Empathy and Altruism: From Possibility to Implementation

Abstract

The argument of this chapter is that empathy is required in order to get from the possibility of altruism to its implementation. A logical space is available to establish a link between empathy and the austere ethics of duty ("deontology"). This is needed to avoid sinking into the morass of moral sentiments (shame, guilt, benevolence, compassion), which are powerful motivators of behavior but logically dubious founders of it. The interest of the others in the world and my own interest are in balance. It is not that the world comes ahead of my own – which, arguably, would look like utilitarianism and the greatest good of the greatest number. We are not looking at consequences. Rather we are looking formally and logically at the priority of my own interest over against that of the world, and it does not have any more priority. But it does not necessarily have any less, for the majority of the world would not be justified in inflicting pain on me even if it resulted in their greater good. "Act so as to reduce the pain in the world." Yes, I should so act. But how do I know the other is in pain? In any particular situation, altruism without empathy is like a concept without intuition. Empathy provides the implementation of the possibility of altruism. How do I know the other is in pain on this particular, objective occasion? The answer is empathy.

A Paradigm Case of Altruism Pure-and-Simple

What evil lurks in the hearts of men is unknown. Just as significantly, the good that dwells there is equally hard to discern. The rescuers of Jewish people pursued on racial grounds in Nazi Europe is an example that resists moral skepticism. Those who sheltered Jewish families and individuals did so at great risk to their own personal safety. If those hidden had been discovered, the fate of the would-be rescuers was almost certainly an agonizing death. No realistic prospect of being recognized for one's heroism was imaginable, and the fewer people who knew about it, the better, so great was the risk of the information ("Jew here!") leaking out. In the early days of World War II, it was hard to imagine the utter defeat of the Nazis; and even after the war, anti-Semitism was still so prevalent and common decency still so rare in certain Eastern European geographies that

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

it was considered best on the part of many rescuers to keep one's mouth shut. The sheltering often had to occur over a period of months or years – and was not always successful as the example of Anne Frank shows. It involvd elaborate ruses such as spreading gasoline around the periphery of the hiding place to throw off the scent of the Nazi blood hounds searching for random Jews, so intense was the purist against all military logic.[1] It should also be noted that the rescuers extended help to those who were defined by a constant barrage of Nazi propaganda as being outside the pale of common humanity as well as requiring acts (i.e., helping Jews) that were legally prohibited (Oliner and Oliner 1988: 6). Such examples raise the bar significantly on moral skepticism. The skeptic is required to weight the possibility that the rescuer was insance – an insanity renewed moment-by-moment over the months and years of hiding – against the likelihood that decent individuals recognized a deep neighborly affinity in the hounded Jewish fugitive and then took action against all odds and all standard ("rational") norms of self-interest.

Altruistic actions sparkle like a jewel and are obvious to the commonest understanding of the most ordinary person. Actions performed with good intentions for the benefit of others require no further analysis by experts in metaethics. People get it. Even so, without an absolute knowledge and insight into an individual person's motives, there is no way to tell if egoism and a selfish self-interest are driving the allegedly altruistic behavior or not.

---

[1] S.P. Oliner and P.M. Oliner. (1988). *Altruistic Personality: Rescuers of Jews in Nazi Europe*. New York: The Free Press, 1988. Mordecai Paldiel of Yad Vashem's Department of the Righteous in Israel reports that (as of 1988) some 6,000 documented cases of rescuers had been collected and interviewed. The exact numbers will never be known; and the speculation ranges from 50,000 to 1,000,000 with the high end being one tenth of one percent of the population.

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

However, absolute knowledge and insight into the motives of others is not available to us humans.

The Argument: Empathy is Required to Advance from Possibility to Implementation

The argument of this essay is that empathy is required in order to advance from the possibility of altruism to its implementation. No discussion of altruism is complete without the foundational work done by Thomas Nagel from the perspective of practical reason. Nagel's contribution will form an important part of the discussion.[2] Altruism is valid and viable because it is a component of the structure of human action. But when we look carefully at the challenges of establishing such a possibility, the logic points in the direction of a common source for both altruism and empathy. When all is said and done, the congruence of oneself and other from the perspective of the impartial benefactor points in the direction of empathy.

The "all is said and done" is what will require further analysis and argument. As an initial clue, this essay is guided by Nagel's assertion that even the solipsist, when wronged morally or hurt physically, suddenly demands that the other person "get" his point of view. The solipsist then vigorously poses the question to any one who will listen, whether actually existing or hallucinatory, "How would you feel if this happened to you?" (Nagel 1970: 106).

[2] Thomas Nagel. (1970). *The Possibility of Altruism*, Princeton, NJ: Princeton Paperbacks, 1978. Nagel's analysis of altruism is initially designed to be noncommittal regarding the values that form the content of a specific moral theory. However, subsequent writings provide at least some of the content, e.g., Thomas Nagel. (1979). "Ethics" in *The View from Nowhere*, London: Oxford University Press, 1986: 164-89.

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

This essay argues that both empathy and altruism emerge simultaneously in this question, though the priority of the one or the other may vary depending on emphasis and context. If one is making a moral argument, the question "How would you feel if it [the wrong or hurt] happened to you?" invites an altruistic response to act so as to reduce the physical pain or suffering of the other individual. This gives altruism priority. If one is making an epistemological argument, even if such arguments are rare today, then the invitation is to identify a vicarious experience that discloses the other individual and becomes the basis for *knowing* how the other feels because one has a qualitatively similar experience. Yet these two responses are never far apart. Many applications of empathy pure-and-simple invite an elaboration of concern for the other. This elaboration stops short of direct intervention for the other's physical well-being and yet targets the integrity and well being of the other in an emotional form. In turn, this points to a rule of thumb that altruism has traditionally addressed the physical suffering of the other; whereas empathy has been noncommittal about the physical, preferring to target the affection dimension (including emotion and sensation)..

What altruism and empathy – more precise definitions will be forthcoming - have in common is the activation of a concept of the other as part of the capacity to view individuals impartially and impersonally. When one looks at this in detail, then it commits one to a general concept of a person as *not* solipsistically dissociated from others. Expressed positively, individual human beings are fundamentally associated with others. We are part of a network of practices and beliefs that are a coherent, shared social milieu, a community. As we shall see in more detail, the solipsistic dissociation between

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

the individual person and the other is radicalized and requires a further affirmative response. Empathy is that response; and gets us (and Nagel) from the possibility of altruism to its actuality.

A Working Definition of Empathy

The short, working definition of empathy that is employed in this essay is as follows. Empathy is a multidimensional method of accessing the experiences of another person through the processing of the expressions of life (affects, sensations, emotions, feelings) of the other. At the level of phenomenal awareness and everyday human being in the world with other humans, the minimal essential dimensions of empathy include: (i) a receptivity ("openness") to the affects of others whether in face-to-face encounter or as artifacts of human imagination ("empathic receptivity"); (ii) an understanding of the other in which the other individual is interpreted as a possibility—a possibility of choosing, making commitments, and implementing them ("empathic understanding") in which the aforementioned possibility is implemented; (iii) an interpretation of the other from first-, second-, and third-person perspectives ("empathic interpretation"); and (iv) an articulation in language of this receptivity, understanding and interpretation, including the (privative) form of speech known as listening that enables the other to appreciate that he or she has been the target of empathy ("empathic listening").

This working definition in no way contradicts the possibility of other, orthogonal definitions, for example, from the perspective of functional causality. There another's affects are the cause of mine in the context of a self-other distinction in which a causal construct such as a "shared manifold" is deployed below the threshold of introspective

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

awareness in our biology ("neurology") to explain the functions of perspective taking and emotional control.[3] It is also consistent with a hermeneutic definition that deploys a double representation of the self's representation of the other's intentional fulfillment and the further processing of these representations on which the above-cited definition builds.[4]

It should be noted that (i) empathic receptivity provides the basis for vicarious experiences, emotional contagion, gut reactions, crowd phenomena, and related spontaneous communications of affect. Empathy includes these, and is not reducible to them. (ii) Empathic understanding focuses on the possibilities of forms of life in which individuals interact with one another. One of the possibilities is breakdown – everything from flat tires to being waylaid by robbers. Nothing is implied about whether one ought to be rescued or not. At this pint, this essay is neutral as to whether empathy is part of the foundation of community or a part of its superstructure. (iii) Empathic interpretation is the point at which the receptivity and understanding are subjected to further informational processing by a shift in perspective from from-person to third-person, creating the distance between self and other and one's own vicarious experience or emotional contagion that is essential to avoiding empathic distress and attaining full, mature empathy. (iv) Empathic listening that grants being to the other individual to show itself in

[3] P. L. Jackson, A. N. Meltzoff, and J. Decety. (2005). "How do we perceive the pain of others? A window into the neural processes involved in empathy." *Neuroimage* 24 (2005): 771-779. See also J. Decety & P.L. Jackson. (2004). "The functional architecture of human empathy." *Behavioral and Cognitive Neuroscience Reviews*, Vol 3, No. 2, June 2004: 71-100. V. Gallese. (2007). "The shared manifold hypothesis: embodied simulation and its role in empathy and social cognition," in *Empathy and Mental Illness*, eds. T. Farrow and P. Woodruff, Cambridge, UK: Cambridge University Press, 2007: 452f.

