



The Many Faces of Empathy

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Abstract Empathy has become a hot topic in philosophy and more generally, but its many uses haven't yet been recognized. Empathy has epistemological applications beyond its ability to put us directly in contact with the minds of others, and its role in ethics has been underestimated: it can, for example, help the present-day sentimentalist make sense of Francis Hutcheson's idea of a moral sense. Most notably, perhaps, empathy also plays an important role in speech acts that speech act theorists have completely ignored: for example, felicitous assertion and questioning both depend on the empathic conveying of emotion.

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Empathy has become a hot topic in philosophy, but empathy is a much more philosophically important than its recent advocates, myself included, have realized. During the last few decades many philosophers have come to think that empathy has an important role in moral motivation, that compassion, for example, is typically powered by empathy with someone's miserable condition. The virtues of compassion and benevolence may turn out to be best understood in relation to empathy; but this is a claim of normative ethics, and one can also hold that empathy plays a role in our concepts and judgments of right and wrong. In that case empathy is important not just to ethics but to metaethics too. It is also widely recognized that empathy helps to put us cognitively in touch with what others are feeling and does so more directly than by any form of argument or inference. This gives empathy an epistemological role outside of ethics, but I want to show you that that role has been totally underestimated. I also want to show you that empathy plays a cognitive role in moral knowledge that has never been appreciated. Empathy turns out to be the moral sense that Francis Hutcheson spoke of but never really nailed down for philosophers; and Hume, for all his deep thinking about empathy (he called it "sympathy"),

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never saw that it could be the moral sense that his mentor Hutcheson had been looking for and/or talking about. I shall explain why in what follows, but that is not the end of empathy's philosophically significant roles. We shall also and finally see that empathy is essential to speech acts in a way that speech act theorists have totally ignored.

Empathy and Epistemology

First, let me talk about a very specific epistemic role for/of empathy that the recent literature of epistemology has ignored. Epistemologists and, especially, virtue epistemologists have spoken of open-mindedness as an important epistemic virtue, as part of epistemic rationality. And some mention has been made of epistemic receptivity in this connection. A completely open-minded person has to be genuinely receptive to new ideas and to views that at least initially they disagree with. But what no one has pointed out is that such receptivity involves the empathic capacity and willingness to see things from the point of view of someone one disagrees with. However, this point, once it is made, seems fairly obvious. Let me now turn to some deeper aspects of empathy's significance for the theory of knowledge.

The kind of empathy that takes in the feelings, attitudes, etc., of others (what is sometimes called associative or receptive empathy) clearly allows us to pick up on, to recognize, what others are feeling, and to do so without any belabored form of inductive or abductive inference. Empathy is a direct way of knowing about other minds, and the literature on empathy frequently emphasizes that. (Mirror neurons are obviously relevant here.) But I think empathy has epistemic significance beyond what we have just mentioned. It also helps us learn facts about the world that as facts or realities lie beyond and are independent of the other minds we empathize with. And this fact about the epistemic value of empathy hasn't been recognized in the literature, both philosophical and otherwise, on empathy. Let me explain.

If your parents fear bears, you, as a child, can empathically pick up on or (osmotically) take in that fear and learn thereby how your parents feel about bears. But their attitude about bears is presumably based on what they have learned about the world. *And by empathically taking in their attitude toward bears, the child can acquire knowledge of how the world beyond his parents actually is, can learn and/or have reason to believe that bears are dangerous or to be feared.* Similarly, if the child feels their parents' trusting attitude toward Aunt Tilly, they can learn what their parents have already learned earlier on: that Aunt Tilly is someone they can rely on. And the same for a large variety of other cognitive cases. Therefore, empathy with others is also a way of learning about the world beyond those others that the others have, let us assume, learned about through typically non-empathic modes of learning like perception, memory, induction, abduction. This kind of empathic learning may be parasitic on the latter types, but one person's parasitism is another's second-order status. Just as memory beliefs can be second-order in relation to perceptual beliefs because they involve memories or a memory of how things perceptually seemed to us in the past, so too can empathic learning about the world be second-order or higher-order in the way it depends on empathy with other people and on what they have learned via or believe as a result of perception, memory, etc. (Also most empathy involves us in actually seeing someone, but I shall simplify by ignoring this fact in what follows.) Somehow the fact that we can learn about the world through empathizing with other people's attitudes or views about the world has escaped the attention of epistemologists.

