

**PUBLISHED IN: YEARBOOK VIENNA CIRCLE INSTITUTE 2, 1994, 279-288 (= H. Pauer-Studer (ed.), *Norms, Values, and Society*, Kluwer Academic Publishers 1994).**

## **ABSTRACT**

In this article I discuss the well-known criticism that Kant's moral theory is formalistic and ignorant of the moral importance of attitudes like benevolence, empathy and care. I argue that the reading of Kant's moral philosophy by Onora O'Neill and Barbara Herman provide a convincing response to the formalism-objection. I claim, however, that Kant's moral theory needs to be supplemented by a theory of good in order to do justice to the value of benevolence, empathy, and care.

HERLINDE PAUER-STUDER

## KANT AND SOCIAL SENTIMENTS

The mainstream of contemporary moral philosophy has been questioned for some time now. The objections of communitarian and feminist philosophers have become especially prominent. A good deal of their criticism has been directed against Kant's moral theory and its successor models. Communitarians are sceptical in regard to Kant's definition of the moral point of view and doubt that his concept of the moral subject is appropriate for empirical beings "embedded" in social contexts.<sup>1</sup> And feminist philosophers regard the strong emphasis on purely formal principles in large parts of modern ethics, which is due to Kant's influence, as partly responsible for the fact that moral philosophers up to now have not properly considered what it means to include women among moral subjects, and have hardly addressed issues of women's discrimination.

The main arguments against Kant's theory can be summarized as follows:

1. Since a purely formal criterion of moral correctness is at the core of Kant's ethics, it remains underdetermined in regard to problems of "applied ethics".

---

<sup>1</sup> Cf. Michael Sandel, *Liberalism and the Limits of Justice*, Cambridge et al.: Cambridge University Press 1982, pp. 19ff., pp. 142ff.

2. Kant's moral subject is a "disembodied and unencumbered subject" in an intelligible world separated from the sensible world. Since he defines moral persons by a single characteristic – their power of reason – he abstracts from concrete individuals. This reductionist conception of the moral subject implies a sort of definitional identity and inseparability of persons. How can something which has validity for beings separated from their empirical character be relevant for persons who are part of an everyday-world?
3. Since Kant holds that moral principles are universal laws he cannot do justice to particular circumstances and contexts. But often the moral adequacy of our undertakings cannot be decided without considering the particular details of particular situations. Moral theory should be context-sensitive and take into account *who* exactly is in *what* situation in *what* society.
4. As Kant confines morality to acting from duty, separated from all inclinations and interests, he presents a shortened picture of acting properly. His duty/inclination-psychology excludes moral phenomena like benevolence, sympathy and care.

Defenders of a Kantian approach argue that these well-known objections do not really affect Kant's theory as they are based on a mistaken interpretation of Kant's ethics. Prominent Kantians like Onora O'Neill, Barbara Herman and Otfried Höffe present a reading of Kant according to which Kant's theory seems to bypass most communitarian and feminist criticism.<sup>2</sup> They urge that Kant's theory is richer, more interesting and more relevant to actual moral debates than the familiar unsympathetic reading of Kant suggests. Herman sees one cause for this neglect in the fact that "on many issues the critics have had a decisive say as to what the theory involves".<sup>3</sup>

In the following I want to take a closer look as to whether this defense of Kant succeeds, and I will thereby concentrate on the question whether Kant can integrate care and sympathy into his conception of morality.

