

## ADAM SMITH'S "SYMPATHETIC IMPARTIALITY" AND UNIVERSALITY\*

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**Abstract:** I reconstruct here the implicit rationale of Smith's ethical system, which unites in a single and consistent theory the most valuable features of both ancient virtue ethics and modern deontology. I propose that Smith could do this because of his approach to what I call "sympathetic impartiality", and the pretension of universality that arises from it. In Smith's theory, sentiments are moralized through the impartial spectator procedure which, willingly or not, changes the moral axis from emotivism to practical reason.

Unlike rationalistic philosophers, Adam Smith did not explicitly articulate a rational structure to justify everyday talk and moral practice, nor did he use theoretical reasons to support these judgments. On the contrary, starting from empirical observations, he gave realistic and commonsensical explanations of how moral norms and judgments arise from the natural drives of human beings. However, I believe that the reconstruction of the rational structure underlying Smith's *Theory of Moral Sentiments* is possible, and hence that we can unveil part of the implicit justification of this ethical system. Obviously I am not claiming that Smith intended or was even aware of this hypothetical theoretical framing I here propose, yet his insightful account of the psychological and anthropological basis for moral

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evaluation and his detailed description of moral judgements allow us to establish the framework behind such a comprehensive and intuitively attractive moral code.

My aim in this paper is to reconstruct, albeit partially, the implicit rationale of Smith's ethical system, and hence to uncover part of the theoretical justification of one of the most brilliant systems of ethics in modernity: one that unites in a single and consistent theory the most valuable features of both ancient virtue ethics and modern deontology. I will propose that Smith could do this because of the particular spectator approach he uses to explain morality, which I here call "sympathetic impartiality," and which I will also suggest gives rise to some pretension of universality for this code. Universality leaves out sentiments as the foundation for this system.<sup>1</sup> Smith's theory of moral sentiments is a theory of *moral* sentiments, sentiments that are moralized through the impartial spectator procedure which, willingly or not, changes the moral axis from emotivism to practical reason.

## **1. Morality: Natural But Not Innate**

My first claim is that morality in Smith's theory is like a second order structure built upon our original psychological constitution. The impartial perspective is not innate for us. We acquire it in "the great school of self-command" where through "the sense of propriety and justice (we learn to) correct the otherwise natural inequality of our sentiments" (*The Theory of Moral Sentiments*, hereon TMS, III.3.3). Hence the spectator's moral judgment does not merely rely on the pleasure of mutual sympathy, but on the pleasure of coincidence in appropriate feelings, coincidence in propriety. Therefore this pleasure is a second order pleasure, as well as moral or appropriate feelings are second order feelings, which arise because original, subjective or raw passions are malleable and can thus be informed by the impartial spectator's perspective.<sup>2</sup> The moral point of view is learned, but it is not arbitrary. Moral categoriality opens a new dimension in life: just as natural as psychology, although not innate. Indeed, these second order or moralized

feelings have the peculiarity that they are feelings for which people are accountable:<sup>3</sup> they should be able to give reasons or to articulate justifications for them.

If our original standing in the world is self-centered or from a first person perspective, the moral point of view in Smith's theory is related to what Stephen Darwall has called the "second person perspective," which regulates moral judgments by determining the way the spectator enters into the agent's standpoint (Darwall, 1999:142). This is very much of what I mean by "sympathetic impartiality," a perspective which despite being truly impartial –free from bias– is nevertheless capable of taking into account all the circumstances and particularities of a situation from inside the agent. Impartiality is important because it breaks self-reference and the risk of making ourselves the measure of moral good and evil. When Smith supplements the "great law of Christianity" –to love our neighbour as we love ourselves– with "the great precept of nature" –to love ourselves only as our neighbour is capable of loving us" (TMS, I.i.5.5), he implies that impartiality is the only possible standard for propriety. We all realize this when, seeking the pleasure of mutual sympathy, we view ourselves from the outside and discover that we are but one in a multitude of equals, and if we don't discipline our passions and humble our arrogance, nobody will sympathize with us (TMS, II.ii.2.1).

