ORIGINAL ARTICLE

Smithian sympathy and the emergence of norms

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Abstract

Adam Smith's *impartial spectator* and David Hume's *general point of view* have much in common, as do their moral theories more generally. However, this paper argues that a distinctive feature of Smith's theory—the pleasure of mutual sympathy—allows Smith to better explain a number of important features of norms. In particular, it provides Smith with a more plausible mechanism for explaining how norms emerge, and offers him a richer set of resources for explaining both why we are attracted to norms and why norms are often characterized by local similarity and global diversity. Rather than merely being a matter of historical interest, though, this paper argues that this aspect of Smith's theory warrants attention from contemporary social scientists interested in the nature of norms, as well as from philosophers interested in how we might look to our sentiments to ground our normative practices.

KEYWORDS
Adam Smith, Conventions, David Hume, Norms, Sympathy

The Theory of Moral Sentiments clearly bears the influence of Adam Smith's friend and contemporary David Hume.[1] Smith, like Hume, holds that morality is rooted in the sentiments, and both emphasize the importance that perspective taking plays in establishing standards of merit,

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[1] We use the standard abbreviation and citation norms for the work of Smith and Hume. These include: *The Theory of Moral Sentiments* (TMS) and *The Correspondence of Adam Smith* (CAS) for Adam Smith and *A Treatise of Human Nature* (T) and the *Enquiry Concerning Principles of Morals* (EPM) for David Hume. The specific editions are listed in the bibliography.

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propriety, and justice. Nevertheless, there are crucial differences in their accounts of morality and justice. This paper argues that a distinctive feature of Smith's account of sympathy—the emphasis he places on the "pleasure of mutual sympathy"—can help to explain this. In particular, this feature of Smith's account allows him to explain not only the centrality of norms and general rules of conduct in our moral practices (something Hume can also explain), but also how we initially converge on shared norms, and why we often find local similarity and global diversity with respect to the norms operative in a society (all things Hume has more trouble explaining).

In pointing to the relative advantages of Smith's account of sympathy in comparison to Hume's, our goal is not just to weigh in on a historical debate. Rather, our hope is that in doing so we will illustrate the relevance of Smith's work to both contemporary philosophers and social scientists interested in documenting the diversity of norms and their sources, as well as to philosophers interested in why those norms can or should have authority.

The paper begins by sketching Hume and Smith's accounts of sympathy, focusing on two of the important differences between them. We then discuss the role norms play in mediating our actions and judgments, with an emphasis on how social norms governing things like property, torts, and the fair division of cooperative endeavors make living in large-scale, impersonal communities possible. With this stage setting out of the way we then turn our attention to how Smith's account of the pleasure of mutual sympathy can help to explain a puzzle regarding how norms emerge, and we show why Hume's theory has more trouble doing so. Finally, we conclude by offering some reasons for why the arguments in this paper give contemporary philosophers and social scientists reason to consider Smith's theory more carefully.

1 | SYMPATHY IN HUME AND SMITH

Both Hume and Smith use the term *sympathy* to refer to our capacity for "fellow-feeling" with the sentiments of others. As they characterize it, this capacity shares some of the features that psychologists today associate with sympathy, but it is in many respects more analogous to what is now referred to as "empathy."[2] It is like the former insofar as it involves the experience of being moved by the sentiments of another (perhaps accompanied by the judgment that such feelings are understandable given the circumstances). It is like the latter insofar as it involves a shared affective experience between the person feeling sympathy and the object of that sympathy.

Hume and Smith each begin their discussions of sympathy with an account of how we come to sympathize with others. As both recognize, we cannot directly experience the sentiments of others since their mental states are not directly observable. Sympathy thus emerges indirectly from our observation of:

1. The *situations* that elicit sentiments, and
2. The external—behavioral and affective—*signs* of the sentiments.

For both Hume and Smith these observations give rise to affective responses in us that help to motivate concern for the person with whom we are sympathizing. Hume and Smith, though, dis-

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agree about the nature of the mechanism through which we infer the existence of the sentiments felt by others. Where Hume emphasizes the signs of the sentiments felt by others, Smith places more emphasis on the situations that elicit them.

For Hume, the sentiments of others are transmitted to us via "contagion" (EPM 7.2; SBN 250–1). The external signs of a sentiment felt by another generates for us an idea of that sentiment. This idea is then converted into an impression which is felt with more or less vivacity depending upon the perceived relationship between ourselves and the person with whom we are sympathizing. In other words, to sympathize with someone else is to feel what we imagine they feel, where, crucially, the other person's affective experience is seen to be the source of what we now sympathetically feel. For Smith, however, we sympathize with the sentiments of others via an imaginative projection mechanism (TMS I.i.1.2-10). To sympathize with someone else is to put oneself in someone else's shoes—to imagine how I would feel if I were in your circumstances—and therefore for me to feel what I assume you feel (or, alternatively, what I assume you *should* feel).

Among the significant differences between Hume and Smith on sympathy, is that the latter's account, but not the former's, allows us to sympathize with others while holding onto the idea that what we sympathetically feel is not what they in fact feel. Smith counted this as an advantage of his theory—an assessment that many commentators have concurred with—because it allowed his theory to better explain our tendency to sympathize with the dead and others who don't feel the sentiments we sympathetically feel but who would if they were better attuned to their circumstances (TMS 1.i.1.10-13).[3] That said, like Hume, Smith clearly thought that the sympathetic feelings we experience are felt more strongly when our imagination of what it would be like to be in the shoes of another is more vivid, as is likely to happen when the person we are sympathizing with is a close friend or when they find themselves in a situation that we have ourselves been in often.[4]

Others have written extensively about the details of Smith's and Hume's respective accounts of sympathy, so rather than provide an exhaustive account here we want to focus on two distinctive features of Smith's account of sympathy: 1) the more expansive role that sympathy plays in Smith's moral theory, and 2) the pleasure of mutual sympathy that Smith thought was both more widespread and more important than Hume did. As we will see in Section 3, the conjunction of these two aspects of Smith's account of sympathy provide his theory with more resources to explain how we converge on norms and why we feel their pull.