[4] Lou Agosta. (1984). "Empathy and Intersubjectivity," *Empathy I*. Ed. J. Lichtenberg. Upper Saddle River, NJ, Analytic Press, 1984.

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

context. Further work with this definition will occur in the course of this essay. Let us now turn to the definition of altruism.

One challenge is that there is no description of altruistic action that cannot be redescribed as having a hidden motive that relates directly to the egoism and narrow self-interest of the doer. One of the most painful things in the world, allegedly worse than death itself, is the lot of parent who loses a child; and perhaps, just perhaps, the above-cited example is one of parents who could not bear the prospect of such pain. This is the least charitable or most cynical interpretation. It is not even the most probable one. It does not have to be. Yet the very existence of the deflationary redescriptions tends to eliminate or reduce the moral worth of the action, making it seem to be a case of disguised, refined avoidance of pain. The latter is consistent with a maxim to "save the children," yet makes it harder to disentangle altruism in context.

The moral worth of an action is made visible when the behavior goes against the explicit interest of the doer. This tactic (familiar to Kant) may not completely eliminate moral skepticism, but it definitely raises its cost. The cost is an implausible redescriptions of the altruistic action. Sacrificing one's life for another when one cherishes one's own life above all else is a dramatic example. The soldier who falls on the live hand grenade in the heat of battle to save his comrades must be dishonored by being redescribed as suicidal. The prisoners of conscience who did not "confess" under interrogation by implicating their fellow conspirators – though they would not have been blameworthy had they done so – are redescribed and denied credit for their sacrifice. The family member who donates

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

one of his or her two kidneys so that the father may live is actually – what? – being manipulated by a guilty conscience. The evolutionary "just so" story that makes the selfish gene into the evolutionary homunculus designing our destiny from the start is also an increased cost to moral skepticism. Other mundane examples exist in abundance, having the form of the Good Samaritan's incurring additional expense, delay, and relative hardship to benefit someone who would otherwise be insignificant or even antipathetic to him. As will be discussed further, recall that today we would call the Samaritan a "Palestinian," and it was he who stopped to help the Jewish traveler who had been waylaid by robbers.

If altruism is understood as other-directed, other-benefiting behavior that goes against the individual's own egoistic and self-interested and selfish inclinations, then the definition(s) of the latter will be important. These terms are not used synonymously, and this essay claims to be reflecting the sense in which these words are used in ordinary language. However, if the reader's sense is radically different, then the following may be taken as definitions stipulating the use in this work rather than ordinary usage. People will speak of "enlightened self-interest" but they will not speak of "enlightened selfishness." "Selfishness" is not enlightened – it is just the position of putting one's own interests ahead of others in both the short and long term. At best, selfish disregards others. The result is usually a cost to the other, even if it is "merely" an opportunity cost, e.g., in someone selfishly grabbing the last piece of pie. A quick gloss on the distinction between altruism and selfishness – and here "self" is used in the ordinary sense of "oneself" - goes like this: in altruism, the other benefits at the expense of the self; in

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

selfishness, the self benefits at the expense of the other. Self-interest may be misguided in some instances, as when I treat a subordinate poorly who is eventually placed ahead of me in a corporate hierarchy, but self-interest is at least capable of rising to the occasion of enlightenment. If each pursues his own self-interest pure and simple (and it need not even be enlightened), getting the best possible price for his good and paying the least possible for supplies, then the market will (allegedly) optimize supply and demand in such a way as to maximize the total benefits (generally revenue) in a given community. Egoism falls in between. It started out as a technical term, referring to an alleged component of individual consciousness – the part that takes care of one's self-interest. But it has come to mean "self-centered" in a negative sense in everyday talk. Most basically, "egoism" means "egocentric," taking the personal, partial point of view of "I" and lacking reference to the impersonal other for whatever reason.

Altruism Reduced to a Bargain with the Devil?

Since selfishness excludes other directed behavior, it is inconsistent with altruism and must be. Since, as we shall see, Nagel distinguishes between subjective, partial self-interest and objective, impartial self-interest, some version of the latter must be analyzed and accommodated. That leaves "egoism." The argument here is that the possibility of altruism must deal with – get beyond – the cynical and philosophical positing of egoism. Egoism says in effect, "Reducing my own pain is in my interest and the pains of the rest of the world be damned." If we humans are merely egoistic mechanisms for self-aggrandizement, then altruism is reduced to being a bargain with the devil – the devil of egoism. And like all such agreements, it is no bargain.

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

A bargain with the devil is hardly a way of describing the formal structure of action. Yet it does capture one essential feature. It highlights the distinction between short and long term interest, a feature of action that captures the necessity of decision making in a state of uncertainty about the future. Human beings live into the future, but we humans do so within the famous interpretation that the future will be like the past. Even when the future is wide open, people try to make it like the past by taking patterns of behavior from the past and projecting them into the future, whether intentionally or not. Present and future benefits are weighed against one another. People are notoriously bad at calculations and trade-offs that weigh present against future benefits and costs. We are risk averse when holding a small present gain against the prospect of a much larger benefit in the future. We are too welcoming of risk when facing a current penalty against the prospect of incurring an even larger cost in the future. In the classic bargain with the devil a short term gain is traded for long term perdition. Such bargains are frequent enough because the gambler imagines he or she can find an escape clause or otherwise outwit the opponent. This rarely happens. Thus, "egoism" aligns with "subjective self-interest." The issue will be whether a sense of "objective self-interest" can be crafted using such distinctions as an impersonal perspective and impartiality.

Thus, at the crucial point at which an altruistic individual is required to act for the benefit of another, the paradox shows up that seemingly all acts of the self in the ordinary sense of "self" - require a form of self-interest. Finding objective reasons that are impersonal enough to overcome self-interest requires a confrontation with solipsism. "…If one begins with the sole idea of oneself and one's own experience as a model, one may not

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

have sufficient material to extrapolate to a significant notion of other selves and their experiences" (Nagel 1970: 104). The way around this impasse – which describes solipsism – is twofold. First, to identify the possibility of the experience of an other individual human being. Second, to get access to the experience of the other individual. This is where empathy makes a difference as we shall see. But first the issue of "objective self-interest" must be engaged.

"Objective self-interest" sounds like a paradox. This is the point at which Nagel is on the slippery slope to a bargain with the devil. Let us join him on it for the ride. Nagel:

> "With regard to altruism . . . since it is I who am acting, even when I act in the interests of another, it must be an interest of mine which provides the impulse. If so, any convincing justification of apparently altruistic behavior must appeal to what *I* want." (Nagel p. 80)

Since we are self-interested human beings and self-interest is basic to our survival as physical and psychological well-being, any definition of altruism that requires eliminating self-interest renders it impossible or at least highly problematic. The devil wins. Rather self-interest must be subordinated, reduced in priority, or humbled in comparison with the interest of the other. The best we can hope to do is to quarantine, limit, reduce, or otherwise restrict self-interest. This is done by isolating subjective self-interest (egoism) while preserving a subordinated definition of subjective self-interest without which no action is possible in general in the formal structure of action.

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

In a Postscript to the 1978 edition (1970: vii), Nagel acknowledges that he has not eliminated personal, subjective reasons (e.g., "reduce my pain") in favor of impersonal, objective ones ("reduce pain in the world"). The first-person, personal perspective continues to exist and is *not* wholly eliminated in favor of the exclusively third-person (impersonal) perspective – rather is its subordinated and may continue to function in motivating actions. Of course as Nagel notes above, this is the dilemma of appealing to what "I want" in altruistic behavior.

We Live into the Future – From the Here-and-Now

The way out of this dilemma is to find a reason for acting in the here and now – a motivational content - that is not narrowly (subjectively) self-interested and make it into a feature and function of the structure and operation of altruistic human action.

