To appear in: "Psychopathy, Autism and Questions of Moral Agency" in C. D. Herrera & A. Perry (Ed.), *Ethics and Neurodiversity*, Cambridge Scholars Publishing, 2013, pp. 238-59.

Psychopathy, Autism and Questions of Moral Agency

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1. Introduction

In recent years, psychopaths have been of special interest to moral philosophers. Psychopaths are famously amoral, so some theorists have thought that an examination of their peculiar deficiencies might shed light on the capacities that are required for moral agency. More specifically, theorists have looked to empirical findings about psychopaths to help determine whether moral agency is underwritten by reason, or by affective sentiments [1]. With respect to the latter possibility, empathy is often taken as the primary focus, something that isn't all that surprising in light of the commonsense appeal of the idea that empathy matters a great deal to morality [2]. Given that one of psychopaths' most glaring deficits is a lack of empathy, they seem perfectly suited as a test case for the hypothesis that empathy is necessary for moral agency.

However, psychopaths are not the only group of philosophical interest when it comes to empathy: people with autism also lack empathy, so it is reasonable to think that any empirically-informed attempt to answer the question of whether empathy is necessary for moral agency should give due attention to findings from autism as well as from psychopathy. Jeanette Kennett's thought-provoking paper, 'Autism, Empathy and Moral Agency' [3], which analyses the respective moral statuses of psychopaths and autistic people, is the first and arguably the most notable example of such an attempt. As such, this paper will take Kennett's paper as its focus in an effort to further elucidate the role of empathy in moral agency.

In brief, Kennett's argument runs as follows: She begins with the claim that psychopaths are amoral, and that a common and plausible explanation as to why this is so is that psychopaths lack empathy. However, autistics, like psychopaths, lack empathy, yet, unlike psychopaths, they are not amoral. As such, a lack of empathy cannot explain psychopaths' amoralism. In order to account for the differing moral statuses of the groups, Kennett argues that autistic people possess a certain 'reverence for reason' that enables them to become capable moral agents. Psychopaths lack this rational capacity, and it is this defect, not the empathic one, that explains why they are amoral. Kennett therefore concludes that empathy is not necessary for moral agency. Rather, she holds that 'reverence for reason' is sufficient.

In this paper, I argue that Kennett's argument is untenable. First, I review the empirical evidence in order to demonstrate that there is a component of empathy called affective empathy that is impaired in psychopaths but largely preserved in autistics. As such, the claim that psychopaths and autistics share a common lack of empathy is unjustified. Second, I challenge Kennett's claim that empathy plays no role in explaining the moral difference between psychopaths and autistics. Instead, I contend that the intact affective empathy of autistic people is a crucial component of their capacity to act out of reverence for reason.

2. Background

2.1 The traditional form of the debate: Hume versus Kant

Kennett's argument is best understood in the context of the long-running debate between sentimentalists and rationalists. In this debate, "the relation between reason, emotion, moral judgment, and behavior is an old and contested one, with paradigm and opposing positions associated with Hume on one side and Kant on the other" [4]. According to Hume (and proponents of sentimentalism in general), "sympathy alone can be the foundation of morals" [5]: that is, that to be a moral agent is to possess the capacity for sympathy (where sympathy corresponds to what we currently call 'empathy'). Conversely, for Kant (and rationalists in general), to be moral is just the same as being rational. Kant argued that the requirements of morality are based upon a supreme rational principle known as the categorical imperative [6]. To qualify as a moral agent is to obey the categorical imperative, which, in its first formulation, is to "act only in accordance with that maxim through which you can at the same time will that it become a universal law" [7]. In other words, agents must act for reasons of a type that they would regard as valid for anyone else in similar circumstances. Agents are capable of acting in accordance with the categorical imperative only insofar as they are rational, because the categorical imperative itself is derived from reason.

Historically, these two approaches have been seen as being mutually exclusive, even though the nuances of Hume and Kant's arguments do not lend themselves to such an extreme division. Each side has fought to locate the key to morality wholly in either the affective (Humean) or rational (Kantian) domain, and Kennett is following this all-or-nothing tradition when she pushes empathy aside so as to point the finger all the more strongly at "reverence for reason – or duty – [as] the core moral motive" [8], eschewing Hume's story of what is required for moral agency in favor of Kant's. In what follows, I argue that this approach is misconceived, for two reasons. First, such a move inaccurately reflects the empirical evidence regarding the empathic capacities of psychopaths and autistics. Second, it unfairly rules out the plausible possibility that empathy holds an important role within a Kantian account of moral agency. However, before I spell out these arguments it will be useful to outline the nature of psychopathy and autism.

2.2 The nature of psychopathy

First, it must be made clear that neither Kennett nor myself is concerned with the psychopath as he exists in popular imagination. Instead, our focus is restricted to the clinically defined psychopath. The *Psychopathy Checklist*

Revised (PCL-R), developed by Robert Hare, is the prevailing diagnostic tool used today [9]. Factor analysis of the checklist reveals two different types of symptoms that are fundamental to psychopathy. The first constellation of symptoms identified by the checklist is emotional/interpersonal. Psychopaths are glib, superficial, and egocentric and have a grandiose sense of self-worth. They are manipulative and fail to show remorse for their misdeeds. Psychopaths also show a notable lack of emotional depth. Perhaps their most striking feature is that they display a marked lack of empathy, failing to show any regard for the rights or feelings of others. As Hare notes,

> "Because of their inability to appreciate the feelings of others, some psychopaths are capable of behavior that normal people find horrific… They can torture and mutilate their victims with about the same sense of concern that we feel when we carve a turkey for Thanksgiving dinner" [10].