---

<sup>2</sup> Cf. Onora O'Neill, *Constructions of Reason*. Explorations of Kant's Practical Philosophy, Cambridge et al.: Cambridge University Press 1989; Otfried Höffe, *Immanuel Kant*, München: C.H. Beck 1988; Barbara Herman, "The Practice of Moral Judgment", in: *The Journal of Philosophy* LXXXII, 8, 1985, pp. 414-436; re-printed in Herman, *The Practice of Moral Judgment*, Harvard: Harvard University Press 1993, pp. 73-93; Barbara Herman, "Integrity and Impartiality", in: *The Monist* 66, 2, 1983, pp. 233-250, re-printed in Herman, *The Practice of Moral Judgment*, pp. 23-44. The mentioned authors do not explicitly address communitarians and feminism. Only Nora O'Neill in the Preface to her book *Constructions of Reason* mentions shortly that her reading of Kant bypasses the communitarian critique. Cf. Nora O'Neill, *Constructions of Reason*, op. cit., p. X and XI.

<sup>3</sup> Barbara Herman, „The Practice of Moral Judgment“, op. cit., p. 414.

The misinterpretation that gives rise to the above mentioned objections is according to Kant's defenders mainly due to a failure to recognize the importance of maxims within Kant's ethics. In order to grasp the concept of a maxim it is crucial to understand the difference between practical principles and rules. Maxims are, as Kant elucidates in the first chapter of the *Critique of Practical Reason*, not rules, but subjective principles which subsume several practical rules. A maxim of an agent expresses what she "is intending to do and why (for what end and in response to what motive)".<sup>4</sup> Onora O'Neill characterizes maxims as "those underlying principles or intentions by which we guide and control our more specific intentions".<sup>5</sup> They include, as Otfried Höffe writes, the way one leads one's life as a whole, but because of their restriction to certain domains of life they cannot be equated with forms of life. But they are context-specific principles and determine in connection with social practices our specific ways of acting in concrete situations. If a person has for example accepted the principles of tolerance, sympathy and beneficence, this implies that she will also adopt more specific rules like "Respect the way of life and culture of other people", "Treat other persons kindly and respectfully" and "Support measures of social compensation". These rules generate via corresponding intentions certain actions. Maxims cannot simply be identified with moral rules of thumb, though in general, if our moral socialization has been successful, our prima facie principles will constitute a good deal of our maxims.

The central thesis of the alternative reading of Kant is that the Categorical Imperative is not a moral rule but an abstract formal principle. It does not tell us directly what we should do and what our duties are; instead it is a means for assessing the subjective principles on which we act. The Categorical Imperative should not be seen as a way of generating "correct" moral principles, but as a *test applied to our maxims* to find out which of our actions have *moral worth* and which ones lack moral worth. In determining the value of what we are doing we have to find out upon which maxims we act. We have to formulate a subjective principle that describes our intentions and ends and we must subject this principle to the Categorical Imperative-procedure, which means to ask whether the maxim can be thought or willed as a universal law, or whether it treats other persons as ends and not merely as means. The well-known interpretation of the Categorical Imperative as the superior moral principle from which the "correct" principles and obligations for singular cases can be deduced is regarded by this reading as a sort of ethical myth; sort of a residual of the parallelizing of reasoning in ethical and logical theory which was popular during a certain period of analytic philosophy. As

---

<sup>4</sup> Ibid. p. 128.

<sup>5</sup> Onora O'Neill, *Constructions of Reason*, op. cit., p. 416.

Onora O'Neill makes clear, the Categorical Imperative "is not a moral algorithm (unlike the Principle of Utility) but (supposedly) a criterion of moral action for agents who act freely, and so may start with various proposals for action."<sup>6</sup> As a testing criterion for assessing moral worth the Categorical Imperative accomplishes two tasks: on the one hand it forces us to reflect exactly on the underlying motives and intentions of our behavior; on the other hand it places our actions under important constraints.

Proponents of this interpretation think that it makes the familiar criticisms of Kant's ethics superfluous. If one considers the concept of maxims and its place within Kantian ethics, they argue, one cannot blame Kant's theory for abstract universalism and empty formalism.

