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Abstract

This paper delves into the intricacies of the concept of epistemic harm. Particularly, epistemic harm is used as a case study to gain insights into the efficacy and distinctiveness of the concept of harm vis-à-vis related constructs such as violence and trauma within the domain of social psychology. The paper underscores the pertinence of the concept of epistemic harm in the context of empathetic testimonial exchange using autism studies as a sample case. Subsequently, empathy is characterised as innately engendering epistemic harm, manifesting both at the inter-subjective and intra-subjective levels. The paper concludes with a contemplation on the significance of the idea of epistemic harm within the broader field of harm research.

Keywords

harm, epistemic harm, empathy, double empathy problem, psychoanalysis

Epistemic Harm

The concept of *epistemic harm* has gained prominence in more recent philosophical and social discourses, particularly in the fields of epistemology such as analytical, social, and feminist epistemology as well as other fields such as critical theory and decolonial theory. While the concept is relatively new in the history of traditional Western philosophy, the exploration of relating conceptual fields has roots in broader discussions surrounding knowledge, power, and ethics (e.g., Fanon, 1967; Foucault, 1990, 1994). Nowadays, the concept has been split and collapsed into several corresponding concepts such as epistemic violence (Spivak, 1988; Brunner, 2021), exploitation (Berenstain, 2016), oppression (Dotson, 2014), appropriation (Podosky, 2023), trauma (Samuels, 2022), injustice (Fricker, 2007; McKinnon, 2016) and even *epistemicide* (Santos, 2014).

The engagement with the concept of epistemic harm in this paper will draw from the work of Miranda Fricker (2007) on epistemic injustice. Fricker engages with the concept of epistemic injustice from a social epistemological perspective. She explores the ways in which social structures and practices can lead to unfair treatment and unequal access to knowledge based on individuals' social identities, such as race, gender, and class. Fricker's work has been chosen as the bedrock for the examination of this concept due to its meticulous and analytical nature, which will act as a conduit for the discussion on the inherent epistemic harm associated with empathy. This discussion will be engaged from the viewpoint of analytic philosophy, eventually leading to a psychoanalytic critique. Fricker's analysis of the power dynamics and prejudices shaping our epistemic

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interactions will be broadened in their scope to evaluate their most fundamental inter- and intra-subjective levels. This expanded perspective will be derived from and informed by contemporary studies in neurodiversity.

Fricker provides a characterisation of epistemic injustice as a specific wrongdoing inflicted upon individuals in their role as knowers. Her primary focus centres on the concept of *testimonial injustice*, which occurs when a speaker's testimony is unfairly diminished or disregarded by their audience due to unjust biases that undermine their credibility on the subject matter under discussion.

Fricker (2007) begins her book with a description of a scene from the famous film *The Talented Mr Ripley* to exemplify the concept of epistemic injustice (p. 9). In this scene, Marge Sherwood expresses her concerns that Mr. Tom Ripley stands behind the disappearance of her soon-to-be husband, Dickie Greenleaf. To this, Herbert, Dickie's father, responds with the following dismissive and sexist answer: "Marge, there's female intuition, and then there are facts." In stating that, he implies that female intuition cannot yield factual information, thus, according to him, it does not contribute any knowledge about the case.

Fricker (2007) notes that this is a classic example for a testimonial exchange that entails the hearer's spontaneous judgement of their interlocutor's credibility. She comments that this exchange involves a "dysfunction", as "the hearer makes an unduly deflated judgement of the speaker's credibility" (p. 17). Namely, the hearer wrongfully undermines the speaker in her credibility and her capacity as a knower (p. 20). Particularly in this case, the dysfunction is rooted in the hearer's gender bias. When a wrongful judgement reflects an epistemic and ethical bias, it is termed by Fricker as an instance of *epistemic injustice*.

According to Fricker, some cases of epistemic injustice can also cause *epistemic harm*. Epistemic harm refers to the negative consequences that can arise from a person's beliefs, knowledge, or understanding being distorted, undermined, or otherwise negatively affected.

Fricker (2007) characterises *primary* epistemic harm as the most essential form of harm that is definitive of epistemic injustice, where a subject is harmed in their capacity to know and give knowledge (p. 44). She adds that the primary harm caused by epistemic injustice is the result of hermeneutical inequality where within a relational context, a hermeneutical gap hinders one's ability to make sense of an experience that is essential for them to comprehend (p. 7). In other words, the primary harm in testimonial injustice involves a kind of denial of epistemic agency (pp. 132–133). This harm may affect a person's psychology to varying degrees and impede their confidence in knowing to such an extent that they cease acting as an agent of knowledge.