The result of needing to make reason practical while doing so purely formally results in a complex, even torturous analysis. According to Nagel, "Nothing is commoner than desire for what is future, but they are nearly always motivated by reasons which will obtain in the future, in which case the desires do not originate the motivation" (Nagel 1970: 43). Human beings live into the future. Most of what we do is for the sake of the future. This extends to all kinds of prudential, practical purposes extending from earning a living, getting published, buying a house, keeping the wolf from the door. For example, for many people, the happiest part of a vacation is actually buying the airplane tickets and contemplating sitting the beach, sipping a beverage with a little umbrella in it. This is not to say that being in the moment, playing in the sun and surf, are anything except

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

enjoyable. Yet the return plane ticket home, returning the person to a dreary office and bureaucratic double binds, is never far away; and actually touching the return ticket or seeing the return itinerary (assuming it is an e-ticket) in one's beach bag casts a pall over the scene as if the sun had gone behind a large, dark rain cloud. Thus, Nagel must distinguish unmotivated desires (Nagel 1970: 43) from those reasons in the future that give rise to present desires only then to assert (accurately) that such unmotivated desires are "motivationally unintelligible" (Nagel 1970: 44). "Motivated desires" are those with a reason – that functions like a goal – whose fulfillment lies in the future. In order for reasons to be effective across time, they are related by Nagel to a personal identity that is itself operative across time. The definition of identity includes past, present, and future. Reasons about a person's future well being are *not* outside of the person the way some hypothetical goal in the future might be of interest if the person chooses to take on that goal in the future. "A person's future should be of interest to him not because it is among his present interests, but because it is *his future*" (Nagel 1970: 42).

The crucial step in neutralizing desire as the most important sources of motivation occurs here in terms of the unity of the person across time. Nagel asserts that the use of a dated reasons results in the dissociation of one's present and future self – "a failure to identify with one's future self – and even . . . with one's present self" (Nagel: 58). This requires a "metaphysics of the person" and "an awareness of one person over time" (Nagel: 58). For purposes of this essay, we shall assume that the concept of personal identity functions as designed. Unless a person is able to get from a specific time-stamped reason, e.g., "vacation in Puerto Rico ((ə)mm-dd-yyyy)," where some existing date is in the future, to

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

a tenseless (undated) reason applicable at any time, the reason will not be effective across time, “vacation in Puerto Rico ((x)mm-dd-yyyy).”

Thus the horns of the dilemma: Since a person can only be motivated *now*, a future reason is not effective because it is not now. Since a future reason has a date stamped on it and is still in the future, a person cannot be motivated by it. Nagel decides to go between the horns of the dilemma by means of atemporal (“tenseless”) reason. The requirement, according to Nagel, is to avoid the temporality of reason-giving and get to tenseless reasons that can be effective across time zones. According to Nagel, “…The influence of reasons is transmitted over time because reasons represent values which are not time-dependent.” Reasons become impersonal and impartial. This is an early example of the maneuver to get from a personal, first-person perspective to an impersonal, third person one for which Nagel is now rightly famous. Note that “impersonal” and “impartial” are not synonymous. “Impersonal” refers to a third-person point of view which is objective enough to count as a view from nowhere; whereas “impartial” is a further restriction on “impersonal” and limits one’s partiality towards the second-person, thou, including special others such as family members, close friends, or community.

Regardless of the temporality of reasons (or lack thereof), people act prudentially for the sake of their future self. Failure to do so would result in dissociation within the person (“self”) between present needs (say) for wholesome food and nourishment and motivational content, namely, future health and well being. The supposedly unified,

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

individual person would fall into temporal fragments under this interpretation. In this particular case, the individual would be dissociated from his body across time and would (e.g.) forget to eat in order to continue to live. The basis for numerous psychiatric symptoms looms large here. Even more telling is the likelihood that a less severe form of such dissociation is the standard condition of most individuals caught up in the rat race, stress, and pressure to conform of everyday life.

Nagel bolsters the argument further by drawing an analogy between two related imperatives. In acting prudentially, reason is practical in motivating me in the present to further my own long-term best interests that will come to pass in the future. Reason is practical across the temporal dimensions of past, present, and future because I am a person integrally associated with myself across these time zones. Likewise, recognition of the reality of other individuals depends on a conception of oneself: "This method is allowable, because recognition of the reality of others depends on a conception of oneself, just as recognition of the reality of the future depends on a conception of the present" (Nagel 1970: 106).

For example, as luck would have it, I am one of those creatures in a community of creatures who are capable of experiencing pain. I may have come to this rule by generalizing from my own experience. But that is not the point. When I witness another individual suffering pain and act on a general, objective rule to reduce that pain, it is not the expectation of a reciprocal benefit in the future that motivates my act. It is the formal structure of my action as an objective, third person agent, acting to reduce pain in the

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

community of others (of which I also happen to be a part) that opens up a space for altruistic behavior not masquerading as a more refined form of self-interest.

The Path through Kant

As Nagel notes, this requires a nod in the direction of Kant's famous problem of how can reason be practical. For Kant the moral law is a fact of reason, given immediately to the awareness of healthy human. For a human will that is powerfully activated by incentives such as desires and other contingent motives, a spontaneous causality of reason is problematic. The network of physical causes does not leave any room for it; and the distinction between phenomenon and things in themselves is a just another name for human ignorance and human lack of insight into what really motivates people (and we may be forgiven for *not* delving here into this noumenal version of our ignorance). The effect of the moral law on a human will that is affectively motivated though not affectively determined is to strike down human selfishness. The moral law as embodied in an other individual human being humbles the will of the selfishness *and* self-interested individual and actually causes pain. This deserves more attention than has previously been devoted to it. The other shows up as causing me pain. It is not that the other steps on my toe (though that is possible too). Rather it is that the other causes pain by thwarting my will. I would like to grab that last piece of pie, but something happens. The number of scenarios that are possible here is large. We will focus on the moral one. It occurs to me that the other is (say) also entitled to a piece of pie and I offer it to him. I know the other exists as a source of spontaneity that impacts me because, as an example of the moral law that thwarts my self-love, the other causes my pain:

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

> Consequently . . . the moral law . . . by thwarting all our inclinations must produce a feeling which can be called pain. Here we have the first and perhaps the only case wherein we can determine from a prior concepts the relation of a cognition [*Erkenntnis*] (here a cognition of pure practical reason) to the feeling of pleasure or displeasure. . . . Thus is respect for the moral law [as] a feeling. . . this feeling is the only one which we can know [*erkennen*] completely a priori and the necessity of which we can discern.[5]

The important point is that the feeling of respect that painfully thwarts one's inclinations follows from – is caused by – the moral law who is exemplified by – one might say embodied in – the other person. Any feeling of respect that preceded a candidate moral law would be contingent and not a structure of action. While Kant's ethics is an austere one that deserves its reputation for formalism in many ways, it is not always formalistic. This is an important point often overlooked by such historical critics of Kant's "formalism" as Nietzsche, Scheler, or Scheffler.[6] The content turns out to be this one point at which self-love is immediately impacted by being in the presence of a being that is an end in itself and not a mere means (an other person). The feeling of respect is the way in which such a presence is disclosed.

Impersonal Self-Interest?

In the case of Nagel, the motivational content of any candidate categorical imperative is neutralized in favor of a formal analysis of the structure of action. This is one reason why we get the *possibility* of altruism, not its actuality. Nagel is clear that he is not advocating

---

[5] I. Kant. (1788). *Critique of Practical Reason*, tr. L. W. Beck, Indianapolis: Bobbs-Merrill, 1956: 75; *KpV*, AA 05: 128f.

[6] S. Scheffler, (1982), *The Rejection of Consequentialism*. Oxford, UK: Oxford University Press, 1982.

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

a system of values. Yet this essay wishes to suggest that no theory of action will be long viable without a specific incentive, motivator, or motivational content capable of moving the will of a contingent creature with embodied purposes such as those undertaken by us humans. Even the formalist - that means Nagel, not Kant - requires motivational content to move benefactors in relation to their beneficiaries. In effect Nagel substitutes "tenseless reasons of a person" for "moral law" in the above quote from Kant, thus stealthily falling back to the second and third formulations of the categorical imperatives where persons are members of a community - albeit an ideal, impartial one - the community ("*Reich*") of ends. The need to go around such values as the content of truth telling, respect for human life, while allowing for the possibility that individual human beings are themselves the motivational content occasions a complex argument on the part of Nagel (to which we now turn).