Kantian ethics is not reduced to a simply formal principle; it has substantial content, since the Categorical Imperative just defines a method to sort out those specific material principles that are acceptable from a moral point of view. Equally the reproach of abstract universalism is rejected; an ethics of maxims is particularistic because subjective principles of acting are inevitably bound to particular situations and conditions. As Barbara Herman notes: "Since a maxim is a subjective principle of action, it contains as much of the particulars of person and circumstance as the agent judges are necessary to describe and account for his proposed action."<sup>7</sup> Maxims represent so to say the substantial side of Kant's theory and guarantee its connection to everyday factual matters. The moral evaluation of our guidelines for action by means of the Categorical Imperative demands a careful reflection on special facts, and it is neither separated from the empirical world nor confined to the abstract reasoning of a "transcendental subject". Kant's moral subjects are not "disembodied and unencumbered" beings of pure practical reason, but concrete persons in particular circumstances.

Onora O'Neill suggests that Kant's distinction between the sensible and intelligible world should not be understood in the sense of a differentiation between two distinct ontological realms. Though the talk of two worlds invites an ontological interpretation, O'Neill finds clear evidence for its merely metaphorical meaning in Kant's writings. Kant states in the *Groundwork*: "The concept of a world of understanding (= the intelligible world, H. P.St.) is thus only *a standpoint* that reason sees itself constrained to take outside appearances *in order to think of itself as practical*".<sup>8</sup> Kant only alludes to two standpoints from which we can see ourselves. On the one hand we are determined by our inclinations and desires; on the other

---

<sup>6</sup> Ibid., p. 128.

<sup>7</sup> Barbara Herman, „The Practice of Moral Judgment“, op. cit., p. 416.

<sup>8</sup> Immanuel Kant, "Groundwork of the Metaphysics of Morals", in Immanuel Kant, *Practical Philosophy*, translated and edited by Mary Gregor, Cambridge University Press 1996 (= The Cambridge Edition of the Works of Immanuel Kant), pp. 39-108, here 4:458, p. 104 (italics in the original).

hand we are able as rational self-legislating beings to distance ourselves from these empirical determinations.

Even if we grant O'Neill that it does more justice to Kant's practical philosophy to reduce the concepts of the intelligible and sensible world to the distinction of two standpoints, it seems doubtful whether this solves the problem raised by critics. Instead of two ontological realms we have now a split between two subjects, the empirical and the transcendental. Of course we can reduce the distinction between the empirical and the transcendental subject to the simple fact that persons have the capacity to critically evaluate their immediate desires and the ways of acting they motivate; however, it seems doubtful whether this understanding, though in a sense the best we can make of Kant, is not too much of a simplification of what he meant.

The alternative reading of Kant also draws attention to some elements of his ethical theory which were grossly neglected in the literature. O'Neill emphasizes the importance of Kant's formula of the end in itself, namely the Humanity Formula of the Categorical Imperative, for applying Kant's ethics to actual problems. This version of the Categorical Imperative that demands to treat other persons "*never merely as means but always at the same time as ends in themselves*"<sup>9</sup> includes a negative and a positive duty, namely not to instrumentalize other persons and, moreover, to contribute to their well being. O'Neill shows the relevance of this formula for moral issues discussed currently by applying it to two domains of human interactions which are especially prone to instrumentalization – employment and sexual relationships.<sup>10</sup>

This resort to the end in itself formulation of the Categorical Imperative opens up a new perspective for looking at Kantian ethics. In feminist discussions of moral theory the work of Carol Gilligan and her conception of an ethic of care have become quite prominent. Some philosophers argue that a detailed reading of Kant, especially if one considers his concept of duties of kindness, shows that Kant's theory covers an ethic of care. If that reading is correct then Kantian ethics escapes not only the reproaches of universalism and formalism, but also the more fine-grained critique that Kant develops an ethics of principles and that he is unable to account for moral phenomena like sympathy, concern and care for concrete others.<sup>11</sup>

---

<sup>9</sup> Ibid., 4:433, p. 83 (italics in the original).

<sup>10</sup> Onora O'Neill, „Between Consenting Adults“, in *Constructions of Reason*, op. cit., pp. 118ff.

