Doubts about Michael Slote's Ethics of Empathy and its Responses

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Abstract: Throughout the history of western ethics, there has been a ceaseless debate between rationalism and sentimentalism. The two normative movements which born from the debate have caught our attention. The first one happened in the late 19th century, as represented by Kantian deontology and utilitarianism. Meanwhile, the other one is the revival movement of virtue ethics initiated by Hursthouse, MacIntyre, Michael Slote (Slote), and others, discussing the normativity and rationality of virtue ethics. During the second normative movement of virtue ethics, Slote proposed moral sentimentalism based on the ethics of empathy, which made him the focus on the academic attention. The doubts about the Ethics of Empathy constructed by Slote falls under three aspects, which are the concept of empathy, the process of empathy argumentation, and the reliability of using empathy ethics to answer Hume's problem. Meticulous research on these doubts and Slote's responses to them can help us to understand better on the construction of his ethical thoughts, their contributions, and limitations, which the author believes, is essential for the current development of moral sentimentalism.

Keywords: Michael Slote; Ethics of empathy; Virtue ethics; Moral sentimentalism

1. Introduction
Doubts about Michael Slote's Ethics of Empathy center around three foci, which are the compatibility, the certainty, and whether Empathy can lead to the right actions essentially. These three foci, in turn, correspond to the three aspects of empathy ethics under discussion, which are the doubts about the concept of empathy, the process of empathy argumentation, and the reliability of using empathy ethics to answer Hume's problem. Some of these doubts have been responded to by Slote himself, however, at present some of them remain in his Ethics of Empathy and constitute the limitations of the theory.

2. Compatibility of empathy
The uncertainty of empathy is derived from the unsettling concept of empathy itself. It is also attributed to two other factors; (1) Empathy is mostly uncertain because during the process the feelings of the people with empathy and the empathized object "collide" with each other. Therefore, what on earth arouses this process? Are there any cases of failed arousal? Besides, the changing of nature on how humans sense heat and cool will also affect the empathy process. Human sensations will be affected by temperature, immediate mood, the appearance of the empathized object, and the mind of people with empathy. Therefore, human sensations do not necessarily result in moral experiences; (2) The uncertainty of empathy does not guarantee that the people with empathy would conduct the right actions.

First and foremost, Justin D'arms argues that Slote's explanation of empathy's concept was too simple, where he forgot to elaborate on the extent to which the people with empathy is compatible with the empathized object, for example the compatibility issue between the two.

In Slote's Ethics of Empathy, he describes that the feeling between the people with empathy and empathized object should be similar. What exactly is this feeling? Where does it come from? Justin points out that the lack of explanations may confuse the readers, where in the same moral situation, there is no way one can guarantee that the feeling of the originating act would be equally accepted by the people with empathy, therefore it is possible that the feeling is somehow altered in the process. In this sense, the process of empathy may not be a reliable source of moral judgment. Moreover, in what way does the empathized object exhibit the sensation of heat and cool in accordance with the second-order empathy mechanism? Questions as above require a more detailed explanation by Slote.

As pointed out by Slote in his book *Moral Sentimentalism*, although in the process of second-order empathy, manifestation is needed to naturally arouse the feelings of people with empathy, and the people with empathy may have a different levels of maturity, where according to Slote the people with mature empathy is able to identify the exact feeling of the empathized object, and engage in caring behaviors which is suitable to the moral situation that they are facing, while those who fail to understand the worries that come with empathy, are considered to be lack of empathy. Here come our questions: How can one differentiate between those who lack empathy and those who possess immature empathy? How can one make sound judgments based on the still maturing empathy? According to Slote, people with mature empathy is able to make natural empathy responses to the empathized object, and they tend to take actions out of altruism to rescue the object from a difficult situation. However, Slote fails to interpret the issue further from a compatible perspective.

In addition, many philosophers have expressed their doubts about the reliability of the second-class empathy mechanism which provides the basis for moral attitudes in the real-life experiences as stated by Slote. For example, doubts about the compatibility between the empathy sensations and the moral experience of people with empathy. The instability of temperature as the core of moral judgments raises doubts about the correspondence between moral phenomena and sensations towards "warm" and "chill". According to Justin D'arms, it is an oversimplified concept of empathy, which may lead to the subsequent validity problems with the right and wrong judgments in meta-ethics. For example, when it comes to the judgment of moral approval and disapproval, Slote advocates the judgment based on the internal feelings of "warm" and "chill," while D'arms argues that moral disapproval results from anger-aroused emotional uplift and should be "warm" in nature. Angela M. Smith holds a similar belief, arguing that when moral incorrectness arises, besides the "cool disapproval," we may also feel angry. Further, Michael L. Frazer believes that the temperature-centered phenomenon doesn't always suit our moral experience. To identified "approval" as "warm" might be incorrect sometimes, for instance, we are prone to hold "chill" approval of trivial moral principles. Slote responds to their doubts by limiting the judgments of "chill" and "warm" to the realm of moral motivation, arguing that moral "approval" and "disapproval" are the complete opposite sides, so if "anger" means "disapproval," then what is its opposite? It is rather difficult to find a complete opposition. Even if we consider "anger" as part of "moral disapproval," and "chill" as the other part, the latter is still more helpful to us in understanding the "evil" in morally evil acts. In other words, we can depict the "chill" by describing how we feel, but it is difficult to convey how do we feel to be angry (such feelings, as required, should be of atomic formula and simple in forms). Other than that, Slote also mentions that our first reaction is often overwhelmed by anger when confronted with moral evil acts, and then the anger is followed by the "cool disapproval." Such anger will dominate our emotions, even if we are not part of those evil acts, the anger still triggers our empathy.

