TIM BURNS (University College Dublin/Loyola Marymount University, Los Angeles)  

STEIN’S CONTRIBUTION TO THE DEBATE OVER INTENTIONALISM ABOUT GROUPS

A meta-debate has arisen in recent literature on the possibility and nature of plural subjects. This is the debate over “intentionalism” (Gilbert 1989, Sheehy 2002). Intentionalism consists of the claim that in order for a social group to exist, the subjects who comprise the group must both stand in the appropriate relations to one another and have mutual knowledge of said relations (Sheehy 2002). Put differently, members of a group must see themselves as members in order for a group to form. Paul Sheehy has tried to argue against the intentionalism he finds in Margaret Gilbert’s work. However, in this paper, I will argue that Sheehy’s account is also implicitly intentionalist. I then turn to Edith Stein’s phenomenology of sociality to present a theory of social groups that avoids intentionalism (Stein 2000).

The paper has three parts. First, I outline an intentionalist theory of social groups drawn primarily from the works of Gilbert. Second, I review Sheehy’s argument against Gilbertian intentionalism and show that his alternative is itself an intentionalist account (Sheehy 2002). His primary counterexample fails to overcome intentionalism because he is insufficiently rigorous in identifying both the group and the group action in question. Third, I turn to Stein’s Philosophy of Psychology and the Humanities for an alternative account of social groups that I argue avoids intentionalism. The key to avoiding intentionalism is her distinction, between two types of social formations, community (Gemeinschaft) and association (Gesellschaft). It turns out that associations are intentionalist, but they are impossible without at least some measure of community. Community is thus more primitive than association, and community may form organically and non-intentionally.

EMANUELE CAMINADA (University of Cologne)  

DO WE NEED A BEARER FOR COMMON EXPERIENCES?  

HUSSERL, STEIN, AND WALThER ON PHENOMENOLOGICAL AND GROUP MIND

Do groups have their own phenomenological mind? Are there “common experiences” that are not reducible to a collection of individual experiences? If yes, do we need to assume an ontological bearer of them? My paper discusses these three guiding questions within the methodological framework of Edmund Husserl’s phenomenology, while expanding on Edith Stein’s and Gerda Walther’s attempts to reassess Husserl’s description of common intentionality.
Husserl has often been interpreted as a socio-ontological collectivist, since he treats groups as bearer of some structures of collective consciousness and group mind. However, he stresses the fact that groups have no common psyche, but only a form of common mind (Gemeingeist). Husserl argues that socio-ontological individualism is the consequence of a naturalistic approach to mental life, according to which the mind is understood as an inner succession of mental states located in individual heads and related to the external world. In contrast, phenomenology describes the mind as a stream of motivated intentional experiences, lived in first person perspective. Stein (1922) and Walther (1923) both aimed at further developing Husserl’s theory of common intentionality.

Stein suggests to distinguish between constituting and constituted consciousness. Constituting consciousness is the individual source of mental life, its inner streaming in temporal and rhythmical structures. Constituted consciousness is the structure of inner, constituted intentional experiences. She calls the former “stream of consciousness” and the latter “stream of experience”. While in the singular first person perspective both sides of the mental stream are perfectly aligned, in the first person plural perspective they are not, since to any plurality of stream of consciousness corresponds a unique stream of experience. Yet, the correspondence between this plurality of consciousness and their common stream of experience remains problematic: Who (or what) is the bearer of this stream of experience? How can communal experiences have their own existence and normativity even if none is actually experiencing them?

These questions can be properly addressed by stressing the limits of Stein’s static-phenomenological method and distinguishing in her analysis of the common mind an actual, phenomenological point of view and a potential, rational point of view.

Walther, on the other hand, relies on Husserl’s genetic-phenomenological method and focuses on the sedimentation of the stream of common experience in the background of individual minds. According to Walther, the basic phenomenon of communal life is given in habits that shape the intentional life of the community members. The bearer of the common stream of experience is the plurality of the interwoven backgrounds, while each individual is responsible for its own accomplishments of acts of common experience.