The second set of symptoms is related to social deviance. Psychopaths have poor behavioral controls and tend to commit crimes from a young age. They are impulsive, irresponsible, and have a constant need for excitement. They also tend to live parasitic lifestyles and are sexually promiscuous. Further, they are unable to set or stick to realistic goals for themselves or to consider the possible consequences of their actions, which can lead to self-destructive behavior.

2.3 The nature of autism

In 1943, Leo Kanner, the first clinician to publish accounts of autism, pinpointed the unique "aloneness" exhibited by autistic children as their cardinal abnormality [11]. This aloneness is still the most defining feature of autism; according to the current *Diagnostic and Statistical Manual of Mental Disorders* (DSM-IV), autism is characterised by a primary impairment of social interaction [12]. Autistic individuals have great difficulty engaging with others largely because of their deficient understanding of the mental states (emotions, beliefs, intentions) of others, a difficulty that is often described in terms of a lack of empathy. Uta Frith, an authority on autism, writes,

> "Autistic people are noted for their indifference to other people's distress, their inability to offer comfort, even to receive comfort themselves. What empathy requires is the ability to know what another person thinks or feels despite the fact that this is different from one's own mental state at the time… Empathy presupposes a recognition of different mental states. It also presupposes that one goes beyond that recognition of difference to adopt the other person's frame of mind with all the consequences of emotional reactions. Even able autistic people seem to have great difficulty achieving empathy in this sense" [13].

Autistic people also have trouble expressing emotion, display impaired language development and have trouble using and understanding nonverbal gestures. Further, they tend not to engage in make-believe play, and often display rigid patterns of behavior, which may include repetitive movements or utterances and obsessive preoccupation with narrow topics of interest [14]. The spectrum of autistic disorders ranges widely from very severe cases, which often feature mental retardation and language impairment, to mild or "high-functioning" forms [15]. Kennett limits the scope of her focus to high-functioning autistic individuals, so in this paper I will do the same.

3. A questionable common lack of empathy

Now that we are familiar with the nature of psychopathy and autism, we are in a better position to understand why Kennett claims that both groups share a common lack of empathy. From the descriptions given above, it is clear that a lack of empathy is a defining feature of both psychopathy and autism. However, it is less clear that we are really talking about the same thing when we speak of empathy in each case. When Hare describes psychopaths' lack of empathy, he is speaking of "an inability to appreciate the feelings of others" [16]. On the other hand, Frith's description of the lack of empathy in autism focuses on autistics' inability to adopt other people's mental states, which seems to be a different type of 'lack' altogether. Perhaps, then, a closer look at precisely what is meant by 'empathy' in the current literature will help us sort out this apparent mismatch.

3.1 Defining empathy

It is often claimed that our present understanding of empathy derives from Hume's concept of sympathy. Hume thought that sympathy – the capacity to receive and respond to the sentiments of others – was a sentiment available to and experienced by all people, albeit in varying degrees. A generally accepted modern definition says that empathy refers to the emotional or affective reaction of a given subject in response to the expressive behavior of others [17]. However, empathy is a notoriously tricky concept, the study of which has often been attended by definitional disagreement. As Nancy Eisenberg and Janet Strayer write, "the notion of empathy is, and always has been, a broad, somewhat slippery concept" [18]. With this in mind, it's not surprising that not all definitions of empathy in the literature are compatible.

Some researchers emphasise that empathy is a cognitive process, whereas others take it to be a primarily affective process. Cognitive empathy may be thought of as the ability to adopt another's perspective and to infer or imagine her thoughts, feelings or intentions. It is often referred to as "mentalizing" or "simulation"[19]. On the other hand, affective empathy is the experience of an emotional response upon perceiving another's emotion or attending to her situation [20]. The emotional response need not be an exact match with what the target person is experiencing, but it does need to be congruent with, or appropriate to, the other person's emotional state or situation. For example, take the

feeling of compassion I experience when I see my friend, whose pet dog has just died, crying. Though my emotional response is not identical to my friend's feeling of sadness, it is an appropriate reaction to her emotional situation. In recent years, researchers have distinguished between several different aspects of the emotional reaction to another person. One such aspect is emotional contagion, which is the vicarious experiencing of an emotion in response to a similar emotion in someone else. An example of emotional contagion is to feel distress (experienced as physiological arousal) in response to distress in others. Another form affective empathy can take is sympathy, which is the capacity to experience concern or compassion in response to another's emotion or situation [21].

One way to reconcile the seemingly incompatible definitions of empathy is to adopt the increasingly popular view that empathy is a multidimensional construct that consists of *both* the cognitive *and* affective components [22]. As Baron-Cohen writes, "empathizing involves attributing mental states to others, *and* responding with appropriate affect to the other's affective state" [23]. From Kennett's description of empathy, "construed as [an] imaginative process of simulation with resulting emotional contagion" [24], it is clear that her conception of empathy incorporates both cognitive and affective elements. It should be noted that, in her definition, Kennett has explicitly identified emotional contagion as the affective component of empathy, whereas I have pointed to sympathy as another facet of affective empathy. While it could be argued that, by bringing in sympathy, I am creating merely a definitional agreement between Kennett and myself as to what comprises empathy, I do not think that this poses any problem to our current project. Even if we disregard any evidence pertaining to sympathy and focus solely on emotional contagion, it will be seen in what follows that my criticisms of Kennett's definition of empathy still carry significant weight.