Thus, Nagel creates a logical space consisting of the possibility to have reasons to help others in need and to do so without appeals to personal self-interest (Nagel 1970: 128). The qualifier "personal" carries significant force and requires that we also grasp "impersonal self-interest," the latter being far from obvious. As noted, according to Nagel, the solipsistic dissociation between individual and other requires a positive response towards which the argument is driving. Actions are constrained by formal conditions of objectivity such as the requirement to view ourselves from both the personal and impersonal perspectives "…and to engage in reasoning to practical conclusions from both these standpoints" (Nagel 1970: 11). The way that the solipsist complains "How would you feel is this happened to you?" indicates access to both

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

standpoints. In turn, the interaction of both these standpoints enables a "congruency" in the standpoint(s) as "a request to imagine oneself in the situation of another" (Nagel 1970: 145). In the particular instance of altruism, if one goes from the first- to the third-person, one imaginatively transforms the first-person perspective into that of the other, experiencing the other as being in need and vice versa. If one sticks with the first-person perspective, imagining oneself to be the individual in need, then one still has a claim on the altruism of others without a detour through reciprocal ("subjectively self-interested") aid. My own interest has no priority over the other; but it also has no less. This gets one to "impersonal self-interest," granted that the latter is liable to remain an oxymoron. At this point, "impersonal self-interest" starts to sound a lot like "empathy." One's own person is engaged, yet the engagement includes a distance that quarantines, brackets, neutralizes one's selfish, egoistic, subjective self-interest. Of course, this cannot just be asserted. It must be argued. All that remains to be done is to combine congruency, shift in perspective, and impersonal self-interest into a definition of empathy. The result must then be applied in the context of altruism.

Fall Back to the Possibility of Altruism – Forward through Empathy

This goes beyond anything that Nagel explicitly says and requires "reading between the lines," amplifying and interpreting what he says, possibly against Nagel himself. Simply stated, the congruency of which Nagel speaks corresponds to the receptivity in which the other person is disclosed as being in some state of affectivity – e.g., in pain, in need. This shows up as a vicarious experience, a trace affect, or emotional signal in the experience of the would-be altruist, which affect or signal is caused by the other. The vicarious feeling is a component of empathy and an example of an experience in which the other's

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

experience is made accessible. The vicarious experience is then further processed cognitively by being transformed from a first-person to a third person perspective. In the candidate case of altruism: (i) the other person is in pain; (ii) the subject gets access to this pain in a vicarious experience of pain, itself a component of empathy; (iii) a shift in perspective is applied in an (empathic) transformation in which the first-person's vicarious experience of the second-person's (other's) experience of pain is generalized as being a third-person, impersonal experience of pain, which is the cause of the first-person's experience; (iv) then based on the resulting awareness that the other is in pain, the (first-person) subject may decide to incur the additional cost of acting altruistically so as to reduce the pain in the world, the latter being the other individual's actual suffering; (v) finally, resulting in an altruistic action as one of the possibilities for a person's response to the other's distress. The first three stages are readily described as empathic receptivity, understanding, and interpretation. The next two steps in response are altruistic ones. Thus, empathy gets us from the possibility of altruisms to its implementation.

This results in a further nice point. The vicarious experience of the other's pain and the processing of it in empathic receptivity, understanding and interpretation is an essential part of what makes altruism. The decision of the altruistic individual to aid the other implies the judgment that the other's pain is for all intents and purposes to be worth more than about-to-be-incurred pain of the altruist. This, in effect, it subordinates the subjective self-interest of the ego to the experience of the other. Even in the limiting case, where the altruistic does not incur any cost in being altruistic (for whatever reason), the

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

vicarious experience of the other's pain is a cost in principle to the altruist as the subject of altruism. Even where the would-be altruist experiences empathic distress and relieves the other's suffering to reduce his own pain out of self-interest, the vicarious experience of the other's pain is a cost to the altruist that overwhelms his ego and selfishness and egoism though not his impersonal self-interest. Altruism necessarily entails an experience of suffering, but it is the vicarious experience of the suffering of the other to whom the aid is rendered that represents the motivation content in the form of the impersonal reason "reduce suffering." The empathic phase of altruism thwarts personal self-interest and occasions a further, down stream suffering, a sacrifice that the altruist makes and the costs he incurs in actually acting altruistically.

Avoiding the Morass of Moral Sentimentality

Thus, a logical space is available to establish a link between empathy and the austere ethics of duty ("deontology") based on the structure of action. This is needed to avoid sinking into the morass of moral sentiments (shame, guilt, benevolence, compassion, etc.), which are perhaps powerful motivators of moral behavior, and as such deserve investigation, but are logically dubious founders of it. In this argument, the interest of the others in the world and my own interest are in balance. It is not that the world comes ahead of my own – which, arguably, would look like utilitarianism and the greatest good of the greatest number. Although consequences are inevitably a part of the description of the altruistic situation, the determination of interest is not exclusively reducible to the consequential calculation. Rather we are looking formally and logically at the priority of one's own interest over against that of the other individuals in the world, and it does not have any more priority. But it does not necessarily have any less, for the majority of the

world would not be justified in inflicting pain on one individual even if it resulted in their greater good anymore than one individual would be justified in doing so to the majority.

This then enables Nagel in effect to say “Act so as to reduce the pain (of persons) in the world.” Depending on one’s perspective, this is a special case by way of generalization of the self-interested maxim to “act so as to reduce my own pain” along with “I am in the world with others” and “we are all persons.” In being altruistic, both my own pain and that of the other are regarded impersonally. Actions that reduce my pain remain self-interested in an obvious way – I am no longer in pain. Acts that reduce the pain of the other are just an impersonal version of my acting to reduce pain. This is sufficient to establish the possibility of altruism.

Nagel’s Incomplete Version of Empathy

The next step was not taken by Nagel who elsewhere disparages a version of empathy based on an incomplete and misleading definition.[7] Yes, I should so act. But how do I know the other is in pain? In any particular situation, altruism without empathy is like a concept without intuition. How do I know the other is in pain on this particular, objective occasion? The answer is empathy. The vicarious experience of the other’s pain and the processing of it in empathic receptivity and interpretation is an essential part of how the altruistic person comes to know of the other’s distress. This does not mean I cannot be

[7] T. Nagel. (1974). “On what it’s like to be a bat” in *The Mind’s I*, eds. D. R. Hofstadter & D. C. Dennett, New York: Bantam Books, 1981: 391f. Nagel calls for “an objective phenomenology not dependent on empathy or the imagination” (Nagel 1974: 402) but it may turn out to be inconsistent with his commitment to finite human understanding. Without empathy or the imagination, the bat’s experience becomes the *ding an sich*. In Nagel 1970 he writes: “Any justification ends finally with the rationally gratuitous presence of the emotion of sympathy; if that condition were not met, one would simply have no reason to be moral” (1970: 11). Here “sympathy” means “pity” or “compassion” or “benevolence,” rather than the possibility of communicating any possible affect or sensation, which was Hume’s initial and primary meaning of “sympathy” as documented in D. Hume (1739), *A Treatise of Human Nature*, ed. Selby-Biggs: 319.

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

wrong. It means that I can advance from the possibility of altruism to its actuality through marshalling, capturing, and organizing the evidence of interreltional receptivity through empathy.

Altruism Produces a Triple Pain

But, one may object, does this not raise the bar too high on altruism? Altruism occasions a triple pain. It now produces three episodes of pain – first the initial distress (e.g.) of the man waylaid by robbers, beaten, and left half conscious by the side of the road; second, the vicarious experience of the victim's pain as experienced by the would-be Good Samaritan; and finally the sacrifice (pain) incurred by the Samaritan in aiding the victim. Of course, if successful, altruism eliminates the initial suffering of the victim and by implication the vicarious pain in which the Good Samaritan is empathically connected to the target of altruism. This leaves altruism only with whatever pain is caused by the cost and effort incurred in aiding the victim. In contrast, empathy is left with the initial suffering, the vicarious experience of pain, and the question of what, if anything, to do about it. One possible answer is to act altruistically. But one could also simply cross the street. Thus, in answer to the objection that this analysis through the labyrinth of empathy sets the bar too high for altruism. The answer is direct. Altruism is indeed a high bar.

Of course, this invokes the parable of the Good Samaritan, who was after all a Palestinian who stopped to help a Jew who had been waylaid by robbers even when the higher social classes of the Jew's own group passed by the victim, even crossing the road to avoid him. And, yes, these groups were at odds even then, though the Romans kept them from one another's throats by thoroughly oppressing everyone without exception. The point is not

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

the debatable one whether the content of the parable is altruism or empathy, and which is more fundamental. The point is that Jesus tells this story in answer to the question, "Who is my neighbor?" This was a trick question, since you do not want to answer "Roman" or "Samaritan" (i.e., Palestinian), which would enable Jesus's political opponents to discredit him. The question "Who is my neighbor?" brings in the other as the subtext of the parable. Thus, the boundary of the community is cast very wide indeed. The neighbor is the one in need, even if it is someone towards whom you are ordinarily antipathetic. The would-be altruistic individual experiences the need of the other first-hand, through openness to the human, all-too-human suffering of the other, i.e., through empathy. This puts the other front-and-center, right where it should be, as the focal point of a constellation of community creating processes, a relational method (empathy) of accessing the experiences of others and relational ethic in the broad sense of what possibilities for action arise as one learns that the other's experiences are painful (altruism).