<sup>11</sup> See also Lawrence Blum, *Friendship, Altruism and Morality*, Boston: Routledge & Kegan Paul 1980.

Is Kant's theory really immune against this sort of criticism inspired by feminist and communitarian considerations?<sup>12</sup> Undoubtedly Kant tries to integrate sympathy, benevolence and care into his moral theory. In *The Doctrine of Virtue* he discusses in detail the duties of kindness towards other people. He states explicitly: "It is every man's duty to be beneficent – that is, to promote, according to his means, the happiness of others who are in need, and this without hope of gaining anything by it".<sup>13</sup> And to use men's susceptibility to the feelings of compassion and sympathetic feeling for furthering an "active and rational benevolence" he describes as "a particular, though only a conditioned, duty" which "is called the duty of *humanity*".<sup>14</sup> We should also not overlook the fact that he characterizes love of man as "a great moral ornament" and that he devotes a whole paragraph in *The Doctrine of Virtue* (§46) to the phenomenon of friendship; he describes friendship as "an ideal of the emotional and practical concern which each of the friends united through a morally good will takes in the other's welfare."<sup>15</sup> These passages obviously seem to render evident the thesis that the richness and scope of Kant's ethics has only been lost in the following reception that made it a habit to read the *Groundwork of the Metaphysics of Morals* as a treatise on ethics.<sup>16</sup>

Nevertheless I think that such a response to the objection that Kant's ethics does not integrate attitudes of direct altruism is somehow short-sighted and not really satisfactory. We have to consider how the phenomena of empathy, sympathy and concern for others are treated within Kant's theory and how they are seen within an ethic of care. Only if the ways of conceiving sympathy and concern coincide, can one maintain that Kant's ethics covers the phenomenon of direct altruism. It seems to me that in this respect a clear discrepancy becomes obvious between Kant's approach and an ethic of care. Kant regards caring for other persons and the fostering of their well-being as duties – namely imperfect duties. When Kant talks of duties of

---

<sup>12</sup> The demand that a moral theory should address issues of care can count as feminist insofar as relationships of care constitute a large part of the moral experiences of most women. And one relevant contribution of communitarianism seems to be the idea that a society where people do no more than respect their fellow's liberal rights lacks important values. A society worth living in cannot do without communal values like ties of friendship, care, love and solidarity. Cf. Amy Gutmann, "Communitarian Critics of Liberalism", in *Philosophy & Public Affairs* 14, 3, 1985, pp. 308-322.

<sup>13</sup> Immanuel Kant, *The Doctrine of Virtue*, translated by Mary J. Gregor, New York, Evanston and London: Harper and Row 1964, § 30, p. 120.

<sup>14</sup> *Ibid.*, § 34, p. 125.

<sup>15</sup> *Ibid.*, § 46, p. 140.

<sup>16</sup> Cf. Barbara Herman, „Could It Be Worth Thinking About Kant on Sex and Marriage“, in Louise M. Antony and Charlotte Witt (eds.), *A Mind of One's Own*, Feminist Essays on Reason and Objectivity, Boulder, San Francisco and Oxford: Westview Press 1993, p. 52. Herman there states that the *Groundwork* "provides neither a systematic account of the basic concepts of moral discourse nor a practical procedure for resolving moral queries and/or difficulties (despite appearances and traditional reading). Its task is to establish a connection between morality and metaphysics: If morality is to oblige (necessitate), it can do so only if the will (understood as practical reason) is free." (*Ibid.*)