Fricker (2007) subsequently delineates *secondary* epistemic harm as a potential deleterious repercussion that can surface in myriad practical contexts that cannot be fully reduced to their hermeneutical dimension such as harming an individual's livelihood or physical wellbeing. She illustrates this through an example from the film *To Kill a Mockingbird*, wherein Tom Robinson's testimony is rejected by an all-white jury due to his "racial identity", culminating in his wrongful conviction for the rape of Mayella Ewell (Fricker, 2007, p. 28). In such instances and others akin to them, secondary epistemic harm can lead to devastating repercussions, including the loss of personal freedom, employment, and the ability to derive satisfaction from life (pp. 46–48).

Lastly, epistemic harm can manifest at a level that surpasses the individuals exchanging testimonies. For instance, it can obstruct truth-seeking, causing a community of knowers to miss out on particular facts or preventing the circulation of ideas (Fricker, 2007, p. 43).

Epistemic Harm in Empathetic Judgements

In the aforementioned example, Fricker (2007) principally concerns herself with instances of epistemic injustice that impinge upon a speaker's "capacity for reason" (p. 44). However, as Fricker (1995) comments elsewhere, a significant proportion of epistemic judgements pertain to an immediate affective knowledge that cannot be solely ascribed to reasoning. Consider, for instance, an individual's evaluation of Arnold Schoenberg's *Verklärte Nacht* (Transfigured Night), Op. 4, where the piece may be construed as an attempt to provoke a spectrum of emotions, from yearning and melancholy to optimism and transcendence. In this context, the individual's testimony is anchored in their emotional reaction and intuitive understanding, both of which are crucial in assessing the aesthetic value in artistic expression. Should this testimony be undermined by another party, it would not cast aspersions on the speaker's capacity for reasoning; instead, it would challenge their emotional sensitivity. Moreover, on an inter-

subjective level, a person's testimony may hinge on their emotional reaction and intuition to know something about the inner emotional or cognitive state of others. Many people are able to intuitively sense another's sorrow or discern a state of anxiety in someone without needing to resort to reasoning. This type of intuitive judgement, which will serve as the focal point of our discussion, relies fundamentally on the *capacity for empathy*.

Today, we find many definitions of empathy, branching from the works of Hume (1740, 1748), Smith (1966) and Titchener (1909). In this paper, I will rely on Coplan's (2011) succinct conceptualisation of empathy, which is detailed as follows:

Empathy is a complex imaginative process in which an observer simulates another person's situated psychological states while maintaining clear self-other differentiation. To say that empathy is "complex" is to say that it is simultaneously a cognitive and affective process. To say that empathy is "imaginative" is to say that it involves the representation of a target's states that are activated by, but not directly accessible through, the observer's perception. And to say that empathy is a "simulation" is to say that the observer replicates or reconstructs the target's experiences (pp. 6–7).

As per Coplan's (2011) definition, empathy encompasses a tripartite process that facilitates the formation of judgements grounded in:

- (1) Affective matching
- (2) Other-oriented perspective taking
- (3) Self/other differentiation

In other words, empathy involves a process of experiencing and understanding another person's perspective, allowing for an internalised knowledge of their affective state, while maintaining a distinction between the self and the other.

In the context of testimonial exchange, a speaker's epistemic credibility can be unfairly devalued due to their incapacity to establish a genuine connection and to know something about the internal emotional or cognitive state of other human beings through empathy. For example, a speaker's testimony might be discredited in the following manner: "There is no way you can understand what I'm going through being who you are." Contrary to *The Talented Mr Ripley*, in this example, a speaker is undermined in their credibility as a knower because they are perceived as *lacking sufficient reliance* on empathetic intuition.

Such judgements segue the discussion of epistemic injustice to other affective dimensions of knowing that extend beyond the capacity for reason — particularly the dimension of empathetic testimonial exchange.

Epistemic Harm in Autism: Lack of Empathy

One psychological syndrome that is directly associated with an epistemic impairment in empathy is autism. Autism is commonly determined today as being a complex developmental disorder that affects the brain's normal development of social and communication skills (APA, 2013). What makes the investigation of empathy impairment in autism particularly intriguing is that diminished capacity for empathy is commonly determined as its primary underlying cause (Baron-Cohen, 1997, 2006; Hobson, 1989; Rieffe et al., 2011; Samson et al., 2012). This perspective is widely accepted and supported by many researchers in the field of autism research.

In the context of testimonial exchange, this perspective not only undermines but completely dismisses the credibility of autistic individuals' empathetic testimony, effectively denying their ability to comprehend the internal emotional or cognitive states of others.

