



## Compassion and the Moral Law

Carl Hildebrand

University College, University of Oxford

The idea of an ethics of compassion appeals powerfully to our common sense; it seems at once noble and nurturing, and to connect with our everyday experience of the moral life. How shall I respond to the needs of my children, to a colleague who is experiencing grief, or to a refugee who is seeking asylum within my nation's borders? It would seem that responding with compassion is the right thing to do in each situation. On the face of things, we might be tempted to say this is a sufficient description of what is morally required. But what constitutes a compassionate response in each case, and what precisely is compassion? Empathetic acquiescence cannot be enough: not all of a child's needs should be satisfied, colleagues have personal boundaries they wish to be respected, and the ethical and social implications of granting asylum to any person who may seek it are complex. How is an ethics of compassion, by which I mean a moral framework that is centrally committed to the virtue of compassion, to handle the intricacies of these sorts of situations?

Some authors are skeptical about its ability to do so. In his book *The Better Angels of Our Nature*, Steven Pinker argues that emotions like sympathy and empathy – closely associated with and on some accounts constitutive of compassion – are insufficiently equipped to handle many of these complexities. He argues, for example, that sympathy can subvert human well-being when it contradicts the principle of fairness; empathy is fickle and easily switched on or off by things often irrelevant to morality such as cuteness, communal solidarity, and similarity to oneself; and a morality grounded in these feelings set one up for

emotional burnout and what he calls compassion fatigue.<sup>1</sup> In the account of empathy from his book *Zero Degrees of Empathy*, Simon Baron-Cohen has been criticized for overlooking the moral imperative to reduce the suffering of others and not cause them harm.<sup>2</sup> Terry Eagleton points out that empathy, which consists in knowledge of another's suffering and an emotional response to it, is not enough to elicit the appropriate moral response in an agent, and cases of immoral behavior like sadism even require empathy.<sup>3</sup> It seems that if an ethics of compassion is grounded in empathy alone, it is going to be incomplete.

Pinker and Eagleton are correct to think that empathy, sympathy, and simple forms of compassion are not enough to ground a robust and satisfying moral framework. However, this point does not need to be fatal for an ethics of compassion, since there are other ways an ethics of compassion may be construed. I would like to suggest that compassion embodies an ideal of character that is grounded in human dignity, or respect for persons. As such, it is not foundational for ethics in the way Baron-Cohen might think empathy is; nevertheless, it is necessary to ethics because it provides us with an ideal disposition or virtue that a moral agent must have, if she is to act rightly towards others in the world we are familiar with. Specifically, the virtue of compassion enables us to perceive the weight of the value of others and to understand something of their needs and experience so that we may effectively fulfill our duties toward them. Since its purpose is to provide the moral agent with information in this sense, the role of compassion is predominantly epistemic; as a virtue, it will therefore include an important cognitive element in addition to the more obvious affective or emotional elements that might help us to understand the pain of others.

The mention of duty brings to mind the idea of deontological or duty-based ethics and the figure of Kant as a proponent of such a duty-based moral system. It is often believed that Kant only understands emotions as passively experienced, capricious, and external to one's true self as Bernard Williams has said, and therefore more of a problem to be addressed than a means of support to be cultivated.<sup>4</sup> Philosopher of education Nel Noddings has expressed similar feelings toward Kant: she claims that he reduces the individual to a

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<sup>1</sup> Steven Pinker, *The Better Angels of Our Nature* (London: Penguin, 2011), 712-714.

<sup>2</sup> See Simon Baron-Cohen, *Zero Degrees of Empathy* (London: Penguin, 2012).

<sup>3</sup> Terry Eagleton, "Zero Degrees of Empathy: Review" in *Financial Times*, April 2011.

<sup>4</sup> Bernard Williams, *Problems of the Self* (Cambridge: Cambridge University Press, 1973), 226.

“reasoning machine” and she rejects an ethic of principles as ambiguous and unstable.<sup>5</sup> This is not a fair assessment of Kant or Kantian ethics. For Kant has much more to say about the positive role of emotion than this would indicate (and even if he did not, a Kantian ethic could make ample room for the moral value of emotion in a moral framework committed to Kantian principles). I would like to argue that the normative framework provided by Kantian ethics offers us one way to ground an ethics of compassion that avoids the problems identified by Pinker and Eagleton. My hope is that somewhere between inaccurate readings of Kant and incomplete accounts of compassion there is a middle ground on which a robust and satisfying ethics of compassion can be built. In what follows, I will sketch some very brief thoughts on what such an ethics of compassion might look like.

