependency of human societies. This is because it supposes that the main reference point regarding the applicability of principles of justice is states, or political communities in a more general manner (Walzer, 1983, pp. 28–30), and that consistency between global and domestic spheres of justice is not plausible as the former is comprised of entities which cannot be subjected to the same principles to which citizens in political a community are subjected. This is because, within a state structure, citizens can be legitimately coerced to follow the obligations and respect the rights derived from designated principles of justice. Moreover, shared institutions within the community renders it possible to justify special obligations for citizens. Whereas, in the global sphere, there exist no such body that can coerce every sovereign state to follow the chosen principles. Here, the justification through that the lack of ultimate authority, as Barry (1999) argues, indicates the Hobbesian roots that statism carries with itself (p. 15).

Yet, the appeal to sovereignty is not the only way that statism can be defended as it can quite easily be underpinned by communitarian line of reasoning wherein the very existence of an individual is bound up with community and social relations therein. Although the fundamentality of the social bonds and structures within a specific community can also be invoked by nationalism with an emphasis on a common identity and values, statism nonetheless makes use of the status-quo derived from the boundaries between political communities through promoting the practical reality of being born into a particular social order and hence shaped by its structures. However, it would be wrong to claim that statism overlooks global justice altogether; rather, it is treated, within the context of international sphere, in a secondary manner, which leads to the acknowledgement of limited duties between states. For instance, Rawls lists eight principles of justice pertinent to free and democratic societies within international realm, which touches upon certain universalist notions such as human rights, as well as the practical reality of boundaries (Rawls, 2003b, pp. 35–38).

Consequently, in the context of global justice, the main difference between a statist approach and a cosmopolitan one is that for the former, justice is to be conceived within the limits of societies, whereas for the latter the ultimate concern is the well-

being of all individuals (Rawls, 2003b, pp. 119–120). This indicates that the moral significance given to a particular issue regarding justice would differ depending on the sphere it is originated and the obligations it brings about.

2.5 Elements of Justice

In general, drawing from the taxonomy of David Miller (2021), one can indicate four core elements pertinent in any account of justice, albeit with different modalities: practical reasoning, agency, impartiality and obligations. Here, the aim is not to claim that these elements are present always in similar ways throughout different accounts of justice, but to indicate that they indeed posit questions needed to be answered in one way or another in order to formulate that which justice corresponds to.

2.5.1 Practical reasoning

Practical reason can be generally described as a deliberative capacity through which one recognizes and assesses reasons and beliefs[5]; it grants one the capacity to reflect and make judgments regarding the action ought to be taken (Scanlon, 2000, p. 23). In the context of justice, practical reason renders one able to evaluate competing claims, identify which distinctions between persons are morally relevant, and justify why the chosen principle—such as desert or need—should guide the matter at hand. Thus, as O'Neill (2000) argues, for an account of justice, should it be of a convincing kind, it is inevitable to be built upon a certain conception of reason (p. 11). However, practical reasoning itself is also a complex concept rifled with diversity of enquiries and with its own history. In fact, in one sense, reasoned action can be understood as acting in accordance with the best outcome for oneself through weighting the costs and benefits of each available course of action and circumstance; while in another, it can correspond to act in a way congruent to that which is considered as the ultimate good of all (MacIntyre, 1988, p. 2). Just as it is not the case for justice, it is not either for the concept of practical reason to be divorced from the context it is inevitably embedded in. For instance, even under the assumption wherein disinterestedness is that which guides reason, and therefore justifies whatever is the particular principle on which conceptualization of justice rests, reason is nonetheless dependent upon liberal

[5] Here, there exists no distinction between theoritical and practical reason.

individualism, which ascribes an idealization upon rationality through universalizing self-interest as the motivating factor of actions.

Albeit there are explicit challenges eminent within the concept of practical reasoning, it makes ground for itself, for better or worse, in any conception of justice as it brings forth the very capability to justify chosen actions and principles that ought to provide the basis for justice through its different modalities.

2.5.2 Agency

It is through an agent whose will is able to alter the circumstances of its objects that justice is to render each to his due, since without it, even reasoning about justice, indicated in the previous section, cannot possibly be brought forth. That means, justice requires a form of agency through which it is possible to materialize the conditions of justice. The agent in question is not restricted to a certain individual, since it can be considered in terms of group of people and institutions. This makes it explicit that manifestations of both just and unjust state of affairs are to be contributed by agents in one form or another. For instance, a structural injustice, such as exploitation, is bound up with the institutions that harbors the conditions and practices through which injustice itself is systemized.

Another point regarding agency is its emphasis on the notion of autonomy, which can be conceived either as an independence or as a form of rationality in itself (O'Neill, 2000, p. 29). In the former, autonomy is to be seen as a gradual process where one becomes independent from something; while the latter proposes that autonomy is a fundamental human nature inherent in all. While such distinct depictions indicate that autonomy, as a concept, is not fully coherent, it is even rejected in accounts where it is situated as a justification for regarding person as a self-interested desirer whose conception of the good is abstracted from that of its community and prioritized as opposed to the social. For instance, Sandel (1998) considers that the self when being defined by autonomy becomes located beyond the reach of intersubjective experiences and social bonds shaped in a political community (pp. 62–63). Whether through challenging the notion itself, or situating it as a basis for human nature, a conception of justice has to answer for autonomy, aside from the form of agency it emphasizes.

2.5.3 Impartiality

The third element that are eminent in any account of justice is impartiality. In its restricted sense, it corresponds to consistent and perpetual application of rules and norms to every member of society who are subjected to those very norms and rules. That way, it provides the assurance that there is no arbitrariness as to the treatment of each and every case within the limits of the chosen conception of justice. Therefore, as Miller (2021) stresses, justice has a close relation to the rule of law, which incorporates norms in the form of laws that are to be applied impartially. Although this formal invocation of impartiality can be effective particularly in the context of jurisprudence, it is nonetheless a controversial concept when it is conceived in a more general sense. For instance, impartiality can correspond to the idea which suggests that it is possible to form disinterested and objective judgments. This is particularly evident in certain accounts of justice where the issues needed to be addressed by justice is to be designated by invocation of impartial spectator. In another example, impartiality might function as a totalizing device with which a unity of thought is ensured. In this latter sense, for instance, impartiality can be juxtaposed with the approach where humans are essentially conceived self-interested beings through adopting a specific form of rationality, wherein neither emotions nor the cultural embeddedness of human beings into their societies are to be considered as relevant. That way not only does self-interest and the concept of rationality become enmeshed together but also, they are underpinned by impartiality, which can universalize the way in which particularities, feelings and differences within a political community can be deliberatively negated. This does not change the fact, however, that without deliberating upon how impartiality is to be regarded, it is particularly inconvenient to reach a systematic approach as it is one of the primary ideas evoked for ensuring stability over the designated principles and procedures of justice.

2.5.4 Obligation

The last element ought to be indicated is the obligatory aspect of justice. Here, that which is addressed is no other than the obligations that arise when what is due to one is claimed from the agent that dispenses justice. Therefore, the claims made as to justice becomes inherently different from those acts of charity: one is demanded; the other is given either through begging or benevolence. Should the receiver be denied

his due, then the agent of justice is at the wrong. Then, the demands in question are of enforceable kind, meaning that they are to be fulfilled, or made to be delivered by the agent itself or a third party. The obligations themselves as well as the degree to which they can be enforced change depending on the specific conception of justice. For instance, in accounts where caring is conceived as a separate and dichotomic concept as to justice, there can be no obligations towards empathic concern. But within care ethics, it is argued that care itself can bring about innate obligation towards others that can be juxtaposed with the obligations arising from justice (Noddings, 1995, pp. 11–18), or this care emphasis is even rationalized as an obligation stemming from one's dependency upon others within a community (Engster, 2007, p. 40). This indicates not only the nature but also the extent of obligations is subjected to differences in accordance with the reasoning that a particular conception of justice has. Nonetheless, it functions as a vital element with which one's due is to be considered as a demand that ought to be delivered.

2.6 Justice: A Synthesis

Up to this point, the approaches emphasized with their corresponding taxonomies have shown that justice is indeed conceptualized through different principles and modalities, each of which emphasizing aspects of the contexts in which they are embedded. This indicates that it would not be convenient to offer an overarching definition for justice; as the concept itself is of a contested kind, meaning that it is surrounded by multiple levels of understandings. Therefore, rather than invoking a certain definition into which all types of justice are subsumed, it is to be stressed that justice can take different forms and meanings in such quantity, the best that ought to be done is to indicate key themes and concepts within the literature as it is a concept with a rich history that can only be partially discerned through context-dependent efforts which do not strive to negate the multi-layered nature of justice.

Nonetheless, few remarks can still be made regarding the now explicit absence of empathy within theories wherein liberal assumptions hold eminence, as there are certain points of reference, which indicates a pattern for such absence. The first point is the atomist idea of person, in which individual is to be regarded as a self-interested desirer whose conception of the good is abstracted from that of its community and prioritized as opposed to the social, becomes the basis that negates all the flux of

particularities and intersubjective experiences. Such an idea of the self is underpinned by the second point, that is, a thick concept of rationality wherein emotions are to be set aside due to their assumed partial nature while self-interest becomes the main motivating factor on which one's choices and preferences are to be depend. This brings the third point, the idea of impartiality.

The effort to envisage impartiality as the one of the unalterable pillars of justice and moral reasoning, in this sense, corresponds to ascribing a universal quality upon the form of rationality in which emotions and particularities (whether belonging to communities, identities or simply situations) are dismissed. Impartiality becomes, as Young (1990) masterfully observes, a totalizing force that molds similarity into the sameness since, within the limits of impartial moral reason, the unity it grants to the thought itself, renders it necessary to conceive the person as an autonomous entity detached from the feelings, affiliations and bonds risen from the social (pp. 98–99). That way, the ideological underpinnings of impartiality become obscured so much so that justice itself is conceived as if being untouched by the political, as if it only corresponds to a sphere that can be regulated, and to an extent fixated, within the unity of impartiality. Moreover, the said ideological underpinnings manifest themselves through the claim that the state is neutral, that there is no common good adopted by the state towards which every citizen is to be geared. Such a claim, however, while ostensibly striving to limit the role of the state to the guardianship of established institutions and principles, rather affirms and justifies the patterns of oppression insofar as they are in congruence with, or even brought by, the chosen conception of justice. Then, neither conceiving justice simply in terms of distribution under the neutrality of the state becomes a fully adequate way for addressing injustice and domination, nor the atomist portrayal of the person whose rationale is regulated by self-interest is to be able to cover all grounds of motivation. Rather, emotions and affective processes might as well be juxtaposed with the concept of justice because they hold a prominent role in fostering solidarity, cultivating the ability to understand and feel with another, and recognizing the capabilities, needs and aspirations of people in a context-sensitive way by rendering the attunement towards another world of experience possible. Hence the need for an alternative framework where emotions are not treated as impediments when conceptualizing upon justice.

2.7 Conclusion

This chapter has sought to clarify the conceptual landscape of justice in order to prepare the ground for an inquiry into the place of empathy within theories of justice. It began by indicating, through a contrast between ancient and modern treatments of justice, that the concept itself can change depending on the context it is embedded in. Building on this, the focus is shifted to the major dimensions of justice. These distinctions have indicated how theories might diverge not only in their extents but also in the way the primary subject of justice is designated, whether as specifying perfectly just institutions, correcting transactional wrongs, or securing fair procedures.

In order to map the concept in a comprehensive manner, a fair amount of attention has been given to different approaches and their main assumptions regarding justice. Here, the main ideas and arguments that correspond to the mapped approaches have been emphasized in order to shed light on the patterns they bring about in relation to conceptualization of justice. Then, alternative frameworks of justice, particularly eminent when the focus is set to different spheres of social life rather than distribution, is emphasized. In this sense, both structural and relational forms of justice have been identified as the main areas where emotions and elements of caring can figure into the structure of justice. Lastly four recurring elements that an account of justice must in some way address has been identified: practical reasoning, agency, impartiality and obligation.

The conceptual analysis has shown that justice ought not to be reduced in a way that can be defined through a mere ideal from which it is possible to derive all the principles and set out the required practices and institutions. Rather, it is a multi-layered concept with myriad aspects that can be prioritized, and modalities of understanding put to use to envisage a certain version of it. Hence, the contested nature of justice has indicated that justice itself is a concept whose definition can easily vary depending on the context and the assumptions to which it is subjected.

In sum, this chapter has mapped the core elements, dimensions and frameworks of justice; identified different approaches regarding the way it is understood through different perspectives.

3. DEFINING EMPATHY: A CONCEPTUAL ANALYSIS

3.1 Introduction

This chapter aims to clarify what is meant by empathy and to provide a conceptual framework that can later be used in the context of justice. Rather than hastily indicate a single, and fixed definition, the chapter reconstructs the main elements, distinctions and mechanism that appear across different accounts of empathy, and then strives to arrive at a definition which synthesizes from all major dimensions of empathy.

To this end, it will first strive to reconstruct the accounts of David Hume and Adam Smith in order to indicate the role empathy had taken in moral sentimentalist tradition, and to explain how empathy is associated with moral judgments. Then the chapter will give an outline of the basic conceptual difficulties surrounding empathy by emphasizing its precariousness as a process of engaging with another's experiential world, and by indicating its intentional directedness towards its object and the epistemic uncertainty it entails. Subsequently, the chapter will examine the key distinctions that structure debates on empathy, especially the divide between cognitive and affective empathy as well as the contrast between mechanism of simulation and of direct perception. On this basis, it will clarifiy the conceptual boundaries between empathy, sympathy and compassion, highlighting their different intentional objects and affective profiles. Then it will explore the core elements that recur in the literature: perspective-taking, intentionality, affective response, and self–other differentiation. That way, it will show how these elements influence the way empathy is conceptualized. Lastly this chapter will offer a definition for empathy that brings together its main components and implicit moral implications. In doing so, it will prepare the ground for understanding how empathy, so conceived, can be brought into conversation with theories of justice in subsequent chapters.

3.2 The Concept of Empathy

Throughout its history, empathy, as a concept, has been invoked by different disciplines due to its necessarily focus on understanding and sharing another's experiences and behaviors. In this sense, one of the areas where its invocation resulted in accounts that aims to assess the rightness of actions is morality. In moral sentimentalist tradition to which David Hume (2007) and Adam Smith (1982) belong, sympathy was considered as the fundamental means with which it is possible to explore whether an act is rightful or not. However, as various scholars have pointed out, what Hume as well as Smith address as sympathy corresponds, although in different ways, almost directly to the concept of empathy (Coplan & Goldie, 2011, p. xi; Darwall, 1998, p. 262; Fleischacker, 2023, p. 19; Ilyes, 2017, p. 98; Maibom, 2014, p. 27; Smith, 2011, p. 103). This is because their concept of sympathy corresponds neither to modern day compassion/sympathy[6] with which one feels for another in the case of a suffering or threat upon well-being and has a motivation to help (Darwall, 1998, pp. 273–274; Lazarus, 1991, p. 122; Nussbaum, 2003, p. 301), nor to modern day usages of pity as it incorporates in itself a sense of condensation while being directed to another. Instead, they use sympathy, in different modalities, to denote to cases regarding one's participation to another's feelings (Fleischacker, 2013, p. 273). Therefore, the first rudimentary works on empathy, despite the term itself was not available at that time, lies at their accounts where they each ascribe fundamental roles upon empathy in regard to morality and social life.

In this context, David Hume, in the Treatise of Human Nature*,* indicates that the tendency to empathize with others is the most remarkable human quality, since through empathy we "receive their [others'] sentiments" (Hume, 2007, 2.1.11.2). As one's smile puts forward, for instance, a sense of calm in the other, or conversely, a sad countenance suddenly makes the other, in a similar manner, feel blue. These initial remarks of Hume is the source from which scholars such as Fleischacker (2013, pp. 276–277) or Moran (2022, p. 30) makes the claim that Humean empathy, in part,

[6] Goldie (2002) argues that compassion and pity are variaties of sympathy. While I do not consider these two concept identical, the difference is subtle, as Nussbaum indicates (2003), since it is a matter of degree: in compassion, one feels for a serious suffering,of another while in sympathy, daily misfortunes of others are generally the point of departure.

depends on emotional contagion, which indicates that another's feeling is directly revealed to the one who empathizes.

Hume, in the second book of the Treatise, writes that when one sympathizes, the effects and external signs of another's emotion, at first, conveys an impression, which in turn being transmitted to the one's mind and associated with the idea that one has for that emotion, and then through the vividness of the impression itself, the idea of that emotion turns into the emotion itself (2007, 2.1.11.3). In other words, the signs of an emotion lead to its impression, then such impression is transferred to the one's idea of that very emotion, and through the force and liveliness of the impression of the other's emotion, one comes to feel the same emotion. Moreover, it is not just the signs and effects of emotions from which one comes to feel the same as another; instead, it is possible to empathize through the causes of an emotion. Hume gives the example that when one enters into an operating room and sees the preparation of the instruments, one would feel the terror that the patient would feel (2007, 3.3.1.7). Hume's conception of sympathy, thereby, is considered as a "process of association" (Maibom, 2020, p. 77) where an emotion is either observed or inferred from a relevant situation to which general rules of a society allude that which the other ought to feel. It can be argued, in this respect, that Hume rests the initial elucidation of the process of empathy not only on discerning bodily expressions of emotions, but also on the cognitive abilities that render it possible to empathize with others, as empathy is not always related to present, but it can work with the possibilities of imagination through which one can empathizes even with a feeling that can only be anticipated by a future assessment of a situation (2007, 2.2.9.13).

Concordantly, Hume argues that no passion or principle is ever noticed in another that does not contain, at least to a certain degree, a parallel with the observer (2007, 2.1.11.5). Therefore, there exists a fundamental resemblance between humans which makes it possible to grasp and have a congruent affective response to the emotions of others. One can, in a sense, empathize with any member of humanity, albeit in varying degrees. Herein, the question of how empathy, with its emphasized restrictions, can be considered as a key component of morality in Hume's account can only be answered through expounding upon the fact that Hume considers reason ill-suited to be the sole determinant of morality because not only ideas but also passions are incorporated into morality, which influences affections and actions; reason, therefore, is concerned with

the truth and falsehood of a claim and it cannot be used to judge between moral categories of good and evil (2007, 3.1.1.6-10). Instead, moral distinctions, for Hume, depends on certain sentiments of pain and pleasure (2007, 3.3.1.3), which arise from disinterested empathy of the observer towards the feelings of another who takes up a certain action and towards the feelings of those who are effected by that action (Hoffman, 1987, p. 64; Ilyes et al., 2017, pp. 106–107). The observation, as is seen, due to the partial nature of empathy, has to be construed from a general point of view and the method of which, according to Rick (2007), is to adopt the point of view of those who are in the close circle of the other, for instance in the same society so that the observer disinterestedly empathizes and comes to feel the appropriate moral emotion in the form of either pleasure or pain (pp. 141–142).

At this point, the focus can be shifted towards the Adam Smith's conceptualization of sympathy, where one can find both fundamental similarities as well as differences between his and Hume's accounts. In this context, similar to Hume, Smith also considers certain instances where one can spontaneously feel with another, and again similar to Hume, he too puts an emphasis on the vividity of the signs of an emotion, as well as the affective response that elucidated with empathy (1982, I.i.1.2-3). Although, the importance given to empathy and its moral import, as well as the spontaneity of certain emotions in certain situations –this is highly limited in Smith– are more or less common between Hume and Smith, they diverge, at first, in the context of workings of empathy. While it is mostly a matter of degree (Maibom, 2020, p. 77), Smithian empathy puts so much more emphasis on imagination that it becomes the general mode of empathy. In this regard, empathy is manifested, firstly, through the constant focus on the situation that elucidates a specific emotion, rather than on the signs of that emotion (Smith, 1982, I.i.1.10), and secondly through a self-oriented perspective-taking, with which one imagines oneself as if one is in the very place of the other so as to consider what one would feel in the same situation.

Although for Hume, empathy is pleasurable if the emotion one shares is pleasurable and painful if said emotion is painful (2007, 3.2.2.24), Smith, on the other hand, considers that empathy is pleasurable, if it is mutual, that is, one is in emotional concord with another in that one is aware that the one and the other share the same emotion, no matter the nature of the emotion, whether joy or grief (1982, I.i.2.1-2). To this point, Fleischacker argues that the pleasure of such awareness is not added up to

the empathy per se, rather, it is a "second order feeling", distinct from both the observer's and the target's feeling (Fleischacker, 2023, p. 22). It is in this sense Smith associates empathy with moral judgments, and incorporates an evaluative component into the very structure of empathy, which necessarily makes his account diverge from that of Hume (Ilyes et al., 2017, p. 101; Rick, 2007, p. 139). Hence, in Smithian sympathy, there are two fundamental processes: first, the impartial spectator, regardless of the mode, discern that which another feels, and second, the impartial spectator projects oneself into the place of the other and comes to feel a subsequent emotion under the same conditions. If the target's original emotion and the spectator's empathetic emotion is in concord with each other, then, the act taken by the target is "just and proper"; however, it is "unjust and improper" if there is no concord between them (1982, I.i.3.1). This means the conduct of others are either approved or disapproved through whether or not one feels with another as a result of the self-oriented perspective taking.