Both Stein and Walther stress the fundamental distinction between constituting actuality and the constitutive relevance of inactuality. While Stein remains in the static framework of phenomenology (where inactuality is a form of potentiality), Walther implements already the key feature of genetic phenomenology: the concept of intentional habituality. In this paper, I will argue that only by integrating Stein’s and Walther’s conceptual distinctions is it possible to fully account for the phenomenology of group mind, and to show both the embedment of the common stream of experience in individual backgrounds and its inner normativity.
FRANCESCA DE VECCHI (Vita-Salute San Raffaele University, Milan)

EDITH STEIN’S SOCIAL ONTOLOGY OF THE STATE, OF THE LAW AND OF SOCIAL ACTS

In her *Investigation Concerning the State* (Stein 1925), Edith Stein takes up some of the main ideas of the phenomenological social ontology developed by Adolf Reinach in his *The Apriori Foundations of the Civil Law* (Reinach 1913) and presents a social ontology of the state that is based on an eidetic analysis of the law and of social acts. I shall suggest that in Stein’s *State*-book, social ontology embodies Husserl’s idea of regional ontologies: accordingly, Stein’s social ontology is to be understood as a social regional ontology (i.e., a social ontology as one of the possible material or regional ontologies (Husserl 1913)). In my talk, I will also argue that one of Stein’s more original contribution in social ontology is her eidetics of positive law: Stein identifies the essential conditions for law to be ‘law in force’ (*geltendes Recht*).

In order to show that, I will discuss five core claims put forth by Stein, focusing on the first part of the *State*-book (Stein 1925, 1, §§ 1–2):

(i) The State is a community (*Gemeinschaft*), and not a society (*Gesellschaft*).

(ii) The State is a community that is characterized by sovereignty (*Souveränität*): the State must be its own Master (*der Staat muss sein eigener Herr sein*), i.e., his actions and his law spring only from the State itself.

(iii) There are two types of Law: pure law (*reines Recht*), on the one hand, and positive law (*positives Recht*), on the other; pure law is ontologically independent of individuals’ intentionality, while positive law is ontologically dependent on individuals’ intentionality. Pure law and positive law, which have the same content, function as essence (*Wesen*) and fact (*Faktum*) respectively.

(iv) The sufficient condition for law to be law in force is that the claim (*Anspruch*) to norm the people’s behaviour (a claim that is constitutive of the law) is recognised (*anerkannst*) by the people to whom the law is addressed.

(v) The necessary condition in order for the claim to norm the people’s behaviour to be recognised by them is that the claim is exhibited by and through two social acts: the promulgations (*Bestimmungen*) and the orders (*Befehlen*).
JAMES JARDINE (University of Copenhagen/Columbia University, New York)

EMPATHY, SOLIDARITY, AND RECOGNITION

In this paper I argue that one may find in the early work of Edith Stein not only profound and rich phenomenological studies of selfhood, interpersonality, and community, but a theoretical resource that can be brought to aid in clarifying and assessing certain claims of contemporary ‘recognition’ theory.

I begin, in Part I, by considering some core aspects of Stein’s phenomenological account of empathy (Einfühlung), by which she meant a sui generis mode of intentional experience of foreign subjects and their lived experiences, stressing its direct, non-representational character, and her careful account of its different levels and moments. I then consider her claim that empathy permits a grasp of the other as a subject of acts and their motivational connections, and that the empathized other is therefore encountered as spirit (Geist), whose experiential life is in principle intelligible. In Part II, I consider certain aspects of Stein’s phenomenological analysis of the common life. Specifically, I focus on her claim that social life is most fundamentally a matter of solidarity (Verbundenheit), in which subjects stand to one another not as objects, but as distinct spheres of significance and value who reciprocally understand and motivate one another. I will then spell out how, for Stein, such solidarity, while presupposing empathy, essentially precedes and makes possible both fully-fledged community (Gemeinschaft), and the attitude of association (Gesellschaft) in which others are regarded as mere replaceable functions. In Part III I argue, focusing on the work of Axel Honneth, that Stein’s analyses allow for a clarification of certain key notions in contemporary recognition theory.

In short, one finds in Stein’s work an argument for the primacy of an experiential, affective, and motivational relation to others, over a projective, calculating, or reified one. Moreover, I will suggest, her work can be read as leading support to a distinctly phenomenological take on the thesis that normative agency is dependent on relations of mutual recognition.

METTE LEBECH (NUI Maynooth)

THE CONSTITUTION OF HUMAN DIGNITY
ACCORDING TO THE PHENOMENOLOGY OF EDITH STEIN

This paper attempts to show how Stein’s phenomenology, and in particular her phenomenology of value, allows us to describe 1.) the quasi-necessity with which we come to both an understanding and an appreciation of human dignity; 2.) the experiential content of the idea
consisting in its fundamentality; 3.) how this fundamentality constitutes a foundation for the recognition of human beings as such, and in turn 4.) accounts for why human dignity is correctly understood to found human rights, as repeatedly stated in the Universal Declaration of Human Rights and the many human rights instruments flowing from it.