For Kantian ethics, the categorical imperative or moral law is understood to be the ground of right action. It has several different formulations each of which are spelled out in the *Groundwork of the Metaphysics of Morals*, including the formulas of universal law, humanity, autonomy, and the kingdom of ends. I will discuss the first two. The formula of universal law requires that an agent act in such a way that her maxim (reason for performing an action) could be a universal law of nature.<sup>6</sup> It is best to explain this with an example. Kant discusses a man who borrows money and promises to repay it without intending to do so. This man would be acting on the maxim, “when I believe myself to be in need of money I shall borrow money and promise to repay it, even though I know that this will never happen.”<sup>7</sup> This maxim could not become what Kant calls a universal law of nature because it contains a practical contradiction; the man is simultaneously willing that the lender lend him money on the condition that he pay him back and that (in reality) he does not pay him back. Another way of putting this is to say the man is willing an incoherent set of maxims. This incoherence reveals that he is making an exception of himself, since there is a difference between how he acts and how he expects others in similar circumstances to act. Intuitively, we might say he is violating a norm of equality, fairness, or justice.<sup>8</sup>

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<sup>5</sup> Nel Noddings, *Philosophy of Education 3<sup>rd</sup> Edition* (Boulder: Westview Press, 2012), 178 and *Caring: A Feminine Approach to Ethics and Moral Education* (Berkeley: University of California Press, 2013), 5.

<sup>6</sup> Immanuel Kant, *Groundwork of the Metaphysics of Morals*, 4:421.

<sup>7</sup> *Ibid.*, 4:422.

<sup>8</sup> Here I am drawing on elements of both Onora O’Neill’s and Christine Korsgaard’s interpretations of the formula for universal law; see chapter 5 of O’Neill (Nell)’s *Acting on Principle* (New York: Cambridge University Press, 1975) and chapter 3 of Korsgaard’s *Creating the Kingdom of Ends*, Cambridge: Cambridge University Press, 1996).

It is worthwhile to ask why we should care about such violations; why *not* make an exception of oneself in this way? This is getting at a similar point to Eagleton's: why should we respond to the suffering of others when we perceive it; if it doesn't affect us, why not simply carry on and ignore it? Kant's answer to these questions resides in the second formulation of the moral law. The humanity formulation requires that in one's actions one always treat humanity as an end and never as a mere means.<sup>9</sup> It adds content to the universal law formulation because it tells us what the objects of moral attention or respect ought to be, namely rational or human beings. Since in making choices we often understand our choices as good, it is natural for us to recognize the capacity for choice as an authority on what is good and to respect it.<sup>10</sup> This formulation of the moral law says that any being with even the most basic capacity for choice deserves respect. These beings have dignity and each such being equally deserves treatment that corresponds to this dignity, which is why Kant believes, for example, that making an exception of oneself in violation of principles of justice or fairness is wrong. The dignity of all persons and action towards them that corresponds with this dignity is foundational for Kantian ethics: it is a practical analog of the principle of non-contradiction in classical logic, a kind of rational intuition or "fact of reason" as he says in the *Critique of Practical Reason*.<sup>11</sup> Since Kantian ethics grounds moral action in the duty to respect the dignity of persons by treating them in a way that is fair, just, and so forth, it provides an important part of what Pinker and Eagleton point out is missing from empathy-based theories of ethics: we have a *duty* to respect other human beings independently of how we feel about them.

Naturally, we should ask whether there is room for compassion in Kantian ethics. The answer is yes. In one of his later works, the *Doctrine of Virtue*, Kant explains that self-perfection and the happiness of others are two ends or goals that follow from the moral law (he says these ends are also duties). Regarding happiness, Kant acknowledges that we are simply the kind of beings that wish for and seek happiness; he does not believe this is a bad thing and in the *Critique of Practical Reason* he describes a kind of rational self-love.<sup>12</sup> In the

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<sup>9</sup> Immanuel Kant, *Groundwork of the Metaphysics of Morals*, 4:429.

<sup>10</sup> A point made by Allan Wood in his book, *Kantian Ethics* (Cambridge: Cambridge University Press, 2008), 90-93.

<sup>11</sup> Immanuel Kant, *Critique of Practical Reason*, 5:43. For the idea of the moral law as a rational intuition see Ralph Walker, "The Rational Imperative: Kant Against Hume" in *Proceedings of the British Academy* LXXIV (1988), 113-133.

<sup>12</sup> Immanuel Kant, *Doctrine of Virtue*, 6:387 and *Critique of Practical Reason*, 5:73.