Consequently, that which can be grasped from these two accounts is that empathy is divided into two main forms: In its Humean mode, it functions as a device for transmitting sentiments, result of which leads to moral evaluation arising from shared humanity between persons. In its Smithian variant, empathy is reconstructed as an impartial judgment through the device of impartial spectator, which functions as a normative compass. Then, the commonality between the two is that empathy is to be considered as a way for correcting partiality and instilling public reason within moral judgments. This, then, corresponds to the preliminary moral modality that empathy possesses in its historical roots. Yet, in its contemporary conceptualizations, these moral underpinnings of empathy are diversified across various disciplines while the ways empathy is invoked are exhaustively broadened. Therefore, sticking only to its moral significance does not do justice to the contested nature that empathy is given.

3.2.1 The nature of empathy

That which is salient about the nature of empathy is that it can be invoked to refer a family of phenomena, distinct yet interconnected with each other. That means, considering empathy in terms of as a single phenomenon would not translate into an overarching definition wherein different types and varieties of empathy are incorporated. This is why Batson (2009) indicates that there are at least eight different

groupings that can be made in regard to the phenomenon invoked though empathy (pp. 4–8). Moreover, different dimensions of empathy, such as cognitive, affective or moral, can be rearranged and deployed according to the selected phenomenon, to the point where they are intertwined with each other, or even negated from the structure of empathy. For example, phenomenological tradition, in regard to empathy, does away with the generally referred distinction between cognitive and affective empathy (Zahavi, 2017, p. 42). Both the variance of empathic phenomena and the interplay it creates amongst different dimensions indicate that there exist not only myriad but also conflicted accounts about how empathy actually functions and what its essential components are. From being a prosocial response with an imaginative process directed to another, to its conceptualization within aesthetics as a way for feeling into the objects, and to being a sui generis intersubjective understanding of the other; empathy was, and still has been, invoked in different ways. In this sense, the contested grounds of empathy can be broken down into two main reasons.

Firstly, empathy is a precarious way to engage with another world of experience whose object is necessarily directed to the presence of the category of the other, as without such a category, empathy itself is negated. Engaging with someone distinct from the self, in this respect, is an act of stepping into that which is somehow alien to the self; there is no certainty as to the contents of another's mind. An empathic responsiveness directed to another so as to discern another's feeling becomes ambivalent, in the sense that it incorporates within itself a supposition about the other which corresponds to an attempt to circumscribe not only the modality of the interaction between one and the other but also the results and the limits of such an interaction. The object of empathy, therefore, brings about the problem of knowing another feelings and minds, to which "theory theory" that employs folk psychology to understand another's perspective (Spaulding, 2017, p. 14) and "simulation" where one emulates another's mental states (Goldman, 2006, p. 4) are presented as popular answers, and hence it is the first reason there is in regard to variation upon the accounts of empathy.

Secondly, empathy can be conceptualized in terms of affective response it brings forth when one interacts with another and have a congruent response to the other's experience in a way that involves feeling with—and in certain accounts feeling for—another. That which creates the controversy, in the context of affective context, is not only the quality of the said response but also the way it comes about and that which it

cultivates in the empathizer. For instance, the responsiveness offered to the feelings and situations of another through affective response congruent to its target's situation rather than the subject can be considered as a basis for development of moral motivation and caring. Whereas it is possible to consider such responsiveness solely in terms of a cause leading to personal stress. Thereby, the second reason for why there are different phenomena labeled as empathy is the multi-layered nature regarding both the qualities and the extent of affective response given to another.

Yet, the proliferation of accounts regarding the efforts of conceptualizing empathy does not require to shy away from analyzing its structure through expounding upon its prominent accounts of empathy, and from aiming to arrive at a definition brought forth by a synthesis congruent with the main ways the concept is invoked so that a typed taxonomy is underpinned that can negate equivocation of empathy.

3.3 Approaches to Empathy

As is emphasized, empathy is a contested concept which is formulated across different disciplines with varying meanings and structures. Therefore, that which is required in order to expound upon the framework on which empathy is grounded is to map the approaches from which empathic attunement to another is conceptualized.

3.3.1 Cognitive and affective approaches to empathy

The distinction to be stressed is perhaps the most prominent one, as it is touched upon not only by various scholars but also within different disciplines due to the distinct but interconnected nature it has. In this context, the first dimension of the distinction is cognitive empathy which refers to ability to construct an accurate representation of another's state of mind as well as experiences. In such a mode, empathy does not require an affective component with which to function. Therefore, certain scholars have strived to defend a solely cognitive definition of empathy in which it is functioned as an epistemological means to understand the behaviors and motivations of others (Kohut, 2010, p. 124; Wispé, 1986, pp. 315–316). It is not surprising, then, the bulk of accounts regarding cognitive empathy is related to the theories of mind whose aim is to identify the ways another's behaviors, thoughts and feelings are to be understood. As Spaulding and others (2022) indicate, there exist two main types through which mentalizing takes place. The first is theory-theory, in which the act of mentalizing is

realized through invocation of folk psychology which presents general assumptions, and common desire/preference laws regarding the state of mind of another. This is why it can be seen as an "information-rich inference" for arriving at the best possible explanation (Spaulding et al., 2022, p. 54). On the other end of the mentalizing spectrum, there exist simulation theory which offers perspective-taking as a main way to mentalize about another's state of mind. Here, through simulating the same conditions and experiences on oneself, it is possible to present an explanation as to the behaviors and feelings of another. The main difference between these two approaches is that one depends on broad range of information while the other contends with imagining oneself in the position of the other. Therefore, as Spaulding claims (2017), the former is best suited to mentalizing about those distant-others towards whom one's effort of simulating might be inadequate; while the latter is convenient when one who simulates is quite similar to the target (p. 17). As a matter of fact, these two approaches are consistent with the forms of empathic arousal that comes with the development of cognitive sense of others. Drawing from the arousal schema of Hoffman, the symbolic association with which one can empathize through the medium of language and writings are congruent with the mentalizing mode of theory-theory; whilst simulation theory coincides almost perfectly with self-focused modality of putting oneself in the other's place.

On the other hand, affective empathy refers to having an affective response congruent to the situation of its target. To this, Maibom (2020) calls "emotional contagion plus" since the affective response in question simply a more robust version of the emotional contagion underpinned by a clear self-other differentiation (p. 9). Hence, experiences of feeling with or as the other is that which marks the affective dimension of empathy. However, that which has garnered most controversy regarding affective empathy is the extent of the affective matching since there are no clear episodes with which to assess if the response in question is still congruent enough. Then, it would be better when the level of congruence regarding the emotion that ought to be shared between the empathizer and her target is considered in terms of degrees, meaning that there can be instances where one empathizes with another and subsequently feel that which the other supposes to feel. However, as emphasized, this is not a clear cut qualification, and can easily lead to the assumption that a response is congruent as long as the one who has it considers it as the genuine feeling of another (Maibom, 2017, p. 23).

In this context, resonating with another's state or situation brings with itself other empathy-related emotions that requires addressing. In this sense, Hoffman (2000) stresses that empathizing with someone in distress brings about two distinct possibilities: empathic distress and personal distress (p. 4). The first of which defines the situation where one feels distressed when empathizing with someone in distress, and subsequently it is transformed by the subsequent feelings and thoughts of the empathizer into sympathy or empathic concern. Whereas the second, albeit beginning from the same situation, leads to over-arousal of one's own distress, resulting in the motivation to get rid of the feeling that oneself feels. Hence, the main difference between these two empathetic emotions is that one is felt for oneself while the other for the distressed other.

Moreover, as emphasized by Battaly (2011), there are two main approaches regarding the way affective empathy is defined (2011, pp. 282–285). The first is related to those wherein empathy can only be realized through the process of perspective-taking. Here, not only emotional contagion but also any direct and instantaneous form of grasping another's state of mind is to be excluded from the structure of empathy. The second one, however, does not restrict the way empathetic attunement is elucidated, meaning that affective response, as long as it is more congruent to the situation of another than that of the empathizee, is to be considered within the limits of empathy. Therefore, not only emotional contagion, but also the phenomena of mirroring in which another's feelings are automatically experienced through the medium of perception are considered as rudimentary instances of empathic emotions.

3.3.2 Self-oriented and other-oriented approaches to empathy

The act of perspective-taking, which makes it possible to access another world of experience through reconstructing an accurate representation of another's state of mind, is divided in itself in two forms. The first is self-oriented perspective-taking wherein one imagines how one would feel if one were in the same conditions of the other with which one is empathizing, while the second one refers to the other-oriented perspective taking through which one imagines how the other feels, considering the situation that the other is in (Batson et al., 1997, p. 751).

Here, the main quantifier of self-regarding mode is that it does not need an extended attention towards another, as it has an egocentric anchoring through which another's

experience is modeled. That means, one strives to understand another's state of mind through simulating her own patterns of behavior and responses in another's situation. Whereas in the other-regarding mode, the quantifier is the attention given to simulate another's state of mind through imaginatively reconstructing how another perceives the situation that she is on and how she feels as a result of it. Therefore, it requires a greater attentiveness towards the other, as well as a more accurate reconstruction regarding the way the other perceives and experiences the world.

The difference in question, albeit seems minor, holds a vital importance as it can lead quite distinct routes in regard to that which is elucidated with the chosen mode of perspective-taking. Self-regarding perspective-taking, in this context, is liable to bring with itself egocentric bias, through which one overestimates the similarity between her behavior and feelings and those of another (Coplan, 2011, pp. 10–11). Such an assumption, thereby, can result in a reduction of the accuracy of representation of the other. Moreover, this mode of reconstruction is oriented towards elucidating personal stress as it promotes one's own feelings regarding a given distressful situation (Batson et al., 1997, p. 752), meaning that it might lead to over-arousal of one's own feeling of distress and hence sever the empathic attention directed to another. On the other hand, other-oriented perspective-taking, while it is clearly more burdensome due to the level of information it requires, is more akin to elucidate pro-social responses as the attentiveness given to another can transform into sympathy (Eisenberg & Strayer, 1987, p. 10), or empathic concern where a genuine regard for another's well-being is at the center.

3.3.3 Simulation and direct (phenomenological) approaches to empathy

As is emphasized when stressing the cognitive dimension of empathy, the mechanism of simulation indicates that our cognitive and affective abilities can be put to use to run a simulation of another's state. This form of "mindreading" makes it possible for one to understand others through using her mind as a model from which mental states of others are assigned (Goldman, 2006, p. 40). Thus, while projection is indispensable for simulation, as without which one cannot ascribe mental states to others (Goldman, 2006, pp. 42–43), it has the possibility to lead false positives as the model in which simulation is run is nonetheless one's own mind. Yet, albeit its restrictions, simulation theory have been employed not only for understanding another's state of mind, but

also for grasping one's reasons and agency (Stueber, 2006, p. 15). It is no surprise, then, simulation becomes a mechanism which utilizes perspective-taking in a self-oriented way.

Phenomenological tradition, however, stands in a stark contrast to the accounts shaped by simulation theory. This is because, there is no need for affective matching, or mental simulation of another's state of mind for empathy to be come about (Moran, 2022, p. 26). Rather, empathy is considered as a sui generis and direct form of grasping the other's experience and mindedness (Moran, 2022, p. 27; Zahavi, 2017, p. 41). Such a grasp, however, does not require even a sharing another's affect; empathy allows for one to directly understanding the experience of the other because, through empathizing, one is aware of the fact that the experience in question does not belong to her. This is, in fact, what makes differentiates empathy from emotional contagion (Scheler, 2017, p. 15), as the object of empathy, i.e., the experience of the other, is not given first-personally. Moreover, as Stein (1964) indicates, the act of grasping another's experience is not qualitatively similar to the experience itself, meaning that empathy brings forth a primordial act while also possessing a non-primordial content (p. 10). However, there exist another qualification regarding phenomenological understanding of empathy, which is related to proximity as, the other's world of experience is to be grasped only in a direct and embodied way, meaning that physical encounters are prerequisite for empathy.

Consequently, the main difference between these two mechanisms lies at the fact that, in phenomenological tradition, empathy is considered as an ability to access another's embodied experience through both bodily reactions and behavioral expressions(Zahavi, 2008, pp. 521–522), and therefore there is no ground neither for projection and simulation nor imaginatively reconstructing another's state of mind so as to feel with another; whereas, in simulation theories, simulation through perspective-taking is to be considered as an "extended form of empathy" (Goldman, 2006, p. 4). Nonetheless there are instances where these two distinct forms are to be subsumed in a broader frame. For instance, Stueber argues that here are two types of empathy: basic and re-enactive (Stueber, 2024, p. 130). The former is to be considered as the quasi-perceptional mechanism which renders individuals able to directly grasp another's mindedness as well as the state of mind within the limits of perceptual encounters (Stueber, 2006, pp. 146–147). Yet, such an intuitive mode of empathy,

elucidated through the mindedness of another due to the direct recognition of another's basic emotions such as disgust or fear, is not able to indicate why someone feels a certain way. Therefore, Stueber (2024) indicates that with the latter, re-enactive empathy, it becomes possible to understand the reasoning or motive within one's state of emotion through a self-oriented perspective-taking where one strives to find the specific situation and reasons leading to another's affective state through imaginatively taking place of another (p. 130).

3.3.4 Moral approaches to empathy

One of the prominent accounts regarding the development of empathy belongs to Martin Hoffman (2000), who associates different development processes with possible arousal of pro-social emotions (pp. 4–5). That means, through mapping its developmental progress, empathy's relation to moral motivation can also be indicated. This is why, in the context of moral motivation, Hoffman (2000) argues that empathy has its own unique processes in which different modalities regarding how empathy come about as well as the way it affects the empathizer take place (p. 63). At the initial stage where empathic engagement with another occurs, the empathizer experiences affective response, which can be called as empathic distress, congruent to the distressful situation of another. Here, through the way it is aroused and dealt with within the mind of the empathizer, empathic distress is able to turn into sympathetic concern in which one develops a concern for the welfare of another and hence motivate the empathizer to help. Albeit the general tone of the relation between moral motivation and development of empathy is given, the route to empathic concern, or sympathy, is a tedious one, which is mapped by seven different processes. For starters, Hoffman indicates three stages seen in infancy and early childhood where global empathic distress is at the foreground. While the first stage begins by a reactive cry of a newborn, the last stage ends with "quasi-egocentric empathic distress" where a children can realize that the other is in distress but without knowing that others have their own inner states (Hoffman, 2000, pp. 64–70). Then with "veridical" stage of empathic distress children realize that other people have independent inner states and therefore can actually feel with another (Hoffman, 2000, pp. 71–80). In the last stage of the general schema, empathic distress begins to occur when considering beyond immediate situations, meaning that children can feel empathic distress in regard to another's life condition or even to a distressed group (Hoffman, 2000, pp. 80–86)

Hoffman's account, on top of being thoroughly systematic, brings about the possibility of a sphere wherein empathy can be conceived as that which forms the ground from which other-directed motivations can arise, without having a motivating component in itself. Since even without possessing a necessary component for moral action, empathy can still indicate an implicit moral claim through grasping and sharing an experience belonging to other. It indicates the acknowledgement of a sense of equality wherein the humanness of the other can be manifested to the one who empathizes with another world of experience. Even though this latent acknowledgement does not lead to any kind of direct moral motivation or cannot be, it can nonetheless establish a basis in which the interaction with the other brings about the implication of a sense of equality through the realization of the other as a person with similar capacities for experience and feelings.

3.3.4.1 Empathy, sympathy and compassion

That which still stands as a problem due to the moral significance given to empathy and its relation to moral motivation and judgment is the way that empathy differs from other pro-social emotions, and particularly from sympathy and compassion. Here, the difficulty with these emotional phenomena is that they can all be incorporated into the framework of caring, and have clear connections with morality as well as with one another. Nonetheless, such close connection does not translate into the overlapping of the concepts with each other. This is mostly because both sympathy and compassion have a quite distinct relation in regard to their objects.

Firstly, in the case of sympathy it can be indicated that sympathy is an other-regarding emotion which typically involves a genuine concern for the well-being of another, particularly in instances when there is a perceived threat or obstacle against another's good (Darwall, 1998, p. 273). That which is clear with this definition is that sympathy is an emotion whose object is set upon another's welfare; it is a form of concern on behalf of another. Whereas empathy, within its affective dimension, is to be conceived as a manifestation of feeling in congruence with another, meaning that through empathy one comes to feel a congruent emotion to what another feels or supposes to feel (Eisenberg & Strayer, 1987, p. 5; Hoffman, 2000, p. 30). Unlike sympathy, therefore, there is no necessity for empathy to have such a concern for another, although there exists a form of empathic emotion, that is, empathic distress, which

leads to a concern for another by transforming into other-regarding emotions. In this context, the main distinction between empathy and sympathy, which many scholars adopts, is that the former involves feeling with another, whereas the latter entails feeling for another (Darwall, 1998, p. 270; Maibom, 2017, p. 23; Slote, 2007, p. 13; Stueber, 2024, p. 128). However, there is a point that ought to be emphasized at this point. As is seen, affective empathy also refers to those affective responses where one feels what the other should feel. Scholars such as Prinz (2011b) argues that diverging from the strict sense of affective matching blurs the distinction between empathy and sympathy. This is, however, a misconception which does not differentiate the fact that the "feeling for" that empathy might possess still does not involve concern, but a felt emotion expected to be felt by another.

In the case of compassion, the situation is altogether similar since it does, just as sympathy, require a certain concern for another, and hence has a different object than empathy. Drawing from Nussbaum (2003), compassion refers to the "painful emotion" elucidated by the recognition that another is subjected to undeserved suffering or misfortune (p. 302). While, having the same object with sympathy renders it possible to differentiate from empathy in a similar way, this does not mean that compassion is to be treated as an alternative for sympathy. Rather, as indicated by Nussbaum (2003) and Stueber (2024) compassion indicates a heightened sense of suffering both for the person that feels it and for the person such emotion is directed to.

Lastly, there is one more key difference prominent enough to differentiate empathy from its counterparts should one adopt the view that empathy is not an emotion on its own; but a process wherein one grasp, through different means, and vicariously experience another's state of mind (Goldie, 2002, p. 195; Morrell, 2010, p. 41). As is claimed by Antonio R. Damasio (1999), while feelings are inwardly directed and private; emotions are outwardly and public. Empathy does not indicate a qualitative feeling on its own, nor does it offer an outwardly expression similar to basic emotions. While neither sympathy nor compassion has clear indications for bodily movements, they both have a distinct qualitative feel that can be described either by the feeling of warmth or tenderness, and therefore they can be differentiated from empathy by simply being emotions.

3.4 Elements of Empathy

Albeit assessing the elements that are ought to be conceived as the constituents of empathy is a risky business due to the myriad nuances they have as to their qualifications, they are nonetheless be given as the reference points from which empathy takes its initial route. In this sense, there exist four elements that manifest itself, perhaps in differing modalities, within the accounts regarding the nature of empathy.

3.4.1 Perspective-taking

In relation to empathizing with someone in a way that renders it possible to grasp another's state of mind, or to access another world of experience towards which one's attention is geared, perspective-taking is one of the most referred cognitive acts, traces of which can be found clearly in Adam Smith's (1982, p. I.i.1.10) account of sympathy wherein imagination is the main instrument through which one makes moral judgment about another's situation. In this sense, imaginative perspective-taking depicts the cognitive act where one puts oneself in the place of another through imagining both the conditions that the other is in, and that which one assumes the other feels (Maibom, 2018, p. 75). Hence, it is one of the constituents of the cognitive dimension of empathy. However, the act of imaginative reconstruction has become the locus of criticism within the phenomenological account of empathy as it presupposes the relation between the subject and the object by focusing only the detached observer's mind; whereas empathy is to be taken as a medium of social perception that takes place only in concrete instances (Breyer, 2020, pp. 429–432; Zahavi, 2017, pp. 39–41).

3.4.2 Intentionality

Whether be it conceived as a process, emotion or an ability, empathy in its manifold conceptualizations has to be directed towards something, meaning that it has a relation of intentionality with its object. This is a condition of existence for empathy (Betzler, 2019, p. 142); without the object for which one's attentiveness is reserved it is not possible to empathize. The object, in question, can either be the experience or situation of another, meaning that one's empathic attunement is directed towards either the situation, in the cases where empathy is realized through imaginative construction or perception, or the very feeling itself (Maibom, 2017, p. 24). While, through other-

regarding construction, it is possible to situate the object as a person towards whom one's develops a concern by considering the how would it be like be the observed person in a particular situation, this form of intentionality, runs the risk of collapsing empathy into sympathy as it denotes not only a having vicarious affect for another; but also it manifests a concern towards the well-being of its object. This is why, even in accounts where the relation between the empathizer and the object is non-rigid, one can still find the effort to differentiate between feeling for and have a concern for another's well-being (Maibom, 2014, pp. 4–5).