However, this impartiality is not a third person perspective –an impartiality from the outside– because the great law of Christianity has only been supplemented, not eliminated. And loving or treating our neighbour as we treat ourselves means to understand their circumstances from the inside, to identify with them in order to sympathize. This moral sympathy is the second order structure I alluded to. Smith rooted morality in our natural tendency to empathize or to imaginatively change perspectives; an ability empirical psychology has shown we learn from childhood.<sup>4</sup> This empathy as simulation<sup>5</sup> works by re-centering our egocentric map, in order to become, in imagination, the other person, and thus to know how she feels, thinks and reacts.<sup>6</sup> This is the job habitually done by actors, it is a know-how acquired and refined by experience.

Yet with this kind of identification where we completely absorb ourselves into the other's point of view, we are still not able to judge their conduct or passions. To judge we need some point of comparison, which may well be to imagine ourselves in the other person's situation in order to see what we would feel if we were in those circumstances.<sup>7</sup> We compare our feelings with his feelings making ourselves the measure of propriety.<sup>8</sup> But this is not yet moral judgment for Smith. Moral judgment is very similar, although with a necessary correction: The spectator must know how the agent feels but must enter into the agent's situation with an impartial perspective. It is like having two maps, one on top of the other. The first expressing a complete identification with the agent, an absolute re-centering of our egocentric references; and the second expressing an impartial spectator's identification with the circumstances of the agent. The agent's feelings are not compared this time with the actual spectator's feelings, but rather with those of an impartial spectator. We do not judge with our actual and perhaps distorted feelings, but with appropriate or already corrected feelings, those already informed by impartiality, our second order feelings.<sup>9</sup> This is at last the "sympathetic impartial" perspective, the real "moral sympathy."

Furthermore, this moral perspective reveals that impartiality in Smith's theory is an outgrowth of sympathetic identification, or the reverse side of the act of sympathizing. In order to identify himself with the agent, the spectator must un-identify himself from himself, break down his self-centeredness, bracket out his own particularities and become, as it were, a typological person, someone with no partial interests, an impartial spectator. There is no other way to enter into the agent's sentiments and to know what he is feeling in those circumstances rather than what the spectator would feel if he were in the same situation. Neither is there another way to know what this basic equality among people –which reason continuously reminds us of<sup>10</sup>– *calls for* in the agent's situation. Therefore, the impartiality of the spectator's perspective is a necessary effect of his sympathizing with the agent, as long as we understand sympathy, and the specific moral sympathy, as Smith does.

Equality, on the other hand, is not just expressed by impartiality, but first and foremost by the natural drive of sympathy. If we are able to enter into

the other's feelings, it is only because we see someone with whom we may identify. We are not really able to identify ourselves with a dog, for instance; and absolutely unable to do it with an ashtray. We must see the other as a purposeful being, at least for moral sympathy. We must see the other as someone who is responsible for his conduct and may therefore be praised or blamed for it. There can neither be sympathy nor moral judgment if we do not see the other as an equal. This basic equality<sup>11</sup> among us which sympathy requires and expresses, is neatly explained by Smith when he describes the proper object of resentment (TMS, II.iii.1.6). He says that it is not enough that the object of this passion has been the cause of the pain, or that it is also capable of feeling pain. The proper object of resentment, the only person we can blame and punish (having moral feelings towards that person), is the one who has intentionally caused that pain. In other words, that person has to be a purposeful being, an equal. Sympathy, impartiality and equality, as we can see, are tightly knitted in Smith's theory, in continuous and mutual reference.

## **2. "Sympathetic Impartiality"**

The spectator's "sympathetic impartial" perspective, which I am claiming is the foundation of Smith's theory, consists in this particular standpoint that despite being truly impartial, is nonetheless capable of considering, from the very inside of the agent, the specific circumstances of each situation. From this point of view, Smith is able to introduce impartiality and equality, the very signature of modern ethics, into the heart and as a proper grounding for an ethics of virtues. This is possible because, although all founded on the same principle (the approval of the impartial spectator), Smith distinguishes and justifies different treatments for positive and negative virtues, according to –borrowing Charles Taylor's term– the "import" of the situation to which each of them responds.<sup>12</sup> Smith explains this when marking a difference between his and Hume's concept of sympathy, saying that "Sympathy ... does not arise so much from the view of the passion, as from that of the