*Doctrine of Virtue*, he goes on to say that being prosperous and content, or happy, makes us better off in the moral sense because it leaves us less vulnerable to temptation.<sup>13</sup> This point is less straightforward and may or may not be correct. In any case, if we accept that happiness is important to us, we don't have to worry about whether Kant is correct on this second point. The point of greater importance is that we have a duty to further the happiness and well-being of others, in addition to our own, and this is part of what constitutes treating others as ends in themselves, or respecting their dignity. This is one very general but substantive entailment of the moral law. As such, it could help provide an objective ground for an ethics of compassion.

To fill in the subjective aspect of an ethics of compassion, as I've mentioned, we could attempt to understand compassion as a feature of moral character – how it is experienced emotionally and how it could be structured by the moral law. Kant's idea of self-perfection is helpful here. It consists in developing one's mind, body, and will as a way of both honoring one's own dignity and making it more likely that one will fulfill one's duties toward others.<sup>14</sup> In this context, Kant argues that sympathetic feeling is a duty.<sup>15</sup> He says, "while it is not in itself a duty to share the sufferings (as well as the joys) of others, it is a duty to sympathize actively in their fate; and to this end it is therefore an indirect duty to cultivate the compassionate natural feelings in us, and to make use of them [...] based on moral principles and the feelings appropriate to them. It is therefore a duty not to avoid the places where the poor who lack the most basic necessities are to be found but rather to seek them out, and not to shun sickrooms or debtors' prisons and so forth in order to avoid sharing painful feelings one may not be able to resist. For this is still one of the impulses that nature has implanted in us to do what the representation of duty alone might not accomplish."<sup>16</sup> According to Kant, the compassionate feelings that come naturally to us are to be cultivated and shaped for the purpose of helping us fulfill our duty toward others.

What is our duty toward others? To respect their dignity, both by not harming them and by actively working to alleviate their suffering and increase their well-being. The important point is not that we feel compassionate but that we act to reduce the suffering and

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<sup>13</sup> Immanuel Kant, *Doctrine of Virtue*, 6:388.

<sup>14</sup> *Ibid.*, 6:386-387.

<sup>15</sup> As it turns out, he categorizes it as a duty of love to others and a duty to contribute to their happiness but he likely has both greater goals in mind since it would seem to fulfill both of them.

<sup>16</sup> Immanuel Kant, *Doctrine of Virtue*, 6:457.

increase the happiness of others for reasons grounded in the moral law. The value of compassion is that it enables us to see and understand the suffering of others, thereby illuminating what calls for action on the basis of the moral law. For example, by spending time teaching or otherwise volunteering in the service of prison inmates or ex-offenders I might better understand the experience of inmates and ex-offenders and come to realize that there are things I can and should do to contribute to their well-being. Perhaps there are flaws in the justice system that make their reintegration into society difficult and I believe I have a duty as a citizen and fellow human being to provide support or advocate for change on this point (perhaps I am also in a position from which I can reasonably effect some change). An ability to share in the feelings of others will often help us to understand what we can do or how we ought to act toward them. Listening to another's story and putting yourself in their shoes should be a part of this. The deeper point of Kant's idea of compassion is that it provides us with knowledge of the other person and how we should respond to or act toward them. In this way, one can be a compassionate person without experiencing an abundance of emotion. Though emotion will often be an aid to compassion, for Kant, sharing in the suffering of another does not have value in itself; it only increases overall suffering in the world unless the second person takes action to ease or eliminate the suffering of the first. This seems to evince an awareness of the danger of emotional burnout and so-called compassion fatigue to morality.

In summary, compassion provides a way of humanizing the suffering of others; it enables us to see their dignity and act for their well-being. It is therefore an opportunity for transcendence in the apprehension of a world full of much more significance than we often perceive. When we understand the role of compassion alongside the moral law, we see that we have a duty toward other human beings that does not depend on our ability to empathize with them. Given the embodied and emotional beings we are, our emotions will play an important role in helping us to understand how we should act toward one another; however, if taken in isolation, they will not be enough. What I am suggesting is that the disposition of compassion be structured by the moral law, as an empirical counterpart to rational norms and an essential feature of good moral character. This proper kind of compassion would involve knowledge of the moral law and wisdom concerning how it should be applied in one's circumstances. Compassion understood this way would successfully answer the challenges from Pinker and Eagleton, maintain its appeal to common sense, remain noble

and nurturing, and allow for nuance in its support of moral decision-making across a variety of situations, whether they involve refugees, colleagues, or family members.

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