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MORAL SENTIMENTALISM AND THE NORMATIVITY OF EMPATHY.
 Critical Comments on Michael Slote, *Moral Sentimentalism*¹.

1. Introduction

A central aim of Michael Slote's work in ethics has been to flesh out the main idea of 18th century British moral philosophy, namely that sentiments are at the core of morality. This has brought Slote to develop a normative ethics of care for which the concept of empathy is central.² In his book *Moral Sentimentalism* Michael Slote expands his sentimentalist account of morality. His claim is now that empathy is not only key to normative ethics, but also to metaethics.

Slote emphasizes that his empathy-based conception of morality is modelled on David Hume's account of natural virtues, not on Hume's conception of artificial virtues. The dismissal of the artificial virtues is due to Slote's thesis that empathy is not only crucial for personal morality, but pivotal to social and political morality. The notions of empathy and care are, he argues, indispensable for dealing with issues like social justice and the autonomy of the individual and her rights in the public sphere.

My paper addresses mainly two issues raised by Slote's theory of moral sentimentalism. The first problem is whether the idea of empathy can play the ascribed central role on the level of normative ethics as well as metaethics. The second question concerns Slote's argument that his form of moral sentimentalism gives rise to moral objectivity and a priori moral judgments.

2. The normative and motivational force of empathy

What is striking about Slote's theory of moral sentimentalism is not that empathy takes a central place, but that so many different functions are attributed to empathy. Empathy is, as we learn, a motivational drive or incentive. Empathy indicates moral relevance and guides moral perception. Empathy is, moreover, a constitutive element of moral judgments and moral objectivity. Empathy is at the basis of moral approval and disapproval. Finally, empathy is the central virtue of Slote's care ethics which amounts to a form of virtue ethics. Can empathy, we might ask, play all these roles? Can empathy be the core normative ethical standard and the central metaethical notion? What exactly does such a claim amount to?

¹ Michael Slote, *Moral Sentimentalism*, (Oxford: Oxford University Press, 2010).

² See Michael Slote, *The Ethics of Care and Empathy*, London (London: Routledge, 2007).

Let us start by exploring what exactly is meant by ‘empathy’? Slote defines ‘empathy’ as the phenomenon of direct emotional awareness of the feelings of another person. He considers empathy to be distinct from the attitude of sympathy which merely expresses a concern for the other person. While empathy amounts to “feeling someone’s pain”, sympathy is the attitude of “feeling *for* someone who is in pain”.³

Slote specifies that his notion of empathy corresponds to Hume’s concept of sympathy. Hume, as we know, assumed that when we are directly affected by the emotional state of others, sympathy engages us in a communication of sentiments so that by “considering others as they feel themselves” we enter “into sentiments, which no way belong to us”.⁴ Just like Hume Slote maintains that we can share the feelings of others. Slote, however, considers ‘empathy’ to be the appropriate term for this engagement with the feelings and sentiments of fellow human beings.

Note, that this basic form of empathy is only indirectly relevant for Slote’s conception of ethics. Slote maintains that our empathy for the agent who is emphatically concerned for others is crucial for moral approval and disapproval, not, as Hume holds, whether something immediately pleases or displeases by contributing to our well-being or harm. Why so? If the mere experience of pain would constitute the criterion for moral disapprobation, we could not, Slote argues, take into account whether those bad consequences are due to human agents or non-human entities. Hume’s account thus commits us, Slote objects, to blame morally inanimate objects like boulders and stones or events like earthquakes, floodings, or hurricanes which of course is absurd.⁵

In order to avoid Hume’s problem, Slote resorts to a second-order account of empathy. Crucial is our agential empathy, i.e. whether we can empathize with agents who display warm feelings for others or whether we feel chilled by the cold reaction of agents lacking in empathy. Seen this way, we are not concerned with the welfare of the people the empathic agents feel empathy for, but with the empathically concerned agents. We empathize, as Slote states, “*with what they as (potential) agents are feeling and/or desiring*, and such empathy is (...) the core or basis of moral approval and disapproval”.⁶ The sources of first-order and second-order empathy are thus distinct. Since Slote’s moral theory is now built around the agent’s empathy with another agent’s empathy and does not rest directly on experiences of pleasure and pain, the scope of moral concern and blame is now restricted to human agents.