3.4.3 Affective response

Empathy, should it be considered within the limits of affective sphere, requires affective response, or in other words, vicarious sharing of affect as to the situation, experience or the very feeling of another grasped through perspective-taking or perception. Affective response it brings forward, however, is to be qualified through the degree that it matches with another's state of mind. For instance, Coplan claims that the affective response occurring through empathy has to be the one that matches with the affection of its target (2011, p. 6); whereas for Batson, empathic concern brings together other-oriented responses that do not necessarily hold a matching requirement (2009, p. 8). Nonetheless the element of affective response is what initially marks empathy's relation to pro-social emotions which are considered within the limits of caring, since having an affective response brings together with itself an attentiveness towards the situation of another. Such responsiveness while cannot guarantee moral motivation in itself, it nonetheless establishes the ground on which moral concern can arise. By sharing another's experience through having a congruent and affective response, the subject becomes attuned to the significance that the experience holds for the other, which is what allows empathy to exceed to be mere identification with another.

Aside from the moral relation and quality that comes with affective responses, the very concept of sharing of affection itself can be problematized, particularly within the accounts which holds the assumption that people do not really share the emotion authentically. Rather, without experiencing the authentic emotion itself, it becomes impossible to share the same emotion grasped from another (Scheler, 2017, pp. 10–11).

3.4.4 Self-other differentiation

That which this differentiation refers to can be understood as having the cognitive awareness that grants one the ability to differentiate oneself from another. Only maintaining a clear sense of self, can one acknowledge that the vicarious affect that one experiencing does not originate in oneself, but transmitted from another's state of mind. The distinction in question, in this sense, carries a great importance in regard to qualifying the processes related to empathy while also rendering it possible to draw a conceptual separation between empathy and emotional contagion in the sense that the latter is to be considered as a rudimentary form of the former as it indicates a direct perception and sharing of another's emotion. In the case of the latter, as it is for empathy, affective response in congruence with another's state of mind is experienced, however, the subject is not able to differentiate the vicariousness of such affect. A prime example of emotional contagion, where there is neither realization of the vicariousness of the affect nor self-other differentiation, is related to babies. In a room where two babies sleep, as soon as one of them stars crying, the other, by hearing the crying noises, also cries as the experience itself is self-inscribed, meaning that it is not possible for baby to realize that she is experiencing a vicarious affect (Zahavi, 2017, pp. 33–38). Hence, emotional contagion corresponds to the convergence of emotion when the subject, unknowingly, perceive and share another's emotion (Guo, 2017, p. 46). However, to simply draw a sharp line where there exists no interaction between cognition and emotional contagion would not be plausible, since cognitive capabilities can transform such emotions so that they indicate a conscious regard for the object (Maibom, 2014, p. 5).

3.5 Defining Empathy: A Synthesis

Up to this point, the core elements and distinctions as well as empathy's relation to morality have been addressed and analyzed. However, that which arises from this effort is that although the main points of reference mostly stay the same, the way they are given eminence mostly changes within different conceptions of empathy. On top of that, the distinctions between the forms of empathy not only creates ambivalence in regard to find a coherent definition but also adds up to the general confusion regarding that which empathy entails. This is why, in this section, a definition regarding

empathy, which strives to bring together the prominent parts of its structure, is ought to be given.

Accordingly, empathy can be described as the process in which affective response congruent to the target's situation is elicited through imaginative reconstruction, inference or direct encounter with the experience of another, and which implies the acknowledgement of another world of experience in the form of shared sense of humanness. Through such a definition, the distinction between affective and cognitive dimensions of empathy can be bridged without being subsumed under each other as the definition gives both the affective component and the ways empathy is to be occurred within cognitive component. Lastly, this definition indicates a moral implication, as empathy presents not only the acknowledgment of another world of experience and realization of shared sense of humanness; but also, it grants the possibility for empathy to being situated as a basis from which moral motivation takes it cue.

3.6 Conclusion

This chapter has reconstructed empathy as a complex, multi-layered process rather than an emotion that can be discerned through various means. Such an effort has begun from the traces regarding how in the accounts of Hume and Smith, empathy (even if not named as such) is conceptualized and how does it underpin moral judgment. Then this chapter has indicated the structure of empathy through expounding upon the different ways that empathy has been constructed. Here, prominent distinctions regarding the nature of empathy are explored in order to reveal the main points of references and the limits of the attemtps to sharply separate different phenomena within the literature of empathy. In this way, both cognitive and affective dimensions of empathy are analysed while its significience regarding moral motivation and development is expounded upon. Subsequently, the chapter has made a comparison with sympathy and compassion in order to clarify that empathy need not involve concern for another's welfare, even though it often provides the experiential ground from which such concern can arise. At the same time, however, with the final sections this chapter has argued that empathy can carry a latent moral implication even when it does not directly motivate action, insofar as it acknowledges another as a bearer of a world of experience comparable to one's own.

Lastly, in its final sections, this chapter has aimed to propose a schema for the four main constituents of empathy in order to arrive at a definition. In this context, by bringing these threads together, the chapter has proposed a synthetic definition of empathy as a process in which an affective response congruent to another's situation is elicited, via imagination, inference, or direct encounter, and which implies an acknowledgment of another's world of experience. This definition preserves both the cognitive and affective dimensions of empathy and makes explicit the way in which empathy can serve, at least potentially, as a basis for moral motivation. The next step, therefore, will be to explore how such an understanding of empathy can figure into the relational framework of justice.

4. EMPATHY AS A NON-IDEAL EPISTEMIC REQUIREMENT FOR LEGITIMACY OF JUSTICE PRINCIPLES IN PLURALISTIC SOCIETIES

4.1 Introduction

In the previous chapters, the aim was to expound upon the concepts of justice and of empathy so that the relation between the two is to be situated in a framework wherein the respective theories and arguments regarding the constituents of the said concepts have been mapped. This chapter, however, marks the effort to lay out the first part of the main argument of the thesis. It will be claimed that empathy is a non-ideal epistemic necessity for justice under pluralism. This is because without empathy, lived reasons and embodied experiences remains systematically invisible under idealized forms of rationality.

As for the structure of the argument, the chapter will set out with the premise that justice, under pluralism, requires incorporating lived reasons and social experiences of all affected for ensuring the legitimacy of its principles. After this first premise, the chapter will argue that ideal rationality and the forms of deliberation it underpins systematically exclude socially situated experiences through the totalizing force of abstraction and epistemic injustice wherein the subject's position to knowledge is distorted. This second premise will be expounded in congruence with an emphasis on the necessity of lived reasons for justice and legitimacy of its principles. Then, the chapter will posit that empathy offers a non-substitutable epistemic access to the said reasons and experiences as it enables epistemic uptake, credibility-repair and context-sensitive understanding by combining perspective-taking and empathic concern.

In light of the premises introduced, this chapter will arrive at the conclusion that empathy is a non-ideal epistemic necessity for the legitimacy of justice principles under pluralism. However, in the last section the limitations and the challenges that can be raised against empathy and its epistemic role will be addressed so that the extent

according to which empathy can be assumed as a nonideal epistemic necessity is designated.

4.2 Pluralistic Societies and Justification of Principles

In order to claim that empathy is a non-ideal necessity for justice, the first problem ought to be addressed is the framework in which empathy is to be bestowed with the said quality. Only then, is it possible to formulate the argument in firm foundations. In this sense, this chapter restricts its scope with pluralistic societies which are comprised of different social groups and identities. In a pluralistic democracy where the idea of good-life is not collectively designated, principles of justice are inevitably in the dire need of justification as individuals are considered as subjects with their own conceptions of good-life. Therefore, without understanding the varying perspectives arisen within different milieus, at least to a certain degree, it would not be possible to come up with an inclusive form of justice. wherein principles carry a justificatory quality. The mechanism for establishing such a quality is the discussion itself as it is through public deliberation that all citizens are able to participate in the collective decision-making practices that affect them and assess the demands of justice (Rawls, 2003b, p. 138; Sen, 2011, pp. 324–326). Hence, the common reference upon deliberation, in the context of pluralistic democracies, brings about the idea that a principle is justified only if it is willed by all, or at least there is no sufficient reason for all of them to oppose to it (Gaus, 2010, p. 267; Habermas, 1998, pp. 161–162; Scanlon, 2000, p. 202). It is not surprising, then, this idea requires, on the one hand, that those who participate in public deliberation take the others perspectives and relative reasons so as to arrive at a principle willed by all; while on the other hand, that citizens of a democratic polity are supposed as reasonable, which means they are at least inclined to listen one another and revise their opinions accordingly (Rawls, 2003a, p. 81; Sen, 2011, p. 43; Young, 2000, p. 38). On this account, there are two matters to be unpacked so as to move on from the basic idea of democratic legitimacy.

First, the requirement for taking into account others' perspectives and reasons are explicitly indicative of the need for understanding in general and of empathy in particular, at least within the limits of its cognitive dimension. Accordingly, Habermas (1990) signifies the role of cognitive dimension of empathy in regard to justification of norms as it becomes a particularly important concept for ensuring "ideal role

taking[7]"; it is through empathy that one takes another's perspective in a way that makes her able to grasp otherwise incomprehensible or alien ways of life (p. 112). Yet, that which ought to be emphasized here is that empathy is not a concept purely devised as a means of perspective-taking, but a multi-layered process comprised of both cognitive and affective dimensions (Agosta, 2014, pp. 3–4; Assmann & Detmers, 2015, p. 7). When a public deliberation is to be strictly rational in that it requires understanding only to assess the interests of others in an impartial manner, it would indicate a reduction because cognitive dimension of empathy becomes all there is in regard to the role that empathy has in public deliberation. Therefore, not only in an aggregative model of democracy, wherein interests and preferences of each person are aggregated so as to reach a majority vote based on competitive process (Young, 2000, p. 19), but also in a deliberative model that does not leave room for affective elements, empathy can only function partially as a means for a restricted form of understanding.

Secondly, and closely related to the first point, the basic idea of justification, which requires all to endorse a chosen principle can be situated within different forms of rationality that designates the general normative order of the norms of deliberation and reasonableness. This is why, as Scanlon (2000) signifies, various accounts regarding deliberative model of democracy presupposes a certain conception of rationality that designates the limits of that which is to be chosen under particular conditions (p. 190). Then, the mode of rationality becomes one of the main determinants of the general framework of justice principles and the very concept of justice. However, as previously emphasized, justification of a principle within pluralistic societies can only be established through taking into account of the perspectives of all affected in order to arrive at a point where reasonable disagreements between parties can be mitigated. While this manifests an explicit necessity as to promote deliberation and mutual understanding, the fact remains that others' reasons and preferences are to be understood within the limits of whatever is supposed as the formation of rationality, through which the meanings and appropriateness of everyday interactions and common practices are regulated.

[7] This concept refers to taking on all of the other participants' perspectives so as to interpret and evaluate all contributions within a rational discourse (Habermas, 1998, p. 230).

That which these two points—the lack of affective elements in deliberation and the regulative character of rationality—commonly indicate is that ensuring an inclusive public deliberation for upholding the basic idea of justification does not offer an uniform understanding that can capture the reasons and experiences of all. There are different social structures wherein everyday life is experienced in varied forms depending on the situated positions of subjects. Therefore, the subsequent subsection strives to elucidate on lived reasons and experiences that are often indicative of the invisible harms and vulnerabilities.

4.2.1 The necessity of lived reasons for justice

It is of vital importance to indicate the relation between the nature of justice under pluralism and the sphere of the social in order to justify the epistemic inclusion of lived reasons and socially situated experiences under the conditions of pluralism. That way, it becomes explicit why without incorporating lived reasons it would not be possible to arrive at an inclusive public deliberation.

First off, justice is not a concept that can be simply defined by means of general abstractions that singles out a certain interpretation of a normative order; rather, it has a contested nature in that it incorporates in itself multiple level of understandings. Such a quality, therefore, requires context-dependent inquiries that focus upon varying manifestations of injustice within concrete conditions and social relations according to which the legitimacy of principles is to be assured. Yet, the ordering of social relations is hierarchical, meaning that the political moment, where the basic structure of society is established, unfolds in accordance with the background of certain sedimented practices (Laclau, 1990, p. 35), which can be defined as routinizations that function in the name of forgetting the arbitrariness of the original institution (Laclau & Mouffe, 2001, p. viii). They repress possible alternatives so as to fixate a system of meaning, in which certain hierarchies emerge as the ordinary nature of things, privilege certain social positions and hence give way to social structures that designate the extent of the means that one can use to interpret her experiences and of the capabilities that can be exercised. Here, that which is deemed as structure corresponds to spheres of multidimensional quality comprised of differentiated social positions, and it depends on the very reciprocal and constitutive relation of those positions between each other (Young, 2000, p. 94). This is why people situated in different social positions have

varying levels of understanding and adopt plural set of beliefs. Their situated experiences in such positions differs; one may privilege people with certain aspects while other constrain them.

Therefore, an account that aims to promote the legitimacy of justice principles through public deliberation ought to incorporate those different social positions wherein lived reasons emerge in relation to the social experiences of interacting with social structures and everyday practices that habituates the ordering of the bodies in a certain manner. Only then is it possible to gain access to the situated knowledge of those who are subjected to the otherwise invisible harms and patterns of subordination. Through focusing on the situated knowledge of different people, in this sense, the inclusive form of public deliberation and its necessary condition of understanding can be carried out in a context-sensitive manner so that basic idea of justification can be maintained. Therefore, without considering lived reasons and vulnerabilities, it would not simply be possible to arrive at conceptualization of justice whose principles are sufficiently legitimized. Hence the reason the next subsection strives to discern the restricted nature of idealized rationality whose regulative structure excludes the experiences that fall outside of the symbolic order established through abstraction.

4.3 The Limits of Idealized Rationality in Pluralistic Societies

In order to signify the limits and ramifications of idealized rationality, it is necessary to expound upon that which is referred with the notion in the first place. Accordingly, it corresponds to a particular mode of rationality employed through abstraction on the basis of its totalizing force in regulating the social. It assumes as if plurality of values and beliefs can be identified in clear cut divisions through abstraction, whereas pluralism in practice offers a much more context-dependent picture. It does not need to consider neither emotions nor the social situatedness of human experience as relevant to the justification process. This is because idealized rationality brings forth a false sense of impartiality which does away with particularities of bodies shaped by the inculcation of dispositions and practices as the sites “endangered in the world” (Bourdieu, 2000, p. 140). However, as rationality itself is in a sense socially situated in that it can never fully render the context it is employed fully comprehensible (Benhabib, 1996, p. 76), social experiences and vulnerabilities of all affected becomes excluded from the content of justice.

Moreover, idealized rationality is a method of understanding that is mostly utilized in existing models of democracy. For instance, when Rawls put forwards the concept of public reason, that is, the reason of all citizens (2005, p. 213), for the justification of principles, he does circumscribe "reasonable" doctrines, convenient for public dialogue, yet exempt from the contestations regarding liberal assumptions. A public dialogue so established does not require to take into account neither particularities nor lived reasons of all affected as those are the proponents of background culture of the society (Benhabib, 1996b, pp. 75–76). Therefore, even in those democratic efforts to preserve plurality and the basic principle of justification, that which deemed as reasonable, which signifies a moral commitment towards designated values, can be informed by an idealized rationality that rules out not only the diversity of the contested grounds but also embodied experiences of suffering realized as lived reasons. Perspective of all affected can be incorporated into the public discussion through idealized rationality insofar as there exists a strict regulative presupposition regarding the designation of the affected parties and the content of their experience. Thereby, it inevitably excludes an inclusive mode of understanding that inquires not only about possible points of consensus but also about the way bodies are ordered within prevalent structural constraints through which affected parties are hindered from participating into deliberation.

In this sense, idealized rationality can still function and hence distort deliberative democracies and the basic idea of justification which requires understanding the perspectives of all. Firstly, conceptualizing public deliberation as a strictly rational process, wherein all affected can participate without being subjected to any coercion whilst exercising their capabilities, corresponds to idealizing deliberation itself as a neutral practice in that each speaker, independent from particular social contexts in which different groups of people are embedded, is able to speak in unified manner (Young, 1996, pp. 122–123). Hence, idealized rationality upon public deliberation universalizes a certain mode of expression and norms that regulate the patterns for adhering to the prevalent modality that each speaker is supposed to have while also foregoing the possibility that one is not able to articulate one's experience in compliance with the linguistic tools one has in a particular position. For instance, in an idealized deliberative model, both feelings that mobilize people such as indigence and coercive responses towards oppression might be ruled out from public realm as

being unreasonable actions, but they could be the very means for the oppressed to challenge the social order in which they are silenced and to press their claims to be incorporated into the deliberation process. Secondly, as Young (2000) masterfully observes, idealized form of rationality brings about an arbitrary distinction between the very concept of rationality and emotion, which translates into public deliberation as the exclusion of emotional responses and rhetoric that make use of not only affective but also embodied and visual elements regarding communication (pp. 65–66). This point is explicit when Habermas leaves out "perlocutionary acts" that brings about an affect upon the hearer from the general schema of communicative action as it is a tool whose employment indicates instrumentalization of speech acts through invoking a certain strategical motive (Habermas, 1985, p. 289). That means, an experience imbued with emotional load is to be dismissed from public deliberation, as it diverges from the focus to reach a common understanding between all affected.

Consequently, that which is a common impediment amongst the democratic models in pluralistic societies is that the idealized conception of rationality diminishes the justificatory force of principles. By means of the abstraction it employs, idealized rationality obscures socially situated positions and lived experiences arising from structural patterns of the social. That means those reasons and experiences of suffering are to be left out, leading to reduced inclusivity for political deliberation. What such a limitation bring about is none other than the instances of epistemic injustice wherein individuals are prevented from making sense of their own social experience and from participating in democratic deliberation while fully exercising their capabilities (McNay, 2014, pp. 41–43).

4.3.1 Epistemic injustice

That which is referred as epistemic injustice corresponds to those wrongs incurred in one's capacity as the subject of knowledge (Fricker, 2007, p. 5). Yet, before expounding upon the concept, its presuppositions ought to be emphasized in order to grasp the general moral intuition prevalent in regard to justice itself. In order to address any distortion to one's capacity as a form of injustice, the concept of justice is firstly to be underpinned by the principle of equal moral worth in which all members of a polity are considered as having the same moral worth and hence deserving of equal respect and value. Through such a principle preventing the subject from the realization

of a certain capacity can be deemed as injustice since it signifies a distortion upon the equal standing of the moral subject whose self-development are hindered due to her relation to relevant social structures and collective imagination. This is also indicative of the role that capabilities possess, which can be conceived in a context-sensitive (Sen, 2011, pp. 240–242) or idealized form (Nussbaum, 2006, pp. 75–76), for going beyond the formal equality ensured by the rights that each person has; a focus upon human life and the existence of inequalities between persons in regard to fulfillment of opportunities and needs does bring about an informational focus, with which another's situation is better understood, while also serving as a basis from which the modes of domination within everyday life is exposed with reference to social structures from which they are arisen.

Returning to the subject at hand, epistemic injustice inquires upon the way the subject makes sense of her experience in everyday world with reference to structural forms of injustice, which indicate patterns inscribed to the very order of the social that limits the subject's relation to her own suffering. This is why the concept of epistemic injustice acknowledges both structural and transactional wrongs committed against the subject. Furthermore, there are two types of epistemic injustice and both are indicative of the reflection made upon the basic and everyday epistemic practices of conveying knowledge to another and making sense of one's own social experiences. The first of which is testimonial injustice. It is bound up with testimonial exchange, which incorporates identity power, that is, a form of social power that operates through collective imaginative conceptions of identities from which hearers make use of prejudices for assessing the credibility of the speaker. Then, the result of a prejudice is the "identity-prejudicial credibility deficit" that brings about the systematic testimonial injustice for the speaker (Fricker, 2007, p. 28). Consequently, the concept of testimonial injustice can be understood as the wrong incurred, both in ethical and epistemological sense, through the distortion of the subject's position in relation to knowledge, which necessarily indicates a credibility deficit[8] for the speaker stemming from systematic identity prejudice prevalent in the hearer's perception in regard to the testimonial exchange.

[8] Here, a criticism is raised by Elizabeth Anderson (2012, p. 170, 2020, p. 13) as there can be instances of credibility access, rather than the deficit, that also arising from systematic identity prejudice, and that leeads to the same harms with its counterpart.