But one shouldn't be too extreme about all this. Just as memory and perception can sometimes serve us badly, empathy can serve us badly too. If one's parents are bigots who think all Jews are out to do people dirt (or worse), then one is going to pick up an epistemic attitude that is far from justified (paranoia epistemically distorts someone's reality). So empathy isn't fully reliable, perhaps isn't as reliable as memory and perception typically are. But the fact that perceptual beliefs are sometimes mistaken doesn't undercut the idea that most perceptual beliefs are justified, and by the same token the fact that empathy sometimes takes in beliefs that are based in paranoia and totally unjustified doesn't mean that in most cases what we take in from others about the world *isn't* justified and doesn't count as knowledge.

But empathy not only plays a greater role than anyone has realized in the acquisition of empirical knowledge or justified beliefs about the world, but also undergirds certain forms of moral knowledge in ways that have not been recognized. Almost everyone knows that empathy can (often) help us identify those who need our help more immediately or quickly than other modes of cognition, and this clearly makes empathy epistemically relevant to the moral life. But empathy also can help us recognize the virtue or vice of those we come into contact with (or read about). In fact, I think it is our primary mode of access to (the) moral attributes (of individuals or groups).

Empathy and Ethics

In the eighteenth century Francis Hutcheson argued that human beings have a moral sense that enables them in something like a perceptual way to detect the moral goodness/virtue or moral badness/vice of other people. However, to later philosophers the idea of a moral sense has seemed like nothing but a metaphor: Hutcheson's most famous mentee, David Hume, was unwilling to countenance the idea of a literal moral sense. In fact, many of the ethics-theoretical tasks that Hutcheson attempted to accomplish using the idea of a moral sense were addressed by Hume using the concept of empathy, but Hume never said that the operation of empathy enables us to perceive the moral goodness or badness of individuals.

However, in the area of moral philosophy I am, like Hume, a sentimentalist in regard both to normative morality and to metaethics or moral semantics.; and the account of moral semantics that I have offered more fully in my *Moral Sentimentalism* (OUP, 2010) allows us (in a way that that book doesn't take full advantage of) to see empathy as providing us with a way to perceive the moral virtue or vice of people around us. In order to show all this, I am going to have to briefly describe what that book says about moral semantics.

We are sometimes warmed by the warmth another person demonstrates or exemplifies toward some third party, e. g., toward a friend. And in *Moral Sentimentalism* (henceforth MS) I argued that when we are thus warmed by another, we are, in a most basic way, morally approving of them or their actions. But by the same token we can be chilled by the cold-heartedness someone displays in their attitude or actions toward some third party, and MS argued that this constitutes a basic kind of disapproval of that cold-hearted person. (The phrase "the chill of disapproval" is some indication that we think of disapproval as cold in this way.) It is perhaps already clear to you that when I speak of being warmed by warmth or chilled by cold-heartedness (or heartlessness), I am speaking

of an empathic process. Just as we can empathically register the pain of another, we can register the moral goodness or badness of someone's actions or attitude by empathically taking in the warmth or coldness that person is displaying in their actions. Or, at least, we can do this if moral goodness/vice consists of being a warm-hearted or caring person and moral badness/vice consists in lacking warm-hearted concern for others and/or being cold-hearted toward them (both indifference to the welfare of others and actual malignity toward them constitute ways of being cold-hearted toward others).

Now ethical rationalists will say that moral goodness requires more than warm-hearted concern for others, that it requires, for example, that one honor certain deontological constraints on action even when the violation of those constraints might actually be (more) helpful to other people. If I am a surgeon and can save the lives of five car accident victims by secretly cutting up some stranger, then it might seem that the saving of a greater number of lives would be dictated by a general warm-heartedness toward humanity, and, assuming the validity of deontology, this would then show that warm-heartedness isn't sufficient for moral goodness.

But in MS I argued that warm-heartedness toward others requires and is based in empathy toward others and argued further that empathy registers and is sensitive to the causal distinction between doing (or causing) and allowing in a way analogous to the way it is also sensitive to the distinction between (potential) suffering we are immediately aware of and (potential) suffering we only indirectly *know about*. *Ceteris paribus*, it is morally worse to ignore the distress or suffering of someone whose distress or suffering one is immediately and perceptually aware of than to ignore distress or suffering one only knows about, and, MS argued, this reflects the fact that empathy is more sensitive to perceived distress than to known-about distress. And MS also sought to show that empathy is more sensitive to the causing of harm than to the allowing of harm and that this conclusion supports deontology. But of course such an argument assumes, what MS sought to show, that empathy enters into our moral concepts of right and wrong, virtue and vice. And let me say just a bit now about how that is supposed to work.