3.2 Differing deficits

Thus far, we have seen that Kennett's conception of empathy lines up with a view that is broadly agreed upon in the literature insofar as she thinks that empathy consists in a cognitive *and* an affective component. However, in stating that the emotional response stems from simulation, Kennett is claiming that cognitive empathy is a necessary precursor to affective empathy. This is contentious. Although cognitive and affective empathy may sometimes interact, the presence of one need not necessarily imply the other. As such, it is reasonable to think that different types of empathy disorders are possible. For instance, an empathy disorder may arise because of an impairment of the cognitive component while yet another, distinct type of disorder could result from impaired affective empathy [25].

So, Kennett's definition of empathy fails to capture the possibility that cognitive and affective empathy are dissociable. After surveying the literature detailing the deficits involved in psychopathy and autism, Kennett seeks to find what the two groups may have in common:

> "Both psychopaths and autistic people experience outside status, and deficiencies in social understanding and in social responsiveness… both sets of literature speak of a tendency to treat other people as tools or instruments, a lack of strong emotional connectedness to others and impaired capacity for friendship, and they link these impairments to failures of empathy" [26].

At this point, Kennett does not go on to explain how the failures of empathy in psychopaths might differ from the failures of empathy displayed by autistic people, even though she implicitly acknowledges the existence of a difference in the groups' cognitive empathy capabilities when she says that "those with autism are significantly worse off than psychopaths…[who] are well able to read the intentions and predict the behavior of others"[27]. Instead, Kennett accepts the unqualified claim that both groups lack empathy. Indeed, it is important for Kennett's argument that psychopaths and autistic people share a common lack of empathy, because her aim is to pinpoint reverence for reason as the "heart of the difference"[28] between the two groups. In order for this argument to pack its intended punch, the respective empathic deficits of psychopaths and autistic individuals need to cancel each other out so that the intact rational capacity of autistic people can take center stage as the explanation for the differing moral statuses of the two groups.

However, as we have already touched on, things aren't quite so simple because there is evidence to suggest that the cognitive and affective components of empathy *are* dissociable to a certain extent. I review the evidence below and argue that it contradicts Kennett's claim that autistic people and psychopaths share a common lack of empathy.

3.3 Impaired empathy in autistics

People with autism display difficulty with a wide range of mind reading and perspective-taking tasks, generally performing significantly worse than non-autistic control subjects. For example, Isabel Dziobek et al. assessed the cognitive empathy of autistic individuals by giving them photographs and asking them to infer the mental states of the individuals shown in the photographs [29]. The autistic group performed significantly worse than the control group on this task.

Further evidence of autistics' inability to simulate others' perspectives comes from Oliver Sacks' recount of the time he spent with Temple Grandin, a well-known high-functioning autistic. When Sacks first met Grandin, he had just completed a long trip. However, Grandin failed to perceive how tired and thirsty he was, and so did not offer him anything to drink [30]. Grandin herself says that she often feels like "an anthropologist on Mars" [31] because she finds the complex emotions of other people so bewildering.

Consider, too, the case of Jerry, another high-functioning autistic who disappeared during a family trip to California when he was fourteen. The family was spending the day at a Mexican border town when Jerry went

missing. His family searched frantically all day, eventually discovering that Jerry had walked ten miles back to their hotel. Jerry did not realise that his family would be concerned by his disappearance and so had not told anyone he was leaving [32]. Similarly, of Albert, another autistic individual, Cesaroni and Garber say, "he does not seem to be capable of, or to see the importance of, placing himself in his classmate's position to consider what they may be thinking or feeling" [33]. These are just some of many examples that demonstrate that the capacity for cognitive empathy is impaired in autistic individuals.

As we have seen, according to Kennett's definition of empathy, affective empathy is necessarily preceded by cognitive empathy. So, for Kennett, where cognitive empathy is lacking, affective empathy will also be lacking. But is this always the case? In some instances, it does appear that a failure of cognitive empathy precludes autistic people from showing affective empathy. For example, a study by Sigman et al. assessed emotional responses to parental distress in autistic children compared to normal children [34]. While playing with their children, the parents pretended to hurt themselves with the toy hammer and made facial and vocal expressions of distress. Autistic children were less likely than the other children to notice their parents' distress, which is consistent with a lack of cognitive empathy. Because of this, they subsequently failed to react emotionally. However, crucially, when the distress was salient enough for the autistic children to notice it, they did respond emotionally (and subsequently went on to display comforting behavior) just as often as the children in the other groups. The study by Dziobek et al. (discussed above) also lends support to this point. Though the autistic group struggled to infer the mental states of the individuals in the photographs, when they were given feedback about the correct answer – i.e. when the emotional information about the people in the photos was made salient – they exhibited emotional reactions in response to the pictures that were on par with (normal) responses shown by controls [35].