situation which excites it.”<sup>13</sup> This aspect of sympathy, its openness to the specific “import,” is clearly shown by his depiction of conditional sympathy (TMS, I.i.3.4). This is when we do not actually identify with the agent’s passion or conduct, but we know from experience that what he is doing is appropriate for those circumstances. Thereby, we approve of him. This not-normal situation allows us to see fairly well the precise structure of sympathy, where the judgment of propriety depends more on the situation’s import, usually grasped through the impartial spectator’s feelings, than on the actual feelings of the spectator or even his correspondence with the agent’s. Sympathy, therefore, and the specific sympathy of the impartial spectator, which is the one that defines moral standards, must respond to the morally relevant imports of the situation. Hence the impartial spectator, stemming from sympathetic identification, does not create or invent values, but rather recognizes or discerns them from reality.

Furthermore, while describing virtues, Smith says that the pitch or the point of propriety varies from passions to passions (TMS, I.ii.introd.2), because it depends on context, circumstances and above all on the sense of propriety found in different cultures. Moreover, these behavioural norms allow for degrees and are absolutely free. Rules of justice though, which is the only negative virtue, are exact, precise and enforceable. They do not allow for degrees, and should be strictly abided by.

How can this be? Why is there this sharp difference between virtues if they are all grounded on the same principle? Possibly because impartiality –as Marcia Baron has shown (1991:836-857)– may be considered on two different levels that should not be confused. The first is impartiality in rules and principles, which basically means not to make an exception of ourselves. The second is impartiality in particular or everyday decisions, like the original utilitarian impartiality where people are prescribed to value their own things exactly as they value those of others, without giving them any additional weight merely because they are theirs. Naturally, impartiality in rules and principles is perfectly compatible with partiality in the second level, providing that the rules are the same for everybody. For instance, to say “Every mother shall care for her child more than for other children” satisfies this first criterion; it is an impartial norm

that rules out arbitrariness, which is the main task of first level impartiality, although it is not impartial in the second level. Following this insightful distinction, I would like to propose that in Smith's ethics positive virtues are impartial only in the first level, allowing for agent and culture-relative prerogatives, while negative justice is impartial in both levels, in its principles and in the equal share of respect everyone deserves.

On the other hand, when Darwall explains Smith's notion of justice he highlights its intrinsic relation to sympathy. In the second part of TMS, Smith says that the spectator feels resentment and approves of punishment because of his identification with the sufferer of an unjust aggression, and the consequent feeling that injustice was done, as it were, to him. This is why, for Smith, rules of justice are "sacred": No spectator would ever accept to see someone treated as an inferior, as a mere means for another's end, when his reason is constantly telling him that we all are but one in a multitude of equals (Darwall, 1999:142-145). In other words, judgments of justice may be more vivid than others –as Smith says– because they implicitly express our equality as human beings (Darwall, 2004:133). Furthermore, this equality is not just an instrumental equality ordained to maximizing overall utility. Smith is quite clear about the primacy of the individual over society (TMS, II.ii.3.10), which would mean that if our equality is not merely instrumental, it is equality of human beings as ends in themselves: equality in dignity. Therefore, when the spectator sympathizes with the sufferer he feels the sufferer's worth as his own, and cannot stand the violation of what is most sacred for us: our dignity.

To recognize the other as being of equal dignity, as resentment implicitly manifests,<sup>14</sup> demands from us what Darwall has called "recognition respect." This is the proper attitude towards things of worth, of intrinsic value; it is some kind of respect we give or we just fail to give, but it does not allow for degrees (Darwall, 1977). I believe that Smith's negative justice expresses this "recognition respect," which is always embodied in moral constraints (things we cannot do to others), and which also manifests impartiality in the first and second level.<sup>15</sup> A second type of respect Darwall identifies is what he calls "appraisal respect." This respect is related to various features of

character, to the idea of virtue, of merit, of what is worthy of admiration and emulation, and does allow for degrees. Not everybody deserves the same amount of “appraisal respect,” although what is praiseworthy in one, must be equally recognized in any other of the same merit. Impartiality here works only in the first level, allowing different societies to have different ideals of perfection, provided they have eliminated arbitrariness within them. This would be the side of positive virtues in Smith’s ethics, which demands a different kind of engagement. Yet, in any case, Darwall also says that both of these kinds of respect are normative and agent-neutral, which may give us an initial clue to understand the possibility of universality in Smith’s theory (Darwall, 2002:77).