It is clear that assigning no empathetic credibility to autistic testimonies causes them epistemic harm. First, the denial of empathetic credibility to autistic individuals leads to a primary harm, which is the emergence of a hermeneutical gap that devalues their capacity to understand an experience that is crucial for them to comprehend. This experience pertains to their relationship with their internal emotional world as well as the emotional world of others.

When determined in this way, autistic individuals become severed from a crucial aspect of the intersubjective world. This renders them unable to form empathic connections with others and fundamentally alienates them from the social bond. This causes many autistic individuals to feel rejected and incapable of forming connections (Ee et al., 2019). As a result, many autistic individuals are compelled to conceal their true selves and assume an artificial persona, resulting in low self-esteem and a sense of unfulfilled belonging. This can lead to detrimental effects on their mental health and well-being, resulting in higher rates of anxiety, depression, and other mental health concerns compared to the general population (Hull et al., 2017; Cook et al., 2021). Tragically, in some cases, this could even lead to suicidal ideation (Mitchell et al., 2021).

The conception of the non-empathetic autistic individual has been exploited by certain scholars to undermine their humanity. Consequently, some scholars have dabbled with the proposition that autistic individuals lack moral agency (Gerland, 2008), or have even depicted them as verging on malevolent (Baron-Cohen, 2011). Such biases risk legitimising discriminatory practices and potentially violent behaviour directed towards autistic individuals.

There is no doubt that associating autism with a deficiency in empathy causes harm to autistic individuals. However, at this point, it is important to explore if this harm is unjust. After all, science is not always focused on promoting the well-being of individuals or society at large in its quest for knowledge. For example, while it might be disagreeable to require society to reduce its use of fossil fuels and energy consumption, these actions are scientifically necessary for the preservation of life. Scientific facts may have *harmful* consequences, but these consequences can be *just* and necessary. This is also true in the context of epistemic harm.

Therefore, it is important to determine if the denial of the epistemic credibility of autistic individuals in the context of empathy is merely a scientifically established fact that entails some unavoidable harmful repercussions. In other words, we must ask if the diminished credibility scientists assign to autistic individuals on the level of empathy is “dysfunctional” and therefore the cause of epistemic injustice?

The Double Empathy Problem

A novel theoretical framework proposed by Damian Milton (2012) argues for an injustice in the diminished credibility assigned to autistic individuals on the level of empathy. This notion has been corroborated by recent studies that refer to it as the *double empathy problem* (Sheppard et al., 2016; Morrison et al., 2019; Crompton et al., 2020). The double empathy problem posits that both autistic and non-autistic individuals may struggle to perceive and comprehend each other’s perspectives and emotions, challenging the notion of diminished empathetic credibility in autism. The concept emphasises the importance of the interactional space between autistic and non-autistic people and characterises the lack of understanding of the mental states of others as a mutual phenomenon. In other words, it posits that the breakdown in interaction between these groups should not be solely attributed to autistic individuals but rather is enabled by two unique perspectives attempting to empathise with one another and failing to do so. As such, the double-empathy problem contends that autistic individuals do not lack empathy, but instead both autistic and non-autistic individuals find it challenging to empathise with one another. On the other hand, it demonstrates that autistic people are better at empathising with autistic people and non-autistic people are better at empathising with non-autistic people.

Based on these findings, double-empathy studies indicate a fundamental flaw in empathy itself, which is that it can only effectively bridge the gap between individuals with similar psychological dispositions. This hypothesis suggests that empathy operates within specific epistemic boundaries and cannot fully address the challenges of intersubjective understanding in cases of divergent subjectivities: see the struggle of neurodiversity (Fenton & Krahn, 2007).

Consequently, the studies discussed above expose an intrinsic bias in epistemic judgements that devalue the empathetic capacity of autistic individuals. Recent studies have pinpointed this neurotypical bias in numerous forms of interaction between autistic and non-autistic individuals (Sasson et al., 2017). As this *bias* is inherently *prejudiced*, it is also *unjust* and, therefore, engenders *unwarranted harm* to autistic individuals at an epistemic level.

The Empathy Problem

The harm rooted in empathy has been explored in the past (Bloom, 2017; Goldie, 2011; Prinz, 2011; Pinker, 2012). Building upon these prior works, I will now propose that empathy, at its core, is inherently harmful on an epistemic level. To be more precise, I will contend that the bias

exposed by the double-empathy problem is intrinsic to all epistemic judgements that rely on empathy regardless of similarity in psychological disposition, that is, the distinction between neurotypical and neurodivergent subjectivities.