So, it seems that, as long as the emotional expression of others is obvious enough, autistic people display an appropriate emotional response to others. This is evidenced by Sacks' description of a conversation he had with Grandin during which he told her about a young man with Tourette's syndrome who, afflicted by violent tics, gouged out his own eyes. According to Sacks, Grandin was deeply affected by the story. Sacks writes that, when it came to "expressions of raw impulse, violence, pain, she perceived [and] reacted to them straight away" [36]. In a similar vein, Margaret Dewey says,

> "In cases where the pain and suffering of other people is spelled out clearly – as in the headline, "children are dying from hunger" – the autistic person can show as much deep concern as any other caring and sensitive person" [37].

In situations where people's emotional expressions are obvious (or brought to autistics' attention), autistic people are able to perceive them and go on to display appropriate emotional responses. This suggests that autistic people, though lacking the sophisticated cognitive empathy of non-autistic people, possess rudimentary cognitive empathy that is sometimes enough to help them discern the emotional expressions or situations of others.

Here it might be objected that, by conceding that affective empathy is dependent on cognitive empathy, I have failed to show that the two components are dissociable. However, such a claim is too strong. That there isn't a total dissociation does not mean that there is no dissociation at all. Even though the ability to show intact affective empathy does depend on cognitive empathy, it does not depend on *unimpaired* cognitive empathy. The point is that Kennett does not acknowledge that autistics' impaired cognitive empathy need not imply a corresponding impairment of affective empathy.

On the basis of the above evidence, we can conclude that, although autistics' cognitive empathy is profoundly impaired, they exhibit (relatively) intact affective empathy. Admittedly, autistic individuals are not as adept as normal subjects and do sometimes fail to show affective empathy because of a failure of cognitive empathy. However, I suggest, in keeping with (autistic) Jim Sinclair, that it is best to think of autistic people's empathic deficit in terms of "*not understanding* rather than *not caring*" [38] – that is, as an epistemic deficit. This idea is supported by Peter Hobson's observation that congenitally blind children are predisposed to autistic behavior, in that they fail to respond affectively to other people, largely because they lack visually derived information about other people's feelings and situations [39]. We will now turn to the evidence regarding psychopaths' empathic deficits. It will be seen that the deficits shown by psychopaths are strikingly different to those displayed by autistics.

3.4 Impaired empathy in psychopaths

It is widely agreed that psychopaths show a marked lack of empathy. But what exactly is meant by 'a lack of empathy' in psychopaths? Unlike autistics, psychopaths are adept at mind-reading and mental state attribution. For instance, Blair et al. conducted a study in which 25 psychopaths and 25 non-psychopathic control subjects (matched for age and IQ) were given a task of story comprehension [40]. In order to give a correct response about the characters' behavior, subjects had to correctly infer their mental states. Psychopaths performed just as well as the control subjects, demonstrating an intact ability to understand and identify others' mental states. As McGeer writes, psychopaths "have no cognitive deficit in understanding others' states of mind, including their beliefs and desires, motives and intentions, cares and concerns" [41]. Indeed, it is clear from psychopaths' manipulative behavior that they not only understand other people's mental states but that they exploit this understanding so as to take advantage of other people. So, psychopaths possess intact cognitive empathy.

However, when it comes to the capacity for affective empathy, psychopaths appear to be much worse off. Ted Bundy, a notorious serial killer and diagnosed psychopath, famously claimed, "I'm the most cold-hearted son-of-a-

bitch you'll ever meet" [42]. Psychopaths suffer from an emotional poverty that limits the range and depth of their feelings. For instance, psychopaths equate love with sexual arousal, sadness with frustration and anger with irritability [43]. Hervey Cleckley observes that deeper emotions such as "mature, wholehearted anger, true or consistent indignation, honest, solid grief, sustaining pride, deep joy and genuine despair are reactions not likely to be found within [the psychopath's] emotional scale" [44]. This idea of the emotional poverty experienced by psychopaths is captured well by a statement made by a psychopath named Jack Abbott:

> "There are emotions – a whole spectrum of them – that I know only through words… I can imagine I feel these emotions… but I don't" [45].

It is plausible that if psychopaths suffer from a broad paucity of affect – and it appears that they do – then they will be severely impaired when it comes to affective empathy. This is supported by clinical evidence that psychopaths show abnormally low physiological responses to facial and vocal distress cues in others, responding as though the cues were affectively neutral [46]. Further, when shown pictures depicting moral violations (e.g. a person attacking another person), psychopaths exhibit brain activity that differs from the responses of non-psychopathic controls [47]. When control subjects saw the morally objectionable pictures, areas of the brain that comprise the limbic system – which is often referred to as the brain's "emotional circuit" – lit up. Conversely, when psychopaths saw the morally objectionable pictures, their brains' emotional circuits were *not* engaged. Both the psychopaths and the controls correctly identified the pictures as moral violations (they successfully distinguished them from other types of pictures that were either morally ambiguous or non-moral), so psychopaths' aberrant response cannot be attributed to a mistaken interpretation of the picture's content. Rather, it suggests that the psychopaths' emotional responses (at the neurological level) to pictures of moral violations (which depicted individuals in distress) are impaired.