Moral judgments are, Slote argues, “both objective and motivating”.⁷ The inherent motivational force of moral judgments is explained in the following way: Agential empathy, for example being chilled by the coldness of others, or feeling the warmth of empathic agents we empathize with, does have an effect on our own actions; agential empathy drives us to avoid indifference in our actions towards others and inclines us to feel with others. As Slote notes:

³ Slote, *Moral Sentimentalism*, 15 (italics in the original).

⁴ David Hume, *A Treatise of Human Nature*. Edited by David Fate Norton and Mary J. Norton (Oxford: Oxford University Press, 2000), 376.

⁵ Slote, *Moral Sentimentalism*, 32-35. Slote here picks up on an argument by Adam Smith against Hume’s theory.

⁶ Slote, *Moral Sentimentalism*, 34 (italics in original).

⁷ Slote, *Moral Sentimentalism*, 51.

“Thus our sentimentalist view that approval and disapproval are based in empathy and themselves enter into the making of moral judgments helps explain why such judgments have motivating force for us.”⁸

That our moral judgments rest on empathy also offers an explanation of deep-seated moral convictions like, for example, that we consider it to be morally worse refusing to save a child drowning directly in front of us than failing to help a child in a foreign country by not spending money to an aid organization.⁹ We hold such a claim to be correct since our empathy is de facto stronger for the persons near to us than to persons far away. Our understanding of “what is morally better or worse” is thus shaped by our empathic reactions.¹⁰

How should we assess the basic assumptions of Slote’s conception of morality? Let us start by taking a closer look on the normative and the motivational role Slote attributes to empathy. Usually philosophers draw a distinction between the normative requirements of an ethical theory and the motivation that brings an agent to fulfil those requirements. One way to highlight that distinction is to separate between normative reasons and motivating reasons. If we apply that terminology to Slote’s account, we get the result that the normative reasons and the motivating reasons are one and the same: empathy provides a normative reason for acting morally, and empathy also motivates us to moral action.

To claim that the normative reasons and the motivating reasons are one and the same is a tenable and plausible position.¹¹ However, accepting it commits one to a first-person deliberative perspective in ethics.¹² A first-person standpoint is required since only the agent herself can take a normative reason as a motivating reason for doing x.

Here arises a remarkable tension in Slote’s theory. While his empathy-based account of normativity and motivation commits him to a first-person account of morality, Slote claims that morality is tied to a third-person standpoint. The “point of view of approval and disapproval is”, Slote tells us,

⁸ Slote, *Moral Sentimentalism*, 54. Slote claims “that empathy is involved in the making (and therefore in the understanding) of moral claims” Slote, *Moral Sentimentalism*, 51. He calls this the “empathy-understanding hypothesis”.

⁹ Slote, *Moral Sentimentalism*, 52.

¹⁰ Slote, *Moral Sentimentalism* 52, 53.

¹¹ There are other moral theories aligning normative and motivating reasons in just that way. One example is Korsgaard’s reading of Kant and her own version of a Kantian conception of morality. See, for example, Korsgaard, “Kant’s Analysis of Obligation: The Argument of *Groundwork I*”, in: Korsgaard, *Creating the Kingdom of Ends* (Cambridge, Cambridge University Press, 1996), 43-76, esp. 60, 61; Korsgaard, *The Sources of Normativity* (Cambridge: Cambridge University Press, 1996). Of course Korsgaard’s moral theory is, apart from that common element, contrary to Slote’s position.

¹² The difference between a first-person standpoint and a third-person standpoint in morality has often been characterized in terms of internalism versus externalism. While, one might say, a first-person interpretation of the moral point of view involves internalism, a third-personal stance amounts to externalism in the sense of maintaining an external observer’s perspective on the sentiments, behavior and actions of others. I agree with that. However, following Bernard Williams’s use of the term, “internalism” has often been understood as the attempt to justify a purely desire-based conception of morality based on a desire-based account of moral motivation. This is not the version of internalism I want to defend. “Internalism” as I understand it, just refers to the person’s reflective stance on her own sentiments, reasons, dispositions or convictions. The reflective normative endorsement of those sentiments, reasons, etc. then motivates her to action. Such an account of the relation between normative insight and motivation considers “the wish to do x” (if we want to use that terminology at all) as a mere psychological mechanism. But a psychological mechanism in no way supports or justifies a normative conception of a ‘desire-based morality’.