Second type of epistemic injustice is hermeneutical in that it is centered on the capacity of the subject to make sense of her social experience. Insofar as social power impinges upon collective social imagination, a certain mode of expression and sense-making employed by the dominant social groups is to be taken as a basis from which the very act of understanding is shaped in such a way that it provides unequal access to the means of interpretating social experiences, which is reflective of the unequal relations of power as the basis is mostly out of reach for the disadvantaged social groups. That means, there exist a gap regarding the shared means of social interpretation made use of when one strives to render her social experience intelligible (Fricker, 2007, p. 6). Due to this hermeneutical gap between different social groups, it becomes altogether possible to being devoid of the very means to make sense of and express a social experience, which indicates that the concept that Fricker strives to build upon could very well be conceived in relation to Lyotard's (1988) "Differend" in which the arrangement as to a social conflict between two parties is made within a modality of understanding congruent to one of the parties, while the wrong or grievance that of the other suffers is not even defined within the same modality that puts forward a particular system of meaning to which the other has to recourse (pp. 9–10). In other words, hermeneutical injustice is a form of epistemic injustice incurred when an area of social experience is obscured through structural prejudice within the shared hermeneutical resources so that a social group is divested of the means to understand and interpret their own social experience (Fricker, 2007, p. 155). Lastly, just as its counterpart, hermeneutical injustice also incurs upon its subjects a particular wrong, rooted in the "situated hermeneutical inequality", which describes the concrete examples where a subject is not able to make sense of something that is beneficial for her to make sense of (Fricker, 2007, p. 162). Then, the wrong in question is the very exclusion from the collective hermeneutical resource due to the structural prejudice that renders the subject incapable of interpretating her own experience.

It is now evident that epistemic injustice, produced by the high level of abstraction operating in idealized rationality, constitutes a structural impediment for reaching an inclusive conception of justice. By distorting the subject's relation to her own social experience and knowledge, it obscures the lived reasons through which injustice is experienced. The question, then, is how these harms and limitations might be mitigated. Hence, the next section argues that it is through empathic access, it becomes

possible to understand and engage with socially situated experiences and lived reasons that are otherwise invisible.

4.4 Empathy as an Epistemic Access

Indicating the epistemic access that empathy provides with reference to lived reasons and hence justification of justice principles requires two preliminary clarifications as to the structure of empathy and that which is deemed as epistemic access. Beginning with the former, empathy, as described in the third chapter of the thesis, corresponds to the process whereby affective response congruent to the situation of the target is elicited on the basis of shared humanness through perspective-taking and direct encounter. What this definition indicates for the structure of empathy is threefold. First, empathy is necessarily related to cognition as it is to be exercised through taking the other's perspective or perceiving the markers that give away the situation of the other (Agosta, 2010, p. 155; Goldie, 2002, pp. 194–195; Maibom, 2020, p. 10). The cognitive element has a particularly epistemic importance as it grants the subject an interpretative means, which can be utilized to understand the situation of the target/s in question. Secondly, empathy involves affective attunement to the other in order to elicit an affective response more appropriate to the other's situation than that of oneself (Eisenberg & Strayer, 1987, p. 5; Hoffman, 1990, p. 4). In an account where invisible harms prominent in lived reasons and social experiences are to be discerned, such affective attunement renders it epistemically convenient to direct one's attention to those who suffer. Lastly, shared humanness situated as a basis for empathic engagement is that which constitutes the evaluative aspect of empathy. Because empathizing with the other requires the uptake of the other as a center of experience. This evaluative aspect also brings forth an epistemic import by establishing the basis in which the other's equal moral standing is recognized.

All three aspects of empathic process are directly related to epistemic work needed to be undertaken for arriving at an inclusive public deliberation for legitimacy of justice. Yet, this emphasis brings about the second preliminary clarification as to that which is referred as epistemic access. Since this thesis is not an inquiry upon the philosophy of mind, neither is the reference to the said access indicative of a form of mind-reading. It does not assume that empathy makes it possible to know exactly how the other feels, although it produces a situated knowledge through perspective-taking. This is due to

the fact that every form that the other can take is nonetheless alien to the empathizer; there is an asymmetry between grasping the mental states of the self and the other (Breyer, 2020, p. 432; Zahavi, 2017, p. 38). Rather, epistemic access corresponds to an engagement with the other in a way that expands the visibility conditions of harms and vulnerabilities. It is to be understood as an access that renders social experiences of suffering intelligible.

In light of the said clarifications, the main epistemic importance of empathy for lived reasons and social experiences of suffering, which are tacit manifestation of modes of subordination, lies at the fact that empathy is not a concept that can only be identified with feeling with another, but a process from which empathic concern, that is, an other-oriented motivational state towards the perceived welfare of another, is produced (Batson, 2010, p. 11). Although, the motivational import of empathic concern is left for the next chapter, the emphasis is on point as empathic concern is also that which makes empathy epistemically enabling for justice under the conditions of pluralism and structural inequalities. The reason here lies at the other-regarding focus it brings forth. The emphasizing subject becomes attentive towards understanding the other's reasons and registering the harms obscured by abstraction since the visibility conditions for lived reasons are expanded through the concern produced by empathy. However, there exists a crucial distinction in regard to empathic process. Empathy does not always lead to empathic concern where the attention is devoted to the other's welfare. In cases of over-arousal of empathic distress, that is, a feeling of distress in response to another's distress, empathic process might lead to personal distress, in place of empathic concern. But this alters the epistemic value of empathy in a devastating way as personal distress is an egotistical motivation wherein the subject is preoccupied with her own discomfort, thereby reversing the attentiveness ought to be given to the implicit harms that others suffer. Therefore, empathy can be considered as epistemically valuable as long as it produces empathic concern since it is this concern that enables uptakes by situating the subject oriented towards the other.

Keeping the distinction in mind, it can be argued that empathy, due to its juxtaposition of perspective-taking with empathic concern, provides a possibility to go beyond the purely rational accounts that carries the redundancy of abstraction, which reduces not only the justificatory accuracy of justice principles but also the extent of the very concept of justice itself. Through taking into account different perspectives and

feelings of others, particularly of those who are silenced or suppressed within a situated social imagination, empathy calls forth the confrontation with another world of experience so as to imaginatively reconstruct the situation of the other in a way that can expose, or at least explore, the modes of domination and oppression that distorts her equal moral standing, and prevents her from being situated as the subject of knowledge who can inform others and make sense of her everyday experiences. Here, empathic engagement is to be exercised in order to understand and respond to the lived reasons, needs and vulnerabilities of the parties that are, or would be, affected by the chosen justice principles and the practices made manifest by their implementation. As emphasized, lived reasons and embodied experiences cannot possibly be grasped through idealized modes of rationality, as they are embodied and emerged from everyday interactions that people undertake. Hence, they are socially-situated in a sense that the particularity of a lived reason cannot be captured by the totalizing force of abstraction. However, empathy is an interpretative resource that makes context-dependent harms intelligible. When the very confrontation with the other produces empathic concern either by means of perspective-taking, where one imaginatively reconstructs the other's situation, or direct perception of suffering, empathic engagement nonetheless indicates a basis in which reflective and dialogical understanding is established through the recognition of the other and the contextual harms to which she is subjected. This thesis holds, therefore, that empathy provides a non-substitutable epistemic access to lived reasons and socially situated experiences by enabling uptake, credibility repair, and contextual understanding.

4.4.1 Mitigating epistemic injustice through empathy

The epistemic access empathy brings forth is best manifested in the efforts to overcome epistemic injustice. Since epistemic injustice signifies the systematic and invisible harms that the other is subjected due to her social position and relation to knowledge, empathy can be utilized in terms of rendering the said harms intelligible through enabling epistemic uptake with empathic concern. That means both modalities of epistemic injustice can be mitigated by empathy, albeit in different ways.

The first mode, that is, testimonial injustice where the subject's conveyance of knowledge distorted, can be remedied by empathy. Empathy can restore the credibility judgment of the hearer as it renders it possible to situate the speaker in a proper light

by understanding her state of mind and having a congruent response, which can help to navigate through identity prejudices that shapes the way the subject is perceived. Moreover, empathy, as a process inherently requires the other as its object, can be employed to prevent the implicit harm within epistemic injustice, that is, the distortion of the capacity to reason. Since the act of empathizing with another signifies the acknowledgement of the other as a person who is also "centre of experience" (Nussbaum, 2013, p. 146), it can prevent the emergence of such identity prejudices where the subject is dehumanized. Hence, engaging with another world of experience through perspective-taking, particularly made in its other-oriented form, brings about the possibility to recognize, or improve the alertness against, the structural constraints with which the subject is circumscribed. Because empathy makes it possible to assess the social experience of the subject so that even it is unintelligible the distortion itself becomes a point of reference from which corrective efforts can be established. For instance, Armenian identity in modern day Turkey, is a manifestation of the construction of an absolute other whose very existence signifies the edges of the dominant system of meaning. In this sense, hearers are prejudiced to the extent of the stigmatization received by the identity in question; hence the testimony of an Armenian speaker is subjected to credibility deficit but also the speaker is pre-emptively hindered from playing along within the lines of a relevant mode of expression so that any possible conveyance of knowledge from her begins with the struggle to move past the very symbolic position against which set of presuppositions are situated. In this instance, empathy renders the hearers able to discern the disadvantaged status of the Armenian identity by the attentiveness to the other produced by empathic concern and perspective-taking. Hence, empathy offers to redirect the attention to the testimony itself and restore the credibility given to the speaker whose lived reasons are disrupted by a systematic identity-prejudice.

As for the second mode, that is, hermeneutical injustice, which signifies the situation where the subject is divested of the means to understand her socially experience, empathy can be put to use to fill the hermeneutical gap arising from the situated hermeneutical inequality. This is because epistemic access grants the empathizer an orientation to the other's situation through perspective-taking and empathic concern. That way, empathy brings forth an interpretative access to socially situated experience of the other; the harm unintelligible for the sufferer becomes discerned in a way that

exposes the injustice incurred through hermeneutical marginalization wherein there exists inequal hermeneutical access between different groups to the areas of importance in regard to social experiences. For instance, thousands of children between the ages of fourteen to eighteen are enrolled in Vocational Training Centers called "*Mesleki Eğitim Merkezleri"* (MESEM), wherein the students can receive four days of vocational training by apprenticing in the private sector workplaces such as workshops and factories. Ostensibly, the program itself is sanctioned by the state and it is beneficial for honing the skills of the students for the time when they will join the labor force in full effect. The suffering, in this case, lies at the body of a student whose labor is physically demanding and precarious[9] because being incorporated into the labor force as a child alters the way one interacts with the world; being situated in certain sites where one's body has to be part of the physical as well as behavioral ordering is an embodied social experience, interpretation of which requires the access to the collective hermeneutical resource in the context of the relations of production that they are forced to participate. Here, empathy makes it available an interpretative access to the students' embodied experiences obscured by the dominant vocabulary of a neoliberal order. This leads to noticing interpretative gaps in students' apprehension of their lived experiences. It is through empathy, what appears as an early skill formation can be interpreted, with perspective-taking and empathic concern, as a lived experience of embodied precarity due to being incorporated into relations of production. Nonetheless, as is seen with this example, empathy does not negate the said harm, but brings forth an interpretative resource that situates the experience as a produce of social relations, rather than, an individual opportunity.

That which these examples given above indicates is that empathy can mitigate, and at least to an extent correct, the unintelligible harms belonging to epistemic injustice due empathic engagement with another where both perspective-taking and empathic concern are at the foreground. Due to this epistemic import that empathy brings the next section strives to briefly formulate the argument in this chapter by indicating the conclusion that emerges from the aforementioned premises.

[9] In January 2024, two students enrolled in MESEMs died as a result of workplace accidents, while several others had been injured (Saygın, 2024).

4.4.2 Empathy as a non-ideal epistemic necessity

This subsection is a culmination of all the premises put forward throughout this chapter so far. Recall that justification of principles requires all affected to will the principle, and to be given equal consideration. That means those reasons and experiences situated in the social sphere and oft times rendered unintelligible by the dominant system of meaning have to be taken into the process of public deliberation. However, idealized rationality, due to its dependency upon abstraction, excludes such reasons and experiences. To this structural impediment, this chapter puts empathy as a remedy due to its ability to provide an epistemic access informed by empathic concern, which enables epistemic uptake and context-sensitive understanding. Then, that which is evident is the conclusion that this chapter holds: empathy is a nonideal epistemic necessity for the legitimacy of justice principles. Because without empathy and the access it provides, the inclusiveness of justice principles under pluralism is diminished in terms of the invisibility of the lived reasons and social sufferings to which people are subjected. In other words, empathy is not necessary for all forms of justice, but for the legitimacy of justice under conditions of pluralism, inequality, and structural oppression. This makes empathy a non-ideal necessity, since it is a necessity that depends on the conditions of the context it is embedded in.

4.5 The Limits of Empathy

Although this chapter has strived to indicate the way empathy figures into the justification of principles, there are different strands of criticism that put not only the epistemic access that empathy grants but also the very structure of empathy into question. This is why this section strives to indicate the prominent objections, and to defend the thesis that empathy is a nonideal epistemic necessity for justification. In this sense, there are three main points of reference for the limits of empathy. The first is related to the concept of distant other, which can be considered both in terms of intensity and physical proximity. Then, the second one is about the scope of empathy and the supposed individual focus it necessarily brings. And the last one is concerned with the utilization of empathy as a technique of access for ensuring the aysmmetries prevalent in neoliberal orders. Each of these criticisms are to be replied so that it becomes possible to argue for the nonideal necessity of empathy for justice under pluralism.

4.5.1 Empathy and distant others

The way the term “distant others” is emphasized here is twofold. First, it denotes to the concrete physical distance between a particular group or an individual with another, and therefore related to the fluctuations in one’s empathic reach depending on the target of empathy. Secondly, being a distant other implies the level of intimacy one has towards a particular other/s. These two points converges on that which can be called as proximity bias. Dating as far as Adam Smith’s remarks (1982, III.3.4.4), the reach of empathy and the empathic attunement is criticized on the basis that the more the proximity/familiarity of the object of empathy increases, the more it becomes convenient to empathize (Bloom, 2016, pp. 25–27; Hoffman, 2000, p. 208; Prinz, 2011a, pp. 223–224). This argument is on point; empathy does indeed differ based on the physical proximity or familiarity of the other, as people tend to empathize in congruence with the immediacy of the said encounter and with their in-group members.

Owing to empathy’s liability against familiarity and proximity, it can be claimed that, as legitimacy of justice principles depends on the requirement that all affected are incorporated into the public deliberation and their lived reasons and experiences are accounted for, this proximity/familiarity bias can hinder, at least to an extent, giving equal consideration for all. Therefore, empathy becomes an unstable means for the process of deliberation. Yet, such a consequence derives from an overemphasis upon the affect such biases have and from a restricted understanding of empathy. First off, empathy is not a singular emotion that one feels, but a process consisted of cognitive, perceptual and affective elements (Morrell, 2010, pp. 60–66). Meaning that the way empathic responses are given is not fixed in terms of its affective quality and intensity; rather, the disruptiveness of biases towards moral reasoning and epistemic role that empathy has depend on the context in which empathy is invoked (Muradova, 2025, p. 8). One can regulate her empathic responses through moral principles; empathy does not override the implementation of moral principles that necessarily carry universal claims. Secondly, and more importantly, empathy does not refer to merging with another, or a total identification where the boundaries between the self and the other is dissolved (Scheler, 2017, pp. 18–20; Slote, 2007, p. 14; Stein, 1964, p. 16). Therefore, one can still have an empathic concern toward a familiar individual without being completely taken by affective response it creates, and hence, can reflect upon on her

own behavior and judgments. In the context of physical proximity too, empathy can be extended beyond immediate situations and renders one able to consider different possibilities (Hoffman, 2000, p. 214).

In fact, it is somehow ironic to dismiss empathy due to its liability to biases, since empathy, should it be also expanded towards distant others, is that which makes it possible to overcome prejudices situated within the collective imaginary of a community (Decety & Cowell, 2014, p. 530; Morrell, 2010, p. 92; Morris, 2019, pp. 511–512). This is because empathy brings about a confrontation with another world of experience that requires one to reflect upon the credibility judgment one holds, as well as upon the very images of the other. Albeit empathizing with in-group members differs, in terms of the intensity of the empathic attunement and of the level of knowledge one has, as opposed to empathizing with distant others who are either not the object of immediate situation or the subject of knowledge, empathy still holds its unique relation with the other: it discerns the relational nature of identities by rendering possible to acknowledge the shared humanness that pertains in spite of the form otherness can take, implying that there are other ways of being in the world. It can, thereby, underpin the adherence to deliberative democracy, and either through perspective-taking or direct perception, it brings out affective responses with which one can make sense of, at least to an extent, social sufferings and embodied experiences in order to overcome the structural identity prejudices to which different political identities are subjected. This does not mean, however, empathy is to be considered as a sufficient condition for justification of principles, nor does it become the sole determinan for ensuring participation to collective decision-making processes. As stated, empathy can be juxtaposed with moral principles, and it is not necessarily opposed to reason, but to the logic where reason becomes a totalizing force via abstraction. Hence, it would not to be absurd to respond to the critiques that problematize the epistemic role of empathy with the claim that empathy, on top of being a nonideal necessity for democratic legitimacy as it brings out otherwise invisible forms of social experiences into the public deliberation, can be mediated

through procedural filters such as publicity and generability, so that the empathic concern elucidated within deliberation can be institutionalized.[10]

4.5.2. Empathy and the narrowness of the scope

The second strand of criticism that revolves around the structure of empathy, and its epistemic role as well, is related to its scope and the way it directs one's attention to particular cases. Here, the issue is that empathy, and empathic attunement towards another, functions not at a collective but a particular way, meaning that empathy situates the focus solely on particular individuals, and most of the time, on those who are in an immediate situation. Both Jesse Prinz (2011a) and Paul Bloom (2016) agree on the claim that empathy is somehow local, that is, the attention it directs is on individual, and hence, it leads to the dismissal of systematic problems. Moreover, for Prinz (2011a, p. 228), the necessarily narrow focus of empathy cannot be extended as it is not possible to empathize with everyone in need, while Bloom (2016, pp. 31–34) goes on to argue that empathy is but a "spotlight" which nonetheless projects the biases of empathy into its target. Here again it is convenient that empathy, particularly when the empathic concern is elicited by perspective-taking, situates its intentionality mostly on a particular other. Yet, positing that empathy has a narrow focus does not necessarily follow from its structure of intentionality, nor does it offer an adequate explanation for its own presuppositions. Only by adopting an idealized form of rationality, and a restricted definition of intentionality can one dismiss the epistemic importance of empathy, which is particularly evident with reference to social sufferings and experiences. Since the problems arisen with that mode of reasoning has been addressed, it would be more beneficial to begin firstly on the intentionality of empathy, and then on the conclusion that empathy brings forth the tendency to overlook systematic problems due to the narrow scope it has.

Now, the challenge at hand is once again related to the structure of empathy. In order to accept that empathy is only directed towards a specific individual, hence cannot be engaged at a collective level, one has to consider whether such a thing as collective empathy is possible or not. According to Szanto (2015), who presupposes that

[10] For instance, Muradova argues that through minipublics, such as citizens' assemblies, empathy can be institutionalized in the sense that the point of view of the other is taken into consideration not only with cognitive faculties but also with affective responses in a publicized way (Muradova, 2025, pp. 12–13).

communities can have collective experiences, empathy, as a mode of access to another, can be practiced at a collective level, meaning that the concept itself is not restricted solely with a dyadic relation (pp. 521–523). The object of empathy can be a certain collective, or a collective can empathize with a particular individual. This point, albeit briefly, is also evident in Stein's work wherein she argues that a "we" can become the subject of empathy (Stein, 1964, p. 17). While this does not sketch out how such a collective form of empathy might be possible and fostered, it does indeed present a problem that ought to be addressed should one is to claim that empathy can only be made in the level of individual. Yet, both scholars do not strive to refute phenomenological accounts in regard to empathy, but presuppose a certain form of relation within the structure of empathy.

The second problem with the critique of narrowness, so to say, is twofold. First, it adopts a totalizing mode of rationality in order to unify the mode of epistemic access regarding the other, by downplaying the role of everyday interactions and embodied experiences which indicate the relation between the individual and the social. In order to develop a comprehensive understanding of the other, and to arrive at a public deliberation wherein all are included, one has to consider the particularities rooted in individual lives. Second, the conclusion that empathy overlooks systematic issues, is nothing but mistreating the concept of the other. As Benhabib (1992) argues, there exist two standpoints for the other: the first is "concrete" and the second is "generalized" other (pp. 158–159). The latter signifies the Kantian respect in that it delineates the common moral dignity of all rational agents; while the former emphasizes the particularity of the individual who has a concrete history, needs and qualities. The distinction here might be considered as antagonistic, however, Benhabib opts that one cannot grasp the moral dignity that generalized other possesses without acknowledging its concrete counterpart (1992, p. 164). What such a relation between these two conceptions indicate is that the attention given to the individual in terms of her particular actuality is necessary for arriving at universal claims with reference to all people. In the case of empathy, then, the so-called spotlight it puts upon a particular individual is an epistemic means to arrive at such generalizability. Moreover, empathizing with a particular other can transform into an empathic concern elucidated for those who are in similar position. For instance, acknowledging an identity prejudice to which one is subjected can be the instigator of an effort to challenge the very

structures that produces it. As Morris emphasizes, empathizing with one's suffering oft-times extends beyond the initial relation between individuals (Morris, 2019, p. 513).