Another example of psychopaths' failure to experience an appropriate emotional response to another's situation comes from one of Cleckley's case studies in *The Mask of Sanity*. Pete, a 17-year-old psychopath, had a mother who was very ill. One day, visibly in pain and physically indisposed, she asked him to help her by getting some things from the shops. Pete refused; "his indifference [to her pain] struck her as extreme" [48]. It seems that Pete failed to experience any emotional response in the face of his mother's plight. Consider, too, the words of this psychopath when asked how he felt when he hurt other people:

> "Do I feel bad if I have to hurt someone? Yeah, sometimes. But mostly it's like… uh… (laughs) … how did you feel the last time you squashed a bug?" [49]

Given psychopaths' intact capacity for cognitive empathy, this psychopath would have understood the mental states of his victims – i.e. they would have been very afraid – at the time of his harming them. However, his callous remarks reveal a shocking lack of an appropriate emotional reaction in response to their fear.

Taken together, all of this leads to the conclusion that psychopaths show very different empathic deficits to those shown by autistic people. Whereas autistics demonstrate impaired cognitive empathy but retain the capacity for affective empathy, psychopaths exhibit the inverse combination: a marked impairment of affective empathy coupled with unimpaired cognitive empathy. Thus, the possibility of dissociable empathic deficiencies suggested earlier has been definitively borne out. Moreover, our examination of the respective empathic impairments displayed by psychopaths and autistics reveals Kennett's claim that the groups share a common lack of empathy to be incorrect.

That we have rejected Kennett's claim about a common lack of empathy has significant implications for the rest of her argument. As I stated earlier, Kennett wants to bring forward reverence for reason as the key to why autistic people are capable of moral agency but psychopaths are not. Differences in the empathic deficiencies and capacities of each group complicate this aim, because if such differences exist – and we have shown that they do – then it is possible that they play a role in explaining the *moral* difference between autistic people and psychopaths.

4. Reverence for reason

My aim thus far has been to point out that Kennett's argument, as it stands, is untenable. I do not deny that reverence for reason is necessary for moral agency, but I do think we have strong cause to doubt that it is sufficient, because it is underpinned by a shaky premise: that psychopaths and autistic people share a common lack of empathy. Significantly, the weakness of the premise gives us reason to doubt the claims that follow it: it is far from conclusive that empathy (or one of its elements, affective empathy) does not play an important role in explaining why autistic individuals are capable of moral agency but psychopaths are not.

In this section, I examine the evidence that Kennett puts forward in support of her claim that autistic people are capable of becoming conscientious moral agents according to a Kantian account of moral agency because they possess reverence for reason. To succeed in this task, Kennett must show that the 'reverence for reason' she is talking about maps onto the Kantian conception of reverence. However, I will try to show that Kennett does *not* convincingly establish that autistic people display the sort of reverence for reason that Kant thinks is required for moral agency. I argue that the evidence Kennett invokes to make her case that autistics possess reverence for reason is actually better invoked in support of a different (albeit related) claim: that autistic people, given their impairment of cognitive empathy, utilize their powers of reason to get the information they need in order to work out how they should behave in certain situations.

4.1. Which reverence?

For Kant, 'reverence for reason' means respect for the moral law. To have reverence for reason is to act in accordance with the moral law *for the sake of* the moral law; in other words, to act from duty [50]. To say that an agent acts from duty is to say that he acts because he thinks he is morally required to act. Only actions that are performed from duty can be said to be morally worthy. Also, for Kant 'practical reason' is the process by which an agent works out, prospectively, how he ought, morally, to act [51].

Like Kant, Kennett explicitly equates reverence for reason with duty, describing "reverence for reason – or duty – [as] the core moral motive" [52]. More specifically, she says that the preserved moral sensibility of autistics can be explained by their ability to "develop or discover moral rules and principles of conduct for themselves by reasoning" [53]. I think we can plausibly take the latter claim to mean that autistics engage in practical reasoning in order to work out the rules, or maxims, that they ought to act on. Rules are of great value to autistics because establishing and following rules is a means by which they can find their way through a confusing social landscape [54]. As a result, autistic people are highly motivated to follow rules and are concerned that others do so too. Given that moral rules are seen as a fundamental feature of Kantian ethics [55], either in the form of the categorical imperative or as rules of duty that result from subjecting one's specific maxims to the categorical imperative, it is understandable why Kennett identifies autistics' concern with rules and routines as evidence that their moral sensibilities look Kantian rather than Humean.

4.2 Evidence for reverence

Let us examine the evidence put forward by Kennett in support of the claim that autistics possess reverence for reason. Kennett begins by discussing the methodology Grandin utilizes in order to help her understand other people's behavior:

> "[Grandin] had built up a vast library of experiences over the years… they were like a library of videotapes which she could play in her mind and inspect at any time – 'videos' of how people behaved in different circumstances. She would play these over and over again and learn, by degrees, to correlate what she saw, so that she could then predict how people in similar circumstances might act" [56].

Kennett describes the methodology Grandin is using as a "cold… method that chiefly engages [her] intellect and makes no essential use of [the] capacities for emotion" [57]. It stands in direct contrast to the "hot" methodology that involves cognitive empathy, the ability to simulate other's mental states.