I above described states of empathically registered warmth and chill as, respectively, states of moral approval and disapproval. But MS went on from those assumptions to show how moral goodness and badness can be understood on that basis *and making use of the phenomenon and concept of empathy*. I argued in a way that borrowed to some extent from Saul Kripke's views in *Naming and Necessity* that the empathic warmth we feel in viewing or learning about the warm caringness of others (a caringness that itself reflects the capacity for empathy on the part of those others) fixes the reference of moral goodness/virtue for us.¹ Moral virtue, in other words, is that property of other

¹ *Naming and Necessity*, Cambridge: Harvard University Press, 1980. Incidentally, the account of moral meaning that MS offers is naturalistic (and realist) inasmuch as it identifies moral goodness roughly with empathic caringness. But that doesn't mean that it can't account for the normativity (motivating and reason-giving force) of moral claims. Sharon Street (in "Reply to Copp: Naturalism, Normativity, and the Varieties of Realism Worth Worrying About," *Philosophical Issues* 18, 2008, pp. 207–28) has argued that David Copp's naturalism cannot account for moral normativity, but my naturalistic account of moral meaning does allow for this because empathy neatly straddles the supposed divide between fact and motive. In empathizing with the distress of another person, we both cognitively register that mental state and identify with it in a way that constitutes *motivation* to help that other person. On this point see my *A Sentimentalist Theory of the Mind*, NY: OUP, 2014, p. 226. Moreover, a compassionate person may empathize with the self-regarding practical reasons of the distressed other and therefore also have a *practical moral/altruistic reason* to help that person. (See my forthcoming "A Sentimentalist Theory of Practical Reasons.")

individuals or their attitudes or actions that is empathically registered in us as a feeling of being warmed. And the only property of others that can be *empathically* registered as warmth is warm caringness on their part. Similar arguments then also apply to moral vice or badness, with our chill reactions paradigmatically fixing the reference, for us, of the concept of moral badness. Now on Kripke's view the reference fixing is not in any way analytically definitional with respect to the natural kind terms ("tiger," "red," and "water," for example) that he was interested in helping us understand. It is not analytic or even metaphysically necessary that the red experiences that fix the reference of "(objectively) red" are caused by red objects. In another world, Kripke argues, green objects might cause the experiences we now typically have when we see red objects in good light. However, MS argued for a partial disanalogy between what Kripke said about natural kind terms and what it wanted to say about moral vocabulary. If moral goodness is whatever is the cause of our being warmed by another's attitude or actions, if it is whatever is the cause of moral approval understood as the state/process of being empathically warmed by another's warmth, then it follows that moral goodness consists in a kind of warmth or warm-heartedness toward others, and of course no one can count as warm-hearted unless they have certain dispositions to help others or not harm them. So it is at the very least a priori and necessary that moral goodness consists of being generally warm-hearted, or, as we may prefer to say, caring, toward other people (or sentient beings generally). And moral vice or viciousness consists in the opposite or contrary trait or disposition of cold-heartedness toward others.

All of this, of course, assumes that we can describe a caring individual as warm-hearted, and a number of other assumptions also need to be brought in for the above picture of moral goodness and vice to emerge as a plausible sentimentalist account of moral properties. But I don't propose to give any more of the argument here. Rather, I would like to show, on the basis of what I have just been saying (and what MS says), how empathy enables us to perceive the goodness or badness of other people or their actions or attitudes. (Here I am very much indebted to discussion with Nancy Snow.) The fact that we empathically register the warmth or cold-heartedness of others in feelings of warmth or chill in ourselves can be seen as the basis of our *concepts* of moral goodness and moral badness (wrongness enters the picture via badness). But given those concepts and how they apply (namely, that goodness is a kind of caringness, etc.), when we empathically register the moral goodness of someone's attitude, actions, or overall moral character, we are in effect perceiving that goodness. And that, arguably, allows us to say that empathy is the special moral sense that Hutcheson was talking about or reaching toward. (Note that the frequently-made objection that, unlike the familiar five senses, there is no physical basis for a moral sense is undercut if empathy as the moral sense is underlain by certain functionings of mirror neurons.) More specifically, empathy is sensitive to *degrees* of caringness or its absence, and that sensitivity is realized in states of warmth or chill that *vary* with the caringness of people we become aware of. So there seems to be every reason to say that when we are empathically warmed by another person's warmth or warm-heartedness we are *perceiving* that warm-heartedness. And since on the present theory warm-heartedness in various degrees (and on a priori grounds) just *is* moral goodness in various degrees, our perception of warm-heartedness just is a perception of (greater or lesser) moral goodness (in acts, attitudes or overall character).