Consequently, if in this ethics virtue is the appropriate degree of all passions (TMS, VII.ii.3.21), regarding justice that degree is clear: it must be absolute respect for all our fellow-creatures’ dignity; anything less would be immoral. Regarding the other virtues though, the context will be essential to establish the exact point of propriety for that specific situation. But this is not relativism. First, the impartial spectator’s judgment depends on the import of the situation, something quite similar to Aristotelian *phronesis*, that seeks the adequacy or convenience of the agent’s passion to its cause. Second, this phronetic judgement is validated by the mediation of the impartial spectator, who breaks our natural centrality in order to guarantee that we treat ourselves as we treat others. This double rapport, the agent with the import and the agent with the spectator, or more precisely within this theory, the agent with the import *through* the impartial spectator, is what supplements Aristotelian *phronesis* with a precise and distinct measure for propriety –the sympathy of the impartial spectator (TMS, VII.ii.1.49)–, and enables the grounding of virtues on a universalistic moral principle.<sup>16</sup>

Thereupon, moral judgments in this theory are justified, at the normative level, by equality in dignity, which follows directly from Smith’s doctrine of sympathy. And at the meta-ethical level, their validity comes from the mediation of the impartial spectator, an external though internalized process that legitimizes our corresponding feelings, liberating us from the necessity to appeal to any other authority except our own practical reason.



So, if these claims are true, they would imply that, at least to some extent, Smith's TMS should have some pretension of universality. I will not defend that moral norms are factually the same everywhere, not even that they should be so. My proposal is much more modest: I think that there is a subset among Smith's norms of justice that may be really seen as universal.

### 3. Universality

I will start distinguishing two different aspects of moral judgments. The first is the way we assess propriety, the "sympathetic impartial" process which is obviously the same for every human being.<sup>17</sup> The second is their content, which depending on the myriad of different notions of propriety among cultures, might lead this ethics to relativism. However, I think that at least some part of this specific aspect in Smith's theory may be viewed as universal, and this is directly related to his distinction between positive and negative virtues. Furthermore, this is the main reason why we can say that this theory supplements classical virtue ethics with modern deontology.<sup>18</sup>

At the beginning of this paper, I said that morality was a second-order structure built upon our psychological constitution. Yet it is well known that Smith also distinguishes two possible levels of morality within this structure:<sup>19</sup> that of the "bulk of mankind", and that of the "men of perfect virtues". He even states: "Two different roads are presented to us, equally leading to the attainment of this so much desired object [praise and praiseworthiness]. The one, by the study of wisdom and the practice of virtue; the other, by the acquisition of wealth and greatness".<sup>20</sup> The majority chooses the second road to lead their lives, where the impartial spectator within is mainly the internalization of social standards, and morality is basically convention. If we stay at this level, and since common sense is usually relative to each particular community, the only task required of the impartial spectator within would be to correct partial or ill-informed judgments of external spectators (TMS, III.2.32).

This notwithstanding, Smith also says that in a “well formed” mind (not only “well informed”), love of praiseworthiness is stronger than love of praise (TMS, III.2.7). He describes the virtuous man as someone who has almost identified himself with the impartial spectator (TMS, III.3.25) and who, through a more dedicated and careful work than his peers, could form and pursue a more precise image or idea of perfection (TMS, VI.iii.25). This high-level morality attained only by a few is, in my opinion, the door Smith uses to open his theory to some pretension of universality. Morality allows for degrees of perfection. Moral knowledge starts with the internalization of social conventions, but it may evolve to the understanding of the reasons behind those conventions and to critically evaluate them. Being a habit, a know-how, moral judging may be increasingly delicate, insightful, and capable to more accurately discern the “import” of the situation.<sup>21</sup> If morality were only emotions and convention, there could not be any pretension of universality. However, if moral beings are accountable beings, if they are able to rationally justify their conduct, practical reason is at work, and at least for virtuous people some kind of universality may be reached, they might be able to unveil some norms that all well-formed and informed human beings should endorse. In sum, there may be another moral source besides convention and actual cultures, a third possibility between the ideal observer and Freudian superego (Otteson, 2002:62), one that begins from the empirical-contingent but is capable of transcending it. Paraphrasing Kant, although moral standards begin with society, it does not follow that they all arise from society.