With respect to the role sympathy plays in their respective theories, Hume and Smith both agree that we possess a natural concern for others and that this concern is motivated, at least in part, by sympathy. For Hume, though, this is more or less all there is to sympathy's role in morality. Sympathy is important insofar as it motivates our general concern for others, which, in turn, is important to the extent it motivates us to approve of character traits that are agreeable or

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[3] In addition to the dead, Smith also identifies our tendency to feel embarrassed on behalf of those who cause offense without realizing it, and to pity those whose rational capacities are impaired or undeveloped, but who are nevertheless content, or people who suffer from awful or terminal diseases, but who do not know it. And later Smith suggests that the pleasure of mutual sympathy also explains why the sympathy of others often helps to alleviate our suffering (TMS 1.i.2.4).

[4] Indeed, in the latter part of TMS, Smith suggests that fully sympathizing with someone else requires not just changing circumstances with them, but also changing "persons and characters"—that is, imagining that one is the person with whom one is sympathizing (TMS VII.iii.1.4). And Hume's view is perhaps not so different from Smith's insofar as Hume thinks that the vivacity of an impression depends on the strength of the association we draw between the situation of the person we are sympathizing with and the sentiments we associate with those situations.

useful to them (and to disapprove of traits that are not).[5] For Smith, however, sympathy is also employed in our assessment of the behavior of ourselves and others. On Smith's view, to approve of the sentiments (or actions) of another is to arrive at the sympathetic judgment that, were I in your shoes, I would feel what you appear to feel (or, alternatively, that I would act as you acted). Similarly, we are able to approve of our own behavior when we recognize that others are able to sympathize with it.[6] Indeed, it is by measuring our sentiments against those of real and imagined others that we construct the point of view of the impartial spectator. For Smith, it is this point of view that famously provides our primary mechanism for checking the partiality of our normative judgments (and, crucially, which provides us with a check on the partiality of the judgments of others). Of course, it's true that Hume's "general point of view" plays a somewhat similar role in mediating our normative judgments, however sympathy plays little (if any) role in its operation.[7] Accordingly, the fact that sympathy constitutes a standard of approval for Smith, but not Hume, marks a substantive difference between their theories.

Turning to the special emphasis that Smith places on the pleasure of mutual sympathy, Smith begins the second chapter of *The Theory of Moral Sentiments* by declaring that "nothing pleases us more than to observe in other men a fellow-feeling with all the emotions in our own breast" (TMS I.i.2.1), and he devotes the whole of the chapter to exploring this phenomenon. Smith's two key claims are that mutual sympathy is widespread (TMS 1.i.2.1), and that it is pleasing regardless of whether we are sympathizing with a positive or negative sentiment (TMS I.i.2.2). He then suggests that this pleasure helps account for several phenomena that are emblematic of our humanity. For example, it explains our eagerness to share our feelings with others. It tells us something about why we desire to be beloved. And it helps to explain our desire to abide by moral standards, while also giving us a mechanism for explaining how those moral standards come about. It is the last of these phenomena that is of most interest to us. Before we explore it in more detail, though, it's worth flagging Hume's vehement disagreement with both of these distinctive features of Smith's account of sympathy.

In his letter to Smith of 28 July 1759, Hume contends that the phenomenon Smith describes is not a general one, but rather something that only obtains between friends and close acquaintances (CAS 43). Furthermore, he suggests that Smith's view has some troubling implications—notably that it would appear to make a hospital a more entertaining place than a ball. Having identified Smith's emphasis on the pleasure of mutual sympathy as the "Hinge" upon which Smith's moral system turned, he then encourages Smith to better defend his view in the subsequent edition of TMS that Smith was then preparing—a challenge Smith accepted.

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[5] Sympathy, in other words, plays at best an indirect role in Hume's theory. And even this role isn't clear insofar as Hume's account of our concern for others often tends to place greater emphasis on the "principle of humanity." This is perhaps especially clear in his account of attributions of merit (T 3.2.1.6, SBN 478; EPM 9.6, SBN 272-3). However, while an interesting exegetical question we will set aside the question of whether Hume's principle of humanity is meant to supplement or supplant the role sympathy plays in motivating concern for others.

[6] Alternatively, approving of our own behavior sometimes consists in arriving at the judgment that others could have (or perhaps should have) sympathized with us.

[7] Not everyone will agree with this characterization of the general point of view. There is little consensus among Hume scholars, though, with respect to the role the general point of view is meant to play, or how it should be constructed. For instance, many interpret it as grounding an "ideal observer" theory of morality (Glossop, 1967), with some interpreting it specifically as an example of Hume's utilitarianism (Hardin, 2007) and (Ashford, 2005). Alternatively, Gauthier (1979) argues that the general point of view provides the resources for reading Hume as a contractarian, while Sayre-McCord (1994) argues that the general point of view is best read through the lens of mutual advantage, and so cannot be aggregative in the utilitarian sense. None of these views, though, place much importance on sympathy.