4.5.2 Empathy and the technique of access

The last strand of criticism may be the strongest one as it draws from the social construction of emotions and critically questions the way an emotion or affective process such as empathy functions in reference to the social position and structures that one is embedded in. Here, one of the prominent accounts belongs to Carolyn Pedwell who argues that empathy might be employed to be used as a technique of access within the context of neoliberalism wherein the market logic—which commodifies the social relations through portraying humans as a self-interested desirer— is to regulate and order the everyday life and modes of citizenship (Pedwell, 2012, p. 164, 2014, pp. 47–48). She puts an emphasis on the relation between empathy and the social contexts in which it is employed as a way of disclosing the purview of power relations and social structures upon empathy. Herein, one cannot empathize in a way that engenders a critique or a challenge against forms of injustice without taking into consideration the asymmetrical social hierarchies and class positions which nevertheless designate the mode of the encounter with the other. In this sense, simply claiming to know the other, and grasp her embodied experience through empathy can, ironically, correspond to erasing the very difference to which empathy ought to register, insofar as it appropriates the other's experience on behalf of the empathizer. Sara Ahmed (2014) makes a similar remark as she contends that feeling with another bring about an appropriation of another's experience, which, in turn, may result in affirming the patterns of inequality if the said experience itself is abstracted from the very history it is bound up with only for it to become convenient to be immersed by the empathizer (pp. 30–31). Within a neoliberal order, as Lobb succinctly indicates, such appropriated empathic experiences can be used to reify existing social structures, since empathy is not employed to remedy the subject's understanding of her own social experience, but as a technique that dampens any possible social critique by being adhered to the discourses that reaffirm and reproduce the conditions of the oppressed (Lobb, 2017, pp. 595–597). This possibility shows that empathy is not a concept that has a fixed moral quality, but a multi-dimensional process that is highly dependent on the material conditions and particularities that comes within social contexts.

Concordantly, the access that empathy grants to another's world of experience can be put to use for establishing epistemic authority over the disadvantaged subjects. Here, Pedwell gives the example of transnational immersion programs in which an asymmetrical relation between the empathizer and the target of empathy is evident (Pedwell, 2012, pp. 168–169). In these programs, a development professional or a relief worker is sent to underdeveloped areas around the world to better understand the suffering of others. While the empathic engagement produced here can be considered as an effort to eliminate the problem of distant other, it nevertheless appropriates the other's experience in a way that gives privileged subject the authority to speak on behalf of the sufferers. This is because within the context of immersions, the empathizer strives to reach an unmediated reality wherein her own social position and personal history are left out. Then, that which empathy brings about is but an emotion devoid of political and social connotations, whilst being considered as a "felt truth" which functions as a basis for claiming epistemic authority upon the experience (Pedwell, 2012, p. 171). As a result, rather than open up a space where the relation between the object of empathy and knowledge can be restored, empathy is used to fixate the object's initial position.

This thesis is in agreement with the criticisms regarding the negative side of empathy. Hence, the way empathy is constructed ought to pay regards to both political and social contexts, and is not to exempt neither from class nor from recognition-based struggles. Even as an epistemic means to another's world of experience, empathy and empathic forms of engagement are to be realized for disclosing the patterns of subordination whether in the form of epistemic access or a concern that forms the basis for solidarity —note that this reference to concern will be detailed on the next chapter. It is perhaps as LaCapra (2014) claims, empathy ought to be an "unsettling experience" (pp. 41–42), meaning that it should mark an unknown territory in relation to the encounter with the other, so that it is situated as a non-ideal necessary condition that discloses the social sufferings without claiming authority over the experience itself. Only then the epistemic access becomes one of the bases from which the concept of justice is to be enlarged.

4.6 Conclusion

This chapter has strived to posit the argument that empathy is a nonideal epistemic necessity for justification of justice principles in the context of pluralistic democracies. To do so, it first builds upon the presupposition that democratic legitimacy requires all affected to will the principle in question and are incorporated into the public deliberation. Here, it is argued that idealized modes of rationality overlook the fact that participation itself cannot be ensured by mere abstractions as there exist lived reasons embedded in bodies and hinder the subject either from making sense of her own experience or from following the dominant modalities of expression. The first premise that this chapter has asserted was that justification of justice principles requires understanding lived reasons and harms with reference to all affected. In order to ground such a premise, it has been indicated that the concept of justice itself is not exempt from the political, meaning that it takes its que from the radical moment when the basic structure of society is first established. As the ordering of the social and its structures are contingent; justice cannot be also fixated to an irrevocable meaning. Therefore, it ought to take into consideration the varying forms of suffering that depends on the very structures of the social and embodied within the bodies of the subjects. Then, as a prime example of the disregard towards such experiences, the concept of epistemic injustice, rooted in the distortion towards the subject relation to knowledge has been indicated.

Subsequently, this chapter has suggested as a second premise that empathy can be utilized as an epistemic access to otherwise invisible sufferings of the other. This is because empathy, as a process comprised of both cognitive and affective elements, brings about an encounter with another world of experience through either direct confrontation or perspective-taking in a way that also elicits a concern for the other. That means, empathic engagement can be used to capture lived reasons underpinned by systematic inequalities in order to understand the particular needs, harms and demands of the oppressed. Moreover, it has been indicated that empathy is particularly fruitful for the effort to overcome epistemic injustice, as it reframes the attention upon the dismissed others while also restores the subject's relation to knowledge through disclosing the identity-based prejudices. In light of these two premises, this chapter has argued that empathy is epistemically enabling for justice as it reduces blinds spots and improves the legitimacy of justice principles through making it possible to

incorporate different forms of experiences of all affected into the public deliberation while also disclosing the structures that produces and reaffirms the modes of domination that underpin social sufferings.

Lastly, this chapter has strived to map and answer the criticisms upon both the very structure of empathy and its epistemic role. In this sense, the first criticism addressed was about the empathy's liability as to biases. While empathy does indeed open to biases such as proximity and familiarity, it has been claimed that these biases are not fatal for empathy as it nevertheless can be utilized to overcome identity-based prejudices, and can also be juxtaposed with moral principles that limits the role of empathy. Secondly, the criticism regarding the scope of empathy has been indicated. Here, the main argument was that empathy brings about an individual focus and therefore overlooks systematic problems. Yet, it has been suggested that without answering for the intentionality of empathy, and whether a collective form of empathy is possible, it is not convenient to consider empathy as solely an individual matter. Moreover, even engaging with the other in an individual level, as emphasized in this chapter, can bring forth an empathic concern for all who are in a similar position with the empathized subject, since in order to arrive at universal principle regarding the generalized other, one has to begin from its concrete counterpart. Lastly, and most importantly, this chapter has included those criticisms that focus upon the sociability of emotions and the way they are formulated within neoliberal orders. Here, the main issue was the possibility that empathy can be employed as a technique of access through which the subject's experience is appropriated in order to make epistemic authority claims in favor of the privileged. In this context, empathy turns into a means that affirms the patterns that reproduce the domination of oppressed while possessing a market value as it renders it convenient to divorce emotion from its history only to be reconfigured as a felt truth that can be wholly captured. To escape from such a fate, this chapter has argued that empathy ought to be considered in relation with the mode of encounter with the other and with the social context it is employed in, meaning that a regards for both class and identity-based struggles ought not to be excluded from the empathic engagement. Hence, empathy is to be realized as an unsettling experience that grants an epistemic access, which marks the unknown territory that comes with the other without appropriating the history of its object.

5. EMPATHY AS A NON-IDEAL MOTIVATIONAL REQUIREMENT FOR INCLUSIVE JUSTICE UNDER PLURALISM

5.1 Introduction

In the previous chapter, this thesis argued that empathy constitutes a non-ideal epistemic necessity for justice under pluralism, insofar as it provides epistemic access informed by empathic concern for lived reasons and socially situated experiences. Building on this conclusion, the present chapter develops the second part of the main argument of the thesis. It will be claimed that empathy is a non-ideal motivational necessity for inclusive justice under pluralism. This is because empathy provides inclusive compliance for the stability of justice and renders it possible to extend recognition-based struggles beyond the directly harmed. To arrive at this conclusion, this chapter will lay out two distinct yet converging lines of argument.

In this context, the chapter will begin with the premise of the first line that claims justice, under pluralism, requires not only justified principles but also motivated compliance for its stability. Then, this chapter will assert that empathy elicits prosocial-motivation due to the empathic concern it produces. As a result, the conclusion of the first line will be set out by claiming that empathy is a motivational scaffold for the stability of justice and cultivation of solidarity. After the first line of the argument is stipulated, the chapter will introduce the second line of the argument from the premise that justice is not only distributive but also relational, since it concerns those harms incurred in intersubjective relations. Subsequently, this premise will be followed by the claim that empathy supports recognition practices and provides a motivational basis for the uptake of recognition claims beyond the directly harmed, thereby supporting recognition practices and formation of struggles for recognition.

In the last part of the chapter, these two lines of argument will be synthesized to arrive the conclusion that empathy is as a non-ideal motivational necessity for inclusive justice. Meaning that without empathy and the motivational basis it offers due to

empathic concern, the ongoing civic support for inclusive justice and the struggles for recognition becomes unstable under pluralism. The chapter, however, will end with addressing the limitations and objections where empathy is considered neither impartial nor self-sufficient. By addressing these limitations, the chapter will strive to specify the conditions under which empathy can make a legitimate contribution to inclusive justice without being detached from social and political mediation.

5.2 Justice, Deliberation and the Necessity of Motivational Compliance

In order for a justice principle to be legitimate, all affected have to will it, and to participate into the deliberation process. It is not possible, however, to arrive at a justified principle, in the context of deliberative democracies, without motivational compliance from those all affected in that it requires that all are willing to take into consideration one another's judgments and point of views, and engage with those who are different from themselves. Or in other words, motivational compliance maintains the citizens' deliberate engagement with one another on the basis of concern so that the accounts of all affected and their socially situated experiences can be incorporated into public deliberation from which the legitimacy is established in the first place. One can clearly indicate the importance of such a motivational component in the works of different deliberation theorists. For instance, Habermas argues that the process of deliberation ought to be executed by individuals who are able to put themselves into each other's perspectives (Habermas, 1998, p. 162), and reach understanding through "rationally motivated agreements" (Habermas, 1985, p. 75). Not only Habermas but also different theorists of deliberation put emphasis on a certain form of moral motivation due to which persons are to abide the chosen limits of deliberation and to arrive at a consensus for designating principles of justice (J. Cohen, 2009, p. 305; Gaus, 2010, pp. 279–280; Rawls, 2005, p. 48; Scanlon, 2000, pp. 153–158). It is also the case for agonistic politics which posits that the political is to be considered as the agonistic dimension wherein adversaries are to struggle against one another within the limits of democracy. That which makes the transformation from antagonistic relation that Schmitt (2007) offers in the form of friend/enemy to a conflict between adversaries is the motivational compliance, towards the idea of democracy and its practices (Mouffe, 2005, pp. 20–21). This indicates that the process of deliberation requires motivational compliance from all affected so that there exist a certain level of

respect and concern towards others that renders it possible for all to be open to dialogue. Here, a sense of togetherness, roots of which can be traced back to the definition of man as a political animal (Aristotle, 2009, 1278b20), sustains the commitment to reach justified principles via deliberation. Otherwise, that which can be oft times realized, within the context of democratic politics, would be the aggregative model wherein market-structured interactions are to shape the social by reducing the main component of motivation as self-interest.

Yet, this does not mean that the deliberative model, in its own differing modes, is exempt from similar challenges. That which is crucial in regard to emphasis upon motivational compliance as the point of departure for public deliberation is the risk that comes with the dealimination of the norms of reasonableness. To be precise, the general characteristic of deliberation itself can be shaped to be in line with liberal framework wherein the mode of rationality dictates the ideal of impartiality, which inevitably clouds the contingency of the sedimented practices already prevalent in a political community. As Young (2000) observes, such forms of deliberation either negates the difference at the beginning through restricting the extent of the deliberation with the shared understanding to which members of a political community adhere; or they strive to arrive at unity where the difference in social positions, contexts and lived reasons are to be overcome as the result of the deliberative process (pp. 40–43). Then, motivational compliance that all suppose to have becomes juxtaposed with the notion of unity whether in the form of sharing a common system of meaning, or achieving a common good, resulting in the loss of difference in a way that brings about an exclusion, or that creates a "constitutive outside" (Mouffe, 1993, p. 69) for those who cannot express their experience in phase with the prevalent mode of deliberation, or who are simply situated in structures against which only the disruptive forms of struggle towards the idealized order of deliberation can propose a way out. Hence, the limits of the norms of reasonableness largely indicates in what sense and to what extent motivational compliance is to be promoted.

Although it is evident that in all of the instances above there exists a motivational need for maintaining the commitment either to the reaching a common good via deliberation or to maximizing self-interest, the motivational component itself, in such cases, is confined in a way that distorts the potential that basic idea of justification holds. By being put to use as a marker of idealized modes of deliberation in relation to democratic

politics, it hints at the renouncement of the effort to arrive an inclusive account of justification that incorporates into itself the point of view of others who are otherwise invisible. Since the concrete conditions within pluralistic democracies do not correspond to their idealized counterparts where all affected are able to express and take part into the public discussion in accordance with the norms of reasonableness, promoting inclusive justice cannot be realized without taking the lived reasons originated in the both explicit and tacit modes of domination (Young, 2000, p. 109). Hence, this thesis holds that only through a democratic model where class and the other social positions such as race or gender are to be emphasized, rather than being sacrificed to market-logic or a republican common ideal, motivational compliance can become a necessity for justice that can also function to increase inclusiveness whilst maintaining the commitment to the deliberation process. It is to be noticed, however, that the necessity of motivation is not confined to the context of designating justice principles through public discussion. Rather, it is one of the elements that affect people to uphold the chosen principles and live in solidarity with each other so that they are concerned with the welfare of their community—although solidarity here can be established through different network of interactions within different social groups. It is in this sense that this chapter holds the premise that justice requires not only justified principles but also motivational compliance and ongoing commitment towards realizing and maintaining the conditions that promotes the chosen principles. Therefore, the need for compliance towards justice will be the main reason for situating empathy in the next section as a motivator for prosocial behavior which can produce empathic concern that promotes the stability of inclusive justice and cultivation of empathy.

5.3 Empathy as a Motivator of Prosocial Behavior

After indicating the importance and the necessity of motivational compliance for justice, it is now convenient to focus upon the resource from which such commitments can be derived, and upon the very catalyst that reinforces solidarity and the ongoing support for justice while also indicates a possibility for reflective form of deliberative discussion. As is clear due to the general direction of this thesis takes, the catalyst in question is empathy, and its relation to moral motivation. It is emphasized that basic idea of justification requires taking others perspectives into account and giving them

equal consideration. The willingness of citizens in public discussion to have a concern for one another so that they are motivated to consider the other's situation and welfare, and to stand in solidarity against both tacit and explicit modes of injustices are dependent upon the ascription of sociality into human activity, where human beings are tied together through different motives. In this framework, therefore, the second premise of the first argument posits that empathy, or empathic sensitivity as Habermas calls it (2007, p. 202), is to be taken as a motivator for prosocial, i.e., altruistic behavior that promotes other-regarding focus upon the duties that extend beyond the self-interested rationality. However, such a premise is in the need of explanation as to the link between empathy and prosocial behavior can be found.

At this point, one can clearly indicate both the works of Batson and Hoffman where the relation in question is not only explored but also grounded within the context of moral development. Firstly, as stated in the second chapter of this thesis, empathy is not a single emotion, but a process which produces, through different formations, an affective response congruent with the perceived situation of the other on the basis of shared humanness. Since the emphasis upon the notion of shared humanness is to be explored in the second half of this chapter, that which ought to be indicated here is that empathy becomes a motivator of the prosocial behavior insofar as it leads to empathic concern, defined as the other-oriented emotion arising from the other's perceived welfare (Batson et al., 2015, p. 260). Empathic concern, as Batson opts, is not a single emotion either but a constellation of other-oriented which brings about a concern for the other. This clearly means not all empathic emotions can lead to altruism. Then, the question of under what conditions such concern can be elicited ought to be answered. For Batson, it requires two main conditions: perceiving the other in a deprived position and having concern for the other's welfare (Batson, 2010, p. 33). So long as these two conditions are met, empathic concern is produced even via different modes of arousal. In this sense, empathic concern produces prosocial motivation, which can be defined as a state where the improving the other's welfare is designated as the primary aim (Batson, 2010, p. 20; Hoffman, 2000, p. 35). Here, there are two brief points ought to be made with reference to the concept of prosocial motivation. First, by being a motivational state, it indicates that it depends on the specific situations, and last for a certain amount of time; and second, it diverges from being an instrumental good due to the designation of the alleviating the other's suffering or need as an end in itself. A

similar yet more schematized account can be found in Hoffman in regard to empathy's prosocial functioning. For him, the term in question is empathic distress, which describes the subject's distress as a result of the perceived stress of another (Hoffman, 2000, p. 4). Here, Hoffman argues that empathic distress, which can be produced by both automatic and cognitive forms of empathic engagement, brings about prosocial motivation, and is transformed into different moral affects[11] (Hoffman, 1990, p. 161).

Yet, that which is vital for any inquiry upon empathy and prosocial behavior is the quality of the motivation. While altruistic motivation is to be considered as a prosocial behavior in that it is defined with the aim of helping another for its own sake; not all forms of prosocial behavior stem from such motivation (Coplan & Goldie, 2011, p. xxiv). As Hoffman indicates, when empathic distress becomes intensified to the degree that the attention of the subject turns from the other's distress to her own distress, it becomes over-aroused (Hoffman, 2014, pp. 76–79). In this case, albeit it is still possible to indicate prosocial behavior, the motivation behind the behavior itself becomes the alleviation of one's own personal distress, rather than the suffering of another. While that means should it become too costly for the subject to help the other, she would be motivated to choose to not to help; in the cases where the subject acts to help the other, the motivation becomes egoistic. The difference between empathic and personal distress, in this context, is of vital importance as only the former can indicate a genuine concern for the other, which is to be cultivated in regard to promoting solidarity between citizens and maintaining compliance towards public deliberation wherein all affected are to be given equal consideration. Hence, only the prosocial behavior arising from altruistic motivation that empathy produces ought to be considered in relation to the accounts of justice in which the sociability of men and caring are deemed necessary.

[11] Most notably, empathic distress gives way to sympathetic distress, empathic anger and feeling of injustice. The first is elicited when the observer perceives an immediate peril for the other, or the other is not responsible for the situation that she finds herself. Secondly, empathic anger describes the affect arisen when the victim's situation is caused by a particular someone or something. Lastly, empathic feeling of injustice describes a desert-based arousal where there exists a discrepancy between the sufferer's position and her character or actions (Hoffman, 2000, pp. 95–108).

5.4 Empathy and the Motivational Commitment to Justice and Solidarity

So far, this chapter has addressed two premises for the first argument: (a) justice requires motivated compliance, particularly for its own stability and public deliberation and (b) empathy produces prosocial motivation that promotes the willingness for the concern for others. This subsection, then, concludes the argument by arguing that empathy is a motivational scaffold for the stability of justice and cultivation of solidarity. Here, that which to be emphasized at the beginning is that in the context of deliberative democracies, justice principles, which can only be legitimized through the public discussion where all affected are incorporated and given equal consideration, are necessarily tied to empathic concern for the other. Since without it, the very concept of reasonable citizen who is willing to listen becomes distorted. An inclusive mode of deliberation cannot be materialized without being motivated to take into account of the all forms of experiences and perspectives of others. Yet, the motivational import of empathy is not to be restricted to inclusiveness; it renders it possible to arrive at a reflective deliberation through promoting affective uptakes that brings others' perspectives in a dynamic process in which one can revise her position, or even moved by the concern for the others (Morrell, 2010, p. 194). Moreover, for maintaining the commitment towards deliberation, and hence to justice in general, the quality of the motivation in question ought to be other-oriented. Otherwise, the very moment when a particular experience of a social group, so to say, brings about possible questions that are at odds with that of another, then, there exists no reason to be willing to be open to dialogue. As Nussbaum (2006) stresses, a commitment towards the welfare of the other is a part of the concept of person who is constructed with reference to its dependency on others and the very social context in which it is embedded (p. 158). This is also why when Krause (2008) argues that the mainstream models of deliberative democracy, which incorporate an idealized rationality in a contested relation to sentiments, lack the motivational basis from which the relevant commitments can be derived (p. 2); she indicates the need to cultivate the capacity for empathy by means of social practice and cultural programs in order to institutionalize and extend the concern for the other within the context of public life (Krause, 2008, pp. 135–139). That means empathy and its relation to prosocial behavior is not to be conceived solely within the context of the decision-making processes. Rather, empathic concern can become the basis for maintaining the

commitment towards the stability of justice principles by elucidating appropriate public emotions, which invokes a concrete history for the chosen principles (Nussbaum, 2013, p. 201), and by bringing about an extended concern towards the other. However, the emphasis upon stability ought not to be deemed as always in congruence with the status quo of the prevalent political order. While the commitment is towards justice principles, it supposes that the principles are already legitimized. Meaning that, should the conditions for legitimate decision-making changes, then, the commitment in question requires a critical reflection upon both the procedures of decision-making and the practical implications of justice principles.