“best characterized... as *third-personal*, since, like the notion of a judge this allows us to draw the contrast between the first-person standpoint of agents deciding what to do or choose and what happens when we react to agents and their actions with approval or disapproval without ourselves being (immediately or as such) in the position of having to decide what to do or choose”.¹³

We need to be careful here. My claim is not that Slote is simply vacillating between a first-personal and a third-personal account of morality. Rather, I want to object that what Slote says about the critical assessment of feelings of empathy ties his account of morality so closely to a third-personal perspective that the question of how the agent herself decides what to do is neglected. Recall: Slote distinguishes carefully between two kinds of empathy. The one is the empathy felt by the agent who is concerned about the well-being or misery of other people; the other form of empathy is the empathy felt by someone who approves of that first-order empathy. The second-order empathy felt in response to first-order agential empathy is, as Slote points out, at the core of his empathy-based ethics.

In that framework empathy does not play the motivational role which Slote attributes to it. From an externalist third person perspective we can merely claim that the person ought to do x and should thus be motivated to do x. A third-personal interpretation of an empathy-based morality fails to ascribe first-person normativity to empathy. This way the motivational force of empathy is lost.

Slote reduces morality to a mere assessment of what others feel and do. We are no longer moral agents, trying to figure out whether our empathy is appropriate or not and what we ourselves ought to do, but mere judges of the moral behaviour of others. The question whether the agent herself has reason to consider her warm empathetic reaction as justified or whether a situation requires her disapproval is neglected.

To consider an ‘ought’ as normatively binding and therefore as a sufficient reason for action x, which then motivates one to do x, presupposes a first-person deliberative stance. Morality engages the person in deliberating and deciding what to do. Morality is tied to first-personal agency: the agent herself must connect the normative and the motivational level of action. Deliberation from the moral point of view requires the person to judge whether she is justified to do x. If x is normatively justified the person has a motivating reason to do x.

There has been a long-standing tradition in moral philosophy to interpret the moral standpoint as a third-personal one. The idea has been that an agent-neutral third-personal interpretation guarantees an objective impartial perspective. Moral reasons should, so the argument, not be restricted to a first-personal subjective point of view, but should be objective and normatively binding for all moral subjects. Moral reasons should be agent-neutral.

However, to require that moral deliberation should be impartial and should not be biased by one’s mere subjective and personal preferences and interests does not necessarily presuppose a third-personal reading of the moral standpoint. The condition of impartiality can also hold within a first-personal reading of the moral point of view. To incorporate impartiality in a first-person perspective means that we as agents, reflecting on our empathic reactions and the reasons they give rise to, should do this in an impartial and unbiased way. But that does not commit us to an external third-person standpoint.

¹³ Slote, *Moral Sentimentalism*, 36. Italics in the original.

As some philosophers have noted, interpreting the moral standpoint as third-personal creates merely an epistemic relation to reasons, not a specifically normative one by engaging the person's will.¹⁴ As a judge of the sentiments and behaviour of others one assesses whether they have reason for x, and this involves one in an epistemic relation to the empathic reactions and reasons of others. In a way Slote agrees with that when he notes:

„The present causal-sentimentalist theory of approval and disapproval treats conditions of impartiality, rather, as helping to (epistemically) *clarify* whether given warmth or coldness really constitutes approval or disapproval.”¹⁵

But, as I tried to show, this alignment of impartiality with epistemic assessment excludes the reflective normative stance of the moral agent.

Does, one might object, Slote not provide us with an account of moral motivation from a third-personal perspective when he argues that agential empathy exerts motivational influence on us? This, however, requires giving up that agential empathy is tied to the epistemic third-personal stance of a judge. The second-order empathic agent must, in order that he or she is motivated by her empathy with the empathy of others, adopt a first-personal reflective standpoint and must ask herself whether she has reason to be motivated by the chill or warmth she sees in other agents. Only then is agential empathy normative and therefore motivating. Second-order empathy would face “the wrong kind of reason”-problem if it were only due to being (passively) affected by the sentiments of others.