As is the case with their accounts of sympathy generally, others have written about this disagreement at length. These discussions have tended to focus on: what explains the pleasure of mutual sympathy and our desire for it, how extensive the phenomenon is, and whether Hume's criticisms pose a broader problem for Smith's theory. Emphasizing the second and third of these questions, for instance, David Raynor (1984), Eugene Heath (1995), and Alexander Broadie (2006) have sided with Hume, arguing that mutual sympathy is less widespread than Smith suggests; that it is not necessarily pleasing, and that this is a problem for Smith—because Hume is right that the phenomenon is the "Hinge" upon which Smith's theory turns.

Samuel Fleischacker (2012) and Hans Muller (2016), on the other hand, have defended Smith's insistence that sympathy with the negative sentiments is pleasing when it is mutual, and that the phenomenon is widespread. Fleischacker, for instance, argues that the pleasure we take in mutual sympathy plays an important role in alleviating suffering and promoting community. In particular, he points to the comfort that those who lose a loved one get when others not only express their condolences but mourn alongside them. And he emphasizes the sense of belonging mutual sympathy can engender when we find ourselves "comrades in outrage." Meanwhile, for his part, Muller persuasively argues that Hume's principal objection—that a hospital would be a more entertaining place than a ball—is ill-conceived, because in the latter case the sentiments we are prone to sympathize with are pleasing, whereas in the former case it is only the pleasure we take in the concord of our sentiments that is pleasing (Muller, 2016).

Also weighing in on this debate are James Otteson (2002) and John McHugh (2016). Otteson has done more than anyone else to emphasize the centrality of mutual sympathy to Smith's thought generally, thereby confirming Hume's observation that it is the "Hinge" on which his theory turned; while McHugh (2016) has done the most to explain why mutual sympathy is pleasing and how this helps explain our "sincere, motivating commitment" to morality.

Our goal is not to resolve this controversy here. Rather our aim is to catalog some of the advantages of Smith's view on the assumption that he is right. That said, we want to note that we think Fleischacker offers an especially compelling account of why mutual sympathy is often pleasing even when the sentiments we are sympathizing with are not themselves pleasant. Membership in community is an important human good (both instrumentally and intrinsically), and the communities we belong to are often defined by our commitment to shared sets of norms or beliefs. It should come as no surprise, then, that we can take pleasure in sympathizing with unpleasant sentiments when doing so helps mark our membership in a community.[8] Furthermore, even if Raynor and Heath are right that mutual sympathy is not *always* pleasing, Fleischacker and McHugh have pretty clearly shown that it often is, and the circumstances in which it is are not restricted to those involving our close friends and associates.[9]

Having taken Smith's side in the debate of mutual sympathy, at least for the sake of argument, what hangs on this? Our conjecture is that Smith is better able to explain the development of social

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[8] The importance of this becomes clearer when we consider the fact that we typically belong to myriad, overlapping communities. And, even when our attachment to some of these communities is fleeting, or when the commitments that characterize our membership in one community stand in tension with the commitments that characterize our membership in another, it's worth noting that our identity and sense of self is often bound up in the communities we belong to.

[9] Here it's also worth noting that the criticisms of Smith levied by Raynor and Heath predate most of the work by scholars who have since come to Smith's defense, and neither Raynor nor Heath has reiterated their criticism in the wake of this new work. Similarly, it's worth noting that the other prominent criticism levied against Smith, by Broadie (2006), is simply that Smith's response to Hume begs the question and fails to explain why Hume's counterexample isn't more compelling. Here, though, Smith's defenders, especially Muller (2016) have offered compelling answers on Smith's behalf.

norms and stable standards of appropriateness. Before saying something about the advantage of Smith's view, though, it is necessary to say a bit more about norms.

2 | NORMS: WHERE THEY COME FROM AND WHY THEY MATTER

Much of our behavior is governed by norms that prescribe or proscribe how we ought to act. Some of these norms are relatively inflexible and are widely (if not necessarily universally) adopted, while others exhibit more variability between both individuals and cultures and reflect beliefs, values, or ideals that we are personally committed to and that we would strive to abide regardless of the expectations of others. A great many of the norms that govern our behavior, though, are conditional on how we expect others to judge our behavior. More specifically, they are what Christina Bicchieri (2005) calls *social norms*. These are prescriptions that we have an interest in following conditional on two things: 1) that enough other people *expect* me to conform to them, and 2) that enough other people actually will also conform. The first condition is important because social norms are often implicated in cases where it is not in our individual interest to conform to a norm unless others expect conformity. The second condition is important because it indicates that a norm is actually operative in a given domain.

Among the aspects of our lives that social norms play an important role in governing are cooperative endeavors, especially where there are externalities associated with our actions. These are cases where collective action problems loom large or where incentives are hard to align, leading us to over-invest in activities that are socially costly and under-invest in activities that are socially beneficial. Often these sorts of cases invoke norms of fairness, desert, or responsibility. In cooperative endeavors, social norms allow us to curtail free-riding by delineating clear standards for what is expected. This ensures that individual efforts are not exploited; while in cases involving externalities, norms that clearly establish who is responsible for what outcomes reduce the odds of conflict associated with living in community with one another in a world where imposing costs on one another is inevitable. These sorts of norms aren't just important because they improve the quality of life in some communities, though, they're often critical to whether we can reap the benefits of living in community with others *at all*. Making sure that a common pool resource like a fish stock or water supply isn't depleted or contaminated, for instance, can sometimes make the difference between life and death.