The High Bar of Empathic Distress

The altruistic person must get over a high bar, including overcoming empathic distress – i.e., a too intensely felt experience of the other's pain that goes beyond a vicarious experience of pain and becomes the subject's pain pure-and-simple.[8] Empathic distress can become so intense that one tries to flee from the situation rather than engaging other alternatives such as helping or going for help. Under this interpretation, instead of just being hard-hearted (which remains a possibility in principle), empathic distress is what happened to the first two would-be helpers who passed by the victim, crossing the road

[8] Martin L. Hoffman, (2000), *Empathy and Moral Development: Implications for Caring and Justice*. Cambridge, UK: Cambridge University Press: 30-36. Hoffman does a nice job with empathic distress.

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

due to this empathic distress in order to put distance between themselves and the source of suffering.

Going forward, empathy will contain an irreducibly ethical dimension, even if empathy in the proper sense of the word as a method of access to the experiences of others gets buried over by an ethics of care that mistakes the method of empathic access for benevolence or caring (compassionate) behavior.[9] Here "ethical" is not used in the superficial sense of approving or disapproving, judging and evaluating, but as function constituting the integrity of a community of common travelers.

Empathy versus Altruism in Slote's Ethics of Caring

Michael Slote (2007) does a nice job of distinguishing empathy as a method of accessing the experiences of other from specific emotions such as compassion, pity, love, etc. However, Slote then confuses empathy with altruism: "A person who is fully empathic with and concerned about others will sometimes give up something that she wants in order to help another person gain something good" (Slote, 2007: 116). In this context, Slote is eager to point out that this is not irrational. Indeed it is not. Only if "rationality" is mistaken for one's own self-interest, whether long or short term, does it become impossible (hard) to help others. Something = x is above and beyond the call of duty. This sounds like altruism because that is what it is. Slote believes that empathy perhaps requires a person to do something. In general, when on the basis of empathy a person does something to help, the helping shows up as a form of altruism. The impartiality of empathy gives way to altruism, which is mostly impartial, but may be partial too.

[9] Michael Slote. (2007). *The Ethics of Care and Empathy*. London: Routledge.

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

Much is made of the short circuiting of action in and by empathy. This is due to the uses of empathy in therapy, counseling, and psychoanalysis. In such situations, it would be counterproductive, if not harmful, for the therapist actively to intervene altruistically in the analysand's life with specific maxims and advice about what to do. Empathy is not a motive for action, though it can surely clarify the context of action or provide insight into both reasons and causes. If I grasp aspects of the other and his situation through empathy, then I may discover reasons that I did not know were relevant or engaged by his character or his character in a particular situation. All this being granted, if empathy were to be engaged, then it would be implemented as a form of altruism.

Altruism Defined in Minimalist Terms

There is some advantage is defining altruism in minimalist terms as any behavior that benefits another individual pure-and-simple. The risk of such an approach is that many types of behavior where the interests of oneself and other happen to converge are mis-described as altruistic. For example, paying one's taxes accurately and not padding one's expense benefit both oneself and other and yet are hardly altruistic. These actually cost the individual something and, in that sense, requires sacrifice. Different considerations apply when behind the wheel of a car or at a picnic, in calling attention to the fact that another driver's brake lights are burned out or that there is a bee on your hot dog, respectively. The other person benefits at no cost to oneself. Many of the routine sacrifices that parents make for their children are done willingly and with a sense of affection, especially when the off-spring are of a tender age. Yet if these actions – providing nourishment, emotional attention, shelter – were not performed or only

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

performed intermittently, the care-taker would be held morally negligent and blamed. Even if the late night feedings and vigils by the bedside of a sick child were *not* done willingly, they would not obviously be considered altruistic. Of course, there is a point at which sacrifice for those towards whom one is partial goes "above and beyond the call of duty." The drowning family represents such a point of parental sacrifice above and beyond the call of duty; but other cases are less clear.

The Bar is Higher in the Case of Partialism for Altruism

The initial situation is that of the mother (care-taker) sacrificing herself for the new born. This is not altruism in the strict sense since humans supposedly have a predisposition to care for their young and fortunately that is mostly the case. Yet parenting does require sacrifice. Feeding at inconvenient times. Doing without in order that the neonate may benefit. This requires all the sacrifice of altruism without any of the applause or credit. Parents are unsung heroes. We do acknowledge the sacrifice of parents without speaking of it as altruistic, since if they did not perform they would be morally culpable and negligent. Parents have a natural obligation to care for their children,; and fortunately this is also accompanied (in most cases) by a natural inclination to do so. And unlike charitable donations that may be skipped on a given occasion, parents who do not provide sufficiently regular meals are negligent. It is the "sufficiently" that is the delicate point here. It is the point at which one rises "above and beyond the call of duty" that is at stake. Just as one cannot say on any given occasion whether or not a charitable donation is required, just that some donation is proper, likewise a parent who falls down on the job and misses dinner is not immediately brought before the state court to lose his parental rights. Yet the bar is higher in the case of parenting than in the case of altruism.

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

Because the interests of the child and the parent are so congruent, parental altruism is one of those virtues that is preeminently its own reward, not widely recognized and easily called into question. All parents express interest in the success of their children. Most parents work and sacrifice to cause such success – from learning to walk and talk at an early age up to and including getting a scholarship to a prestigious college – parents are results oriented and are happy to share the success with the neighbors. However, once again there is no good deed that cannot be redescribed as self-interested in the narrow and selfish sense. The wholesome pride of the success of the parents is easily represented as bragging rights and a financial contribution to one's senior citizen health insurance or elder care. While few affluent people in the developed world expect the latter, it is a commonplace that healthy, successful children are the retirement plan for the much of the developing and under-developed worlds.

Thus, the example of the parents who sacrifice their own lives so that their daughter might live – is not as simple as it might seem. It will have occurred to the reader that parents have obligations to their children. That is especially so if the children are of a tender age that mandates self-sacrifice, granted that such sacrifice falls short of the tough decision that the drowning family had to make (and in which the parents succeed in pushing the child to safety with an effort that cost them their own lives). In particular, the obligation to care for the child (or children) in a network of physical and psychological needs extends from nourishment, shelter, interpersonal stimulation (companionship) all the way to play, emotional responsiveness, and developing social competences in

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

education and work appropriate to a growing person. It resembles a Maslowian hierarchy of needs except that all the needs occur simultaneously and, if the child is an infant, are presented as a chronic emergency, urgently requiring attention at 3 AM in the morning.

Empathy Discloses the Other's Pain – not What Should be Done about it

A useful intuition is available here. What would count as altruism if an individual were performing the action for a stranger – feeding a hungry homeless person – falls back to and becomes empathy in revealing one's natural inclinations when the individual is doing it for someone to whom the individual is partial, such as a dependent member of one's own family, a child of tender age. In so far as I experience the hunger of the other person as a vicarious experience of hunger (and grasp that it is the other who is hungry, not me) –- then the response (in either instance) is based in empathy. It should be noted that empathy refers to the communicability of affect (emotions or sensations) as caused by an other, not some specific feeling or sensation such as love or compassion or feeling hungry or feeling cold. In so far as the sacrifice and effort and cost to my self-interest represent a sacrifice on my part - whether that of the homeless person or of my twelve week old daughter – then response is an altruistic one. In the first case, the vicarious experience is hidden by the predominantly altruistic features of the interaction. In the second case, the self-sacrifice is hidden by the predominantly empathic features of the interaction. In the extreme case of the drowning family, it is shown that in the limit it is hard to distinguish the two.

The other-directedness of the minimal definition of altruism as behavior that benefits another individual pure-and-simple is part of the foundation for an entire ethics of

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

otherness. We are engaging with one such approach in Michael Slote's ethics of care.[10] It is important to note that here "care" is understood as attending to the needs of the other individual in the way that mothers (care-takers) attend to the needs of their children. Thus, in the one case, Nagel's *The Possibility of Altruism*, we shall find insufficient empathy where it might be expected; and, in the other case, Slote's *Ethics of Caring and Empathy* (2007), we shall find an excess of empathy – or more accurately an emotional phenomenon related to empathy, but different than empathy – where it is not required.

Altruism allows one individual to act for the benefit of another even if the other is not in immediate pain or afflicted with the prospect of suffering over the long term. The example of pain is just meant to exemplify the logic. For example, one may make a financial donation to set up a scholarship for students who would not otherwise be able to afford a college education. Of course, this may avoid the pain of having to earn a living as a worker of lower standing than one with a college education. One of the few statistics that hold up regarding higher education is that over a life-time a college graduate will earn a million dollars more with a degree.[11] This is potentially a source of both pleasure and an avoidance of pain since it affords access to material goods, better health care, and education for one's own children.