Interestingly, Slote seems close to conceding that a first-person perspective is essential to morality. Especially the following passage is telling:

“(O)ur moral sentimentalism emphasizes the inner or internal as the target or basis of all moral criticism, and in this one respect it – ironically - resembles Kant's views more than those of Hume (in some of his moods) and of the utilitarians who took some of their inspiration from (that) Hume.”¹⁶

The claimed similarity with Kant's internalism is, however, mistaken. When Slote argues that “our moral sentimentalism emphasizes the internal” he means that our moral evaluation is directed at the sentiments and emotional attitudes of others. It is the critical observer's look at other's behaviour and display of their inner states of empathy or coldness. Kant's internalism, however, is tied to the normative authority of a first-person deliberative standpoint. The agent reflects on her own reactions of warmth or coldness and on what she ought to do. While Kant at least tries to provide some procedures so that the agent can resolve what ways of acting seem morally appropriate, Slote does not even address the issue of normativity from a first-person deliberative standpoint.¹⁷

¹⁴ See, for example, Stephen Darwall, *The Second-Person Standpoint. Morality, Respect, and Accountability* (Cambridge Mass. and London: Harvard University Press, 2006), 102.

¹⁵ Slote, *Moral Sentimentalism*, 41, 42.

¹⁶ Slote, *Moral Sentimentalism*, 8, 9.

¹⁷ As already mentioned, Slote's reason for focusing on second-order empathy is to answer the objection that the focus on first-order empathy commits us to morally blame the negative effects of inanimate objects. It is already puzzling that Slote takes this objection so seriously since it rests on a confusion of a question of normativity with a question of moral responsibility. On any plausible reading of an ethic of empathy and care we are normatively required to react in an empathetic way to the misery and pain of others, independently of whether it was caused by a hurricane or by an act of aggression by humans. But of course it would be outlandish to blame a hurricane morally. Morality is tied to moral agency and moral approval and disapproval is addressed to human agents. So there are other ways to address the objection.

Can Slote, we might ask, not combine what he says about first-order and second-order empathy to answer the question what the agent ought to do which is crucial to morality? Can he not simply respond to the raised worries by conceding that agents have to take a critical perspective on their own sentiments? I think that Slote's position can be modified in that way. This expanded account would, however, require that Slote gives up the thesis that second-order empathy, reflecting the perspective of the external observer, is at the core of his empathy-based ethics. A first-personal critical reflection on our sentiments is indispensable for a viable empathy-based ethics. Our empathy as well as our coldness can be appropriate or inappropriate, right or wrong, depending on the situations and facts we are facing.

It seems worth noting that Hume's moral theory embraces a conception of normativity that directs our steady correction and refinement of our sentiments.¹⁸ Hume provides us with guidelines for the reflective endorsement of our sentiments and dispositions from a first-personal standpoint. In our moral reflections we need, Hume maintains, to "fix on some *steady* and *general* points of view" to correct the variations and inconsistencies arising in our moral judgments "were each of us to consider characters and persons, only as they appear from his peculiar point of view".¹⁹ Hume also says that we need "to command our judgments and opinion" by conforming to "calm and general principles".²⁰ He even concedes that there is reason in the form of "a general calm determination of the passions, founded on some distant view or reflection"; a form of reason which is able to oppose our passions.²¹

To sum up: I have tried to show that Slote's focus on second-order agential empathy, which corresponds to a third-personal perspective, is incompatible with his claim that empathy should have normative and motivational force. To dispel the worry, Slote, as I argued, must tie the normative standards of his empathy-based moral theory also to a first-personal deliberative perspective. Moreover, empathy itself cannot be the normative standard to assess the aptness of empathy. Also second-order empathy as such does not seem sufficient as a test-criterion for judging whether first-order empathy or coldness amount to morally appropriate reactions. We need more criteria and more moral categories than second-order empathy to endorse the correctness our moral reactions of empathy or coldness.

3. Moral objectivity and the reference-fixing account of moral terms

Slote aims to rebut the standard criticism that moral sentimentalism entails subjectivism. He tries to show that an empathy-based ethics does not rule out moral objectivity by providing "a reference-fixing account of moral terms", similar to the one Kripke developed for natural kind terms.²² The idea is that the meaning of a term is defined by the fixation of the reference of that term.