Self-deceit, though, as Smith recognizes, is an important obstacle for the correct use of practical reason (TMS, III.4.6). However, as the reverse side, and in absence of counterfactual tests to warrant practical truth, the empiricist Adam Smith points out to some devices for self-correction or for unveiling delusions to get closer to propriety. In the first place, the existence of rules embodying the principle of impartiality corrects our judgments when we are so absorbed by the heat of our passions that we are unable to hear the voice of the impartial spectator within. Yet, in the second place, and not really emphasized in the text, he also points to experience and reflection,<sup>22</sup> two

devices that may be used, principally by virtuous people, and of particular importance to understand the possibility of moral progress. These last two devices, in my view, will be the key to transcend relativism in Smith's theory.

It is indeed true that if everybody were exactly of the same opinion in any given society, it would be scarcely possible for the impartial spectator to have a critical standpoint. If a society were entirely corrupted in a particular custom, the impartial spectator would probably also be corrupted, at least if he never compares his culture with another. But this is hardly a real situation in our open and pluralistic societies. Differences invoke dialogue, taking distance from our own convictions and testing them against the other's point of view. This contrast, which might imply refutation, is a positive sum game: both parties reflect on their opinions, weigh up their different justifications, and might get closer to a practical truth.<sup>23</sup> Refutation unveils self-deceit and allows for moral progress. However, in order to converse and test our values, we must be willing to engage in this process. Probably the "bulk of mankind" would prefer the *status quo* and the comfortable approval of their homogeneous little groups; but "people of perfect virtue", those who look for praiseworthiness above all, would certainly want to engage in dialogue and take a critical standpoint towards given truths.<sup>24</sup>

The possibility to get closer to practical truth is easier through cross-cultural than through immanent criticism.<sup>25</sup> And the different treatment of positive and negative virtues in Smith's ethics is determinative to assess it. In order to judge the positive virtues of foreign cultures, we shall do some initial corrective adjustments to understand them from within. For example, from my current perspective, I cannot approve of Juliet's family forbidding her to marry Romeo; but identifying myself with those cultural norms I might find it appropriate. Notwithstanding, even Smith says that the influence of customs and fashions on moral sentiments can never be great departures from natural propriety of action besides specific usages and shadings of what is considered acceptable in each culture.<sup>26</sup> Yet we may still concede that propriety, in this ethics, is mainly culture-relative.

But the virtue of justice is different. Smith says that although positive virtues embellish a building, justice supports it;<sup>27</sup> hence if there were any

universal norm in morality, it would be focused on, and only on, the respect for justice: the equal dignity of human beings. “Recognition respect”, being an agent-neutral reason and being impartial in both levels, should be the same everywhere.<sup>28</sup>

There are two objections to this thesis, though. The first, as Fleischacker has well noted, is that justice in Smith’s ethics follows resentment, which is the reaction to unjust harm or injury. Yet harm and injury are essentially social categories (Fleischacker, 2004:158). How could we judge justice in other cultures with our own culture-relative notion of harm? Positive harm in one culture may not be the same in another. In the Middle Ages it was absolutely appropriate to kill a man for having dishonoured the family name. Nowadays, that would be notoriously unjust.

The second objection for my thesis is that not every culture recognizes the same group of people as moral beings, as deserving “recognition respect”. Slaves, women and children, for instance, have not been considered equal for long periods.