Although neither use the term "norms," Hume and Smith each discussed the importance of rules and standards of fairness, desert, and responsibility at length, and both had clear accounts of why it is that we abide by such norms. For Hume, the answer stems largely from our tendency to formulate and adhere to general rules. For Smith, on the other hand, it's largely a function of our desire not only to be praised, but to be praiseworthy.

One of the things that makes social norms especially interesting, though, is that their content often varies wildly across domains. A fair division of goods in one context, might be decidedly unfair in another. Whether a shortcut taken through a neighbor's property qualifies as trespass might depend on whether that shortcut is regularly taken. And which outcomes of my actions I'm liable to be sanctioned for will depend on any number of things including how foreseeable they are and by whom. Indeed, such norms often vary across both circumstances and groups. A norm that one group accepts in a particular set of circumstances, might be rejected by a different group in the same circumstances. An important question to ask, then, is how particular norms emerge and are maintained.

Both Smith and Hume have answers to that question, although neither answers it explicitly in their work. Hume's accounts of sympathy, the general point of view, and the utility of general rules provide him with the resources to explain why we might adhere to existing norms of fairness or principles of justice in property. Less clear is how he can explain the initial emergence of any particular norm. Although he offers a speculative account of why property norms tend to be the way that they are, the fact remains that not everyone shares the British norms of property on which he focuses. This is where Smith's account of mutual sympathy proves advantageous, namely as a mechanism for explaining how norms first emerge, especially in cases where there are many candidate norms for governing a practice each of which is likely to favor some individuals over others. We examine this mechanism in the next section.

3 | MUTUAL SYMPATHY AND THE EMERGENCE OF NORMS

On Smith's account, the independent pleasure we get when our sentiments concord with those of our fellows provides us with a motive for converging on similar sentiments and judgments. As Smith explains, this desire prompts us to augment or temper our sentiments to bring them into alignment with our fellows. When we observe the situations of others, we know that their joy or grief is likely to be felt more strongly than the joy or grief we have on their behalf. This, then, is one reason why we go through the imaginative process of projecting ourselves into their situation—so that we might augment the intensity of the sympathetic joy or grief we feel to more closely approximate the intensity of their sentiments (TMS I.i.4.6). Even this is unlikely to bring us into complete concord, though, and so, when we are the one principally affected by a particular situation, we temper our sentiments to make them easier "to go along with" (TMS I.i.4.7). In fact, so important is this process to developing our sense of propriety that Smith refers to our abilities to enter into the sentiments of others and to moderate the intensity of our own sentiments as virtues (TMS I.i.5.1).[10]

Smith's association of the traits that make mutual sympathy possible with virtues (indeed with the perfection of human nature) makes it clear that he had some sense of the role that the desire for mutual sympathy could play in the development of moral standards. It's worth pausing to consider an example involving the norms that govern our conduct, though, to see just how hard it can be to explain the emergence of such norms, and how the desire for mutual sympathy can help to explain this.

Among the norms that Smith devotes considerable attention to are those that govern our responses to accidents (e.g., TMS II.iii). Most of Smith's discussion of these norms concerns various species of negligence, where the question at hand is which of the unintended but foreseeable consequences of an individual's actions she should be responsible for. However, part of the discussion concerns how we respond to genuine accidents. In cases where someone involuntarily causes significant harm to someone else through no fault of their own Smith notes that the individual in question will nevertheless tend to naturally run up to the sufferer to express his concern for what has happened. Indeed, Smith suggests that, if such a person has any sensibility, he

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[10] The former he refers to as the "soft," "gentle," and "amiable" virtues, and describes as the virtues of "candid condescension" and "indulgent humanity." While the latter he refers to as the "great," "awful," and "respectable" virtues, and gives as examples the virtues of self-denial and self-government (or self-command). See also TMS I.i.5.5 and III.3.35. Rules of propriety are internalized and connected to our imaginative and natural sentiments, connecting judgement and sentiments in a way similar to the "sentimental rules" account of moral judgement developed by Shaun Nichols (2007).

"necessarily desires to compensate the damage, and to do everything he can to appease that animal resentment, which he is sensible will be apt to arise in the breast of the sufferer" (TMS II.iii.2.10).

At first glance, the response Smith describes should strike us as eminently reasonable. As he notes, to make no apology in such cases is often regarded "as the highest brutality." And yet, as Smith goes on to observe, since the causes of genuine accidents are "equally innocent with any other bystander," it's not entirely clear why he should "be singled out from among all mankind, to make up for the bad fortune of another" (TMS II.iii.2.10). Unsurprisingly, the answer Smith poses to this question lies in the desire for mutual sympathy and the fact that "even the impartial spectator feel[s] some indulgence for what may be regarded as the unjust resentment of that other" (TMS II.iii.2.10).

We've already noted that Smith employs sympathy (and especially the sympathy of the impartial spectator) in his theory of approval. To see whether this is reasonable in the case just described, however, and to see how the desire for mutual sympathy makes his position possible, more needs to be said. Note that in cases involving genuine accidents, one is *ex hypothesis* not culpable. Normally, if one neither intends to cause harm, nor acts negligently, we would not hold such persons responsible for the consequences of their actions. However, even if one is not culpable for an accident, the question remains how—or indeed whether—the victim of the accident should be made whole. Here three answers naturally suggest themselves. First, whoever caused the accident should compensate the victim(s), even if they aren't culpable. Second, society should collectively bear the burden of making the victim whole. Third, the unlucky victim must bear the cost alone. There also exist myriad other solutions to this problem where costs are shared to varying degrees between the victim, cause, and society.