In the context of the discussion of Nagel's *The Possibility of Altruism*, the distinction was made between "impersonal" and "impartial." As noted above, "impersonal" was distinguished from "personal" as a first- form a third-person perspective. The impartial is

[10] Michael Slote. (2007). *The Ethics of Care and Empathy*, London: Routledge, 2007.
[11] http://www.uwrf.edu/admissions/Degree_to_Income.pdf

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

a further distinction within the "impersonal," contrasting the second-person with the third-person. "Partiality" is applied to family and friends, those to whom I say "you" or "thou," using an older idiom. An approach to ethics called "partialism" literally makes a virtue of the tendency people have to be partial to those who are "near and dear" to them. Spouses and children are "near and dear" in such a way as to create responsibilities towards them in a situation of limited resources. The responsibility to care for them, prefer their well being to the well being of those who are less familiar either overrides or at least conflicts with imperfect duties a person may have to help those who (say) are starving in a distant (or even near) land.

The (rule) utilitarian is supposed to have a difficulty accounting for the intuition that a person gives preferential treatment to his own spouse, other things being equal, in rendering aid and assistance in comparison with others who may be equally needy. The others in need are not less worthy of aid and assistance merely due to a relationship of distance or related. Bernard Williams writes of the example of the individual who has "one thought too many" in acting to save his wife who is drowning ahead of some other, anonymous swimmer in distress. It is "one thought too many" and an instance of the Kantian kind of scrupulousness that stops and undertakes a moral inquiry before deciding "Yes, it is okay to save my wife." It is a poor reflection on the would-be rescuer's relationship with his wife and presumably his integrity as a spouse. The wife would surely be dismayed to learn subsequently of her husband's considerations.[12]

[12] Bernard Williams. (1981). "Persons, Character, and Morality" in *Moral Luck*, Cambridge: Cambridge University Press, 1981.

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

This is a rich example that has implications above and beyond those immediately relevant to Williams' own argument. These will be explored here. Let us consider the matter is two phases. The first phase without introducing empathy and based only on ethical considerations. The second phase, introducing empathy to see what a difference it makes. If you are the spouse of Captain Smith who was on the bridge of the *Titanic* when it hit the iceberg, you are in for a rough time. It is at best morally permissible and in no way worthy of merit that he says to the first mate, "Pssst, get my wife into one of the first life boats." Any partiality in favor of his wife is not to his credit, though he might neutrally allow the crew to take care of her, suspecting they might exercise a permissible partiality. His duty calls for him to be at his station on the bridge and be the last man off the sinking ship, which we know will not happen, since there are not enough life boats. From a consequentialist (utilitarian) perspective, this is also a most beneficial rule, since otherwise crews of sinking ships might opportunistically abandon their stations to the wide spread determinant of passengers and the overall safety of sea travel. From a deontological perspective, it is likewise arguably the duty attached to his role. The moral conflict is between his duty as a husband, which is one-to-one, and his duty as the captain of the ship, which is one-to-many. In this case, the latter has priority.

Empathy Works Across Deontology, Partialism, Utilitarianism

The introduction of empathy as a method of accessing the feelings – in this case, the fear and suffering of others – reinforces the deontological approach at least as much as a partialist or utilitarian one. The Captain may well be over-whelmed with grief and loss at the prospect of his wife being one of the victims of the sinking. If he had a place in a lifeboat to give her, he might be justified in doing so, though he would not be justified in

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

displacing another innocent passenger in order to give her a place. But he does not have such a place. But sadness at the prospect of her death is completely different than a vicarious experience of his wife's suffering that is made accessible through his empathy. The Captain would not have the time or attention to monitor his empathic awareness of the vicarious experiences of his passengers, including his wife. But if he did, then her suffering would have no priority over that of the many other passengers whose uncertainty and fear would surely rise to the level of empathic distress for anyone seriously trying to monitor it. The utilitarian will have an advantage here in that the aggregation of the suffering will tend to negate any preferential treatment and, in this case, that is properly so. The duty-oriented ("deontological") analysis will note that her suffering, as revealed in empathy, will have more weight with the Captain than the equally intense suffering of any other passenger, because the Captain has an additional obligation to "hold and protect" her based on his marriage agreement. But the marriage contract actually has no standing to determine his behavior once it is clear the situation is sufficiently dire. There is no moral merit within reach; the best he can hope for is moral ambiguity – the spouse escapes through good future, helped along by the first mate. The "one thought too many" occurs because the intuitions of many suggest that most people would just go ahead and save the spouse (if it could be done at all without throwing someone else out of a lifeboat). Such an intuition is not a moral one in the sense that it points towards what has moral worth. It is indeed about morality, but only as to what is permissible.

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

Some thinkers take issue with the utilitarian argument that people ought to give most of their worldly goods above the level of modest poverty to Oxfam, allowing those who are "near and dear," members of the immediate family such as spouse and children to make do with significantly less than they currently have. The argument is that a person's empathy is much greater – has significantly more impact – in the case of spouse and children than in the case of strangers, whether the strangers are near or far.

Empathy Begins with those Near-and-Dear; but not all empathy Arises from them

Some thinkers maintain that it is empathy that provides the basis for preferring members of one's family – those near and dear – to perfect strangers as the recipients of aid and assistance. Unfortunately, while our experience with family may be greater, our empathy is not or at least not necessarily so. The matter is much more of a mixed bag than many allow.

To paraphrase a famous statement, just because all empathy beings in the family does not mean that it all arises from the family. There is nothing intrinsically more empathic about being members of the same family than being complete strangers. Being family members gives one more experience together, including empathic ones, and, in that sense, may provide more history, context, and material that can be processed empathically. But after a certain point, patterns from history come to dominate the relationship and experience indicates that these patterns actually interfere with empathy. This is why psychoanalysts and therapists of all kinds are cautioned against trying to treat members of their own family. They cannot be empathic with them starting from a condition of neutrality. Of

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

course, a perfect stranger cannot be empathic on day one either. He or she must talk to the person, interact with the individual about what is the issue, and allow the empathic process to be engaged. If given a level playing field and a minimum amount of time to interact with a perfect stranger to the extent that one can get to know the person, then emotional entanglement prevents empathizing with those who are near and dear to the degree that does not necessarily occur when we empathize with others who are less near and dear.

Of course, the care-taker provides an empathic milieu in understanding the needs of the neonate. However, it is precisely the lack of language on the part of the baby that necessitates the use of empathy as an important method to access the experiences and emotions of the infant. The empathy used by the care-taker to access the experiences of the infant enables the care-taker to take better care. In that sense, empathy enables care. Empathy lays down a history of experiences between care-taker and the growing infant. Since the infant cannot say “Hungry!” or “Cold!” or “Wet!” or “Ouch!” the care-taker has to rely on a combination of methods, including inference and experience, but also those based in empathy to communicate and literally take care.

We must not forget that empathy is a method that is deployed when we cannot make sense out of a situation. If it is clear that the infant is hungry – it has been four hours since the last meal – then empathy is of limited use. It is when it is not clear whether the infant is hungry or wet or cold or stuck by an open safety pin, that attention to the quality

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

of the cry can make a difference. That's the hungry cry or wet cry or cold cry that is disclosed by the care-taker's empathic receptivity.

What creates the obligation to one's spouse is the agreement that creates the marriage – the vows. Spouses have additional rights and responsibilities to one another based on the marriage contract. This is in contrast to what creates an obligation to one's children - the natural right that helpless infants have to be cared for by those who bring them into the world or, failing action on the part of the parents, by the community itself.

The obligation to care, to provide three meals a day (or more in the case of an infant), to provide shelter, to provide emotional warmth and responsiveness, is a responsibility of being a parent, not a function of gender. Outside of traditional societies where gender is destiny due to the struggle for survival that oppresses all individuals, caring or not caring is a matter of facticity, not fact. It is a matter of roles imposed by the everyday unthinking going with the drift of conforming to possibilities defined by the forms of behavior we unthinking acquire from our parents.

Empathy not Emotional Entanglement

Another way to approach the matter is to assert that Slote confuses emotional entanglement with empathy. It is precisely because of a person's emotional entanglement with spouse and children – a long history of exaggerated successes and exaggerated disappointments – that is so challenging a matter to empathize with one's near and dear. Being near and dear is significantly different than being empathic.

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

Slote does a good job of distinguishing empathy as a method of accessing the experiences of other from specific emotions such as compassion, pity, love, etc. But he then confuses empathy with altruism: "A person who is fully empathic with and concerned about others will sometimes give up something that she wants in order to help another person gain something good" (Slote, 2007: 116). In this context, Slote is eager to point out that this is not irrational. Indeed it is not. Only if "rationality" is mistaken for one's own self-interest, whether long or short term, does it become impossible (hard) to help others.