Buying into the sentimentalist moral semantics (with accompanying normative views) that I sketched above and elaborated at great length in MS allows one, therefore, to see another epistemic use or usefulness in our capacity for empathy. We can not only empathically register, and in that measure perceive, what others are feeling or thinking; we can not only, through such registration, immediately learn things about the world that others have had to learn through long experience; but we can also perceive the moral virtue and vice of others or their actions via empathy. And the analogy with the five senses works all the better if one remembers that just as those senses work directly and without inferences, empathy often puts us in touch with what people believe and know about the world without resting on any sort of inference.

In addition, and again as with ordinary visual or auditory perception, the perception of virtue and vice needn't amount to any knowledge-that. A child can perceive a piano without knowing that it is a piano and without knowing what pianos are. And similarly I believe that a person, say, a child, can be warmed or chilled by the attitude of another human being in a way that constitutes perceiving virtue or vice, without yet having the concept of moral goodness, and (thus) without being able to say or think that the person in question is morally good or bad. In this respect too, then, the analogy between what empathic sensitivity gives us and what ordinary perceptual sensitivity gives us makes the idea of empathy as a mode of moral perception and even of moral knowledge (though the knowledge will be knowledge by acquaintance, not by description) seem all the more plausible and attractive.

Empathy and Speech Acts

I have not yet done. Empathy also has a (variegated) major role to play in speech act theory that has long gone unrecognized or unappreciated. When we think of the ways we can empathically pick up or recognize the feelings of others, we typically aren't thinking of ways in which what they say or assert helps us empathize with their mental states. We are thinking of cases where their non-verbal behavior leads us to empathically register what they are feeling. However, what people say can also causally bring about the empathic registration of what they are thinking, wanting, or feeling, and ordinary speech acts constitute a prime example of how this can happen. But speech acts theory has ignored all this, and I want to show you now that various standard forms of speech act work to a substantial extent via *empathic processes*.

I am not going to expound speech act theory or theories in any detail. Rather, I propose to describe some characteristic claims of such theory in regard to certain particular speech acts, recognizing too that the literature on speech acts has spawned a great variety of putative or generally acknowledged counterexamples to the particular formulations of speech acts theory that have been offered. But the counterexamples don't point to any need to bring empathy into the discussion; they have led speech act theorists to more and more complex or ingenious formulations of the conditions of particular speech acts without suggesting to anyone so far that empathy could be useful to their whole enterprise. My point is that even if the counterexamples could be got rid of via sufficiently clever or complex reformulations of the conditions offered concerning various speech acts, there would be a problem with the resultant theory

because it would still be focusing too narrowly on the factors at play when someone performs the speech act of assertion or asking a question, etc.

Let me begin by mentioning and discussing a well-known account of the meaning or force of speech acts, that of H. P. Grice in various articles and books.² What Grice said was subject to counterexamples, but can nonetheless illustrate the need to bring in factors of empathy that aren't even so much as alluded to in his account of various speech acts. So, roughly, Grice holds that to assert to someone that something is the case (or, in speaking to someone, to *mean* that something is the case) is to signify or indicate one's intention that they should believe what one is asserting because of their recognition of that very intention (on one's part). Similarly, to ask someone a question is to indicate that one intends that they should give one an answer to that question on the basis of their recognition of that very intention.

But, one may ask, how does recognizing the speaker's intention actually cause them in the one case to actually believe what the person has asserted and in the other case to try to answer that question? Well, in the former case this may depend on what the hearer believes about the speaker. If the hearer believes that the speaker is honest and a reliable judge of truth and falsehood, they may have an inductive or abductive argument in favor of believing what the speaker has asserted. But according to some theories (e. g., Thomas Reid's), assertion/testimony has an authority that makes it reasonable to believe what speakers or writers assert independently of any argument for the reliability or honesty of those particular speakers/writers.³

With questions, of course, things are substantially different. There is no issue of believing what someone has asserted and no issue therefore of how epistemically reliable they are. One answers the question because one recognizes that the person is hoping one will answer it—and the switch from talk of intention here to talk of what someone hopes for has bearing on my contention that factors of empathy standardly play a substantial role in the working of speech acts.

When we think of nice people, we think of people who want to be helpful to others. And one standard way of being helpful to others is to help those who say they need your help. Asking a question is typically to ask for help, but notice how odd it would be to put all this in terms of intentions. If I recognize that someone *intends* for me to help them, that may raise my hackles, because it seems to leave the choice of whether to help less in my hands than I would want it to be. And this isn't or isn't to the same extent the case if someone simply makes it known that they hope for or would like or need my help. When someone asks me a question they standardly indicate that they hope for my help in the form of an answer to that question; and if I know the answer, I

² See, inter alia, Grice's "Meaning," *Philosophical Review* 66, 1957, pp. 377–88; and his "Utterer's Meaning and Intentions," *Philosophical Review* 78, 1969, pp. 147–77.