However my claim is that these factual differences are *no* argument against Smith’s theory of openness to universality. We must remember his depiction of judgments of justice, and particularly the concept of “illusive sympathy.” He says that even when the victim does not feel resentment for being harmed out of improper motives, the impartial spectator will, nonetheless, feel it and will want to punish the aggressor (TMS, II.i.2.5). What does this mean? Naturally, in judgments of justice the ultimate criterion for the spectator’s resentment is not sympathy –understood as coincidence in appropriate feelings– but the violation of a fellow-creature’s dignity (Tugendhart, 2004:97). Justice, as we saw before, protects equal dignity of all our fellow creatures, of every purposeful being with whom we are able to sympathize. Hence, from these statements, it is possible to infer that there *may be* some hard core, or some cross-cultural truths about what counts as dignity, and what then should universally be considered unjust. There will always be a grey zone, some things that will count as positive harm in some cultures and not in others –as in dishonouring the family name– but there will be other conducts that despite cultural standards, foreign spectators could never consider proper or just.<sup>29</sup> In

other words, positive harm may well be related to culture, as Fleischacker says, but there may also be other kind of harm, not directly related to culture but to *humanity as such*. To kill another without any justified cause (i.e. out of improper motives), to harm children for fun, to break promises (which imply voluntary obligation) and some kinds of slavery *may be* examples of these cross-culture injustices; in other words, these will be objects of resentment for any “cultural” impartial bystander.<sup>30</sup>

Yet we may still ask why, if these injustices are so evident, some communities do not see them. It is because justice requires sympathy, and sympathy implies identifying with another person as an equal. The offenders in those cultures, or the impartial bystanders, do not really see those people as equals; and are thus blind towards their injustices. The disinterested spectator external to that community, though, who sees those people as equals, is able to sympathize with the sufferers –even if the latter do not feel resentment– and can legitimately recognize and denounce unjust behaviour: the violation of the equal recognition respect every purposeful being deserves.

By implying contrast, arguments and refutation, cross-cultural dialogues may help in the emergence of this –let’s say– “cultural impartial spectator” who, unlike the other, does not set the “pitch” for every virtue, but only for that hard core of justice, the one requiring an equal share of respect for every moral being.<sup>31</sup>

But what can assure us that we are respecting the proper objects of respect? Nothing can warrant it. Dialogue, testing our own convictions with others, comparing experiences and so forth, is the only and endless process of learning which the empiricist Smith offers us. And it’s quite a realistic offering, considering the “weakness of our powers and narrowness of (our) comprehension” (TMS, VI.ii.3.6).

In sum, through the peculiar moral perspective Smith proposes, which I here called “sympathetic impartiality”, he is able to ingrain, at the same time and without contradiction, the foundation of an ethics that integrates classical virtues with modern deontology. Virtues, with all their culture-relative characteristics, are introduced through the “sympathetic” element of this perspective. Deontological constraints, in turn, with their pretension

of universality, are introduced through the “impartial” element. And thus two systems of ethics which are usually seen as exclusive or opposing are here united in Smith’s single and consistent Theory of Moral Sentiments.

## NOTES

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- 1 Sentiments, as Smith well describes, are unequal and contingent, varying among people and among cultures.
- 2 As a matter of fact, Smith says: “Bring him [man] into society [thus the moral sphere], and all his own passions will immediately become the causes of new passions” (TMS, III.1.3). Affectivity reflects our natural responsiveness to situations. Our original passions are the reaction to the value of the circumstances for us; while these moral or second-order passions are the reaction to the –as it were– “impartial value” of the circumstances, to value in itself (or for any human being), non biased by our particular interests and affections.
- 3 In the first edition of TMS we read: “A moral being is an accountable being” (TMS, III.1.3). This is possible only because of reflexivity, which we attain with our natural upbringing and the necessary reciprocal mirroring society provides us.
- 4 See Gordon (1995:728-731). Psychology, in Smith’s theory of morals, sets the basis where moral judgments are grounded, but judgments are not psychological phenomena. Our psychological reaction is not the same as our moral judgments. In Smith, where the normative implications of the fact of sympathy are shown but gradually, this may not be clear enough. Yet mere sympathy belongs to the field of empirical psychology, whilst the impartial spectator’s sympathy is the specific and only sympathy which belongs to moral psychology. Mere sympathy, as Tughendart has shown, reflects our universalistically-commanded affective openness to others, which develops “an enabling general disposition that makes an appropriate affective attunement possible” (2004:91). It is the empirical foundation sustaining our moral ability to judge sympathetically.
- 5 Or what Philippe Fontaine has called “complete empathy” (1997:263).
- 6 See Gordon (1995:734). This empathy as simulation is what Smith describes at TMS VII.iii.1.4, after he has already specified his particular notion of sympathy: “I consider what I should suffer if I was really you, and I not only change circumstances with you, but I change persons and characters.”
- 7 Or what Philippe Fontaine has called “partial empathy” (1997: 263).
- 8 This is illustrated in when Smith says: “When we judge in this manner of any affection, as proportioned or disproportioned to the cause which excites it, it is scarce possible that we should make use of any other rule or canon but the correspondent affection in ourselves” (TMS, I.i.3.9).
- 9 “Morally good” in Smith’s theory is not expressed in the pleasure of mutual sympathy, but in the pleasure of the correspondence in propriety, or the pleasure in mutual “moral