kindness he thinks of actions performed due to the requirements of “practical love”; and he does not thereby understand a form of direct concern for the well-being of other persons, but rather being aware of our obligations. What we ought to do is determined by the method central to Kant’s ethics: to test the maxims of our actions by the supreme moral law. So we come to see that we cannot follow the subjective principle not to help other people in need; we cannot will this to become a universal law since the frailty of human nature inevitably brings us into the situation where we need the help and care of others. This sort of reasoning results in a duty to care for others and to show concern for them. An ethic of care concentrates instead on the moral value of those acts which are motivated out of a direct concern for the well-being of another person. In many cases we do not show empathy and care because critical reflection convinces us that it is our duty; nevertheless these attitudes, which result from a direct interest in the well-being of others, are morally valuable. These are situations where the appeal to duty in a certain sense amounts to a loss of moral worth. The concept of duty, for example, does not seem to be adequate to get hold of the moral dimension of personal relationships. Something goes wrong in case we react with empathy and concern to a friend’s difficult situation, and at the same time make it clear that we only do so out of a sense of duty.

But Kant’s approach not only gets into trouble insofar as the concept of fulfilling one’s duties runs counter to acts of direct altruism. The more fundamental question is whether Kant’s position allows making empathy, concern and care the objects of moral requirements. Let us recall the main features of Kant’s psychology. His duties of kindness have nothing to do with sentiments, as Kant thinks it impossible that sentiments can be obligatory. Kant’s duties of kindness follow simply from the fact that the maxims underlying such actions are in conformity with the moral law. But how are acts of empathy and benevolence as moral acts possible if the level of sentiments is simply discarded? To what sort of thing do duties of kindness then refer? Kant’s ethical theory is confronted with the following dilemma: Either it postulates principles whose binding character one can theoretically understand but not realize practically, or it declares something to be a duty which Kant simultaneously claims cannot be the object of an obligation. In Kant’s sharp dualism of reason and emotion those sentiments get lost that are directed to the weal and woe of our fellow beings and on which the quality of our social life to a large part depends. Kant certainly has recognized the moral relevance of benevolence, concern and compassion; but the specific structure of his ethical theory does not allow him to realize this insight on a theoretical level.

To sum up: The objection that Kant neglects forms of direct altruism applies to the way he tries to integrate these phenomena into his theory. Therefore referring to textual material in which issues of sympathy, compassion and care are addressed does not solve the problem I have raised.

Two objections against the position taken here seem likely. The first one is an immediate result of reading the Categorical Imperative as providing a test criterion the moral worth of our maxims. I assume that O'Neill's answer to the criticism voiced above is the following: Of course Kant's theory covers altruism, since it is possible to identify the maxims underlying acts of direct altruism. Actions directed at the weal and woe of other persons are equally guided by a subjective principle, even if we are not immediately conscious of it and have to reconstruct it in undertaking a moral evaluation. Since the consideration "Can I will that the maxim to show concern for the well-being of other persons should hold as a universal law?" does not lead to any contradiction, altruistic behavior clearly has moral worth.

This simple reply seems to solve the whole controversy. But on a closer look it becomes obvious that this way of dealing with the phenomenon of altruism is not satisfactory. O'Neill's reformulation of Kant's theory faces some serious problems. On the one hand, the claim that the Categorical Imperative-procedure allows for the assessment of the moral worth of principles of action is not tenable. O'Neill holds on to the classical conception to determine the morality of actions by exploring their formal structural features, as a look at her illustration of the Categorical Imperative-procedure shows. The maxim to become a slave does not lead to any contradiction, but its universal counterpart – the principle that everybody becomes a slave – involves a conceptual contradiction. For if everyone became a slave the institution of slavery would become impossible as nobody would exist with property rights, and that means no one would be a slaveholder and hence no slaves would exist. The same holds for the maxim to become a slaveholder. If we think of it as universalized then all persons would become slaveholders, in which case there would be no people without property rights and hence no slaves or slaveholders.