Smith ultimately settles on the first response.[11] Even for those who balk at this solution, though, the third option that leaves the victim to fend for herself is likely to be seen as even more appalling. In most developed countries, there are well-developed schemes for dealing with these sorts of problems. Typically, these involve insurance policies and laws that assign liability to different parties in different ways. New Zealand even has a collectivized tort system for dealing with accidents in which victims are compensated by the government. The important point is that every community must have some system for dealing with the aftermath of accidents. And, although we now have expansive sets of institutions for dealing with these issues, these institutions were typically built on top of pre-existing norms. But what were those norms and where did they come from? How do we decide between the myriad ways of apportioning responsibility for making victims whole?

By appealing to the desire for mutual sympathy Smith has a natural answer to why we often settle on the solution that whoever caused the accident should compensate the victim. More importantly, he has an answer not only for how we settle on this or that solution, but how we can settle on *any* particular solution. If I cause harm to someone else, I am likely to sympathize with their suffering, even when the harm is caused accidentally. I'm also likely to sympathize with their demand that something be done to make them whole again. Of course, I may recognize (or at least believe) that I was not at fault, and so I might resist the conclusion that it is me alone that should make the victim whole. In the vast majority of cases, though, bystanders will be more likely to sympathize with the victim, and, even when they're not, they're likely to balk at the idea that the onus should be on them to make the victim whole. After all, they weren't involved in the events at all. The desire to bring my judgment into line with those of the victim and other spectators,

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[11] For a more thorough discussion of Smith's account of accidents, negligence, and the role our sentiments play in mediating our responses to them see Hankins (2016).

TABLE 1 Fender bender

		David (Lead Car)		
		Lead	Trailing	Share
Adam (Trailing Car)	Lead	4, 0	1, 1	3, 1
	Trailing	1, 1	0, 4	1, 3
	Share	3, 1	1, 3	2, 2

TABLE 2 Fender bender w/ pleasure of mutual sympathy

		David		
		Lead	Trailing	Share
Adam	Lead	$4 + p, 0 + p$	1, 1	3, 1
	Trailing	1, 1	$0 + p, 4 + p$	1, 3
	Share	3, 1	1, 3	$2 + p, 2 + p$

then, allows me to moderate my claim of innocence and augment my belief that something must be done for the victim. And because the same thing is likely to be true for the victim and members of the broader community we end up with pressure to converge on a single standard.

To use an informal game theoretic model to help characterize things, the pleasure of mutual sympathy can be understood as a psychic bonus that augments the payoffs associated with agreement and which can accordingly help transform mixed motive social dilemmas into impure coordination games.[12] An example of this dynamic is illustrated in Tables 1 and 2 below.

Table 1 illustrates the mixed motive game that we can imagine arising following a fender bender. In this situation Adam, who is driving the trailing car, and David, who is driving the lead car, must decide who should be responsible for the damage. Each driver's best outcome is for the other to accept full responsibility, and blaming the other driver is a weakly dominant strategy for each. In fact, the unique equilibrium in this game is for Adam and David to both pursue this strategy. However, doing so leads to the shaded outcome in the table in which they are both worse off than if they could have simply agreed to share responsibility (which would have led to the outcome in the bottom right).

As Table 2 illustrates, though, at the agreement points along the diagonal Adam and David are able to enjoy the pleasure of mutual sympathy modeled by the variable p.[13]

If we inspect Table 2, we can see that the pleasure of mutual sympathy is not guaranteed to solve the dilemma that Adam and David find themselves in following the fender bender. For instance, if $p < 1$ for both drivers, then the situation remains a mixed motive game with the same inefficient equilibrium as the game depicted in Table 1. However, if $p > 1$ for each, then the situation becomes an impure coordination game in which each of the shaded outcomes along the diagonal are potential equilibria.

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[12] Robert Sugden (2002) has argued, in a somewhat different context, that the pleasure of mutual sympathy might be explanatorily useful to economists who are trying to explain and model cooperation and coordination. Although he doesn't use Smith's account of mutual sympathy to explain the emergence of norms, he does think of mutual sympathy as a kind of psychic bonus in a way that we think is largely compatible with the one developed here.

[13] In this example and the ones that follow, p need not take on the same value for each agent. Indeed, it is unlikely that it will. For the simplified model presented here, we abstract from that complication for ease of presentation since individual level diversity in p would not affect the general conclusion.

TABLE 3   Fender bender w/ community converging on trailing equilibrium

		David		
		Lead	**Trailing**	**Share**
Adam	Lead	$4 + \hat{p}, 0 + \hat{p}$	0, 1	1, 1
	Trailing	1, 1	$0 + p^*, 4 + p^*$	1, 2
	Share	3, 1	0, 3	$2 + \hat{p}, 2 + \hat{p}$

Alternatively, or perhaps in addition to the role described above, the pleasure of mutual sympathy can be understood as a gravitational force which nudges parties towards particular equilibria in situations where many such equilibria exist (like the impure coordination game described above). In other words, in situations like the fender bender where different equilibria may favor different individuals, the pleasure that accompanies agreeing on who should take responsibility for the damage can help make up for the fact that one does not necessarily get her most preferred outcome (as happens when either Adam or David agrees to bear some, or even all, of the responsibility for the fender bender).