What we have here is a method that Grandin employs in order to get information about other people's mental states that non-autistic people are normally able to acquire via empathy. With her impairment of cognitive empathy, Grandin "has to compute others' intentions and states of mind, to try to make algorithmic, explicit, what for the rest of us is second nature" [58]. However, I think it is doubtful whether we should see Grandin's use of this process as evidence that she is acting from duty. To act from duty is to act because one feels one ought, morally, to act, yet here I think Grandin's diligence is best understood as an attempt to help make the world a little more intelligible for herself.

On the other hand, it is possible to argue that Grandin *is* acting from respect for the moral law because she thinks that it is possible to will as a universal law the maxim that one ought, morally, to act in order to maximize one's understanding of the cares and concerns of others in any given situation. Interestingly, this point has implications for the role of affective empathy within Kant's ethics, and I will explore it further below. For present purposes, however, the point is that without more information about Grandin's primary motive, we can't say for sure whether her implementation of this videotape system is an action that evinces moral worth.

Perhaps, though, Kennett does not intend us to interpret Grandin's methodology as an example of morally worthy action. It could be that she is just trying to demonstrate, by analogy, what the process of practical reasoning looks like in autistic people: that it is a logical process not dependent on empathy. Kennett draws from the experience of Jim Sinclair (an autistic person we have already encountered) to give what she takes to be an example of autistic practical reasoning:

> "I have to develop a separate translation code for every person I meet… Even if I can tell what the cues mean, I may not know what to do about them. The first time I ever realized someone needed to be touched was during an encounter with a grief-stricken, hysterically sobbing person who was in no position to respond to my questions about what I should do to help. I could certainly tell he was upset. I could even figure out there was *something* I could do that would be better than nothing. But I didn't know what that something was" [59].

To Kennett, Sinclair's realization that he ought to act in a certain way shows that he saw the other person's distress as a reason for action. She thinks that his eventual conclusion about what to do – to touch the person to provide comfort – is not informed by empathy; rather, it is dependent "on the application of a more explicit concern to do the right thing, whatever that might turn out to be" [60]. In other words, Kennett thinks Sinclair acts from duty.

First, I think we can challenge the claim that Sinclair's decision as to how he should act is not informed by empathy. Though Sinclair generally suffers impaired cognitive empathy, in this situation he *is* able to tell what the cue (crying) means (i.e. that the person is upset), which indicates that his cognitive empathy is *not* impaired in this case. Further, that he is emotionally affected by the person's distress shows intact affective empathy. (Note that this claim is

not undermined by the fact that Sinclair does not know *how* to act: to show that someone has intact affective empathy, it is sufficient to show they experience an emotional response to another person's situation.)

That aside, my main point is that it is unclear whether this example really does provide support for the claim that Sinclair possesses reverence for reason. Here, Sinclair deliberates about how he ought to act, and eventually does settle on the right course of action: touching the person. But just because Sinclair's action accords with what's right does not mean he acted from duty. To draw out this idea, let us consider some possible motives that could underlie Sinclair's behavior.

First, we could adopt the explanation that Kennett favors and say that Sinclair's motive is to do what's morally right, whatever that happens to be. In other words, Sinclair has a *de dicto* desire to do what's right. On this model, Sinclair uses his power of practical reason to work out what the right thing to do is, and then does it. By these lights, Sinclair is acting from reverence for reason, so his action is morally admirable. The second possibility is that Sinclair's primary motive is to do whatever people would typically do in that situation, perhaps in order to make social interaction run smoothly, or to fit in. This is not an implausible suggestion: many autistic people *do* have a strong desire to fit in and "pass for normal" [61]. So, suppose that Sinclair's motive is to do whatever people would normally do whenever someone cries. He eventually works out that the typical action in this sort of situation would be to comfort the crying person by touching them, so that's what he does. On this model, Sinclair does *not* have reverence for reason: instead, he is acting according to a heteronomous principle, which means that Kantians would not judge his action to be morally admirable. We could even posit a third possible motive. We might say that Sinclair, stirred by his affective response to the other person's tears, acts because he has a desire to comfort the person. Again, he deliberates as to how he ought to act in order to achieve his aim, works out that he can do so by touching the person, and then does so. On this model, though Sinclair does the right thing, he has not acted out of reverence for the moral law. In this case, Kantians would conclude that Sinclair's action has no moral worth.

I think that any of these three motives could plausibly explain Sinclair's behavior. Without more precise knowledge about Sinclair's motive(s), we cannot, contra Kennett, take his action as proof that he possesses reverence for reason unless we assume that his motive is to act from duty: in which case we would be begging the question.

So, with all of this in mind, I think that we should treat the examples Kennett invokes in support of her claim that autistic people possess reverence for reason with caution. If we take Grandin's videotape methodology as evidence of reverence for moral law, we risk conflating the process by which Grandin becomes aware of the morally salient features of a situation with the process of recognizing that those features are morally binding, unless we know for certain that her motive in utilizing that methodology is the motive of duty. Similarly, we cannot claim that Sinclair's behavior evinces reverence for the moral law without assuming that he is motivated by duty.