On the other hand, those doubts seem to be asking Slote to accept the theory that sensations toward

"chill" and "warm" are obtained by feelings, as well as the theory that they are not only obtained by feelings, but also represent a moral perception (possibly an overinterpretation of the sensations). On the other hand, those doubts also reveal an error in Slote's empathy mechanism, that the sensations toward "chill" and "warm" do not always leads to the correct moral behaviors.

3. Certainty of empathy

Doubts about empathy's certainty can be discussed in two aspects, firstly, besides the compatibility issue, D'arms also points out the over-simplicity of the empathy's definition. Similarly, Professor Chen Zhen found that Slote might have confused first-order and second-order empathy when using them. Moreover, if empathy really is a fundamental concept of the moral universe, it should be logically persuasive when dealing with all kinds of moral issues., especially the role of empathy in motivating moral behaviors. However, Slote's discussions in this regard have been challenged by Lori Watson and Ramon Das.

The doubts about the accuracy of empathy's definition fall under two aspects; 1) D'arms believes the definition given by Slote is too simple, and an oversimplified definition of the concept may lead to an unclear empathy's definition; 2) As pointed out by Chen, Slote was the one who classified and defined the first- and second-order empathy, however he still blurred the distinction when using these two concepts. "The underlying problem is that Slote doesn't have a clear-cut and well-defined definition of empathy, therefore the inferences based on this should be subject to speculations" [1]. Specifically, when talking about moral motivation, Slote used the term overall role of empathy, meaning he was discussing the first- and second-order empathy as a whole, so it is not necessary to distinguish between these two concepts. However, things were different when the subject changed to moral acts and moral obligations. According to Slote, the existence of empathy in which the people with empathy can feel the pain, among other scenarios, of the empathized object, implies an emphasis on direct feelings. Therefore, first-order empathy holds domination in the discussions of moral behaviors and obligations, however up to today there is no clear distinction is made between first- and second-order empathy.

Secondly, as to whether the ethical mechanism of empathy always leads to morally right actions is a questionable. For example, based on the justification given for moral obligations, whether empathy can drive the people with empathy to conduct the right actions to help or avoid hurting others. Lori Watson states even if the people with empathy feels warm toward the empathized object, which represents a kind of moral support, it doesn't necessarily mean the emphasized object has conducted a moral act. Hidden inside the statement is one of the problems with Slote's theory, that empathy provides an impetus or motivation for someone to take action, but it does not guarantee that those are moral acts. In his "insularity objection," Ramon Das pointed out that the universal problems that existed among virtue moralists is a very direct way, therefore evaluating actions requires attention to the impacts of the external world outside the actor, yet virtue ethics is primarily or perhaps exclusively, concerned with the internal state of the actor" [2].

Specifically, according to Das, besides constructing the sentiment motive that actually moves people, the "actor-based theory" in virtue ethics also eliminates the actions that are right in nature. Right actions are correct because they are conducted by virtuous people (or the people with empathy according to Slote). They are driven by a kind motive or other similar reasons, which makes them to make a right action. Here comes another question: how do one decides if it is a moral trait? Das borrowed Henry Sidgwick's example of a prosecutor. Holding grudges against the defendant, a prosecutor is performing his duties out of malice. In this context did the prosecutor take the right actions? Slote responded by saying, "Firstly, the counter-intuitive question raised by this doubt should be that the prosecutor has no obligations or duties to prosecute simply because he has evil motives" [3]. However, based on the actor-centered moral thoughts of Slote, he could argue that the prosecutor's inaction may due to an absence of professionalism. In nature, it is a wrong moral behavior caused by a wrong moral motive. Secondly, besides wrong motives and actions, intuitively