Action on either of the non-universalizable maxims of becoming a slave or becoming a slaveholder would reveal moral unworthiness: the practice would be possible only for one who makes of himself of herself a special case.<sup>17</sup>

O'Neill's reconstruction invites a well-known objection. The objections against the Categorical Imperative-procedure claiming that the procedure is unable to determine moral

---

<sup>17</sup> Onora O'Neill, „Consistency in Action“, in: *Constructions of Reason*, op. cit., p. 96.



correctness can equally be brought forward against O'Neill's interpretation, namely, that Kant's test attributes moral worth to actions that are morally neutral. The universalization of the maxim to eat two rolls for breakfast every morning does not lead to any conceptual contradiction; but it has nothing to do with the domain of morality. Equally, the universalization of the maxim to become a teacher would be impossible and the maxim would thus be morally unacceptable (there would not be any pupils left). This makes evident that we simply cannot explicate moral worth by means of the idea of universalization.

To apply Kant's moral test we have to know something about what makes an action in a certain situation morally relevant. We cannot be, as Barbara Herman puts it, "moral naive". Herman writes: "An agent who came to be CI procedure with no knowledge of the moral characteristics of actions would be very unlikely to describe his action in a morally appropriate way."<sup>18</sup> A Kantian approach can only avoid the problem that neutral principles of action qualify to be morally worthy by making sure that the Categorical Imperative is applied to maxims which are already morally meaningful. The limits of Kantian ethics are obvious given the fact that the Categorical Imperative as such cannot mark the boundaries between principles of action and situations that deserve moral consideration and those which are unproblematic. Kant's theory is in need of supplementation – and Kantians like Barbara Herman not only concede this, but argue for this point.

Herman thinks that Kantian agents, in order to make moral judgments, must have "knowledge of a kind of moral rule" for which she coins the phrase "rules of moral salience" (RMS).<sup>19</sup> These rules exemplify "elements" we have acquired in our moral education and socialization; they let us see "where moral judgment is necessary".<sup>20</sup> These rules form the categorical framework of perceiving the social world as a world with moral features. As Herman puts it: "They enable (an agent) to pick out those elements of his circumstances or of his proposed actions which require moral attention."<sup>21</sup> Rules of moral salience are not directly action-guiding – Herman distinguishes them explicitly from rules of *prima facie* duties. Their main purpose is to prevent moral blindness and indifference by make us sensitive to those situations that require moral consideration and evaluation. In regard to the application of the Categorical Imperative this means that something must keep a moral subject from perceiving and

---

<sup>18</sup> Barbara Herman, „The Practice of Moral Judgment“, op. cit., p. 416.

<sup>19</sup> Ibid., p. 418.

<sup>20</sup> Ibid., p. 419.

<sup>21</sup> Ibid., p. 418.

describing the circumstances she is in and the action she is planning in a morally idiosyncratic way. As Herman writes:

“Not just any moral categories that ‘fit’ are those under which a Kantian agent is to judge his action. An action is not shown to be impermissible because some maxim containing a possible description of it is reflected by the CI procedure.”<sup>22</sup>

Herman’s talk of rules is misleading, though characteristic for a Kantian style in ethics. Recognizing the moral relevance of actions and circumstances depends to a large extent on our affective capacities to conceive of ourselves being in the situation of other people. It is not rules that make us aware of the needs, suffering and misery of other people, but affective abilities like empathy and emotional sensitivity. What is necessary in order that a moral theory avoids the problem of moral dumbness is not a canon of rules, but an account of moral socialization as a “school of sentiments” and the theoretical grounding of these elements in a theory of values. Kant has in some sense realized the importance of a cultivation of the sentiments, as the passage in *The Doctrine of Virtue* makes clear where Kant tells us to visit places of suffering since this raises in us the feeling of sympathy which supports the fulfilment of our duties.<sup>23</sup> But in the framework of his moral theory these sentiments do not gain moral worth. This failing to appreciate theoretically the moral importance of feelings also becomes apparent when one considers that Kant reduces the acquiring of virtues to a dogmatic intellectual teaching of a moral catechism.<sup>24</sup>

Barbara Herman’s proposal does not really amount to a solution of this problem, since to supplement moral principles by rules of moral salience only shifts the problem: I can know all the rules and still not become aware that a certain situation is morally relevant. Herman at some point concedes that sentiments and affective reactions are necessary to identify the conditions for the application of moral principles. But though she is quite open to some deficiencies of Kant’s theory, Herman is not willing to attribute to sympathy, beneficence and compassion another status as means to realize subjective principles of acting which have passed the Categorical Imperative-test.