sympathy.” Although he starts saying that the spectator measures the agent’s feelings with his own feelings, and the pleasure of sympathy emerges from their coincidence; he then observes that at least to reach propriety, the agent’s feelings shall be measured by what “the situation deserves,” which in turn is known by the “impartial spectator” (see TMS, I.i.1.10).

- 10 In TMS Adam Smith repeats up to three times this same idea: see II.ii.2.1; III.3.4 and VI.ii.2.2.
- 11 Equal as purposeful beings, equal in respect of responsibility; equal, therefore, as moral agents and thus –as I hope to show– equal in dignity.
- 12 Taylor coined the term “import” to express the particular feature of the situation to which we react because of the kind of being we are (1985:45-76). Cats, for instance, fear dogs, thus when they see one they run away: that is a frightening situation for them. We, human beings, also react to imports. There are culture-relative imports, like those that trigger reactions in one culture but not in another (shameful situations, for example); and there are cross-cultural imports, which trigger the same reaction in every human being just because of the kind of being we are.
- 13 See TMS I.i.1.10 and TMS I.i.2.6. Smith’s moral sympathy then, does not depend on our feelings but on what we think the situation deserves.
- 14 As a matter of fact, moral sympathy in general manifests this equality, although it is easier to see it in resentment.
- 15 Following Smith, Knud Haakonssen says that justice is different from other virtues because resentment is a more pungent sensation that, unlike positive virtues, reflects the lack of something that we should have been given but were not. That would be the reason why this virtue allows for no degrees and, up to some point at least, it may be universal (Haakonssen 1981:86). Samuel Fleischacker refuses this interpretation (2004: 153-161). I will discuss this problem in section 3.
- 16 This principle of impartiality is very similar to Kant’s, since, ultimately, it prescribes not to make an exception of ourselves: the same test of Kant’s Categorical Imperative (see Tugendhart, 2004:98).
- 17 This first aspect is what many authors, like Ernst Tugendhart, Stephen Darwall or Vincent Hope, have compared with Kant’s Categorical Imperative, and which is supposed to give that “precise measure” for propriety Smith is proud to have found (see TMS, VII.ii.1.49). Furthermore, if we follow James Otteson analogy between ethics and language (Otteson, 2002) this aspect would correspond to the structure of language, which is also the same everywhere (subject and predicate).
- 18 Keeping the same analogy, this would mean that there are some predicates which necessarily belong to some subjects, that is to say, that they are not culture-relative. In TMS II.ii.1.7 Smith says that even before civil government people reacted to injustices; and although “civil government” or the formal organization of a community is not the same as “culture,” it does imply a more precise definition of the community and its culture. Therefore, if justice is “pre-political,” it might also be, as it were, “pre-cultural,” or better, since that is impossible for Smith, some norms of justice may be seen as universal.