speaking, there is no much difference between doing the right thing or doing the right thing for a good reason. But Slote overlooks the practical significance of the distinction between this two, where wrong reasons may also lead to right actions. The action itself can provide the actor with the reason for doing something, and possesses fixed moral significance independent of the actor's self-motivation. In other words, the actor-based theory of Slote fails to explain the fact that, driven by bad motivations (sometimes just not good enough) some actors still can intuitively take the right actions. In short, Das criticizes by saying "if we can't separate the concepts of performing duties and doing the right thing, even an actor-based explanation is not enough as to why a given action should be viewed as the duty or responsibility of the actor." Whereas Slote argues that the actor might come into contact with the situation where "the prosecutor is holding a grudge against the defendant." In such a scenario, if the actor is capable of empathizing, he will feel the "cools" as he has witnessed or heard the "malice" and injustice that fall on others, and will take the initiative to reject such "malice." Such "counter-intuitive" obligations in Slote's theory can be interpreted as a psychological fact based on empathy.

However, Das's examples and arguments in his criticism of Slote are somehow defective, the first example being "a woman's child fell into the river, and in order to make her happy, a man decided to save her child's life." Actually, in this example, we can only say the man has an impure motive. He did the right thing driven by a motive that's not good enough. Besides, saving that child from the river can put him in danger. This should be compared with the benefit of making the woman happy, where people's instincts are to avoid harm. We don't have adequate reasons to deny that the man has certain good motives, therefore this example cannot support the following criticism of Slote's theory. The second example, further exposes the lack of realistic motives in deontology because in reality we cannot rule out the other motives (the sentiment motive according to Slote) and think that the actor was conducting the right actions out of obligations. In other words, the statement "we can only say she was motivated by obligations" is not valid, therefore the perspective on which the doubt is based isn't flawless.

When analyzing Slote's virtue ethics, Hong Ren mentions that an "admirable immorality" exists in the Slote's virtue ethics system. Slote believes that the improper (immoral) behaviors of a person should be due to his dedication to a certain cause, which can bring benefits or values to humanity or to the vast majority of people [4]. Slote mentions that the great artist Paul Gauguin, who turned his back on his family for the sake of his artistic pursuits, while recognizing his pure dedication to the arts, one should not ignore the fact that he once abandoned his family. In this context the act of "abandoning" is what we call "admirable immorality," where Gauguin's story arouses two different emotions in us, which are the positive approval of his artistic endeavor, and the disappointment and revulsion at him abandoning his family. Though the tension between the two forms is the basis for moral evaluation as human morality is extremely complex, we can still see a lack of normative concepts, and reasonable constructs that could constitute our everyday moral principles. The reason why Slote put forward this "admirable immorality" is to loosen people's adherence to the "overwhelming" arguments and to alleviate the clear opposition between virtue and immorality. This can also be viewed as Slote's response to the doubts about empathy's indeterminacy, where empathy can be explained as the actions that our "instincts" tell us right, and there is no simple dichotomy between virtue and non-virtue, therefore, a clear-cut definition of empathy seems to be an unsuited imposition.

4. Reliability of using empathy to answer hume's problem

Originally, Slote was very skeptical of the possibility of deriving "ought," the moral judgments from "is," the moral facts. However, as his moral sentimentalism gradually matured, following the introduction of empathy, he realized that in moral phenomena, human empathic responses can serve as a source of moral obligations, and provide sentimental explanations for moral obligations and behaviors. As we mentioned

earlier, empathy can justify moral obligations, contribute to or hinder moral behaviors, and forms the mechanism for moral judgments. In this regard, Slote argues that people's empathic responses and expressions of their moral attitudes like approval or disapproval towards certain behaviors in everyday life, combined with the innate analysis of moral concepts made with the moral semantics of sentimentalism, contribute to the moral judgments about the (justified or wrong) attributes of the moral acts.

First of all, some people wondered if empathy remains consistent in both the logic and emotional experience. To be specific, the "justification" in the conclusions when deriving "ought" from "is" has the power to move people sentimentally and normatively, however the "well-informed, calm and unbiased human observer" mentioned in the premise does not hold such a sentiment, meaning a lack of sentimental consistency from the beginning to the end. On the other hand, the reasoning behind the factual statement that the ideal observer approves of the act does not guarantee that the person receiving the moral statement will also hold the same attitude towards the act. Therefore, from the above reasoning alone, we cannot deduce the "ought" that would be approved by the hidden recipient of the conclusion.

Slote questioned the validity of such doubt and responded to it. According to him, what lies behind the doubt is the moral semantics of sentimentalism. Sentimentalism tends to view moral judgments as expressions of emotions, attitudes, or commands, and advocates that those moral judgments hold no truth values, therefore we cannot reach moral judgments with no regard to truth and falsity from true or false moral factual premises. However, Slote suggested that the ideal observer theory is very much different from sentimentalism. Based on the ideal observer theory, moral judgments are assertions with truth values, just like moral acts, and the validity of logical relations is fully capable of serving this argument. In the meantime, "it is our invaluable heritage and birthright to decide the truth of our moral judgments (when they are true)" [5]. Therefore, we find it hard to accept the definition of moral judgment in the moral semantics of sentimentalism which is hidden in the doubt because it circumvented the validity test, and further destroyed the factuality of the moral judgment or value judgment.