Furthermore, note that the gravitational force of mutual sympathy is amplified as one begins to consider the impartial spectator and the myriad other spectators whose judgments and sentiments might concord with one's own. Indeed, as a community begins to converge on a particular equilibrium, the pleasure of mutual sympathy helps to explain how this convergence can become self-reinforcing as the opportunity to bring one's sentiments into line with the broader community expands the possibility for mutual sympathy at this equilibrium relative to others. That is to say, we might expect that the sympathetic pleasure agents feel will be augmented when their judgment concords with not only the individuals with whom they are closely engaged, but the broader community. Conversely, the opportunity to feel the pleasure of mutual sympathy at other equilibria is likely to be diminished as the concordant judgments of the individuals who find themselves in such an equilibrium become discordant with the broader community. Table 3 below illustrates this dynamic for the fender bend case:

In this example, the community has begun to converge on the practice of holding the driver of the trailing car responsible, so we can assume that $p^* > p > \hat{p}$.[14] Notice as well that the payoffs for some of the off-diagonal outcomes have been modified to reflect the fact that the community's convergence on the Trailing equilibrium makes it unlikely that a disagreement between Adam and David will work out in Adam's favor since he was driving the trailing car.

As was the case in Table 2, this is a coordination game. However, the modifications to the off-diagonal payoffs now mean that the outcomes where Adam and David agree either on Trailing or on Sharing are equilibria even when $\hat{p} < 1$ (that is even in the absence of any pleasure associated with their concordant judgments). More important, though, is that, as the size of p^* increases relative to $\hat{p}$, the situation transforms from an impure coordination game into a pure coordination game. Specifically, if $p^* > \hat{p} + 4$, then the equilibrium where Adam and David agree that the driver of the Trailing car is responsible for damages is the most preferred outcome for both parties, while sharing responsibility remains an equilibrium of the game albeit one that is now inefficient and dispreferred by both parties.[15] In other words, as the pleasure associated with bringing one's

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[14] This, of course, is the operative norm in most areas of the United States, and in many other countries, at least for cases where the lead car has not obviously done something reckless.

[15] Up to this point our analysis has not depended on whether the payoffs in the games we've constructed represent ordinal or cardinal preferences. This claim is only true, however, if we interpret the payoffs as cardinal preferences.

judgments into line with members of one's community generally comes to outweigh the pleasure associated with the concord between oneself and any particular individual, the coordination problem characterizing the situation one is in changes.

Understood along the lines sketched above, we can think of the role played by the pleasure of mutual sympathy as analogous to what theorists of social norms describe as our "sensitivity" to a norm(s). In other words, as the pleasure we derive from mutual sympathy becomes greater, we are apt to become more sensitive to the existence of norms and the expectations of others. Of course, in real cases, the particular equilibria that the pleasure of mutual sympathy drives us towards will depend heavily on particular features of the contexts in which they arise. For example, how significant a harm was and how salient the causal contributions of the person who brought it about are seen to be; how a piece of property was historically used and whether enclosing it would clearly burden other parties; and, perhaps most importantly, the initial sentiments and particular interests of the members of the community in question, are all likely to matter.

Also important is the fact that once a conventional equilibrium stabilizes into a social norm, the norm itself becomes the focal point of individual sympathies as children learn to respect and respond to the various norms of their community. This essentially is what Smith means when he says we come to be guided by the impartial spectator and by our desire to be praiseworthy (as opposed to simply praised). Some of the norms we so adopt will then develop into formal rules or laws, while others will remain informal without necessarily being less important. At this stage, though, even if it is the impartial spectator that is most directly responsible for our adherence to the norms in question, their emergence will have been the result of a path-dependent process driven by the pleasure of mutual sympathy. Furthermore, while it may be the impartial spectator that most directly explains our adherence to norms, it is the pleasure we derive from bringing our sentiments and judgments in line with others, that explains the ability of the impartial spectator to command our allegiance.

So far, we've focused on how Smith's account of the pleasure of mutual sympathy provides him with a mechanism for explaining how individuals in a community converge on social conventions that stabilize into norms and laws. Also, important, though, is that Smith's account can accommodate the fact that different communities often have different norms. Since a process driven (or at least aided) by the pleasure of mutual sympathy depends upon interpersonal sympathy, it is likely to be a path dependent process that begins in small groups. In other words, it doesn't predict that different social groups and communities will necessarily converge on the same norms. And because human societies tend to be characterized by *both* local convergence and global diversity, this is a significant advantage. In the next section we'll see that the same cannot be said for Hume's account.

4 | THE INITIAL CONVERGENCE PROBLEM

As we saw in Section 1, Hume denies that the pleasure of mutual sympathy extends much beyond our circle of close acquaintances. For Hume, then, the mechanism for explaining the drive to convergence described in the last section is unavailable, at least for the sort of large impersonal groups that typify modern societies (and recall that these are precisely the kinds of groups for which social norms are most important). Of course, it's possible that Hume could appeal to a different mechanism for explaining our convergence on norms. Three candidates, in particular, are worth considering: i) our capacity for sympathy (exclusive of a role for the pleasure of mutual sympathy), ii) the general point of view (or perhaps, alternatively, the principle of humanity),

and iii) our attraction to general rules. As we will see, though, each of these mechanisms makes the convergence on particular norms contingent in a way that makes it hard to explain why we reliably observe within-group convergence and between-group diversity.