5. The role of affective empathy in Kantian ethics

In the preceding section, I argued that the evidence cited by Kennett does not adequately support her claim that autistic people possess the sort of reverence for reason that is sufficient for Kantian moral agency. In evaluating the evidence, we came across an interesting idea: that agents should make themselves aware of the morally relevant facts of a situation before deliberating about how they should act. Kennett's aim was to highlight the rational strategies utilized by autistic people in aid of her claim that autistic people display morally admirable reverence for reason, thereby showing that empathy is not necessary for moral agency. However, I have a different strategy in mind. In light of our earlier rejection of Kennett's claim that autistic people and psychopaths share a common lack of empathy, *and* the subsequent claim that autistic people display intact affective empathy, I think that we have found a way by which we can legitimately incorporate affective empathy into a Kantian framework. In what follows, I aim to show that it is possible to view affective empathy as an important source of information that helps agents to act out of reverence for reason. I also briefly discuss the implications of this interpretation for our assessments of the moral statuses of psychopaths and autistic people.

5.1 Kant as the enemy of the emotions?

Recall that, in the *Groundwork,* Kant emphasizes that only actions done from reverence for the moral law have moral worth. This means that actions performed from inclination – where inclination includes not only self-interested desires but also other-oriented emotions such as affective empathy – do not have moral worth, even though they are morally right insofar as they accord with the moral law.

Kant's unequivocal assertion that only actions done from duty are morally worthy has sometimes been construed as meaning that natural emotions, empathy among them, have no positive role to play whatsoever in morality (recall our earlier discussion of the assumed schism between reason and affect in the debate between Kant and Hume). However, this interpretation is mistaken. It is beyond the scope of this paper to explore the source(s) of this sort of "Kant is the enemy of the emotions" [62] reading further, but for present purposes, the point is that Kant's emphasis on duty does not mean that affective empathy cannot still retain an important role within his account of moral agency.

5.2 Affective empathy as a moral endowment

For Kant, affective empathy, all by itself, cannot ground morally worthy action. However, that's not to say that it is absent from Kantian ethics altogether. In *The Metaphysics of Morals*, Kant speaks of "moral endowments [that] lie at the basis of morality, as subjective conditions of receptiveness to the concept of duty" [63]. Of course, these

endowments are not objective conditions of morality, but because they help us in recognizing and, subsequently, acting from duty, we are morally required to cultivate them. Later in *The Metaphysics of Morals,* Kant says,

> "While it is not 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 as so many means to sympathy based on moral principles and the feeling 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" [64].

From this, it can be seen that Kant considers affective empathy – here described as the emotional response one has to others' suffering – as one of the natural endowments that we are morally required to cultivate [65]. In doing so, we increase our receptiveness to the concept of duty, thereby increasing the number of actions we perform from duty, and making ourselves into morally better agents.

5.3 Affective empathy as a source of moral understanding necessary for duty

But how precisely does affective empathy enable us to enhance our receptiveness to duty? We might view affective empathy as a source of moral understanding, or a way by which we become aware of the morally relevant features of the situation. Even Kant suggests that, at least sometimes, affective empathy may help us to become aware of the fact that we are morally bound to act; something "the representation of duty alone might not accomplish."

Barbara Herman argues that the categorical imperative cannot be an effective practical principle of judgment unless agents have some moral understanding of their prospective actions *before* they assess their maxims according to the categorical imperative procedure. As she points out, Kant's analysis of his famous examples in *The Groundwork* suggests that the need to assess one's maxim according to the categorical imperative "characteristically arises when an agent has what he takes to be a… compelling reason to act to satisfy some interest…and yet realizes that what he would do violates a known moral precept" [66]. So, agents engage in practical reasoning about how they ought to act only once they are aware that the situation they are in is one that calls for a moral judgment. For example, Kant's agent who is tempted to make a false promise in order to borrow money he needs "has enough conscience" [to ask himself] "is it not forbidden and contrary to help oneself out of need in such a way?" [67] He already knows that his proposed deceit is something that is flagged for moral review, that is, that it is morally relevant.

Though Herman does not state explicitly that affective empathy is a source of the moral understanding that we need in order to make moral judgments, she does say that

> "There is no doubt that moral principle alone cannot make you sensitive to need. If you do not see that another is in pain… you will not be an effective helping agent, however correct your principles of action might be" [68].

As we have already seen, affective empathy *is* an important way by which we recognize others' pain and distress. Helping others, an obligatory end, often requires the ability to recognize distress. Since in willing an end an agent must will the necessary means, a Kantian agent is morally bound to do whatever is in her power to recognize distress, and to develop her ability to recognize distress [69].

Note that here we have explicit support for the possibility suggested earlier: that Grandin *is* morally required to enact the "cold methodology" that helps her compute other people's mental states. By using cognitive strategies to overcome her impaired cognitive empathy, she is more likely to understand others' emotional expressions and thus more likely to display affective empathy in response to those expressions. In this way, others' cares and concerns become salient to Grandin. Once she is aware of these concerns, she is able to draw on practical reason to assess whether or not they require her, morally, to act in a particular way. This ability stands her in direct contrast to the psychopath: not only is the psychopath unmoved by the fact that morality requires him to act in certain ways, he is precluded from even becoming aware of the morally salient features that would bring this obligation to his attention because he lacks affective empathy, an important capacity that provides moral understanding that is necessary for one to become aware of one's duty. I think, in keeping with David Shoemaker, that we should see the psychopath as

> "Someone for whom the plight of others makes no emotional dent [who thus] lacks the capacity to be appropriately sensitive to and motivated by the moral reasons deriving from their plight" [70].

I propose that his explanation, though still Kantian in essence, is more convincing than the one Kennett offers because it manages to incorporate the psychopath's most striking deficit – his lack of affective empathy – into the story.