³ Thomas Reid, *An Inquiry into the Human Mind*, Chicago: University of Chicago Press, 1970, esp. pp. 234 ff. I assume that when the child takes in parental fear of bears, they don't do it via an argument or inference from the reliability of their parents. Reid argues that God has implanted a tendency to speak truth and also to believe what one is told in all human beings and holds that "testimony" therefore has an intrinsic authority among us humans irrespective of considerations of reliability. Reid clearly thinks belief in what one is told occurs in a direct non-inferential manner, and so his take on assertion treats it as working in *something like* the non-inferential direct way that I shall argue empathy works in the context of assertions. But unlike Reid, I shall claim that the so-called authority of testimony is not a separate epistemic principle of justification, but works in non-inferential justificatory terms via *direct empathy with the certitude or confidence of others when they assert things to us*.

can oblige them at little cost to myself. So anyone who is well-intentioned toward others will want to answer a question that they are in a position to easily answer. Believing what someone asserts seems to depend on thinking them reliable, but answering someone's question depends, typically, on how well-disposed one is toward them. This is an important difference, but I think it only makes a difference to *how* empathy enters into the functioning of assertion and asking a question as speech acts, not to whether it does. And since we have started with the speech act of asking a question, let me spell out the role of empathy there before discussing the substantially different role it plays in assertion.

Just above, I stressed the way in which a (non-rhetorical) questioner indicates that they hope for or need the answer to a given question and the way in which an answerer may help or want to help the questioner by answering their question. But notice that this way of putting things suggests that the asking and answering of questions raises moral issues. The hearer can be helpful to the questioner but may choose not to be, and, depending on their relation to the questioner and the past behavior of both the questioner and the hearer, it can be morally better or worse, if the hearer refuses to answer or gives a false or misleading answer. So the felicity and success of a speech act of questioning may be connected with moral issues, and John Searle's classical discussion of the speech act of questioning in his book *Speech Acts* doesn't mention this aspect of the matter.⁴ And neither, to the best of my knowledge, do other speech acts theorists. (Notice that assertion doesn't raise this kind of moral issue because it doesn't call for the hearer to actively do anything for the speaker.)

But the moral dimension is important and it makes empathy relevant here too. Empathy with others makes us want to help them, and answering their questions is one example of the potential effects of empathy on what we do and want to do on behalf of others. If a person who asks a question thinks it at all important to get an answer, the hearer who empathizes with them will be motivated to give them an answer (on this point see footnote ¹).

I want to say, then, that the speech act of asking a question quite typically works via empathic processes. To be sure, if someone asks me a question, I might infer that they want me to give them an answer on an inductive or abductive basis. But I think it is more likely that I will simply register the fact that they attach some importance to getting an answer to that question: I will feel their felt need to have an answer, their hope that I will answer them, more directly than via some sort of inference. And the questioning look on their face can help make this happen: one can empathize with that look the way we empathize with a sad or fearful face. When one asks a question with a questioning look, one's face softens in an almost submissive manner, and that is presumably no accident. One is likely to get what one wants from someone if one doesn't demand it and if one shows them that one depends on them in the given circumstance. The submissive, questioning, softer look helps arouse the sympathy of the person asked for the person asking, makes it easier for them to empathically feel the need of the person asking the question, and the latter typically knows all this. They know that they have to soften their face (and their tone of voice) if they want to maximize the chances of having their question answered, *and that is a significant and*

⁴ Searle, *Speech Acts: An Essay in the Philosophy of Language*, Cambridge: Cambridge University Press, 1969, pp. 64 ff.

central part of how they speech act of questioning works or works well. In other words, questioners know how to appeal to the empathy and sympathy of those they ask questions to and know that they need to do this, even if speech act theorists show no sign of recognizing this essential part of the questioning act or process. And the fact that everyone already knows all this in their practical life, even if not as theorists about that life, is partly shown by the well-known fact that men are more reluctant to ask for directions than women. Men are typically less willing to be submissive to or show their dependency on others, and so their reluctance to ask strangers directions is some evidence for the empathy-invoking account of the speech act of questioning that I am sketching here. The “practice” of asking questions rests to a substantial extent on our capacity for empathy and on processes of empathy, and these facts need to be brought into the picture if we are to fully understand questioning as a speech act.