Despite the general acceptance enjoyed by the human rights tradition the intelligibility of human dignity is frequently being rejected today. Considering the key role played by the idea for the regulation of our civilization, this rejection is both remarkable and troubling. It seems somewhat implausible that the key value of our civilization should be unintelligible, however socially constructed it might be. Stein’s phenomenology can account for how we could not retain the shape of human experience as we know it, unless we (collectively and individually) affirm that the value of human experience is higher than any other value we know. This would explain why we have (collectively and individually) a tendency to affirm it that stems from within the very structure of human experience. The paper will show that we have both this and other reasons to accept human dignity as fundamental for our value-system, and that these reasons make up the intelligibility of the idea. Stein’s socially informed phenomenology and in particular her phenomenology of values thus allows us to access intelligibility not only in the socially constructed world, but in social construction itself.

The paper presents its argument in four phases. It first describes Stein’s theory or phenomenological description of values as objects of motivation. It then moves on to her understanding of the phenomenological concept of constitution and how it applies to the identification of the human being as a psycho-physical individual person of the human kind. Then it discusses the meaning of the constitution of values before it accedes to finally describe the motivations behind constituting the value of human beings as fundamental, i.e. as reasonably preferred to all other values.

Throughout the paper an attempt is made to show where exactly Stein, who is profoundly inspired by Husserl on the one hand and by Scheler on the other, parts company with these two important phenomenological thinkers in exactly the places where they depart from each other, and does so by means of her elaborated understanding of empathy. Central to her critical stance as regards her teachers is the intention to construct a genuine, systematic and comprehensive phenomenology of the social (of community, association and mass), which is not handicapped by an overemphasis on the first person perspective, nor looses sense of the a priori nature of the individuality of persons. Only such a phenomenology can, she thinks, yield an adequate phenomenological description of the state. It is the same qualities that allow us to use it to account for the meaning content of human dignity.
THOMAS SZANTO (University of Vienna)

STEIN ON SHARED EXPERIENCES AND COLLECTIVE EMPATHY

Recent years have witnessed a growing interest in Edith Stein’s theory of empathy (Stein 1917), not only within, but also outside traditional phenomenological circles, and in particular, within debates on social cognition. What is less known, even to most phenomenologists, however, is Stein’s later, arguably more sophisticated and also more controversial, work on the phenomenology of sociality as expounded, above all, in her *Philosophy of Psychology and the Humanities* (Stein 1920; cf. also Stein 1925).

In this paper, I shall reassess, against the background of the contemporary collective intentionality and shared emotions debate, Stein’s hitherto rather neglected later social ontology. Here, I will focus specifically on her account of shared or communal experiences. Moreover, I shall explicate how Stein’s concept of empathy can indeed not only be accommodated within her social ontology, which thus leaves room for ‘collective empathy’, but, moreover, might provide a solution for the most imminent problems Stein’s theory of shared experiences faces. The argument of the paper has three strands:

1. I will start mapping the terrain by outlining what I take to be three central requirements for any account of shared experiences: the ‘Plurality Requirement’, the ‘Non-Summative or Integrity Requirement’ and the ‘Anti-Collectivism Requirement’.

2. Next, I will address the question of where to tie in, as it were, collectivity in collective experiences (i.e., in their subject, mode, content or object) and then discuss their intentional structure and types as well as the ‘mechanisms of integrating’ experiences into what Stein calls a ‘communal stream of experiences’.

3. Finally, I will raise a number of *prima facie* problems for Stein’s and, more generally, any theory of shared experiences, viz., a.) the problem of the (communal) subject of shared experiences (as opposed to shared experiential contents), b.) the well-known problem in social ontology of membership misidentification, c.) the problem of shared experiences in ‘empty set’ groups, and finally d.) the problem of normativity of shared experiences. By way of a solution, I shall point to Stein’s own conceptual resources for accounting for (most of) these challenges and, in particular, her theory of empathy.

Ultimately, I aim to show that Stein offers an original, two-dimensional account of sharing minds, which, not least, significantly advances contemporary accounts. According to Stein’s two-dimensional account, robustly integrated communities not only have a *rationally integrated point of view*, upon which they deliberate and in the light of which they reason, form intentions and act (Rovane 1998; Pettit 2003; List & Pettit 2011), but, moreover, have an own *phenomenologically* integrated center, constituted precisely by shared experiences, their phenom-
enal contents and qualities. Conversely, I shall show how contemporary accounts help clarifying what is (and what is not) entailed by Stein’s phenomenology of shared experiences.