Sympathy and the general point of view each provide Hume with mechanisms for explaining why and how individual agents take account of the interests of others (once again, recall our discussion in section 1). In theory these mechanisms might drive convergence towards norms by giving me reason to care about outcomes that don't otherwise affect me, and by providing me with a standpoint from which to evaluate these outcomes that is less likely to be biased by my partiality. Consider sympathy: the sentiments of others provide evidence that they find certain things useful or agreeable. Prompted by contagion, my imagination and capacity for association then provides me with some reason to find those things useful or agreeable. Alternatively, my capacity for considering things from a general point of view allows me to evaluate states of affairs or consider the impact of a course of action without special regard for myself. In other words, it allows me to consider things in a way that weighs the interests of affected parties, if not equally, then at least in a less partial way.

There are two problems with appealing to these two mechanisms as explanations for convergence. First, although the sentiments of others may provide evidence that they find something useful or agreeable, we often lack direct evidence of what animates their sentiments, or, more importantly, why they are so animated. To put a more Smithian gloss on things, putting oneself in another's shoes is no guarantee that one will arrive at the same judgments as the person whose shoes one is filling. Nor does the general point of view fare better here. That I have a capacity for assessing situations impartially may prevent me from proposing or defending outcomes that are unduly partial, but it provides no guarantee that I will assess things in the same way as others.

Cases of pluralistic ignorance are illustrative of both of these phenomena. Pluralistic ignorance occurs in situations where some group of individuals all believe that each other member of the group has judged some action to be appropriate or inappropriate, but where the individuals involved actually hold the opposite view. A classic case of this arises in the classroom where students are often afraid to ask questions because they don't see any other students asking questions. In such cases, students mistakenly infer from the silence of their classmates that everyone else understands the material perfectly, and, as a result of this inference, they refrain from asking questions because they assume that doing so would call unwanted attention to their relative lack of understanding, annoy students with a better grasp of the material, or prevent the class from moving on to other important lessons. It's the mistaken inference in these kinds of cases that is of interest to us. Here, the mistake could reflect a failure of sympathy; I mistakenly interpret your silence as evidence of understanding (as opposed to fear), and so I mimic your silence as opposed to acting in the way that would be better for us both. Alternatively, it could reflect a failure of my capacity to reason from a general point of view. I mistakenly assume that my own lack of understanding is not representative of my classmates' grasp of the material, and so I reason about what would be best for the class as a whole on the basis of a false belief of what the class is like.

Whether pluralistic ignorance is driven by a misfiring of our capacity for sympathy or the misapplication of the general point of view, the problem for a Humean account of norm development is that, insofar as it leans on these mechanisms, it should predict that cases of pluralistic ignorance are ubiquitous. Fortunately, although such cases are not necessarily rare, they are also not widespread.

The problems with sympathy and the general point of view actually run deeper than the example of pluralistic ignorance suggests, though. After all, in the case of the silent classroom the students do converge on a norm (albeit a suboptimal one), and Smith's account of the pleasure of

mutual sympathy doesn't necessarily make these sorts of cases less likely to occur than they are on the Humean view. For Hume (but not Smith), though, an even bigger challenge comes from cases where our inferences about what other agents think misfire in different ways so that no single norm or action emerges as a best response to what we each believe would be best for us all. It is these cases that point to the second problem with appealing to sympathy or the general point of view as explanations for the emergence of norms. That problem is that the scenarios where social norms are most important are typically social dilemmas characterized by many potential equilibria, each of which is likely to favor some individuals over others. More specifically, norms play a role in stabilizing certain equilibria as opposed to others. But, while my concern for others or for acting without undue partiality may take certain equilibria off the table, except in rare circumstances, it won't negate the fact that some norms will inevitably favor me over you and vice versa. Of course, Hume can lean on the utility of general rules to explain why it's useful to have rules for apportioning responsibility, delimiting property, or dividing the fruits of social cooperation, all things which help us navigate social dilemmas. He can also explain why individuals have reason to go along with such rules even when alternative rules would be better for them. What Hume has more trouble explaining, though, is why any particular rule should arise in the first place. More specifically, because he lacks a mechanism for explaining equilibrium selection, his account makes our initial convergence on norms contingent, and, while this is certainly possible, appealing to contingency in this way makes it surprising that we don't find ourselves trapped in social dilemmas more often. More importantly, the kind of approach just suggested leaves Hume without an explanation for why the norms that allow us to avoid the worst consequences of social dilemmas tend to be characterized by local similarity and global diversity.[16]

Consider Hume's account of the development of norms of property and justice. Property norms are crucial in any society, especially a commercial one. In addition, property is an excellent example of a set of stable social norms that we find in all societies in some form, but often with different content. A satisfying account of the formation of our property norms should be able to account for this fact. This is what Hume's account has trouble doing. Recall that Hume's account of the development of justice and property relies on the utility that norms of justice and property generate. As Hume famously argues, "public utility is the *sole* origin of justice" (EPM 3.1), and it is easy to see why it is important that we have some set of norms governing what belongs to me and what belongs to you, and, just as importantly, a common understanding of what it means for something to belong to someone. But appeals to utility cannot typically explain why any particular set of property norms is more beneficial than another set that we could just as easily follow. Why, in other words, should certain acts count as trespass when other, seemingly similar, acts do not? Put another way, the worry here is that the utility of candidate norms doesn't vary as considerably as the diversity of actual social and moral norms does (even if we grant that there are extensive differences that obtain between the circumstances in which the norms are operative).