6. Conclusion

In this paper, I examined Jeanette Kennett's 'Autism, Empathy and Moral Agency'. I argued that Kennett's argument, as it stands, is untenable because it rests on a false premise: that autistic people and psychopaths share a common lack of empathy. This is because the empathic deficits of the two groups cannot be said to be equivalent: psychopaths possess intact cognitive empathy but are deficient when it comes to affective empathy, whereas autistics lack cognitive empathy but retain intact affective empathy. I went on to attempt to provide a Kantian argument for

why affective empathy is, at least sometimes, necessary for morally worthy action. It is important to note, however, that from the Kantian perspective we only have grounds to value affective empathy as a morally necessary means, not as intrinsically valuable. This means that my arguments in support of the importance of affective empathy do not imply that we ought to reject a Kantian moral framework in favor of a Humean one. But this has never been my intention. Rather, I have tried to show that Kennett's removal of empathy from her rationalist framework and her subsequent insistence that empathy does not play a role in the explanation of why autistic people are capable of moral agency but psychopaths are not has given rise to an impoverished account that does not paint a full enough picture of the respective moral sensibilities of autistic people and psychopaths.

Ultimately, it is clear that I have reached much the same conclusions as those reached by Kennett: I agree with her that autistic people are at least sometimes capable of becoming morally admirable agents, whereas psychopaths most certainly are not, because (some) autistic people – but not psychopaths – possess reverence for the moral law. However, though I agree with Kennett when she insists that an agent is capable of moral agency insofar as she is capable of the perception of a principle or reason to which she feels bound, I have criticized her for failing to appreciate that affective empathy is one way by which the agent can come to have that perception.

More broadly, in arguing for empathy's inclusion within a Kantian framework, I have aimed to show that there is room for a more nuanced approach to the debate between Kant and Hume than the traditional "reason versus empathy" view. If we are to gain anywhere near a complete understanding of the nature of moral agency, we must dispense with any sort of all-or-nothing approach that forces either reason or empathy out of the equation.

[1] See e.g. Shaun Nichols (2004), *Sentimental Rules: On the Natural Foundations of Moral Judgment* (New York: Oxford University Press); Heidi Maibom (2005), 'Moral Unreason: the Case of Psychopathy', *Mind & Language*, 20, pp. 237-57.
[2] Adina Roskies (2011), 'A Puzzle About Empathy', *Emotion Review,* 3, pp. 278-80. See also Jesse Prinz (2011), 'Is Empathy Necessary for Moral Agency?', in Amy Coplan and Peter Goldie (ed.), *Empathy: Philosophical and Psychological Perspectives* (Oxford: Oxford University Press), pp. 211-29.
[3] Jeanette Kennett (2002), 'Autism, Empathy and Moral Agency', *The Philosophical Quarterly,* 52 (208), pp. 340-57.
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[6] Immanuel Kant (1785/1997), *Groundwork of the Metaphysics of Morals*, ed. Mary Gregor (Cambridge: Cambridge University Press).
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[8] Kennett (2002), p. 355.
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[16] Hare (1999), p. 45.
[17] Mark H. Davis (1994), *Empathy: A Social Psychological Approach* (Madison: Brown & Benchmark Publishers).
[18] Nancy Eisenberg & Janet Strayer (1987), 'Critical Issues in the Study of Empathy', in Nancy Eisenberg & Janet Strayer (ed.), *Empathy and Its Development* (Cambridge: Cambridge University Press), pp. 3-13, p. 3. See also Roskies (2011) for a discussion of the conceptual confusion surrounding the term 'empathy'.
[19] Martin Hoffman (2000), *Empathy and Moral Development* (Cambridge: Cambridge University Press), p. 29.
[20] Ibid., p. 30. See also Eisenberg & Strayer (1987).
[21] See e.g. Timothy Krahn & Andrew Fenton (2009), 'Autism, Empathy and Questions of Moral Agency', *Journal for the Theory of Social Behavior,* 39 (2), pp. 145-66 and Heidi Maibom (2009), 'Feeling for Others: Empathy, Sympathy, and Morality', *Inquiry,* 52 (5), pp. 483-99.For a definition of empathy that identifies it exclusively with sympathy, see Batson et al. (1987), 'Adults' Emotional Reactions to the Distress of Others', in Nancy Eisenberg & Janet Strayer (ed.), *Empathy and Its Development* (Cambridge: Cambridge University Press), pp. 163-84.
[22] See Davis (1994); Eisenberg & Strayer (1987); Jean Decety & Philip L. Jackson (2006), 'A Social-Neuroscience Perspective on Empathy', *Current Directions in Psychological Science,* 15, pp. 54-58.
[23] Baron-Cohen (2003), cited in Krahn & Fenton (2009), p. 148.
[24] Kennett (2002), p. 345.
[25] Krahn & Fenton (2009), p. 149. Shaun Nichols' discussion of the existence of a double dissociation between what he calls the Concern Mechanism (equivalent to what we have been calling affective empathy) and perspective-taking (i.e. cognitive empathy) reinforces this point. See Nichols (2004), p. 59.
[26] Kennett (2002), pp. 348-9.
[27] Ibid., p. 349.
[28] Ibid., p. 354.

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[49] Hare (1999), p. 33.
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