- 19 Norbert Waszek (1984) was the first to distinguish between these two possible levels in Smith's theory. Moreover, Smith states that the mob usually compare themselves with the average, while men of perfect virtue compare themselves with perfection (TMS, I.i.5.9-10 and VI.iii.23). These different standards do not necessarily mean different "moralities", but they do mean different ways of facing moral criteria and thus a different way to "shape" their conscience according to them.
- 20 TMS, I.iii.3.2. Once more, these different objects of emulation forges different characters and thus, at least to some extent, different standards for morality.
- 21 See Smith's description of the virtuous man in VI.iii.25.
- 22 See, for instance, TMS III.2.3-4, VII.iv.23 and Smith's analogy of the virtuous men with the artists in VI.iii.26.
- 23 In "Smith and Cultural Relativism" Fleischacker suggests that the "Socratic questioning" about ethics with which Charles Griswold proposes to supplement Smith's thought at the end of his *Adam Smith and the Virtues of Enlightenment*, may already be within Smith thought itself. I believe it is really there, latent under –borrowing Otteson's term– the "marketplace of morals." This thesis may be easier to demonstrate through its opposite: Men of system, the most dangerous to society, would never accept or even tolerate other opinions than theirs (see TMS, VI.ii.2.18).
- 24 In Plato's *Crito*, Socrates introduces this same idea: Wise men do not have to pay attention to what people say ("praise," in Smith's case), but to what wise men, those who really understand about justice and injustice, say ("praiseworthiness"). In Smith's theory, these "wise men" or men of perfect virtue are willing to engage in dialogue (i.e. they look for the friendship of other wise men), because they know that they may always learn from their peers. See TMS V.1.4 for the importance of "comparison" among different patterns and the importance of self-distancing from our own convictions.
- 25 I am not saying that every cross-cultural judgment ought to be universal, but rather that if there is any universal norm, it should be cross-cultural. This is the reason why this kind of judgments favours the discovering of (potential) universal norms. I am indebted to Doug Den Uyl for making me see this point.
- 26 This clarifying expression appears in TMS III.3.21, and is used by Fleischacker (2005), who proposes to see Smith's ethics as a general sketch of good conduct, which shall be applied everywhere, but which also allows for different shadings to be filled in differently by different cultures. However, Fleischacker lately questioned this interpretation because to say a "general sketch" was too vague a definition, and different communities would believe different norms should belong to it.
- 27 See TMS II.ii.3-4, where he says that justice is the only singular virtue for society to subsist.
- 28 In TMS V.2.13 Smith's says that although we expect different things from different states (ages, professions, cultures...), we expect truth and justice from all.
- 29 In "Smith and Cultural Relativism," Fleischacker says that Adam Smith "defines 'morality' in a way that hews closely to the use of that word in ordinary life. Not only does his procedure for moral judgment ... makes the standards of one society largely determinative of one's moral judgments, but his very decision to identify moral judgment with the judgment



of the impartial spectator seems underwritten by a belief that this is what most people mean by 'moral judgment' in ordinary life." According to my interpretation, this statement is correct as long as we emphasize the word "largely," opposing it to "absolutely."

- 30 Quoting from some of Eric Schliesser's comments on this paper, he says: "Throughout TMS II.ii there are suggestive remarks that Smith thinks these feelings [the perception of distress which is an affront to our common humanity] are natural in us independent of socialization (TMS, II.ii.1.4; II.ii.1.10; II.ii.3.4)." He refers to justice as a natural and not necessarily a moral sentiment. However, my own interpretation of these passages is that justice is not *exclusively* dependent on culture ("socialization"). However, according to my interpretation, *natural* sentiments are not opposed to *moral* sentiments (indeed, morality is a *natural* second-order structure built upon our raw feelings). And if moral sentiments should be opposed to something, it would be to our *raw feelings*, our spontaneous reactions, which in the case of justice (a moral sentiment) could be 'revenge' (cf. TMS I.ii.3.3).
- 31 General self-deceit in this case, because interests and passions are too strong, or traditions too deeply rooted, might be as hard to eradicate as in common morality. As Nancy Sherman says (1998), the act of empathetic imagination is not always automatic, and sometimes we need to look for bridges to access that alien world and let empathy to do its work. Those bridges are information, familiarity, narratives, images, etc.

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