It is above and beyond the call of duty. This sounds like altruism because that is what it is. Slote is led astray by thinking that empathy requires a person to do something. In general, when on the basis of empathy a person does something to help, the helping shows up as a form of altruism. The impartiality of empathy gives way to altruism. Thus Slote:

> The criterion offered earlier in terms of empathic caring was a moral criterion, a criterion of moral permissibility, and when I spoke of supererogation, I was again speaking in specifically moral terms. In that sense, too, the empathically caring individual can be characterized as possessing (a) moral virtue, and I think it is fair to say that the present book has been primarily interested in the moral aspect of the ethics of care (Slote 2007: 118).

However, empathy does not require that one do anything than listen empathically and talk empathically in response. Indeed a quiet, rich empathic silence is often sufficient. If one decides to take action on the basis of empathy, then the action may be altruistic if the

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

beneficiary (the person helped) is a stranger or the action may be caring (in Slote's sense) if the beneficiary is someone "near and dear," who one is obligated to attend to in any case. Thus, it is important to distinguish directly helping others by caring for their needs at mealtime or bruised knees etc. and empathizing with the other in such a way to allow the other to regain their emotional equilibrium when it has been lost or upset. As noted above, It is useful rule of thumb that altruism ministers to one's physical needs whereas empathy minister's to a person's emotional well being. Thus, if one is preverbal, empathic play between care-taker and neonate; and if one is verbal, empathic listening and a responsive empathic understanding. Of course, "rule of thumb" is the key term here because empathic play with a neonate is also a form of caring.

Empathy is Impartial, though Applicable in Partialist Milieus

Even if only imperfectly developed, empathy is more impartial and neutral than Slote maintains. He requires the partiality of empathy in order to account for our preference of near and dear family members and friends over and against perfect strangers who are suffering. But empathy will not get him (or us) there. One alternative way to get there is to develop strength of character and certain forms of integrity. This is what would enable an affluent middle class family (say) to send a thousand dollars to a reputable, effective charity of their choice at home or abroad and exchange fewer (or no) superfluous, useless gifts ("trinkets") at Christmas.

Empathy is Available to the Bad Guys

Like any powerful method and interpersonal technology, empathy can be used for good as well as harm. In invading Poland and the Netherlands in 1939 and 1940, the Nazis attached sirens to the Stuka dive bombers creating an uncanny noise that seemed to get

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

inside the heads and hearts of the civilian population causing empathic distress. Although it may sound strange to say it, especially after reading Slote, this was based on the Nazi empathy with their victims. Likewise, the web of lies with which the intended victims of the gas chambers were deported, greeted, and executed were based on a sensitivity and access to the experience of the intended victims that makes the deeds all the more chilling and execrable. Second only to this web of lies were the self-deceptions, linguistic contortions, and bureaucratic distantiation with which the Nazis had to surround the entire process

First the victims were told they were being relocated. Then they were told they were being relocated to work. Then they were greeted with slogans such as "*Arbeit Macht Frei*" ["Work Makes One Free"]. Then they were told it was time to take a shower. Then they gassed. The brevity of this account is in no way intended to dishonor the many who suffered innocently and whose memory should be cherished at all times. The brevity is intended to highlight the exquisite empathy with which the barbarians prepared for the demise of the victims.

Likewise, the attendance of doctors at sessions in which subjects are being interrogated, not restricted to Nazi atrocities, is done out of empathy, though not out of caring, for the individual being interrogated. "If the subject dies, you are doing it wrong" is said of the methods of interrogation, which are clearly not caring. On the contrary, they are violent, humiliating, and designed to get inside the person in such a way that he (or she) cannot live with himself even after the pain ends. The empathic torturer, which is a combination

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

of words that starts to seem both tragic and diabolical, creates agony in such a way that even after the agony and the screams of agony are finished, the victim cannot put her- or himself back together. That empathy discloses a kernel of otherness in the other that is eminently worthy of respect – and, in that sense, has a moral core – is quite consistent with an individual misusing the empathy to control, dominate, manipulate, the other as victim.

For example, in the climatic torture scene in George Orwell's *1984*, Winston is credibly threatened with having rats eat his face – shades of Freud's *Ratman* here – and he spontaneously invents the possibility that he should be spared and O'Brien (the torturer) should do that to the woman Winston loves, Julia, instead of to him. In his mental flight into survival, Winston invents this idea spontaneously. The confession is accepted and he eventually returns to life in the negative fantasy of the future. Whereas before Winston (and the reader) enjoyed an island of emotional wholeness amidst the desolation of life where Big Brother was always watching, the alien other invaded the island and broken it up. Big Brother got inside his head. The integrity is gone. Even though the betrayal occurred under the most extreme duress – and it should never be represented ay other way nor should those who confess be blamed in any way – something dear was lost. Even after much therapy and many reconstitutive experiences and emotionally corrective interactions – something that cannot happen to Winston or Julia but could occur for a victim of a Greek, Russian, or Iranian dictatorship – something like the integrity of oneself will still have been lost. A long recovery is contemplated (and should be undertaken).

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

The evidence gathered by Hannah Arendt in *Eichmann in Jerusalem*, support the conclusion that Himmler used empathy in order to take good care of his men, Nazi soldiers. I hasten to add that Arendt does not use the word "empathy," and makes reference to a mechanism that underlies empathy and to which empathy is not reducible.

Grasping this material requires putting one's thoughts and sensibility in a place that they usually do not go. In the early days of the war and prior to the automation of killing in the death factories such as Auschwitz, it was difficult to kill people for eight hour a day by shooting them. However, continuous killing is what was required of the Nazis when there are so many people to kill. That was what the so-called insertion groups [*Einsatzgruppen*] had to do. In addition, it is difficult to watch people suffering over so long a period of time, especially if you do not have enough bullets to shoot or gas them all immediately. This is a challenge for any approach to genocide, even after the intended victims have been marked with a yellow star or otherwise "branded," equated with vermin, insects, and dehumanized. On the ground people still look like humans when we confront them face-to-face or even face-to-back. The misuse of the Nazi concept of duty, which only superficially resembles a deontological one, has been often noted. It occurs again here and should never be mentioned without being challenged. Briefly, the fallacy consists in making an exception for a subset of humans, thus contradicting one's own humanity. Even formally, the good Nazi morally contradicts himself – a consistency in shooting only one or a few types of persons [don't forget gypsies, communists, and a few catholic

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

converts] – is inconsistency pure-and-simple. Arendt is worth quoting at length and notes:

> . . . The murders were not sadists or killers by nature; on the contrary, a systematic effort was made to weed out all those who derived physical pleasure from what they did. The troops of the *Einsatzgruppen* [responsible for shooting] had been drafted from the Armed S.S., a military unit with hardly more crimes in its record than any ordinary unit of the German Army, and their commanders had been chosen by [Chief Commander] Heydrich from the S.S. elite with academic degrees. Hence the problem was how to overcome not so much their conscience as the animal pity by which all normal men are affected in the presence of physical suffering. The trick used by Himmler – who apparently was rather strongly afflicted with these instinctive reasons himself – was very simple and probably very effective; it consisted in turning these instincts around, as it were, in directing them toward the self. So that instead of saying: What horrible things I did to people! the murderers would be able to say: What horrible things I had to watch in the pursuance of my duties, how heavily the task weighed upon my shoulders.[13]

While life is filled with moral ambiguities and tough ethical choices, this is not an example of one of them. What was done was wrong and to be condemned in the strongest terms. Nor is it unempathic, uncaring behavior that represents the moral problem. It is killing. Here "self" is not intended by Arendt in any technical sense, but is simply the soldier himself. What made it easier for the soldiers to do their "duty" – commit genocide – was the manipulation by the leaders to deflect the soldier's natural empathy for the prisoner and to increase the soldier's empathy for himself, deflecting the natural trajectory towards the other. The "animal pity" and "instinctive reasons" against killing creatures that look like humans are an incomplete form of empathy, based in a mechanism like emotional contagion. Himmler was afflicted with what Hoffman, quoted approvingly by Slote, describes as "empathic distress." Nor is this condition limited to

---

[13] Hannah Arendt. (1971). *Eichmann in Jerusalem*. New York: Viking Press, 1971: 105-6. See also Elaine Scarry. (1985). *The Body in Pain*. Oxford, UK: Oxford University Press: 58 where Arendt is cited.

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

killers. Recall the dentist in Buddenbrooks, who, after a difficult tooth extraction, had to sit down, wipe the sweat from his brow, and take a drink of water to relieve the stress. He experienced the pain and suffering of his patients to a nearly debilitating degree.[14] Yet if developed with a robust concept of the other, taking the point of view of others, such emotional contagion or instinctive pity towards suffering become the basis of vicarious experiences, which, in turn, are capable of supplying full blown, adult, mature empathy.