Now those who have applied speech act theory specifically to questions—e. g. John Searle in his book *Speech Acts*—don’t fail to recognize that questions characteristically express the wish/desire of the questioner to receive a correct answer to their question from the hearer. But they miss out on the way or ways such expression evokes or asks for sympathy and/or empathy on the part of the hearer. This is an important, even foundational, aspect of the way questioning works as a speech act. More generally, too, I think speech act theory as a whole would need to take more account of the way empathy works in various speech acts. And I think we can support this more general conclusion by considering the crucial role empathy plays in one of the most important or central kinds of speech act, assertions.

The Empathic Underpinnings of Assertion

Assertions express desires and not just intentions. On the original unqualified speech acts view, they express the intention that the hearer should believe what they have asserted on the basis of recognizing the speaker’s intention to produce that result.⁵ And I don’t want to deny that something like this is true in regard to assertions. But as with speech acts of asking questions, the asserting of something also expresses a *desire* for the hearer to believe something. However, it will help us to see how empathy is involved in assertion if we notice *the weak way* in which standard speech acts theories speak of the intentions of those who make assertions. It is said that it is intended that the hearer believe what the speaker asserts, but in fact one can put things more strongly than this because assertion itself is more than the expression of a belief. As is becoming increasingly known in philosophy of language circles, when you assert something you represent yourself as knowing and being certain of the truth of the proposition asserted, and both of these are stronger than belief. (That is why no one asserts to others that the plane they are taking will arrive safely. I believe my plane will arrive safely but don’t ever think I know that.)

⁵ This uses Grice’s original analysis of (non-naturally) meaning something to give an analogous account of assertion. I am indebted here to Peter Pagin, who makes just this sort of move in his account of Grice-type assertion in his article “Assertion” in the online *Stanford Encyclopedia of Philosophy*. However, even those (like Pagin) who recognize that assertion may well express the speaker’s certitude and not just mere belief, don’t mention the fact that the speaker may be attempting to get the hearer to have similarly strong confidence and not merely belief.

So when someone sincerely asserts that *p*, and not just that they believe that *p*, do they merely intend the other person to believe the proposition that *p* or do they intend that the other person share their great confidence in the truth of '*p*'? Perhaps the latter, and that fact, if it is one, can help us see how important empathy is as a factor in speech acts of assertion. Let's say someone believes that *p* and indicates, via assertion, that they believe that *p*. Once the hearer recognizes that the speaker has a certain belief, they can base their own belief in the same thing on the previous reliability and honesty of the speaker (or on the *prima facie* authority of testimony that Thomas Reid argued for), and this seems unproblematic *because it doesn't require the hearer to be certain that p*. It is one thing to come to share someone's belief, but it seems different and more problematic if someone comes to share an asserter's certainty or complete confidence that *p* on the mere basis of the asserter's having, in the speech act of assertion, represented himself or herself as certain that *p*. In terms of inductive or abductive arguments, one can see someone's being willing, on the basis of a speaker's previous reliability and honesty, to believe what they believe and want you to believe, but being unwilling to be as confident or certain of *p* as the speaker is.

When a speaker makes an assertion, they represent themselves as knowing and being certain and typically intend or wish for the hearer to accompany them beyond mere belief. But if the hearer's going with them that far depends on their having a good argument from reliability for being certain of what the reliable speaker is saying, such an argument, as we have said, isn't likely to be forthcoming. So how can the speaker expect the hearer to have the degree of confidence that he, the speaker, wants and intends for the hearer to have? How can a speech act that intends or seeks to produce more than belief really be appropriate and felicitous in the way we think assertion typically or often is?

The answer, I think, lies in the operation of empathy and in ordinary people who make assertions being implicitly aware of how empathy can work in the context of assertion. If empathy is at work when assertions are (felicitously and successfully) made, then the hearer may be able to take in the certainty of the speaker in the unconscious way in which empathy works in other cases. The father who is infected empathically by his daughter's enthusiasm for stamp collecting typically doesn't know that that is happening to him, and when an asserter makes their assertion, the hearer may take in the confidence and certitude that lies behind the assertion and become as confident or almost as confident as the asserter. They may thus arrive at something more than, stronger than, belief even if some kind of reliability argument would only justify belief. And this fact, this strength beyond what an argument from reliability could justify, is not necessarily an epistemically unfortunate development. On the contrary, if the speaker is appropriately confident about what they assert or claim, if they personally have overwhelming evidence for it, then the empathic taking in of the same state of confidence will be epistemically useful to the hearer. When something hangs on a given question, it can be better to know and be highly confident of the answer to that question, than to merely believe in a given answer to that question. So if it is an epistemic advantage to the speaker, the asserter, to be highly confident about and not merely to believe a given proposition, then it can also be an advantage to the hearer to empathically take in that confidence or certitude.