JOONA TAIPALE (Center for Subjectivity Research, University of Copenhagen)

THE MELODIC PRESENCE OF THE OTHER:
PHENOMENOLOGICAL REMARKS ON EMPATHY AND MENTAL STATES

In this paper, I will focus on something that has been largely neglected in the current discussion on empathy and social cognition, and that is the temporality of the object of empathic experiences. To be sure, the other person is considered as a spatio-temporal subject, but the temporal character of the empathically grasped experiences has not been examined sufficiently. Consequently, the “problem of other minds” is mostly portrayed as a problem of how we reach particular momentary mental states of the other. To put it differently, there is a strong tendency to discuss bodily gestures and facial expressions as expressing something momentary, if not something altogether atemporal. Building on the phenomenological tradition, I will argue that we primarily and fundamentally experience the other as a stream, as a temporal becoming, and that it is only subsequently and secondarily that we, so to speak, slice this stream of experiencing into a set of differentiated momentary states. This will also enable me to explain why the term “mindreading” – fairly popular in the contemporary debate – is misleading in analyses of empathy.

I will build my case in the following manner. Drawing on the works of Husserl, Stein, and Merleau-Ponty, I will first discuss the expressive nature of the body and clarify the sense in which perceiving other lived-bodies amounts directly to experiencing others. This preliminary clarification is important since my aim is to speak not only of the visible behavior of the other, but precisely of the other as expressed therein. I will then focus on the temporal character of the empathic object by comparing the nascent experiential unity of other persons with the nascent experiential unity of a melody. The central claim that I will be making from the basis of this comparison is the following: to approach the problem of other minds from the point of view of particular mental states is like approaching a melody from the point of view of singular notes. Building on this comparison, I will finally discuss the scope of empathy, distinguishing between temporally narrow and temporally wide givenness of the other, and by eventually linking this with the distinction between minimal empathy and narrativity.
While Stein’s research on empathy undertaken in her doctoral dissertation *Zum Problem der Einfühlung* (Stein 1917) has been the object of study in the last decades due to an increasing interest among contemporary philosophers in the phenomenon of intersubjectivity, her work on emotions has been mostly neglected. This omission is linked to the fact that current studies on social cognition have focused mainly on the problem of other minds and have tried to explain intersubjectivity by focusing on the phenomena of empathy, sympathy and fellow-feeling, while the role of other affective phenomena such as feelings, moods and emotions has received less attention. Taking this neglect as a point of departure, the paper aims to explore Stein’s philosophy of emotions implicit in her early work and to show the significance of the emotions for a full understanding of intersubjectivity. The “empathic approach” is not the only phenomenological approach to intersubjectivity (Zahavi 2001). The study of the emotions can equally illuminate this phenomenon from other perspectives. According to the view endorsed in my paper we find in Stein’s early work an approach to intersubjectivity from an empathic as well as from an emotional point of view. The paper aims to answer four questions: Which is Stein’s conception of the emotions? How is this conception related to other early phenomenological accounts of emotional life? Is Stein’s concept from the point of view of current theories of the emotions plausible? Inasmuch are emotions, and not only empathy, relevant for the understanding of intersubjectivity?

Stein’s main claims on the emotional life can be summarized by the following points: 1) the idea of a stratification of emotional life in different levels; 2) the thesis that emotions depend on cognitions; 3) the understanding of emotions as intentional feeling of values; and 4) the role of the lived body for emotions. In this paper, first, I shall undertake an analysis of each one of these main claims by comparing Stein’s work with the work of other early phenomenologist, such as Alexander Pfänder (Pfänder 1922), Max Scheler (Scheler 1954, 1973), José Ortega y Gasset (Ortega y Gasset 1957) and Aurel Kolnai (Kolnai 2007). I shall, then, systematically explore the plausibility of these main claims in the light of current theories of emotions in analytical philosophy (de Sousa 1987, Tappolet 2000). This exploration of the similarities and differences between the early phenomenological and the contemporary accounts of emotions will show the actuality of the early phenomenological accounts for the study of the emotions. Ultimately, I shall show that Stein’s philosophy of emotions, and not only her theory of empathy, is plausible in the current context and how it can contribute to a better understanding of the phenomenon of intersubjectivity in general.