Of course, I do not wish to be flip about the moral ambiguity that existed in a high degree for those soldiers ordered to do the shooting. They often came down with psychiatric symptoms such as insomnia, loss of appetite, apathy, impotence, and disinterest in going home to the family on leave or furlough. Obviously in comparison with a bullet in the back of the head, such symptoms are a tad worse than an ingrown toe nail. Yet they were not nothing and provide evidence that much was amiss and people knew it from the inside. This is reported on extensively by Bruno Bettelheim in his essays "On Behavior in extreme Situations" anthologized in *The Informed Heart: Autonomy in a Mass Age* (New York: Free Press, 1960). These symptoms seem like a triviality in comparison with mass murder, but the point is that these individuals were common, which, of course, in no way excuses the conduct. Those who refused or found excuses were told to pack up and were sent into combat on the Eastern Front against Russia, which in 1941 was not necessarily a death sentence, but eventually become one. So choices did exist, albeit tough ones. I will not be so presumptuous to say what I would have done – no one can - though I hope it would have been the right thing, packing extra wool socks.

[14] Thomas Mann. (1901). B*uddenbrooks*, tr. H. T. Lowe-Porter. New York: Random House, 1961. .

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

Empathy can be Used for Good or Harm

One might try to turn these examples in the direction of an ethics of caring based on empathy by saying in effect, "Look at how fundamental empathy is." This is indeed accurate. What is missing from such a turning is use of empathy separately from its ethically informed application. Empathy does not always supply its own ethical application. Empathy does indeed supply the otherness of the other – simply stated, the other. It is a separate step to care for the other, say altruistically, or not care for the other. The empathy provides me access to the suffering of the other. It is a further step to take action to reduce that suffering in line with other ethical conditions and qualifications.

The point is that empathy can be used for good or for harm. I hasten to add that such uses as are detailed above in the examples of Nazis and other torturers, are not morally permissible according to any intuition or standard of which I am aware. In addition, such uses of empathy point in the direction of multiple empathic phenomena such as emotional contagion, gut reactions, and primal pity, that are *not* empathy but rely on some of the same somatic and semantic functions.

I am not saying this is a pathological instance of empathy which is otherwise a solid foundation for an ethics of caring. I am saying it is a pathological, distorted, immoral use of empathy. It is a part of the possibility of empathy to be so used and abused, though human beings with integrity and character will undertake the positive development of empathy so that the misuse does not occur or is made less likely.

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

Lest the reader dismiss these examples as mere exceptions that are not real empathy, there are a wide spectrum of uses of empathy in business, negotiations, and human interactions that show empathy to be morally ambiguous in its applications. Morally ambiguous also includes morally neutral and simply pragmatic. For example, if a person walks into a automobile showroom, the sales people who work there will assume that the person is interested in buying a car. The person is no longer just Joe off the street; he is a "buyer." The sales person will endeavor to make a sale using every legal means known to him. One of those is to apply empathy to get access to what the person buyer really wants. What the buyer can afford finally is an additional question. The individual wants to save money and buy a medium sized car with few extras; but he can afford a larger car with more extras. The buyer really wants some of those extras, though he knows he will save less for his children's college and his own retirement. The sales person will use his empathy to get a sense of the strength of the desire, the happiness of driving out of the show room in a shiny, new smelling vehicle, and the delight of the entire family in going for spin. He may use the power of suggestion – significantly different from empathy but related to it in transmitting affect back in the other direction – to create such impulses in the buyer.

The moral ambiguity occurs as the sales person makes many assumptions about what the buyer can afford. The sales person assumes that if the bank grants credit, then the person deserves credit. I am assuming the sales person helps the individual to disclose fully his other obligations. That rarely occurs. If not, then the moral ambiguity is resolved – he behaves in a way that should be condemned for a variety of reasons starting with lying

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

and extending to greed and neglect of one's obligations to family. The point is that empathy is a powerful tool in the process of selling. I hasten to add most sales persons are of a high moral character; and occasionally one will even refuse to make a sense for ethical reasons. Such examples are rare. Most of these are morally permissible without being morally required. Some are morally ambiguous; others are morally suspect. Similar considerations can be made about marketing where the intention to create needs that do not really exist is periodically exposed and denounced and made the basis of additional well-meant consumer protection laws.

From a partiality perspective, it is not empathy that justifies my helping my wife and children – it is the very fact that these children are *my* children and have a special relationship to me. Obligation coincides with natural inclination, which makes disentangling the two into a challenge. The unhappy fireman who rushes to the rescue of those in a burning building and finds that it is his own house on fire is gravely at risk of doing something stupid, especially without one moral thought too many. If he rushes into a structure consumed by flames in a probably vain attempt to save his family where he ordinarily would have followed the orders of his Fire Chief or followed standard best practices in fire fighting, then he endangers his comrades, who, in turn, will have to make a tough decision as to whether to try to rescue him. Rushing into the burning building is not "above and beyond," but "below and beneath." Duty requires that that the unfortunate man stand aside in pain and misery and let others try to rescue his loved ones (or not). He is not on a slippery slope, he is at the bottom of it.

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

Slote makes it clear that he does not advocate implementing an obligation to be empathic. First of all, that might be to require something which sets a bar too high for most people, given that we do not get training in it, and so violates the "ought implies can" injunction. That is, we cannot create an obligation against which we know in advance that we cannot successfully perform. If someone were to advocate such a view, it would create a circular argument since we cannot obligate empathy while using empathy to found our obligations by "using empathy as a moral criterion" (Slote 2007: 34).

Empathy not a Moral Criteria

In order to preserve empathy as a moral criterion, Slote has to argue against the intuition that people initially seem to have less empathy towards those who are different – different race (skin color), different religion, different gender, different diet. Of course, we are less empathic with those who are superficially different from us, though our curiosity and derivatively, empathy, can be powerfully aroused. The latter – differences in diet - is a particularly forceful example (though *not* Slote's) since those who eat a healthy diet, including large volumes of garlic, ginger, and other powerful beneficial roots and herbs over time, do tend to smell different, notwithstanding strong colognes and deodorant. Slote denies that such initial antipathy is innate or if there is such a disposition that is deeply ingrained. More likely it is dependent on social or family values (Slote 2007: 35). Each argument is different, but the result is the same. In every case, we ought to regard others with empathy. No argument there. From this it follows that we will care for them in a way consistent with their well-being. In fact, he states the matter negatively: we ought not to be unempathic from which it follows that we will not act with a lack of care for the other's well-being.

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

The result of Slote's argument is that empathy cannot explain why I am more inclined morally to prefer those who are near and dear than those who are distant, whether the latter is geographical or emotional. We do have much empathy for those who we have raised from infancy through childhood, assuming that our own empathy is reasonably robust. This is because we have more experiences of the kind that generally promote or occasion empathy with these family members. But that is also true of a wide variety of other (generally) wholesome experiences we share with family.

Empathy Overcomes Otherness

At this level empathy is a method of overcoming otherness and is aroused and challenged by whatever seems alien or foreign in other individuals. The new mother (care-taker) is thrown back on her empathy - and indeed on all her skills as a human being - in confronting the new born on the first day it is brought home from the hospital. Infancy is often described as a chronic emergency, day-and-night. And so it is. The immediate question – how to get through to this creature and figure out what it wants and needs? Granted that as a care-taker, I am a kind and generous care-taker, I am severely challenged in that at times it doesn't stop crying no matter what I try to do. Thus, occurs the first phase-appropriate examples of the failure of empathy. Sometimes one must wait while lunch is being warmed up or a clean diaper being prepared. This ability to deal with delay is the beginning of the structure needed by oneself to manage continuity and identity across a diversity of experiences. Some mothers (and care-takers) seem to be good at it from the start. Others less so. The vast majority improve with experience.

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu

Empathy is not a moral criterion. It is a method of accessing the experiences of other individuals vicariously and applying further informational processing to this experience. Empathy is that which brings what is far away near. In certain family situations where history, sedimented patterns of relating and behavior, and simple habit, present people with emotional entanglements, apathy, and even antipathy, empathy is useful in gaining distance and detachment and making what is all-too-near a tad farer away to deliver perspective and a measure of objectivity. Therefore, we should not look to empathy to explain why we are morally justified in preferring those near and dear to those less so or not at all. Empathy applies both to the near and dear as well as the remote and antipathic. That we have rich empathic experiences growing up with our parents and raising children is completely consistent with having obligations to care for those in the global village that are less fortunate and more remote.

 © Lou Agosta, Ph.D. LAgosta@UChicago.edu