An account of the speech act of assertion that relies on empathy can make sense of all this. It can hold not only that people can empathically take in the great epistemic

confidence of those whose assertions they hear (or read), but also that those who make assertions are more or less implicitly aware of the way the sheer force of asserting (as opposed to qualifying things with “I believe”) can *get to* the hearer, can influence the hearer. And in standard cases of assertion the speaker is relying on the fact that assertion has a certain force that as a force will influence the hearer. That force is the force of strong feeling, and the asserter typically feels or understands that he can or may be able to get the hearer to believe as strongly as he does if he makes a peremptory assertion of a certain claim. A loud (but not too loud, not shouting, which can actually indicate a lack of confidence and so of sincerity) voice can also be used by the speaker for that purpose, and the speaker may actually come spatially closer to the hearer in making the assertion, based on an implicit knowledge that feeling and attitude are more strongly and surely conveyed over a short distance than over a great distance.⁶ (As Hume told us, empathy works better when distances are small.) But none of this comes out under the standard interpretation of the nature of the speech act of asserting, and that gives us a reason to bring empathy into a fuller, more accurate account of that speech act.

However, we shouldn’t overestimate the force or role of empathy here. Assertions often or even normally work in the way I have been describing, but if someone has strong evidence, perhaps of a perceptual nature, against what someone is asserting, a countervailing epistemic and psychological force will operate to weaken or blunt the force of the empathic transmission of what the asserter is asserting and believes herself to know. And similarly, in a case like one discussed earlier, if one empathically picks up on a child’s fear of worms but has independent reason to doubt the dangerousness of worms, that may undercut the acquisition of any knowledge of or reasonable belief about what the world is like on the basis of the empathic transmission of the child’s fear of worms. Now to a bit of history.

Thomas Reid spoke of the authority of testimony but wasn’t talking about sympathy/empathy in Hume’s sense. However, what we have been saying here represents a kind of vindication of Reid’s views, though in a more sentimentalist direction than he presumably would have welcomed. Reid said that what people attest to or assert has authority with the hearer, that the hearer has reason to believe it (or be confident) independently of having any inductive argument for the reliability of the given speaker or of speakers generally. But what we have said about empathy can fill this bill. Authority in its paradigmatic examples has both *de facto* and *de jure* force or power, and our account of how empathy works and works in the context of assertions allows it to have both those features. Empathy has *de facto* force in this context because as a causal matter we tend, through empathic osmosis, to take in the great confidence of

⁶ In his article on “Speech Acts” in the online *Stanford Encyclopedia of Philosophy*, Mitchell Green states that loudness is not relevant to speech acts, but on the present view, tone of voice and even loudness can be very relevant. The rising tone characteristic of yes/no questions tends to undercut the making of assertions, for example, causing the speaker to seem less than confident about what they are saying and empathically conveying that lack of confidence to the hearer. And a certain level of loudness—but not shouting—may actually serve to convey confidence (in both senses of “convey”) and thereby make a speech act of assertion more effective in its purpose. (Women tend to speak more softly than men, and this raises some interesting moral and linguistic issues.) If empathy is relevant to speech act theory for all the other reasons I have mentioned, then tone of voice and actual loudness can certainly be relevant to (the felicity or success conditions of) speech acts.

someone who assertorically tells us something, and asserters know and take advantage of this fact to get us to share their certainty or confidence (or knowledge). But empathy has *de jure* force too if we allow that empathic receptivity can epistemically justify. I said earlier in this essay that a child can gain information about the world through empathically taking in their parents' or a given parent's attitude (not necessarily asserted) toward certain things, people, or situations in the world, and what applies to parents can just as easily apply to what happens in the context of assertions. The same receptivity that makes us take in, without doubt or hesitation, what our parents think about bears or Aunt Tilly can make a listener take in what a speaker asserts in the same unhesitating and confident way; and if knowledge and justification are available in the former case, why not the latter?⁷

I am saying, then, that the speech act of assertion can often justify believers in having a confidence that goes beyond mere belief. And this comes close to what Thomas Reid said about authority. Yes, assertions and testimony have authority, as Reid held. But that authority is a function of receptivity and empathy in a way Reid never suggested but we are suggesting here—and it in no way depends, as Reid held, on God's instilling veracity or credulity in us humans. However, Reid may have been dimly aware of empathy, and his talk about the direct non-inferential way we believe what people tell us may derive (further) theoretical justification from what we have been saying here about empathy. In fact, we might even say that the authority of testimony he spoke of turns out to be nothing more than empathy and its receptivity functioning in the context of testimony/assertion.