¹⁸ Such an interpretation is not uncontroversial. Many philosophers have denied that we find anything like normativity in Hume's reflections on morality. According to them Hume just offers a description of the psychological mechanisms causing our moral feelings and sentiments. His appeal to general principles is sometimes read as a mere means of making our moral judgments more regular and consistent. A detailed discussion why I consider such a reading of Hume as wrong is beyond the scope of this paper. I think that the passages of Hume's text which I cite show clearly that he was aiming for more than merely explicating the mechanics of moral sentiments.

¹⁹ Hume, *A Treatise of Human Nature*, 372, 371.

²⁰ Hume, *A Treatise of Human Nature*, 373.

²¹ Hume, *A Treatise of Human Nature*, 372, 373.

²² Slote presents the reference-fixing account of moral terms in ch. 4 of *Moral Sentimentalism*.

Slote's example is the color term 'red'. The reference of 'red' is the experience of red, and this also explains the meaning of the term red. Only via one's experience of red can one understand what 'red' means. Slote suggests a similar procedure for moral terms, namely to explain their meaning by fixing their reference. The thesis is that the term 'right' refers to warm feelings of empathy, and that we cannot understand the meaning of 'right' unless we experience warm feelings of empathy.

Slote is fully aware that simply claiming that caring and empathic behaviour is right because it causes warm feelings will not do. First of all, one might object that such a claim amounts to an a posteriori statement, and, secondly, that moral rightness would thus indeed be based on merely subjective feelings. But Slote wants to show that his empathy-based morality entails that moral judgement, for example statements like "cruelty is wrong", amount to a priori and objective judgements. Therefore he tries to provide "a more robust" account by the detailed exposition of "how empathy works in delivering warm and chilly feelings/sentiments".²³ And the reference-fixing account is meant to support his argument.

Slote's argument proceeds in the following steps:

- 1) It seems a priori that a person who has the concept of moral rightness and/or goodness is capable of empathy with others and therefore capable of being warmed or chilled by the actions of others.
- 2) Anyone in the possession of moral concepts will understand what empathy is and "recognize the analytic truth that when we are warmed by other's empathic warmth, that involves a kind of empathy".²⁴
- 3) Since the phenomenon of being warmed or chilled by the warm-heartedness or cold-heartedness of others is so familiar, the claim seems warranted that an awareness or recognition of empathy "is part and parcel of, or a priori, to our understanding of morality".²⁵
- 4) Given step 3, we can also claim that "it is a priori that moral goodness (or rightness) is whatever feelings of warmth directed at agents and delivered by mechanisms of empathy are caused by."²⁶

The conclusion, in other words, is: The reference of terms like "morally good" or "morally right" is fixed by their relation to the causes of their feelings of warmth. It is accordingly a priori that "goodness (or rightness) is whatever causes us to be warmed by the warmth displayed by agents".²⁷ Since agential warmth is causing this warming in us, it follows according to Slote that the moral goodness or rightness of actions consists in the agential warmth that is displayed in those actions.

Slote is aware that a rationalist might already refuse to accept the first premise in that argument. But he thinks his argument to be holistically persuasive, given that one does accept that there is some connection between empathy and morality.²⁸ The idea is that a close

²³ Slote, *Moral Sentimentalism*, 60.

²⁴ Slote, *Moral Sentimentalism*, 60, 61.

²⁵ Slote, *Moral Sentimentalism*, 61.

²⁶ Slote, *Moral Sentimentalism*, 61.

²⁷ Slote, *Moral Sentimentalism*, 61.

²⁸ Slote, *Moral Sentimentalism*, 60. Consider, for example, Slote's following explanation: „Something can be (correctly regarded as) a priori even though some philosophers deny that it is. The truth will depend on how philosophical issues get argued out and resolved. So although the claim I have just made about what is a priori is philosophically controversial and would be denied by theorists opposed to (my kind of) sentimentalism in moral

analysis of plausible assumptions about empathy and about the causes of our feeling warmth or chill in relation to the actions of others helps us to an analysis of the meaning of moral rightness or goodness. Moreover, the reference-fixing account which reveals the a priori given relation between our concepts of “morally good” and “right” and the corresponding experiences shores up according to Slote the outlined understanding of moral terms.