Secondly, empathy, by producing altruistic motivation through empathic distress, can be considered as one of the sources from which a sense of solidarity with others—even with the "distant others"—is disseminated. Here it is to be stated that solidarity denotes to a sense of commitment towards the equal moral status of all through the acknowledgment of the common space, both symbolic and concrete, shared with others. The intended aim is not to formulate a similar concept to that of "differentiated solidarity" which strives to emphasize upon the difference yet again (Young, 2000, p. 221), but to indicate a common sensitivity towards suffering without marrying the concept with a particular common good as it is largely the case in republican models of democracy. The sense of solidarity, in this vein, functions as an initial ground of struggle against different forms of injustice where people are prevented from fully executing their capacities, and participate into decision-making processes. The way empathy figures into solidarity, in this sense, is through producing prosocial behavior due to which people are willing to act in behalf of the others, particularly of those who do not possess the means to express their own social sufferings. In fact, particular empathic affects are also effective for cultivating solidarity. For instance, empathic anger which arises from empathic distress can be directed towards the subject of the victim's suffering in such a way that the empathizer becomes motivated not only in terms of the welfare of the other but also of struggling against the conditions that creates the suffering in the first place. However, the relation between empathy and solidarity can only be fully developed through inquiring upon the problem related to the scope that solidarity is supposed to cover. Here, in line with both Clohesy (2013, pp. 45–48) and Rorty (1989, p. 192) it is to be opted that networks of solidarity should transcend the bounds set by the contingent modes of polities. Therefore, it is not just

one's political community but also the spaces comprised of distant others, to whom one does not have an immediate relation, are to be included as the sites where a sense of solidarity can be expanded. The said expansion, in this context, is to be provided by empathy as it brings about an altruistic concern and sensitivity towards the suffering of others whether through imaginative perspective-taking or direct encounter with another. Therefore, the more the extend of empathic concern is improved, the easier it gets to cultivate solidarity.

Up to this point the first line of the argument has indicated why motivational compliance and solidarity, which can be promoted by empathic concern, matter for stability of justice; but it is not the only stake in question. If injustice is experienced as a withheld recognition, that is, disrespect, and status subordination, then justice must also be relational. Therefore, with the next section, this chapter sets the second line of its argument.

5.5 Empathy, Justice and Recognition

With this section, the second part of the argument is to be set out within the context of relational justice and recognition practices. Here, the motivational import of empathy, rather than owing solely to prosocial behavior, which cultivates solidarity and ongoing support of justice principles—particularly of those chosen through public deliberation—is explored also with reference to its relation to the Other. This is directly related to the definition of empathy made in the third chapter as a process that is necessarily realized on the basis of shared humanness. Since empathy brings forth a confrontation with the world of experience of another, it renders one to acknowledge that the other in question is also a person of moral importance, that the other can be either directly encountered or imaginatively reconstructed as a result of a certain level of similarity between the subject and its target. In what sense the shared humanness implicit in empathic forms of engagement is of importance with reference to recognition practices, however, it requires firstly to put an emphasis on why relational justice, where such practices are to be held as main components of justice, is necessary.

5.5.1 The necessity of relational justice

As indicated in the concluding remarks of the conceptual analysis of justice, accounts that conceive justice solely in distributive terms rely on an ideal of impartiality that

abstracts the person as an entity with no history. By construing the subject in a universalized way with no reference to the situatedness of social positions, such accounts neglect the particularities of lived experience and structures within which everyday practices and interactions take place. For this reason, distributive approaches struggle to incorporate lived reasons; those reasons emerge not from abstractions but from intersubjective relations and context-dependent harms to which individuals are subjected. Hence the logic of distribution, where the an idealized form of rationality is coupled with the idea of impartiality, corresponds to the dismissal of the "impossibility of a final ground" (Marchart, 2007, p. 2), which indicates that there is no necessity, or a universal law that determinates the institution of the social altogether (Laclau & Mouffe, 2001, p. 94). The moment that an order is established, that is, the political moment, is the moment of exclusion where a certain distinction occurs as it is the activation of a certain institutive intervention, against the other possible ones (Mouffe, 2005, p. 18). The idea of impartiality, thereby, is not attainable since not only the principles chosen for the ideal of just society, but also the procedures and institutions, through which the said principles are realized, rest on the very moment of exclusion.

Then, there exist two important consequences as to the viability of the approaches that circumscribes justice through the distribution of material and societal goods. First, they are not corresponsive towards the relational and unfixed structures of social world since the idealized methods of rationality that they largely utilize brings about a totalizing urge result of which is the dismissal of difference. That means struggles in regard to social positions and political identities, produced by both implicit and explicit modes of exclusion, are to be considered within the rubric of legality where the equal status of all is stipulated only as a legal right, and hence the capabilities, conditions and the context-dependent ways of life of persons are overlooked. For instance, in a situation where the victim is subjected to identity-prejudice with reference to her presence as the subject of knowledge, the social suffering cannot be alleviated by establishing a principle for the allocation of resources or simply invoking the legal equality of all. Secondly, distributive principles are not able to overcome, or even discern, the everyday experiences of social suffering due to the level of abstraction employed so as to totalize multi-layered relations and positions within social world. This is also the reason why the atomist understanding of the person with reference to distribution-based accounts bring about a distinction between rationality and passion,

which leads to restricting the import of motivation as a secondary consideration that ought to be affective only after the principles of justice are set and justified. While the allocation of material goods, resources and status are of critical importance, the restrictions brought by the distributive paradigm calls forth the need for broadening the concept of justice so that both the structural and everyday forms of domination and oppression can be emphasized without adhering to the ideals of impartiality and of humans as self-interested desirers.

In this context, given that justice cannot be directly experienced; rather, the concept of justice is to be formed through experiencing injustice (Fraser, 2012, p. 43), then the equal standing of subjects, and intersubjective-relations which brough recognition ought to be also conceived in terms of a context-dependent framework. This is because distributive accounts of justice are not able to incorporate all kinds of experiences of injustice. There are everyday experiences of social suffering, which can range from the disrespect as to different modes of identity-formations to being systematically subjected to a state of invisibility as they are the instances of the distortion of equal social standing of subjects (Taylor, 1992, pp. 64–66). Therefore, everyday experiences of social suffering are to be defined as the lived and routinized harms emerging from the withheld recognition in the different milieus of social life where both everyday interactions and institutional limits reside. In order to incorporate those harms otherwise invisible in distributive justice, this paper holds that justice is to be considered with reference to relations of recognition, which indicates struggles arising from the way the subject is recognized, and in turn, recognizes her own position towards the legitimized principles and practices within society (Fraser & Honneth, 2003, p. 157). Then, the recognition and intersubjective experiences it brings about, in par with the importance given to distribution, are to be considered as necessary human need for self-realization (Taylor, 1992, p. 26).

5.6 Recognition and the Patterns of Struggle

In order to explore the role of empathy in regard to recognition theory, the concept of recognition and the forms it takes in modern-day societies ought to be indicated. Only then is it convenient to associate empathy and its epistemic and motivational functions with the normative content of the struggles of recognition. In this sense, one can draw from Honneth's framework in regard to the relation between justice and recognition,

so as to firstly designate in what sense it is emphasized. At this point, however, it is worth indicating that this thesis does not draw from Honneth's conception of recognition as model for consensus utopia, but a diagnostic of disrespect and motivational dynamics.

Here, the concept of recognition is to be understood as an intersubjective relation where the mutual act of recognizing and being recognized, on par with the master/slave dialectic, confirms the particularity and self-realization, that is the identity formation, of the subject. Hence, it is through establishing social relations where mutual recognition is effectively undertaken that an ethical life, in which individuals are properly recognized with reference to the intersubjective conditions necessary for "individual self-realization", can be formulated (Honneth, 1996, p. 173). Seemingly, the emphasis upon the prerequisite conditions of ethical life might be considered as ahistorical; however, Honneth eludes such criticism by indicating that they are to be subjected to change as the history progresses. In modern day pluralistic societies, therefore, where there are myriad values and ways of life, it is not surprising that the effort is given to negate a transcendental claim that totalizes that which ought to be the conditions for the good-life. However, this thesis does not converge on the idea of ethical life, as it is informed by the arguments regarding contingency of the political. Therefore, even if the ethical life that Honneth proposes can be taken as a point of reference, it ought to be done so in a conflict-sensitive way. In other words, the possibility that comes from ethical life ought not to ground the contingencies inherent in the institution of the political moment.

To get back on the point, Honneth does not shy away from inquiring about the recognition order of capitalist societies through indicating three main patterns of recognition as the constituents of the conditions for ethical life that are abstract enough to be generalized, yet materialized enough to be subjected to change (Fraser & Honneth, 2003, pp. 138–142). Herein, the first is the sphere of love wherein intersubjective relations of care and concern take shape and lead to experiences that maintains basic self-confidence. Then, there is the sphere of law in which equal status is conferred to all whose mutual recognition between persons are that which provides self-respect in that it renders the subject able to exercise her capacity to assert claims. Lastly, there exists the sphere of solidarity which requires the existence of shared values since it indicates self-esteem by facilitating felt concern as a result of the mutual

recognition of the contributions made for realizing the common values and goals in a given society (Honneth, 1996, pp. 95–128).

In this context, that which comes the foreground when mutual recognition is withheld from the subject in reference to these patterns prevalent in a given stage of history is the phenomena of disrespect, which forms the core of the experiences of injustice and the recognition struggles whose primary aim is to reestablish the claims upon one's identity (Honneth, 1996, p. 132). This claim indicates that injustice is juxtaposed with the distortion of intersubjective relations that are necessary for self-realization. Although the experiences of disrespect differ depending on the pattern it is exercised, they all reflect the injustice suffered by persons on the grounds of moral expectations one has towards society in which one is embedded. Yet, that which requires further explanation is the fact that the issue remains as to how those experiences of injustice can spark the struggles for recognition as collective forms of resistance. For Honneth (1996), the feelings elucidated by the experiences of disappointment towards moral expectations for recognition, such as shame or anger, may function as a motive for social resistance (pp. 162–163). The caveat here is that these motivational underpinnings can function as catalysts for the struggles only when they are being articulated intersubjectively in spheres where a shared horizon is to be present so that it becomes possible for others to grasp and attenuate the said feelings. Nonetheless, at the normative basis of recognition, there exists an affective emphasis upon the need to be moved by one another's claims and sufferings.

5.7 Empathy as a Motivational Basis for Recognition and Struggle

The motivational import of empathy in regard to the struggles for recognition, at first glance, can easily be situated within the spheres of love and solidarity. Since empathy, owing to its necessary intentionality towards other, brings about a way to grasp how the other feels and act accordingly, empathic engagement can be established intersubjectively within the everyday interactions of social world. Indeed, empathy does have an explicit relation to these spheres in that the sense of solidarity and having care for the other is tied to empathy and the attunement it produces with reference to the other. However, this line of thought does not fully appreciate the motivational import of empathy. Firstly, it restricts the role empathy can take by treating it mainly as a convenient means that does not figure into the relations of recognition as a

requirement, but as a practical catalyst with which the feelings in question are bolstered. Secondly, it overlooks the emphasis made upon the struggle of recognition as it is to be circumscribed mainly with positive affective responses elucidated due to the encounter with another world of experience.

To avoid such restrictions and clearly stipulate the second premise of the argument, that is, empathy is a motivational basis for recognition, this subsection is to be centered on the way empathy figures into the normative core of recognition. Here, this paper holds, there are two modalities. The first is related to the aforementioned sense of shared humanness inherent in any empathic engagement as directing the attention upon another world of experience underpins the intersubjectivity that mutual recognition requires. Empathizing with the other is but a tacit acknowledgment of the moral status of that other; the very act of empathizing is necessarily intertwined with the willingness to recast the other in a fashion where a sense of equality is implied through the shared humanness, or as Nussbaum calls it, through acknowledging the other as a "center of experience" (Nussbaum, 2013, p. 146). Moreover, drawing from Clohesy's (2013) remarks on the ethical role of empathy, the empathic attunement towards the other is that which unsettles the subject, in the context of the contingency of identity-formations, by indicating that there are other ways of being in the world, (p. 25). Meaning that the mutual recognition amongst equals required by self-realization of the subject cannot be established without empathy as it produces the motivation to take into the other's singularity into consideration and to recognize this singularity on the basis of shared humanness that renders them equal without negating the difference. This is also why, one can claim that invisibility, as an inflicted harm upon the equal standing of the subject that stems from the direct experience of withheld recognition (Honneth, 2001, p. 115), can be overcome through institutionalization of empathy in the context where the intersubjective relations are distorted. Therefore, without the moral import that empathy brings forth, mutual recognition would not be realized in a way that grants the subject equal standing.

The second aspect which renders empathy as a motivational basis is related to the transformation required from the withheld recognition to the struggle for recognition. Recall that Honneth identifies the motive for the struggle of recognition as the feelings elucidated by the phenomenon of disrespect whose nature differs based on the pattern of recognition from which it emerges. Here, affective responses to felt injustice, such

as guilt or shame, are to be conceived as the motivational basis so long as there exists a shared horizon between individuals or social groups that are inflicted with the same harm. This is, so to say, what may be called the the Achilles' heel for recognition theory that Honneth proposes. Particularly because it overlooks the main motivator which can catalyst all the affective responses through extending the scope of concern for those who are not directly harmed. It is no surprise, then, the motivator emphasized here is the empathic concern brought forth by empathic engagement with another world of experience on the basis of perceived welfare. Only through being moved by other's plight, the experience of disrespect can become morally salient in the eyes of the others who are not affected by the same harm. Lastly, and perhaps most importantly, empathy can function as a means to establish a shared horizon in which articulation of the withheld recognition is made possible by both the epistemic access that empathy grants, and by the sensitivity towards another's suffering, even as an experience of injustice beyond the first-person standpoint.

5.8 Converging the Two Lines of Argument

Throughout this chapter, two lines of arguments with common reference to the motivational import of empathy are laid out, so that they are to be converged on the claim that empathy holds a motivational basis for both the inclusive forms of justice and practices of recognition under pluralism. Here, in order to deem empathy as a non-ideal necessary condition of inclusive justice, these two lines of argument have functioned as the points of reference with which the motivational import of empathy is explored so that empathy can be considered as a non-ideal necessity in terms of the motivational basis it provides. In this context, the first part of the argument gives an account of the claim that motivational import of empathy is of critical importance not only for cultivating support and solidarity from citizens, but also for the prospect of establishing an inclusive public deliberation. At this point, the link between the two lines, becomes most explicit since inclusive forms of deliberation have to incorporate all affected by giving them equal consideration and recognition. It is in this sense, the claim that justice is not only distributive but also relational is justified. To which such justification lead is none other than to exploration whether empathy is able to account also for the practices of recognition and the struggle that lies within the intersubjective recognition order of society. To this end, this chapter has given a positive answer to

such inquiry since empathy, due to two main modes of motivation inherent in it, i.e., the shared humanness and prosocial behavior, can constitute the basis both for providing intersubjective equal standing in regard to mutual recognition and for the struggles in the forms of social resistance. As a result, this chapter holds that without empathy, it is not possible to arrive at a fully inclusive public deliberation that assures the stability of justice principles, nor to transform the feeling of disrespect into the struggle for recognition.

5.9 Limitations and Challenges as to the Motivational Import of Empathy

The main argument of this chapter, that is, empathy is a non-ideal motivational necessity for inclusive justice and recognition, is to be tested in this section through the main limitations as to the structure of empathy, as well as to possible points of objections towards the motivational import it provides. The section is divided in three, each of which indicates a different strand of criticism and a reply. The first one is about the partiality of empathy and the way it diminishes the affective basis provided for inclusive justice under pluralism. Then, with the second subsection, the risk of empathy for collapse to personal distress is addressed in relation to the question whether empathy can be accounted as a motivational basis for justice. Lastly, the limitations brought by the social situatedness of empathy, and its liability for narrative capture through which the social asymmetries can be reproduced. After replying each of the criticisms, this chapter sets the extent according to which empathy is considered as a non-ideal motivational necessity for justice under pluralism.

5.9.1 Parochial empathy as an unmediated affective process

Although the biases such as familiarity or proximity have been expounded upon in the previous chapter, it is still worth indicating that the difference in intensity and convenience between the modes of empathic engagement, if they are left unchecked for the argument in question, then, the structure so far established collapses. It is indicated by various scholars that empathy can be parochial and partial, meaning that not only the level of intensity but also the convenience of the empathic practices changes depending on to whom such attention is directed (Allamong & Peterson, 2021, pp. 364–365; Bruneau et al., 2017, p. 934; Zaki & Cikara, 2015, p. 474). That means it is more convenient to empathize with those who are in-group members than distant

others. Then, the question arises as to why one does strive to put empathy, which is partial and liable to bias, as a motivational non-ideal requirement for sustaining inclusive justice under pluralism. This is a viable criticism, particularly considering that empathy does indeed offer a context-dependent engagement with the other. However, that which is more critical for the argument developed throughout this chapter is that affectively selective empathy does indeed diminish the motivational import emphasized for inclusiveness. Because parochial empathy, where the attentiveness and concern are given due to familiarity, produces the same exclusion as that of idealized rationality. Hence, leading to situations in which those who are privileged and able to steer empathic attention are given voice, or only the familiar harms become the object of empathic concern. In these cases, empathy would not be a means for sustaining inclusive justice, but for adding another layer to the oppression of those who are subjected to invisible harms as it operates through a circumscribed form of the other, meaning that with whom one empathizes are those who belong to a certain we formation to which one already adheres.

To give an answer to such objection to the import of unrestricted empathy towards justice, a twofold explanation is in order. While the first of which is a meta-critique of the context in which the objections rest on impartiality lies; the second one levels with the limitations of empathy in that it presupposes the conditions of pluralism where empathic practices are to be institutionalized for all. First of all, then, emphasizing upon the lack of partiality in empathy in itself possesses an ironic situation so long as the idea of impartiality is considered as a viable route to understand and respond to socially situated experiences. This is because, impartiality is indicative of a totalizing urge rooted in abstractions prevalent in idealized rationality. Secondly, there exists no neutral ground from which to establish the basic structure of society. Rather, the idea of impartiality itself is politically situated in that it reflects the dominant paradigm and system of meaning with which the limits of reasonableness is designated. However, the precarious state of impartiality does not atone for the perils that comes with an unregulated form of empathy.

Therefore, this thesis does not object to the dangers of empathy when left unchecked. Rather, it strives to remedy it by offering a regulative effort that draws from institutional correctives. Empathy requires; institutional correctives for negating its selectiveness to impart engagement, deliberative designs to circulate the empathic

attention over marginalized social positions, and rules that prevent the symbolic order from being defined by the experiences of the dominant groups. Only then does empathy become a necessity for inclusive justice, not as an unmediated affective process, but as an institutionally regulated orientation towards all affected. Even so, the question might remain as to why empathy which requires institutional correctives and deliberative designs, is to become a non-ideal motivational necessity.

5.9.2 Personal distress and motivational reversal

The second limitation and a possible point of objection for the motivational import of empathy is related to the duality of that which can be elicited through empathic process. Rather than reliably generating concern for the welfare of the other, empathic distress may collapse into personal distress when the affective response is over aroused. Personal distress, concordantly, corresponds to an aversive affective response to another's situation whose motivational underpinning is egoistical but can mimic helping, meaning that there exists no genuine concern for the welfare of another even though it can lead to prosocial behavior. In the cases of personal distress, therefore, the empathizer no longer remains oriented toward the suffering of the other, but becomes preoccupied with their own discomfort. Then empathy, so long as it produces personal distress cannot serve as a necessity for providing an inclusive compliance, which necessitates all to be willing to take one another point of view, nor does it cultivate solidarity between by bringing forth an attentiveness towards the sufferings of fellow citizens. Because the very moment empathic distress is over-aroused, through different mediums such as media or simply due to the intensity of another's suffering, it negates the motivational import of empathy with regards to provide a basis through which both the stability of justice and cultivation of solidarity are supported.