Peter Goldie (2011) has previously advanced the notion that empathy is intrinsically epistemically flawed. In doing so, he aligns himself with Herbert Greenleaf's critique of Marge's attempts to demonstrate the reduced credibility of testimony derived from empathetic intuition, albeit without the latter's sexist undertones. Goldie's argument rests on the premise that empathetic intuition is only a valid source of knowledge in base-case scenarios that do not involve non-trivial personal affairs. He contends that any additional psychological or situational factors that exceed a base-case scenario erode the credibility of empathetic judgements. Goldie identifies several factors that contribute to this erosion, including:

- A. Differences in psychological disposition
- B. Non-relational influences on decision-making processes
- C. Confusion
- D. Psychological conflict

Because most meaningful real-life encounters involve all four of these conditions, Goldie (2011) argues that empathy is useful in making epistemic judgements only in situations that are so simple and clear that one could reach a judgement without resorting to empathy at all (pp. 308–309). Therefore, we see that Goldie's conclusions extend the breakdown in interaction described in the double empathy problem to the interactional space between any two subjects.

Goldie (2011) augments this argument by asserting that regardless of how basic a situation between two people is, any empathetic perspective-shifting inevitably reduced B's psychological or situational factors into what A knows and can comprehend (p. 315). In Goldie's own phrasing, through this process, "A usurps B's agency, replacing it with her own" (Goldie, 2011, p. 315), with agency being defined as a first-person authority concerning our attitudes and stances (Moran, 2001).

Jan Slaby (2014) further elaborates on this notion by characterising agency as "the very 'instance' capable and called-upon to commit, to adopt stances towards the world and be ready and willing to live up to them" (p. 6). Slaby (2014) emphasises that "the core of what it means to be a genuine agent... cannot be empathetically simulated without an alien imposition, without an artificial act of objectifying or imposing the empathiser's own agency" on the other (p. 6). Thus, Slaby identifies agency as "empathy's blindspot" and argues that any act of empathising necessarily entails a foreclosure of the other's agency.

Following Goldie (2011) and Slaby (2014), the foreclosure of the other's agency inherently involves an epistemic injustice, independent of the judgement's content. A judgement could be as innocuous as "I can sense you are a beautiful soul that only wants good," but yet, it would still constitute an injustice to the other's agency. This is because it necessarily renders the other's irreplaceable epistemic authority as replaceable. Consequently, we find that while empathetic judgements might not be harmful at an affective and inter-relational level, they are fundamentally unjust and intrinsically harmful at the level of epistemic authority. As Fricker indicates, they cause the inherent harm of testimonial injustice when a speaker's capacity as an agent of knowledge is undermined, when their epistemic agency or subjectivity is objectified (Fricker, 2007, pp. 133; McGlynn, 2021).

The Self-Empathy Problem

Building on the argument presented so far, I aim to delve further into the concept of epistemic harm, placing it in conjunction with *self-empathy*. Self-empathy is a theoretical construct, earlier referred to as "intrapyschic empathy" by Schafer (1964, p. 294), as "the capacity for self-empathy" by Kohut (1959, p. 467), and as "retrospective self-empathy" by Blanck & Blanck (1979, p. 251). The therapeutic implications of self-empathy have been scrutinised, notably by Jordan (1984), and this idea has subsequently morphed into various contemporary practices of *self-care* (Riegel et al., 2021).

In essence, self-empathy involves a conscious process where an individual positions their own self as the target of empathy. This self-oriented empathy could be elicited by recalling

a personal memory, apprehending and comprehending the affective state linked to that memory, and subsequently formulating a judgement concerning it. Upon first inspection, it may appear that self-empathy aligns with Coplan's (2011) triadic paradigm of empathy, wherein the "self-other differentiation" could be more accurately described as a differentiation between the empathising self-subject and the empathised-with self-object. Moreover, Goldie's (2011) critique, which suggests that the reliability of empathetic judgements erodes in scenarios extending beyond the base-case, may not hold water in the context of self-empathy. The reason being that in the realm of self-empathy, there typically aren't any psychological or situational discrepancies that differentiate the empathising self-subject from the empathised-with self-object.

Nevertheless, I contend that the matter may not be as straightforward. To underscore my objection, we can look to the insightful commentary by Aristotle on the conundrum of self-love. In his *Nicomachean Ethics*, Aristotle (2014) posits that self-love demands concurrent consideration of oneself as both the subject and object of love (pp. 174–176). He insinuates that this bifurcation of the self into the loving-self and the beloved-self inevitably objectifies the latter within the context of love.