Secondly, in Slote's ethical thoughts of empathy, right moral judgments should be based on the people with empathy, which means the judgments possess the emotional power to move people, and in other words, complete the consistency between the premise of an ideal observer and the conclusion of justified actions. Moreover, to derive "ought" from "is," we have to assume the emotion that is hidden in the "justified" conclusion which is a Gricean implication. When we compare the two sentences "He is poor and of noble character" and "He is poor but of noble character," we find the two of them share the same truth-value meaning, yet the latter also implies a different meaning, showing implications can be separated from the true values. Implications do not necessarily affect the true values of a moral proposition, they can even be eliminated, which means the justified emotions that move people can be eliminated as long as they don't affect the true-value conditions of the argument. Lastly, Slote's sentimental reasoning can be realized through a semi-Kripkean theory of moral reference-fixing. The term "justified" refers to the "warm" nature of the actor's behaviors. Through semi-Kripkean theory of moral reference-fixing, one can avoid viewing innate moral judgments as acquired empirical judgments, for this theory of moral reference-fixing enables an innate, conceptual-analytic relationship between the moral attitude of "approval" and the moral predicate "justified."

Moreover, regarding Slote's critique of the ideal observer theory, some scholars hold the belief that the premises and conclusions in purely logical relations need to be subject to validity tests, and that moral facts and propositions must involve the elements of moral emotions. If we need to make an impartial moral judgment based on moral facts, a "well-informed, calm and unbiased observer" should be established in the premise [6]. However, a conclusion of moral fact justification has been reached eventually. So where does this self-motivation needed for the justification to drive justified behaviors come from? Kant sees it as a sense of "reverence" for categorical imperative, while Slote believes in the process of making moral

judgments about a moral fact, where the people with empathy can form an innate understanding of the moral terms. In other words, after the moral attitude of approval or disapproval has been formed, the people with empathy also able to make moral judgments of whether the act is justified or unjustified based on the formed moral attitude. The basis of moral judgment is not the empathy, or the emotion itself, but the presupposition of the ideal observer. Moral attitudes are directly provided by empathy and are consistent with moral judgments, but this consistency is merely a conceptual-analytic relationship and does not mean those two concepts are equivalent.

To begin with, Slote examines the ideal observer theory. He believes in the theory justification stands for the things that is well-informed, calm, and unbiased observers might approve of, meaning that an act is justified if it gets approved by a well-informed, calm, and unbiased observer [7]. However, the approval of the ideal observer does not justify a moral act, but we approve it because it is a justified fact itself.

In additional, Slote assumes that between the ideal observer's moral attitude of approval and disapproval, and the justification or falsehood, exists a conceptual-analytic relationship (or even lies in the conceptual-analytic truth). For conceptual-analytic truth, meaning an act is morally justified if it has been approved by a well-informed, calm, and unbiased human observer. This represents a fixed relationship between morally justified acts and the human observer's approval. In other words, with the moral attitude generated through empathy, the ideal observer is able to make corresponding moral judgments, further form a corresponding moral evaluation based on the presupposition that the people with empathy possesses an innate ability to understand moral terms, and that an unbiased ideal observer may approve the justified behaviors.

Lastly, to prevent doubts about beliefs' inability to determine facts and circular arguments, Slote believe that one still need to assume that the moral attitude of the ideal observer in the premise is not equal to the observer believe in the behavior is justified, and the relationship between moral behavior judgments and the moral attitudes should be purely conceptual-analytic without involving the attitudes or emotions of the observer.

5. Conclusion

Slote's reasoning from "is" to "ought" should be as follows:

(1) We approve of benevolent behaviors: A factual statement of our empathy response, also the premise of "is."

(2) Whatever elicits our approval is morally justified and good: Semantic assumption.

(3) Benevolent behaviors are morally justified or good: A conclusion that implies the meaning of "ought" [8].

In Slote's reasoning, premise (2) has become a semantic assumption of innate knowability. However, Slote left many problems unsolved, with the most important one being that the empathy introduced by Slote when demonstrating the innate knowability of moral judgments, is neither sufficient nor a necessary condition for moral judgments. Though his reasoning to avoids the circular argument that moral judgments precede moral attitudes, ultimately it was established on the psychological factors or states of the recognizer rather than an utterly independent of logical relations.

Disclosure statement

The author declares no conflict of interest.

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