Moreover, and perhaps even more strikingly, personal distress defeats the main functions attributed to empathy in this chapter. It does away with empathic engagements directed towards painful testimonies and social sufferings, diminish the willingness that all supposed to have towards taking into consideration one another's reasons and experience in public deliberation, and subverts the affective basis of required by the stability of inclusive justice. These perils regarding personal distress underpins two main systematic failures. While the first of which is motivational reversal wherein empathic attunement to the other results in the behaviors fixated to

alleviate the empathizer's own discomfort; the second one can be described as a systematic avoidance through which, empathic engagement is displaced by the tendency of the over-aroused empathizers to withdraw or avoid contact with the sufferings of others. This limitation in question, then, ought to be answered for, if the motivative argument is to maintain its validity. It is through setting a clear distinction between personal distress and empathic concern, it becomes possible to overcome the said peril. This corresponds to acknowledging that mere affective arousals elicited by empathic distress is not enough for providing a motivational basis for inclusive justice. Rather, the import of empathy for inclusive justice and recognition practices can only be identified through distinguishing other-regarding motivation produced as a result of empathic concern. Therefore, empathy cannot be considered as a motivational necessity without cultivating regulation as to the empathic responses it elicits.

The affective instability brought forth by personal distress however, still invites the question as to why empathy is to be regarded as a motivational basis, particularly when law, duties or personal interest can be the motivational elements of justice. However, such a criticism does not challenge in a meaningful way the motivational import of empathy offered here. Firstly, because neither of these components bring about a concern for the welfare of another in a way that cultivates an attentiveness towards the sufferings both implicit and explicit within social structures and interactions of everyday life. The very process of empathy where empathic concern is elicited, on this account, sustains such attentiveness. Secondly, this paper does not offer empathy as a necessity for inclusive justice by itself; rather, it is a non-ideal necessity which does not fixate itself as the requirement for all justice; but for inclusive justice under pluralism and structural inequalities. Hence, so long as empathy is not left unregulated by being treated as a self-sufficient process, the motivational import it has for providing a basis to inclusive justice and to struggles of recognition remains intact.

5.9.3 Social situatedness of empathy and narrative capture

The last strand of objection is related to the social construction of emotions and affective processes. As Ahmed (2014) empathizes, affective elements are not exempt from being shaped by the social structures in which they are invoked, and by boundaries arising from the response given to their intentional objects (pp. 9–10). It is therefore unsurprising that empathy, as a process comprising of affective and cognitive

uptake of another as center of experience, is regulated within the social. The structure of empathy can be shaped by the sedimented practices of the social so that empathic engagement is channeled in accordance with an order that necessarily strives to establish the limits of affective responses.

In this context, a social imaginary, to which one adheres as it corresponds to imagined forms of a social existence that enables common practices (Taylor, 2004, p. 23), and from which what Paul James addresses as person-making takes its inaugural step (James, 2019, p. 41), underpins the act of empathizing. In line with the "feeling rules" which suggest a sense of appropriateness for an emotion to be navigated in a social setting (Hochschild, 1979), one's assuming of an empathic grasp on another's experience and having a congruent response is not exempt from the influence of images, symbols, and narratives wherein the relation between signifier and the signified is orderly formed. It is through social imaginaries empathy is preordained in that there already exists an amalgam of meanings to which the forms of the Other are ascribed. This regulative mode can be seen particularly in what Andrea Lobb (2017) coined as "doxic empathy" whereby that which is already given justified and maintained by the empathic engagements with the discourses that underpins the dominant narratives and ideologies (pp. 595–596).

Then, if social imaginaries are able to circumscribe the way empathic responses are generated, so too the narration can bring forth the possibility for manipulation in that empathy can be selectively mobilized in a way that gives priority towards certain forms of sufferings and experiences where discrediting others. Meaning that empathy can be subjected to narrative capture wherein the empathic attunement is circumscribed by the dominant systems of meaning that designate whose suffering is worth noticing. This point is on par with Butler's concept of frames, due to which even a life is distinguished from its counterparts by being deemed as worth living (Butler, 2010, pp. 24–25). The framing of empathy, in this sense, can lead to redirection of empathy towards dominant social groups, and normalizes oppressive categories that excludes certain others. In fact, those exclusions determine who are ought to be out of one's empathic reach, both literally and figuratively, but also it creates a phantom of otherness which can be evoked over and over again in order to underpin every congruent adjustment within frames. For instance, the category of the other can be juxtaposed with that of the enemy whose mere existence is the manifestation of the

possibility of being killed. That way, empathy is brought forth only as a way to encapsulate the threat that the other possesses; it turns into a process in which the shared humanness between one another is withered through constant recalling of a fear bestowed with images of brutality and death.

The liability of empathy for narrative capture, in this sense, directly diminishes the motivational argument that this thesis holds. Because not only does it orient empathy towards strengthening the status quo, making certain sufferings unintelligible, but also the empathic concern produced in the context of frames can also be directed to reinforce the asymmetries in social structures, thereby being unable to guarantee egalitarian orientation. That means, empathy ought to be coupled with critical scrutiny and structural awareness through which the frames and social imaginaries according to which empathy takes shape are assessed. Only then does empathy brings forth its motivational import for inclusive justice without reinforcing the forms of oppression.

What all these three strands of criticism indicates is that empathy is not necessary as an unregulated affective process that is self-evident for being a motivational basis. Rather, only when it is institutionally supported and critically regulated toward other-oriented concern, empathy can be a nonideal motivational necessity, which describes the conditions without which inclusive justice under pluralism becomes unstable and unable to incorporate the lived reasons of those who are subjected to both explicit and implicit forms of structural injustice.

5.10 Conclusion

This chapter has strived to argue that empathy is a nonideal motivational necessity for justice under the conditions of pluralism because it maintains inclusive compliance towards the stability of justice, and enables both recognition practices and the formation of recognition-based struggles. In order to arrive this conclusion, however, the chapter has identified two distinct but converging lines of argument. The first of which was about stability of inclusive justice and cultivation of solidarity, while the second was circumscribed by the relation between recognition and empathy.

In this sense, the first line of the argument began from the premise that justice requires not only justification but also motivational compliance for maintaining its stability. Without such compliance, affected parties in public deliberation would not be oriented

towards being attentive to the sufferings of their fellow-citizens, and hence overlook the implicit harms and lived reasons that are needed for the legitimacy of justice principles. Then, for the chapter situated empathy as a motivator for prosocial behavior, which at the outset, can reinforce the motivational compliance towards justice. Here, empathy was considered as a process that brings forth other-regarding motivation due to the empathic concern it produces. These two premises of the first line of the argument, was concluded with the claim that empathy, by means of empathic concern and attentiveness given to another's suffering, scaffolds the stability of inclusive justice and cultivation of solidarity.

In the second half of the chapter where the next line of argument introduced, this chapter set out with the premise that justice is not only distributive but also relational. Here, the chapter showed that lived reasons, and socially situated experiences cannot be captured through the idealizing structure of distribution, as they are not related to the abstract principles, but to everyday interactions within social structures. After this premise, the chapter argued that empathy supplies motivational uptake of recognition claims and provides a basis from which recognition struggles can be extended beyond the directly harmed. While empathy does involve intersubjective relation, the main importance it grants to recognition is the attentiveness it grants to the others' sufferings, particularly of those in the form of withheld recognition. This is why the second line was concluded with the assertion that empathy provides a motivational basis for recognition practices and formation of the recognition struggles. Subsequently, the chapter converged these two lines of argument into the claim that empathy is a nonideal motivational necessity for inclusive justice.

Lastly, the chapter ended with an emphasis upon the limits and objections that can be put forward in regard to empathy and its motivational import. In this last section, the objections showed that empathy is not, on its own, a necessary condition for justice, instead, its role must be carefully regulated as empathy is vulnerable to impediments of partiality, personal distress and narrative capture. Yet, these limitations do not defeat the present argument of this chapter. Since under the conditions of institutional corrections, and critical scrutiny, empathy can be understood as a nonideal necessity for inclusive justice under pluralism.

6. TOWARDS AN INTEGRATIVE MODEL: GENERALIZABLE RULES AND EMPATHIC ENGAGEMENT

6.1 Introduction

Up to this point, the two main arguments of the thesis have been put forward. This chapter, hence, strives to make a constructive proposal that can guide how the conclusion that empathy is an epistemic and motivational necessity for justice under non-ideal conditions ought to be framed and directed so that empathy can become a reliable device.

For this purpose, the chapter will begin with an overall assessment of empathy's indispensable role as a catalyst both for disclosing tacit modes of oppression, and for promoting solidarity and resistance under strain. Then, it will go on to put an emphasis on the limits of this role by indicating two main concerns regarding empathy; its liability to biases and social situatedness. Subsequently, in order to mitigate the possible deficits when empathy is taken as a self-validating process, the chapter will put forward a normative formula that integrates generalizable rules with empathy, claiming that empathic engagement should be practiced through critical reflection, and for the oppressed. Lastly, the chapter will indicate the practical implications that this normative formula brings forth for pluralistic democracies by focusing upon empathic civic forums, narrative-based deliberation and community impact assessments.

6.2 Empathy: A Catalyst in Non-ideal Conditions

Following the two arguments presented in the previous chapters, it is now suitable to arrive at a general conclusion where the question of what role does empathy take in regard to justice in pluralistic societies can be answered. It has been argued that empathy mainly functions in two prominent ways; one is epistemic, the other is motivational. In relation to the former, this paper claims that empathy becomes a non-ideal necessity for the justification of principles of justice, since it brings forth an

epistemic access to the lived reasons and socially situated experiences. It is the structure of empathy, in which empathic concern is coupled with perspective-taking, that renders it possible to carry out the basic idea of justification according to which experiences of all affected are to be taken into account and given equal consideration. Without empathy, embodied experiences of the oppressed can be excluded due to the implementation of pure methods of rationality that functions through idealized abstractions. In the latter, it has been claimed that empathy is a non-ideal motivational necessity for justice as it provides a basis from which solidarity amongst citizens can be fostered both for the stability of justice and for promoting resistance against structural inequalities. It is in this sense empathy renders it possible for recognition struggles to be extended beyond the first-person view point due to the empathic concern it produces, which brings forth a pro-social motivation directed towards the well-being of the other. Then, that which these two arguments commonly indicate is that empathy functions as a catalyst for justice in that not only the legitimacy of justice principles but also, the very commitment towards justice, whether in the form of civic stability or a struggle against structural modes of domination, depends on empathic attunement towards the Other. Hence the conclusion; empathy is an epistemic and motivational necessity for justice under non-ideal conditions.

Notice, however, that throughout this paper, the term “non-ideal” have been used both for the thesis itself and for the arguments presented in previous chapters. This is because in an ideal model, where principles of justice are to be designated by people who are able to exercise their capacities fully and express their social experiences, empathy cannot be designated as a profound necessity. It of course has a value even in such idealization with reference to promoting fellow-feeling and care amongst citizens, but it is not in the form of a necessity as there are no impediments that restricts people from participating fully into the process of public deliberation and into social life in general. An ideal circumstance, in which the concept of justice is designated by the utmost use of reason, neither requires epistemological, nor motivational import of empathy as a necessary condition. Be that as it may, it is almost intuitive that such abstractions are not translated seamlessly into social world. While justice principles do depend on abstractions made for defining justice in relation to a certain value, they are oft times in discordance with the flux of social life and everyday interactions therein, as the claim of universality they appeal is not able to encompass all the

possibilities through which modes of oppression take place, nor is it sufficient for accounting the way the designated principles are experienced within different social positions. Hence, it would not be absurd to indicate that the duality supposed between ideal and non-ideal models of reasoning, so to say, can be overridden if one argues that normative considerations cannot be separated from the material world out of which it is first arisen (McNay, 2014, p. 6). Yet, this thesis holds the view that it is not necessary to negate the said dichotomy. As indicated by different scholars and as will be detailed in the last part of this chapter, while normativity pertains both in ideal and non-ideal models, the difference lies in the way idealized methods of rationality abstract aways from the social and the varying forms of oppression therein (Mills, 2005, p. 168; O'Neill, 1996, pp. 39–40). Then, the reason this thesis preserves the separation is due to put an emphasis upon the persistent deficit that liberal theories of justice that rest on idealizations face.

In this sense, under non-ideal conditions marked by structural inequality, misrecognition and exclusion, the concept of justice requires more than idealized rationality for its materialization in an inclusive manner. This is exactly where empathy comes into the picture as a non-ideal necessity, which enables contextual understanding and attentiveness towards the Other. Meaning that empathy, under such conditions, functions as an indispensable catalyst through which implicit modes of domination can be surfaced, and solidarity as well as resistance can be sustained under strain. For instance, Ranciere claims that the political corresponds to the moment when "the part of those who have no part" (Rancière, 1999, p. 30) is asserted. The dominated discern that they are of the same kind with those who have a part, and therefore demand their political identity based on this equality. Empathic disclosure, in this context, becomes that which sets in motion the demand for equality in that it corresponds to moment of realization that possessing the same humanness with others is congealed within social order, that inequality is only possible because of the contingency of the primary equality of all. Or, to give a more concrete example, it is possible to consider Syrian immigrants in Turkey. Due to the cheap forms of labor to which they are mainly subjected, and in which legal insecurity is intertwined with exploitative conditions, as well as due to their precarious social positions as so-called "outsiders"; social suffering can manifest itself through embodied dispositions of shame and withdrawal from public life. In such a case, empathy can be utilized both as a means to generate an

attentiveness towards their welfare, and to disclose the structural causes of those seemingly private dispositions through perspective-taking and physical encounter in that the conditions for social suffering becomes an object of attention within empathic engagement.

Nevertheless, the indispensability of empathy under non-ideal conditions has a prominent point that ought to be raised with regards to its relation to justice in general. Empathy does not offer to ensure justice altogether, nor does it bring about the just conditions by itself. Instead, particularly when the concept of justice be understood as the negation of injustice, empathy can become a catalyst for disclosing the varying modes of social suffering and bring forth a concern that can be directed towards the oppressed. Therefore, while empathy, as Rousseau (1755/2003, p. 99) indicates, renders people repugnant against another's suffering and challenges the prominence of the self-interestedness of human beings as a natural presupposition, it does not offer the possibility to be considered as a sole foundation for the concept of justice. This insufficiency in question is not related only to its position in ideal contexts, but to the very nature of empathy and how it is liable to be directed in relation to power and the dominant system of meaning therein.

6.3 The Fragile Normativity of Empathy

It can be supposed that the reader would not to be surprised with the emphasis that will be made with reference to the very limits of empathy, since the last parts of the third and fourth chapters were reserved for demonstrating the deficits of empathy both in terms of epistemological and motivational arguments, and of its situatedness within the social. Hence, with this sub-section, the extent of the role that empathy has in regard to justice is to be framed. Accordingly, there exist two main reasons why empathy can be considered as a fragile normative ground, which on its own, is inadequate for justice to stand. The first is related to the structure of empathy, and its liability towards bias. It has been emphasized before that empathic engagement with another is affected from the affection one has towards the other, the immediacy of the situation, and the physical proximity of the object. For example, it would be quite convenient to empathize with someone whom the empathizer is familiar with, or with another who is in immediate proximity. On the other hand, it is far more challenging to empathize with the other about whom one has no prior knowledge, or physical

proximity. The biases here, most notably those of proximity and familiarity, impede the possibility to conceptualize empathy as a sole foundation for justice. Because the generalizability of norms and principles depend on structural fairness and institutional integrity, rather than an affective process that can fluctuate between different persons. The consistency that empathy lacks is that which puts the validity of both of its motivational and epistemological imports in question.

Second of all, empathy is not a private sentiment; but a socially mediated process which can be directed in congruence with the dominant political order. Hence, empathy can as well be employed as a technique that appropriates the experiences of others only for allowing a certain few to "speak", so to say, on behalf of others. Or, as indicated in the previous chapter, empathy can be restricted in a frame wherein only the experiences deemed appropriate becomes the object of empathic uptake. Recalling the idea that exclusion is inherent in the moment when a social order is established (Mouffe, 2005, p. 18), this circumscribed form of empathy might be superimposed upon the initial exclusion in that one becomes inclined to empathize only with those who belong to a certain "we" formation to which one already adheres. Importantly, this possibility carries both of the problems emphasized here. It is socially mediated through power relations and the susceptance of empathy towards familiarity is that which underpins a particular unity established through a dominant system of meaning of the social order. As far as this socially situatedness of empathy goes, it is worth noticing that empathy is not a free-floating concept; meaning that it does not ubiquitously circulate as a moral capacity that can be called upon in any time, and that brings forth a disclosive quality whatever the occasion. Rather, it is bound up with historically specific relations of power and domination. Second, and as a corollary perhaps, the material conditions from which different forms of social suffering first take their quo, are nevertheless shapes both the quality and extent of empathic engagement with the Other. Situating empathy, on its own, as a sole foundation for justice, is but overlooking both the social character of emotions and affective processes, and the fragile normativity that empathy can put forward. Here, the term fragile is emphasized because empathy does not have unalterable normative proposal in itself. The normativity in question depends upon the way empathic engagement is undertaken, meaning that even with the empathic concern, empathy might not be able to promote justice. Hence this thesis strives to indicate that whether epistemic or

motivational, the import of empathy is to be considered in accordance with the fragility pertaining both in its structure and in social interactions through which empathy is manifested within everyday life.

Then, that which is needed is to balance out these deficits of empathy so as to render it a consistent ground on which justice can rest under non-ideal conditions. In this sense, the next subsection makes an attempt for a constructive synthesis in which the required rationality within non-ideal models is intertwined with empathic practices. That way, not only is justice, as the elimination of injustice particularly, furnished with an affective process that can improve the blind spots emanating from idealized abstractions and foster solidarity and resistance, but also empathy is intertwined with generalizability of norms that any conception of justice is required. However, the main challenge for the synthesis that will be proposed lies at the fact that it has to account for a certain understanding of impartiality, whose liberal conception has been the focal point of critique throughout this thesis, while also designating in what sense empathy ought to be practiced within the social.

6.4 A Constructive Proposal

For a constructive proposal that strives to render empathy consistent within the context of justice, one is to first indicate the general framework with which the limits of the proposal in question are circumscribed. Therefore, a few remarks are in order that account for why the non-ideal model is utilized, and to what extent relevant concepts are to be characterized in accordance with this model.

It is indeed almost intuitive that a conception of justice has to rest itself on certain principles, abstractions, and set of rules, which in turn, require a degree of generality and applicability in social world. Yet, this does not mean that a theory of justice has to be established through idealizations that abstract away from the social, and from the very forms of domination prominent in everyday interactions between people. A political theory, which necessarily make use of some sense of abstraction, does not have to negate the material conditions and the social reality out of which it was first born. Rather, a possibility for emancipation from whatever is the mode of oppression pertains in a society, depends upon the consideration given to material conditions and the way they are manifested in social relations (Marx & Engels, 1998, pp. 36–37). Hence, in line with Mills (2005, p. 171), this paper holds that within the context of

non-ideal models, abstractions can be used, and ought to be used without being intertwined with idealizations in which not only social suffering but also the concepts such as class, race or gender are negated. That way a chosen ideal, such as freedom or equality perhaps, can be considered in relation to the non-ideal conditions, indicating a method in which neither lacks generality, nor collapses into the particularist conceptions that distorts the normativity of an ideal. It is in this sense that justice, when being considered through the recognition of the non-ideal, can correspond to the elimination of injustice. The importance given to injustice, here, is due to theoretical focus upon different modes of oppression, both tacit and implicit, that can be deemed as unjust. This is why scholars such as Fraser (2012, p. 43), Bernstein (2005, p. 303) and Young (1990, p. 34) strive to analyze justice through defining the conditions that constitutes injustice. In this context, this constructive proposal is to be made with reference to a non-ideal conception of justice, and with the premise that abstractions can be utilized without idealizations for achieving generality. It thus marks the attempt to arrive at a hybrid norm that compensate both the deficits of idealized forms of rationality and empathy.

6.4.1 The normative formula

This paper proposes a normative formula through which both the limits of empathy and the totalizing urge of the idealized forms of rationality regarding justice are accounted for. The proposal in question is as follows: Generalizable rules for elimination of the conditions of injustice; empathic engagement for attention and uptake. This formula, as emphasized, is to be considered in relation with non-ideal model, and again, under non-ideal conditions. Only then does it offer a viable possibility that brings together rational principles that secure consistency and equal standing with empathy, through which contextual understanding and attentiveness to another are promoted. So long as these stipulations stand, this paper indicates that empathy preserves its epistemic and motivational import for justice without being registered as an unstable affective phenomenon, or conversely as an emotion with unwavering moral quality. The formula in question acknowledges the need for abstraction for theorizing about the concept of justice, but challenges the idealized formations by situating empathy as a catalyst with regards to social suffering and solidarity in the context of social relations. The main aspect here is that it does not strictly demarcate justice in different spheres as if distribution is devoid of

recognitional struggles or vice versa. Rather, it paves the way for an inclusive approach in which the focus is set upon the conditions that brings forth different modes of oppression, hence rendering it possible to consider both distributive and recognitional questions in a relational manner. This is also why this hybrid norm has a dual layer in that it opts for an empathic yet institutional arrangement. In other words, by generalizable rules, this proposal invokes the need for rational principles and non-ideal abstractions for negating the conditions of injustice; while through empathic practices it strives to capture social sufferings and cultivate solidarity and forms of resistance. Therefore, before going forward with the practical implications it brings forward, an explanation is in order for the twofold structure of this constructive proposal.