Drawing parallels with Aristotle's intuitive observations, we can identify how this problem has been further nuanced in the field of psychoanalysis by discerning the ego as an object of consciousness from the unconscious as the locus of subjectivity. This division traces back to Freud (1968) who distinguished between *secondary* representational processes, responsible for the construction of the ego, and *primary* unconscious processes, which concern "the core of our being" (p. 603). The latter were later associated by Jacques Lacan (2006) with his conception of the subject of the unconscious, to which the ego is in contrast merely a secondary construct that imparts an illusory sense of selfhood tethered to consciousness (p. 347).

Psychoanalytic theory thus posits that the psyche's constitution is not determined by the ego. Rather, the majority of psychic processes that determine it are predominantly unconscious. This demarcation between conscious and unconscious registers suggests that our psychic states cannot be wholly reduced to what we consciously apprehend at any given time: they are influenced and conditioned by a vast unconscious substrate that remains inscrutable from the perspective of consciousness. This dynamic explains instances where one might experience depression without conscious understanding of its cause or encounter a distressing event without experiencing any immediate conscious emotional response. Thus, we see that, for Freud, the unconscious is fundamentally and inherently inaccessible to conscious thought. It is defined as a heterogeneous force, persistently resisting all attempts at conscious objectification.

Let us then implement the psychoanalytic distinction between consciousness and the unconscious on Coplan's (2011) triadic model of empathy in the context of self-empathy. According to Coplan, a judgement predicated on self-empathy involves an active process of experiencing and understanding one's own standpoint, thereby facilitating internalised knowledge of an individual's psychic state. This implies that the concept of self-empathy is anchored in *consciously knowing* something about our own psychic state. Thus, the endeavour to empathise with oneself — understanding one's own feelings and cognitions — is described as a fundamentally *conscious* undertaking that, according to psychoanalysis, inherently lacks insight into the *unconscious* dimensions of the psyche. Stated otherwise, when we seek to distil our own psychic condition into consciously discernible elements through self-empathy, we inadvertently compromise the epistemic validity of the *non-self* that determines our psyche on an unconscious level: effectively, we objectify the epistemic agency of the unconscious. This intra-subjective denial of the epistemic agency of the unconscious is homologous to the foreclosure of the other's epistemic agency in inter-subjective empathetic judgements previously described by Goldie (2011), Slaby (2014), and the double empathy problem (Milton, 2012). Congruent with the above, I posit that self-empathy inflicts epistemic harm at the unconscious level, an act that can be viewed as intrinsically unjust. Namely, because the *non-self* is other to the *self*, the act of *consciously* empathising with one-*self* implicitly refutes the epistemic agency of the *unconscious non-self*.

Discussion on the Concept of Harm

In this paper, I have delineated empathy as intrinsically generating epistemic harm, which transpires at both inter-subjective and intra-subjective levels. Let us then try and summarise the unique features of the concept of harm developed in this context.

First, epistemic harm predicated on empathy does not constitute violence nor is it necessarily a consequence of violent action. Primarily, empathetic judgements do not inherently harbour malevolent intentions to inflict harm. For example, when we formulate an empathetic judgement intended to foster closer rapport with our interlocutor, we are not perpetrating violence in any form but still causing epistemic harm. In addition, as demonstrated within the field of autism research, while biased perspectives may inadvertently inflict unjust harm upon autistic individuals, such harm is not dispensed by researchers with a deliberate intention to cause injury.

Second, epistemic harm rooted in empathy does not inherently traumatise. Namely, inter- and intra-subjective epistemic judgements predicated on empathy serve us on a daily basis in our understanding of ourselves and others on a conscious level and do not lead to the effects of trauma.

Lastly, it is worth noting that while empathetic judgements might inflict harm that could be deemed unjust at an epistemic level, they simultaneously are beneficial for human camaraderie, kinship, and even love. In this sense, we might say that there is something fundamentally valuable about the harm brought about by the objectification of the other's epistemic agency and its assimilation with our own through empathy; something that is imperative for our comprehension and connection with others. Additionally, self-empathetic judgements are crucial for our sense of wellbeing, and their positive therapeutic value has been comprehensively investigated.

Taking the aforementioned considerations into account, I posit that the occurrence of epistemic harm in intra- and inter-subjective empathetic judgements accentuates the salience of the concept of harm within the field of social psychology. It draws our attention to the fact that other concepts, such as violence and trauma, are not adequately nuanced to elucidate the complexities of the epistemic harm engendered by empathetic judgements on a social and psychological level.

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