What is indispensable for the attribution of moral worth is a theory of the good, and such a theory is missing in Kant’s ethics as well as in contemporary Kantian approaches to morality. (Of course Kant introduces the concept of the good will; but this notion again is defined in

---

<sup>22</sup> Ibid., p. 417.

<sup>23</sup> Immanuel Kant, *The Doctrine of Virtue*, op. cit., § 35, p. 126.

<sup>24</sup> Ibid., §§ 49-52, pp. 149-158.

relation to the Categorical Imperative, namely as respect for the moral law.) If care for the well-being of others as well as sympathy and solidarity count as basic goods of a weak theory of the good, then we have a basis to ascribe moral worth to actions of direct altruism. A full moral theory has to include values and ideals which constitute minimal conditions of a good life.

The demand that altruism has to be backed up by a theory of the good allows us to answer a second possible objection defenders of Kant might raise against the position developed here, namely, that only Kantian ethics supplies a moral grounding for actions of altruism. The idea underlying such an argument is the following: Kant's talk of duties to promote the well-being of others is highly plausible since our spontaneous capacities for care and benevolence are limited. It is good when sympathy and compassion guide us naturally, but one should act beneficently also when those sentiments are missing – and one task of morality is to remind us of that fact.<sup>25</sup>

Connected with this criticism is the further objection that an ethical theory concentrating on care neglects the two level distinction common to moral philosophy. Defenders of Kant might claim that the talk of an ethic of care fails to distinguish between the level of intuitive moral judgment and the level of critical moral reflection where we examine the principles that guide our first level moral judgments. Direct altruism, so the objection, concerns the intuitive level – it serves as a guide of action in concrete circumstances. A Kantian subject can of course share these principles of action but, moreover, she acts on the basis of a critical reflection on the moral adequacy of her maxims.

The upshot of this defence of Kant is: What distinguishes the Kantian agent's moral sensibility from plain emotional sensitivity (say, to the suffering of others) is the fact that the Kantian agent's responsiveness is shaped by moral knowledge (from the RMS), and his attendant motivation includes a higher-order (or regulative) concern for the permissibility of his actions and projects. So, even if moral concern is achieved by means of heightened emotional sensitivity, the sensibility of a Kantian agent requires more than the development of emotional traits (such as sympathy).<sup>26</sup>

Such a reply amounts to the claim that direct altruism, if not conceived in the way of Kantian theory, lacks any moral foundation. However, the evident fact that compassion and sympathy need to be backed by a moral theory does not simply amount to an argument for the

---

<sup>25</sup> Cf. Barbara Herman, „Integrity and Impartiality“, op. cit., p. 240.

<sup>26</sup> Barbara Herman, „The Practice of Moral Judgment“, op. cit., p. 425. (“RMS” refers to “rules of moral salience”.)

superiority of Kant's theory. Other ways of grounding care and sympathy are possible. Moral reflection – as John Rawls has emphasized – amounts to a consideration of accepted principles and values in light of their consequences being in conformity with our well-considered moral judgments. Such a process of reaching a “reflective equilibrium”, which is open for revisions on the level of principles as well as the level of judgments, shows that we cannot do without values of care and sympathy if we want to keep a social quality of life. Contemporary moral theories have marginalized care, sympathy and compassion. One reason for this certainly can be found in the rationalist paradigm of Kantian moral theory that neglects moral sentiments and which – as feminist analyses have shown – has been so readily accepted since it corresponds to a well-known gender-symbolism. But a full moral theory has to recognize that moral sentiments constitute moral values that are part of a theory of the good.