6.4.1.1 Generalizability or impartiality reconsidered

That which stands out with reference to the hybrid norm, at first glance, is none other than the emphasis made upon generalizable rules, which are seemingly at odds with the previous chapters. Since the ideal of impartiality was criticized on the grounds that such an ideal is but a mere fiction constituted through negation of the myriad modes of oppression within the social. The criticism still stands. The idealization brought by this particular concept not only does signal an ideological position, in which an exclusion towards whatever outside the designated boundaries of a certain rationality, but also it assumes a moral objectivity supposedly detached from particularity, but in fact, necessarily carrying the perspectives and positions of the privileged in a sedimented form. To what, then, do these generalizable rules refer, and why are they held necessary for the model proposed?

Beginning with the first question, the generality invoked here is not idealized in that it does not assume to find a ground fully devoid of any particular social position and emotion. Rather, it is used in its narrowest sense possible, that is, as general set of rules that ensures the consistency of procedures and non-arbitrariness of institutional arrangements for eliminating the conditions of injustice.[12] As for the second question, whether ideal or non-ideal, any political theory rests on a certain level of abstraction

[12] While this thesis does not strive to designate a value whose infringement gives rise to injustice, nor does it map all the conditions that constitutes injustice, it nonetheless puts an emphasis on social suffering, which covers situated experiences pertaining to structural inequality and disadvantaged social positions.

(McNay, 2014, p. 8) so that it would be possible to form concepts derived from the prominent forms of oppression that take place in a society, and establish its normative proposal accordingly.[13] Generalizable rules, in this restricted sense, are necessary as a means to ensure the applicability of those stipulations with which institutional conditions that render it possible for people to express their needs, participate in collective decision-making processes, and exercise their capabilities are enabled. That which is important here is that the emphasis upon such rules, on its own, is of no use; since the generality in question is not in the form of an ideal of impartiality, nor does it begin with a given objectivity for the political underpinning of the abstractions from which it arises. Therefore, the rules have to be informed by social reality, by the lived reasons and socially situated experiences. They are to ensure the consistency of the institutional conditions, not to reify them so that different modes of oppression and suffering are considered as deviations from the ideal. This means the rules set out for consistency are valuable insofar as they are intertwined with critical reflection upon themselves, that is, the validness ascribed to them should arise from the constant inquiries as to whether the generality they possess is justified for all, and particularly for those whose social position are systematically subjected to exclusion and oppression.

This paper, thereby, utilizes the concept of generalizability insofar as it mitigates one of the main deficits of empathy, that is, its liability to bias. Through institutional arrangements that can, at least to an extent, regulate the fluctuations of empathic emotions, the limited yet indispensable role of empathy can be further emphasized. The familiarity bias, for instance, can be mitigated through attention cycles and equal standing rules that redistributes empathic attention. Or in a process of deliberation, the bias in question can be mitigated with the rules that necessities unfamiliar testimonies or experiences to be taken into consideration. These possibilities stemming from generalizable rules, therefore, are indicative of the way through which empathy

[13] For instance, in a well-known essay, Wood argues that Marxist understanding of justice is strictly related to jurisprudence as the dominant mode of production is that which sets the limits of the just conditions of transactions (Wood, 1980, pp. 14–15), hence it does not designate a value with which the concept of justice can be defined. But still, it offers abstractions, such as alienated labor or species-being, which nonetheless can indicate a normative proposal for non-ideal theory in that the critique they hold towards the dominant paradigm of justice and capitalism also marks the conditions for emancipation.

becomes a reliable affective device, along with the implication that rationality itself does not have to be abstracted away from emotions; rather, it can be integrated into emotions, and affective processes, in a manner that is reciprocally corrective. However, while such an integration is set to be designated as a convenient means for overcoming empathy's liability towards biases, the issue still remains as to its social situatedness. Hence, in the next section, the second part of the formula strives to indicate how empathic engagement is to be practiced, and what sense it is to be politically directed.

6.4.1.2 Empathic engagement, but with whom?

The second part of the formula is, one can say, self-explanatory as it is there to preserve both the epistemic and motivational import of empathy with reference to justice under non-ideal conditions. However, that which is in the need for clarification is the way this empathic engagement with the other ought to follow. As the last subsection indicated, while the biases can be mitigated through generalizable rules, empathy is still an affective process that can be socially mediated in a way that reproduce, and to an extent normalizes, the asymmetrical social hierarchies and power relations. In a case where empathic engagement is to be practiced with the purpose of appropriating the experience of those who are in disadvantaged social positions, it would be no surprise that the subject's relation to her social experience becomes distorted, and worst, the suffering itself is to be normalized as a private sentiment through obfuscation of the structural causes. While theoretically practices such as narrative capture or appropriation cannot be juxtaposed with empathy, as the latter requires a genuine concern for another's well-being, they nevertheless are that which confiscates the disclosive potential of empathy in the real world. For instance, in a society where democratic institutions functions under severe restrictions, and where the public discourses are mainly shaped in accordance with the interests of a selected few, an everyday experience of the social inequality would be routinized and depoliticized. Here, empathy and empathic emotions would not be altogether excluded, but framed in such a way that the object of empathic engagement becomes fixed upon to the perspectives and experiences of the privileged.

The problem in question can be overcome through critical evaluation and rearrangement of the empathic attention towards the social experiences of the

oppressed. Such a critical inquiry can only be arisen from questioning both the result and the structure of empathic engagement; whether or not it normalizes social asymmetry and obfuscate the political underpinnings of the lived reasons and sufferings. The motivational and epistemic import of empathy can only be preserved when empathy is practiced in a critical manner. That means, the attentiveness towards the other that empathy brings along is to be utilized in a manner, in which every day suffering is to be understood as the embodied experience of the modes of oppression, rather than as a bundle of empty signifiers that fetishizes the suffering itself.

Secondly, since empathy is a non-ideal necessity for surfacing hidden harms and sustaining solidarity and motivational compliance under non ideal conditions, the direction empathic engagement with the other ought to follow is towards those who are either tacitly or explicitly subjected to conditions in which they are prevented from exercising their capabilities, making sense of their own experiences, and participating in public discussions as well as collective decision-making processes. At this point, however, it can be claimed that such directedness is itself political; and indeed, it is undoubtedly so. By indicating that empathy is a socially mediated process, this thesis does not strive to find a neutral ground in which empathy ought to be practiced; rather, it suggests a direction through which the political potential of empathy for disclosure of lived reasons and social sufferings and for promoting solidarity and compliance under strain can be best manifested.

6.5 Practical Implications of the Proposal

The implications that this thesis aims to indicate is restricted to the pluralistic societies with democratic institutions. It therefore sheds light on how empathy and empathic practices can be institutionalized with a particular focus upon the standpoints of the disadvantaged. In this sense, that which first catches attention is that the normative formula can be materialized through participatory forums and local assemblies in which power is to an extent decentralized and localized. It is crucial for citizens in different locations and under different positional sufferings as they can express their needs and experiences in relation with the material realities by which they are bounded. Hence, decentralization not only indicates a practical way of overcoming the idealized abstractions that negates structural causes of lived experiences and of social positions, but also invokes the establishment of political bodies that render it possible to routinize

empathic engagement with others through enabling people to interact with each other's positions and sufferings in regular periods while also promoting the participation to public discussion regarding policies, particularly of those that affect the members of civic organization. These civic forums and assemblies, therefore, can also be considered as a prominent institutional proponents of what Allen (2023) calls "connected society", in which the difference between citizens is preserved without foregoing the promotion of solidarity through the opportunities created for interacting both with similar and dissimilar people (p. 103). Furthermore, they are not only of importance for connectedness that does not suppress difference, but also they can function as the sites in which "contestatory citizenry", which requires a robustness and civic engagement as opposed to possible governmental abuses, are cultivated (Pettit, 2012, pp. 225–226).

Another practical implication is related to narrative-based deliberation. At first glance, this particular point might be seemed out of place as this thesis has addressed more than once the dangers that comes with narrative capture. However, the issue with narrative capture is not the narration itself, but its appropriation whether as a felt truth with which the privileged can speak on behalf of the sufferer, or its privatization as a personal experience that can only evoke private sentiments. On the other hand, in a deliberative process where each participant is actively encouraged to share their own social experiences, not only empathic engagement with the narrator becomes convenient, but also it sheds light upon how different forms of injustice are experienced within the daily life of people and how the social position of the sufferer shapes the experience itself. Moreover, through empathy, the credibility judgment of the hearer, which is informed by the structural identity prejudices ascribed upon the speaking subject, can be improved as empathic practice of imaginatively reconstructing the situation that the other is in brings forth the possibility to reevaluate the prejudice held by the hearer. For instance, such narrative-based practices take place in Truth and Reconciliation commissions all over the globe. That which is common in these commissions, where lived experiences of injustice are unearthed through the victims' testimonies, is the prominence of empathy, not just as an affective process but as a structured medium through which acts of collective witnessing are practiced in order to reframe historical narratives and set the groundwork that focuses on the human suffering itself.

The last implication that this chapter points out for juxtaposing the normative formula with practical and institutional framework is about community impact assessment in which a policy is assessed in relation to its effect upon the quality of life of a community. The task of these assessments is, by virtue of their restricted local focus, is in line with empathy as they require taking up the perspectives and standpoints of particular others and reconstruct what would their situation be should a certain policy take effect. Hence, they can examine whether a given policy brings forth or reproduces the conditions that prevents a community from exercising their capabilities. Such assessments, in this context, can intertwine an empathic understanding with institutional scrutiny, enabling a contextual framework in which the needs and social positions of all affected are given priority.

6.6 Conclusion

This chapter has sought to make a constructive proposal with which epistemic and motivational import of empathy can be further emphasized. For this purpose, it begins with identifying empathy as a catalyst through which lived experiences of injustice can be surfaced, and motivational compliance as well as solidarity are promoted under strain. However, this normative role was limited with the subsequent subsection which indicates two main concerns regarding empathy: its social situatedness and liability towards bias. While they do not diminish the prominence of empathy, they nonetheless shed light upon the necessity for a regulation that can grant consistency to empathy and empathic modes engagement.

Therefore, this chapter has put forward a normative formula that integrates generalizability with empathy. The formula indicates that generalizable rules for elimination of the conditions of injustice, empathic engagement for attention and uptake. However, such a proposal does not override that which has been said for the method of idealized rationality, hence this chapter circumscribed the generalizability it refers in congruence with the non-ideal model where abstractions are put forward without being separated from material conditions from which they were once arisen. It is in this sense the dual structure of the formula was identified, and it has been signified that generalizable rules are to be preserved so long as they are justified by all those affected; while empathic engagement is to be promoted insofar as it is critically evaluated and directed to those who are subjected to both tacit and implicit forms of

oppression. Lastly, the practical implications brought by this normative formula have been addressed. It was indicated that local assemblies and civic forums decentralize power and paves the way for empathic engagement with the others, while deliberations and community impact assessments were considered as practices that materializes the institutional yet empathetic structure of the said formula.

7. CONCLUSION

This dissertation has sought to explore the normative role of empathy for justice in pluralistic societies. To this end, it has argued that empathy is an epistemic and motivational necessity for justice under non-ideal conditions wherein withheld recognition, structural ignorance and motivational deficits are prominent. Therefore, this dissertation has opted that empathy can serve as a catalyst through which lived reasons and socially situated experiences are disclosed, while solidarity and recognition are promoted across diverse political and social backgrounds. Without empathy, not only does socially situated experiences remain systematically invisible under idealized forms of rationality; but on top of that, recognition-based struggles beyond first-person standpoint, and solidarity amongst citizens under strain cannot be sustained. Attributing this role to empathy corresponds to challenging the mainstream conceptions of politics as a domain of self-interest, offering a relational approach for political engagement that does not abstract away neither from the conditions of suffering, nor from social positions in which different modes of oppression are experienced in everyday life. However, the normative role of empathy, albeit indispensable, is limited; as empathy nonetheless an affective process that is liable to bias, and it can be socially mediated in manners that reifies lived experiences of injustice and normalizes the exclusionary practices. Meaning that both the epistemic and motivational import of empathy requires critical and structural mediation. Hence, this dissertation, drawing from non-ideal models, has offered a constructive proposal that offers a juxtaposition between empathic engagement and generalizable rules, insofar as they both remain accountable for the standpoints of the oppressed.

In order the develop the main argument and arrive at a constructive proposal, this paper utilized conceptual analysis and engaged normative political theory alongside with a critical focus upon social structures and positions. In the second chapter of the dissertation, the concept of justice was analyzed through mapping its core elements and dimensions along with a value-based evaluation towards prominent approaches

within the literature. In it, the analysis showed that justice is not a one-dimensional concept whose definition can be fixed within the limits of a certain ideal. Rather, it is multi-layered and context-sensitive and therefore ought to be taken in a manner that can accommodate different modes of sufferings that does not solely reside in the sphere of distribution. Therefore, the chapter was concluded with a criticism upon approaches that rest themselves on idealized abstractions of distributive processes in which neither emotions nor lived experiences of injustice can take place.

Subsequently, third chapter also put forward a conceptual analysis, but this time for empathy. The dimensions and constitutive elements of empathy were identified, and main approaches towards empathy are emphasized. In this chapter, empathy was considered not as a sole emotion but as an affective process, which can elicit empathic emotions such as empathic concern, compassion and indignation. Drawing from the main challenges regarding the structure of empathy, the chapter opted for a synthesis that can usher a comprehensive understanding. Hence empathy was defined as the process in which affective response congruent to the object's situation is elicited through imaginative reconstruction or direct encounter with another, and which implies the acknowledgment of another world of experience in the form of shared sense of humanness.

In the fourth chapter, the first part of the main argument was set out. Here, it was claimed that empathy is a non-ideal epistemic necessity for justice. The argument began with the presupposition that justification of justice principles requires all affected to will a given principle, and to be taken into account. Then, the first premise indicated that justice under pluralism requires epistemic inclusion of lived reasons and embodied experiences, for only then does it become valid to consider whether or not the perspectives of all affected are incorporated into the collective decision-making processes. In this line, it was argued that the liberal accounts of justice that rest on idealized forms of rationality exclude socially situated experiences through abstracting away from the sphere of the social, and assuming an ideal of impartiality within which differences regarding social positions and structures are overridden. At that point, it was claimed that empathy provides a non-substitutable epistemic access to lived reasons and social suffering, and enables uptake and cultivates contextual understanding. Hence, as a result, empathy was considered as an epistemic necessity

for justice under non-ideal conditions, without which the legitimacy of justice principles becomes distorted.

In the fifth chapter, the structure of the main argument was established through the second argument, which asserted that empathy is a non-ideal motivational necessity for justice. However, for the purpose of constructing a sound argument, two distinct yet converging lines of argument were indicated in relation to the motivational import of empathy. The first line began with the premise that justice requires not only justification but also motivational compliance from citizens for its stability. This means, at least a democratic ethos ought to frame civic engagement so as to render citizens attentive towards the suffering of one another, and towards inclusive public deliberation. Against such necessity, it was argued that empathy reliably produces pro-social motivation through the empathic concern, which corresponds to those feelings with genuine concern for another's well-being, it elicits. Hence, the first line of the argument concluded that empathy becomes a motivational basis for motivational compliance and solidarity under non-ideal conditions. The motivational import of empathy in regard to the second line of the argument, however, was associated with recognition-based struggles. In this sense, it was firstly indicated that justice is not solely distributive but also relational; injustice may arise from socially situated experiences of exclusion, withheld recognition and lack of hermeneutical means with which social experiences are interpreted. These harms are embedded in social structures and experienced within the myriad interactions of everyday life, and require not only empathic disclosure but also a motivational basis from which recognition demands can be collectivized. As a result, it was asserted that empathy can function in both of the matters as a motivational basis, in which empathic concern is coupled with an affective uptake of the other as a center of experience, through extending the recognition claims beyond directly harmed and underpinning struggle formations. Then, the two lines of the argument were converged with the conclusion that empathy is a non-ideal motivational necessity, since without it, neither it is possible to sustain solidarity and motivational compliance under strain, nor to extend recognition-based struggles beyond first-person standpoint.

In the last chapter of this dissertation, a constructive proposal was made so that the limited but indispensable role of empathy as a catalyst in non-ideal conditions can be institutionalized. Therefore, the chapter began with an overall assessment of the

normative role of empathy, and then, circumscribed in accordance with the limits of empathy since it is necessarily an affective process liable to bias as well as social construction. Hence, the chapter opted for a normative formula, which juxtaposes generalizable rules with empathic engagement within the context of non-ideal models wherein material conditions and social positions are amongst the primary resources from which abstractions are made. The chapter concluded with considering the practical possibility that this normative formula can bring about.

Moving on from the overall summary of main arguments, this dissertation has strived to contribute to the ongoing discourse by integrating empathy into political thought, bridging classical and contemporary theories to offer a comprehensive framework for understanding the normative role of empathy. In this sense, the theoretical implications that this dissertation calls forth for political thought mainly converges on two main points. First, it openly opposes an idealized forms of rationality through which a moral objectivity is ascribed upon a given ideal in such a way that the sphere of the social turns into a moldable mass that can be shaped by a given ideal. That way, oppression, exclusion or exploitation turns into instances caused by deviations from the ideal. That means, political theories that evoke ideals that are abstracted away from social structures and positions are not able to disclose, nor to overcome social sufferings and lived experiences of injustice. Hence, the integration of empathy into political theory also marks an attempt to begin from the negative; from the everyday life according to which injustice is experienced. The focus that can be set due to empathy, in this sense, renders it possible to trace structural and material causes of injustice, against which institutional conditions ought to be arranged. Secondly, the integration of empathy provides a significant shift from self-interest to mutual understanding and offers an approach that does not segregate rationality from emotions, but situate them in reciprocally corrective positions. Also, the shift in question ought not to be understood as a different conception of human nature. It does not correspond to ascribing a certain quality upon human nature, but indicates that conceiving that which is natural for human only through self-interest is an ideological position through which the intertwinement of social relations with market-logic is justified. Therefore, this dissertation did not strive to ascribe a ubiquitous moral quality upon empathy. Rather, it acknowledged the social construction of emotions and affective processes, and circumscribed the normative role of empathy accordingly.

The implications of the incorporation of empathy into political thought are not restricted to theoretical ones however, as it offers both practical and ethical considerations as well. Ethically, while empathy fosters an inclusive understanding of justice wherein the perspectives of people across different identities and social positions are to be taken into account, it nonetheless presents the risks such as bias, selective concern, and being turned into a neoliberal technique of access. Thereby, empathy on its own cannot right historical wrongs, or topple systemic forms of injustice.

This dissertation has addressed the said risks and proposed a hybrid norm through which institutionalization of empathy in the context of democratic systems can be maintained. Practical implications, in this context, include empathy's potential to enhance narrative-based deliberation, policy-making and civic engagement. Hence, this dissertation has also addressed local assemblies as the sites in which the said potential can be materialized, and community impact assessments as practices informed by empathy and empathic attention directed to others. However, these implications can be, and perhaps should be, extended beyond the context of democratic institutions, towards grassroots movements. Since empathy, as a catalyst, can render the tacit modes of oppression visible and foster solidarity through empathic concern, it can be actively invoked to stand against the obscurement of structural causes as personal sufferings and burdens. Therefore, empathy, in practice, might as well be employed as a discursive means to politicize others who do not possess the means to render their own social experience intelligible.

Before concluding, it should be indicated that this dissertation has limited itself to pluralistic democracies and therefore explored only a fraction of the normative potential of empathy. Future studies should continue to explore the role of empathy in diverse political contexts, particularly in contexts where the category of Other becomes an ontological need for the legitimacy of political authority. That way, empathy can perhaps be considered as an emancipatory means that disrupts the narratives and images set upon otherness, and upon the need for an enemy that can be found anywhere and anytime. Empirical studies can further investigate the mechanisms through which empathy can influence political engagement and decision-making, and also interdisciplinary approaches that bridge political theory with psychology,

phenomenology and ethics can provide deeper insight into the complex, yet intriguing relation between empathy and justice.

As a final remark, this dissertation has shown that empathy is not a process solely related to individual feelings and burdens, but a concept that has the potential to be conceived as a framework that can inform policies, shape institutions and catalyst solidarity and disclosure of lived experiences. An account of justice rooted in empathy, therefore, is not soft nor overly sentimental; but demanding and deeply political.

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