What work does the reference-fixing account actually do? Does it really help Slote to justify that moral judgments are a priori and hence objective? Does it support his definition of “morally good” and “right”?

Slote concedes that the problem in treating moral terms in analogy with color terms is that it is a posteriori that redness is associated with such-and-such wavelengths. Nevertheless, we can according to Slote also make an a priori claim with respect to color terms. Though the statement that redness is caused by such-and-such wavelengths is a posteriori, it is, Slote holds, necessary and a priori that if such-and such wavelengths cause the experience of red, then the experience is an experience of redness.

But what does this entail if we apply that argument to moral terms? As I see it, what we get in the moral case is that it is a priori that if x causes the experience of rightness (goodness), then the experience is an experience of rightness (goodness). Of course on Slote’s empathy-based account of morality we have to fill in ‘sentiments’, respectively “feelings of warmth” (empathy) for x. So we get: If such-and such sentiments cause the experience of rightness (goodness), then the experience is an experience of rightness (goodness). Or: If feelings of warmth cause the experience of rightness, then the experience is an experience of rightness. Or: If agential empathy causes the experience of rightness, then the experience is an experience of rightness. But of course the crucial assumption in need of justification is that warm sentiments or empathy as such give rise to moral rightness.

If we consider Slote’s argument above, we see that exactly a justification for the latter claim is missing. The crucial, but also most problematic step in Slote’s argument is the assumption that moral goodness or rightness is “whatever causes us to be warmed by the warmth displayed by agents”.²⁹ The reference-fixing account cannot support the claim that the goodness or rightness of actions just amounts to “agential warmth”, i.e. empathy with empathy displayed in actions. This premise is more or less presupposed in the way Slote’s argument proceeds. Even if we grant to Slote that empathy is connected with our moral reactions, it does not follow without further argument that empathy or, more precisely, agential empathy as such amounts to moral rightness.

It seems highly questionable that agential empathy as such directs us to moral goodness or rightness. There are many situations in which agential empathy is morally dubious and inappropriate. What about the empathy I feel with the first-order empathy of someone who affects me and my friends positively, but who otherwise has ignored someone’s rights? What about the empathy I have for a person who is in pain, but only so because someone has turned against him whom he has mistreated? Often our agential empathy can be due to well-calibrated manipulation and instrumentalization by others, and agential empathy by itself does not show us the way out of such a pattern of abuse.

philosophy, it may be true, and it is all the more likely to seem so to anyone who finds the general argument of the present book convincing or even just plausible.” Slote, *Moral Sentimentalism*, 60.

²⁹ Slote, *Moral Sentimentalism*, 61.

Especially the work of feminist philosophers who are concerned that empathy-based conceptions of morality might just reinforce traditional gender-roles has alerted us to the fact that it needs critical reflection on the social context in which one's experiences of empathy are embedded to make sure that (agential) empathy does not just amount to emotional exploitation and self-denial. Slote's contention that (agential) empathy is per se directed at others and thus supports the self-other asymmetric character of moral judgments strengthens the worry that an empathy-based morality might not be very helpful in revealing and fighting structures of inequality, discrimination, and gender-bias.³⁰

4. Conclusion

A possible line to take against moral sentimentalism is to call into question that empathy is important for morality. The paradigm case of such a critique is rational intuitionism, i.e. the claim that true and viable moral judgments have to rely merely on rational insight, and not on feelings and sentiments. Such a reaction does not do justice to Slote's sophisticated defense of moral sentimentalism, especially since he tries to meet some rationalist requirements.

Moral sentiments are important for our moral life; they sharpen our moral awareness and indicate moral relevance. Empathy and care enrich our relations to others and improve our social life. In that respect Slote offers a substantial contribution to moral philosophy.

However, we should take Hume's lesson to heart that reason should direct the "calm determination" of our sentiments. In order to meet Hume's requirement, Slote must, as I tried to show, focus more on the deliberative standards of the moral agent in reflecting on the normative and motivational force of empathy and the reasons provided by her reactions of warm sentiments and/or pure coldness.

³⁰ See Slote, *Moral Sentimentalism*, 54 for a discussion of self-other asymmetry.