The present essay has sought to give support both to what Hutcheson said about the moral sense and to what Reid said about the authority of testimony, and so it argues in favor of a somewhat anti-Humean view of these matters; for Hume arguably didn't believe in the authority of testimony (remember his views on miracles) and didn't believe that there was anything that could accurately be called a moral sense. So, again ironically, it is by relying on the notion of empathic contagion that Hume was the first person to describe in any detail that we end up, in the present essay, with such anti-Humean epistemological views.

And now I would like to do some more history in order to place what I have just been saying in a larger philosophical context. The idea that certain speech acts of assertion can and do rely on processes of empathic transmission is not entirely original to me. It can be found in Charles Stevenson's "The Emotive Meaning of Moral

⁷ One can take in one's parents' attitude to bears or to Aunt Tilly without their ever asserting or telling one that bears are dangerous or Aunt Tilly trustworthy: one may (and children are good at this) simply feel, empathically feel, what one's parents feel about bears or Aunt Tilly. But such cases are actually closer to cases of assertion than one might think. Confidence can be empathically conveyed or infused via an assertion, and assertion as a speech act is (among other things) fundamentally characterizable as a conventional way to get people to take in our confidence about some subject matter. So assertion facilitates and makes socially available what can happen without speech acts in the family: the empathic transmission of belief and confidence. And no argument from reliability need operate in the mind of someone who takes in beliefs or confidence in this way. The child doesn't need it, and neither, in parallel, does the person who hears an assertion. Since the usual speech act theories of what happens do at least implicitly rely on the idea that the hearer of an assertion needs to be able to make some kind of argument in their own mind in order for the speech act of assertion to achieve its purpose, this shows you how far speech act theory has been from actually capturing what is involved in assertion as a speech act, from capturing what happens when assertion works the way typical asserters hope or assume it will.

Judgments”, *but in application only to value judgments*.⁸ Stevenson says that the feelings of someone who makes an evaluative claim can spread by contagion to someone who hears the claim being made, and though he doesn’t use the term “empathy” he is clearly referring to what Hume called sympathy (sometimes using the term “contagion”) and what we nowadays call empathy. Of course, given the time at which he was writing, Stevenson doesn’t talk of speech acts or of assertion as a speech act, but the cases he describes are in fact cases where the speech act of assertion is occurring, where the empathic transmission of feeling occurs or is likely to occur, and where the utterer implicitly knows and makes use of the fact that such transmission can take place.

So Stevenson is in effect describing a particular instance of what I am saying more generally about the making of assertions. His view was applied only to value judgments and the feelings they express, but I am saying that every assertion expresses feeling or feelings that can be transmitted empathically to a hearer and that the speaker wishes to be transmitted in that way. In fact, more strongly, an intelligent asserter *relies* on the fact of emotional contagion as a means of achieving the goal of their assertion, a certain epistemic state of the hearer, and this fact is essential to the way the speech act of assertion works. (Everyone knows practically about empathic transmission even if they don’t have the technical vocabulary to describe it. Someone 200 years ago could have said that he was infected by his daughter’s enthusiasm for coin collecting, even if he didn’t explicitly know that there was such a thing as empathy.) So it seems that empathy and knowledge of empathy are essential to assertion as a speech act and need to be brought into speech act theory in a substantial way.

At this point, however, we also need to recognize the twofold character of the mental states that an act of assertion empathically conveys. An assertion empathically conveys the (feeling of) great confidence the speaker has in some proposition, but assertion can also convey the speaker’s desire or eagerness that the listener share his or her confidence in the proposition asserted. I am not sure what epistemic role this second kind of empathic transmission can play, but it perhaps plays a (larger) human role, inasmuch as the eagerness to share a view may represent (a desire for) a kind of epistemic community or solidarity with the hearer.

If space permitted I would tell you how empathy also plays a crucial role in other speech acts (e. g., thanking and warning); but I hope it is already clear that speech act theorists need to revise their views in a direction that takes empathy into account. And overall in this essay we have seen that empathy plays a number of important epistemic and moral roles that have somehow been neglected in moral philosophy, in epistemology, and in the linguistic theory of speech acts.

⁸ “The Emotive Meaning of Moral Judgments,” *Mind* 46, 1937, pp. 14–31.

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