Even if the phenomenon we've just described is not as hard for Hume to explain as we've suggested, though, he faces another, perhaps more serious problem. That problem is that Hume seems to overestimate the ability of individual agents to arrive at consensus about the utility of various norms. Once again, this is because almost all norms, including norms of property, are likely to favor some individuals over others in both their general and particular applications. When I'm inconvenienced by a rule forbidding trespass, and the trespass imposes no obvious cost on the

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[16] There is an interesting and suggestive discussion of the diversity and similarity of norms and practices in Hume's "A Dialogue," which is appended to EPM. This suggests that Hume may have been aware of this problem. Characteristically, Hume raises a number of interesting points and examples, but he never gives a systematic response to this problem.

property owner, why think I will tend to be able to see the utility of the rule, especially in cases where the rule is not yet entrenched as a norm?

Indeed, it's in their answers to the question just posed where the differences between Hume and Smith are most stark. Although Smith agrees with Hume that justice is essential to the proper functioning of society, Smith argues that a regard for utility cannot be the origin of justice, partly because the connection between utility and justice is often difficult to discern, and partly because people do not tend to reflect on that connection. Smith writes:

> But though it commonly requires no great discernment to see the destructive ten-dency of all licentious practices to the welfare of society, it is seldom this consideration which first animates us against them. All men, even the most stupid and unthinking, abhor fraud, perfidy, and injustice, and delight to see them punished. But few men have reflected upon the necessity of justice to the existence of society, how obvious soever that necessity may appear to be (TMS II.ii.3).

As Eric Schliesser (2017, p. 87) points out, Smith thinks that Hume's account relies on a senti-ment (utility) that is too abstract, too moralized (love of virtue), and too exquisite (love and esteem) to generate such a low-level norm as property. Hume mistakes the *effect* of a norm of property (gen-eral utility) with its *origin*. On this point we're inclined to agree with Smith. According to Smith, property arises as the result of a "natural sentiment" that is stabilized into an interpersonal norm, which mediates and restrains the potential excesses of the brute sentiment.[17] The crucial stage in the development and stabilization of these norms is our affective sensitivity to other people, and, in particular, our reactions to their behavior and their real and imagined reactions to our own behavior.

In short, the mechanism Smith is referring to here is the impartial spectator whose judgments are mediated in no small part by the pleasure of mutual sympathy. On the Smithian account prop-erty norms are indicative of norms in general in that they are a codification of best responses given the sentiments and judgments of others that are likely to be indicative of their best responses. While this codification perhaps allows the norms to be more easily taught or intellectually jus-tified, they remain motivationally linked to the natural sentiments. And, as we saw in section 3, the pleasure of mutual sympathy is important on such an account insofar as it makes our con-vergence on norms more likely by making outcomes that would otherwise be unattractive to us appear more attractive (in virtue of our ability to agree with respect to our assessments of the outcomes).[18]

Note, too, that, as we've characterized their views, for both Hume and Smith norms—perhaps especially norms of property—are a kind of convention in the broad sense developed by David Lewis (1969). For each of them, but especially for Smith these conventions are stabilized through

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[17] Ryan Sagar (2017) argues that the fact that this sentiment is natural creates an important discontinuity between Hume and Smith's theories of justice and their moral theories in general. Although important, this difference may be the result of Smith being more of a thorough-going Humean than Hume himself as Spencer Pack and Eric Schliesser (2006) argue.

[18] Samuel Fleischacker (2019) makes a similar point in defending empathy from some of its recent critics. In particular Fleischacker emphasizes the role that empathy plays in allowing us to recognize harms (and other things of moral signif-icance), and the role it plays in helping us develop a "common moral currency." Unlike us, though, Fleischacker (2019) is primarily concerned with the day-to-day role empathy (or Smithian sympathy) plays in our moral and social practices, and not the role it may play in explaining the development of those practices. Similarly, he focuses on the role empathy plays generally, and says relatively little about the specific role of the pleasure of mutual sympathy.

the deployment of moral sentiments.[19] That Smith appeals to our sentiments to ground such norms, though, makes his account no less conventional than Hume's. This is because, for Smith, although the sentiments that generate the norms may be natural, the content and form of the norms are not. In other words, on Smith's view the norms of justice and property that lie at the heart of politics, are neither natural (as Aristotle would have it), nor based on reason (as Hobbes or Kant might argue). Instead, they are the result of a historical process that is rooted in our natural sentiments and can be rationally explicated, but which cannot be directly justified by reason or founded in nature. The Smithian approach must rely on the contingencies of history to supply the content to the norms that can be justified in a purely formal sense. That is, while we can see through reason why a property norm, say, would be valuable, and how we could be motivated by such a norm once it exists, we cannot generally reason our way into such norms. And, as we suggested in the previous section, because a shared capacity for "mutual sympathy" can recommend strikingly different behavior in different times and places, Smith's theory has a natural mechanism for explaining why certain types of norms seem to be universal despite having content that differs so much.

Of course, some of these things might be said of Hume's view too. In particular, he shares Smith's view of the importance of convention and historical contingency. It's harder to see, though, how the local convergence and global divergence we observe among norms can be explained simply in terms of our respective judgments of utility and attraction to general rules. And, even if such an explanation is in the offing, it is harder still to see how these mechanisms can explain the initial emergence of a norm. On this score, then, Smith's account which emphasizes the pleasure of mutual sympathy would seem to have a distinctive advantage over Hume's. That said, if, as Hume suggests, the desire for mutual sympathy is not as widespread as Smith maintains, then the advantage of Smith's theory is less obvious. As others have argued, though, there is good reason to think that, at the very least, the pleasure of mutual sympathy extends beyond our close acquaintances, and even if it isn't universal that may well be enough.

Moreover, it's worth noting that our initial convergence on norms is not the only phenomenon related to social norms that Hume has trouble explaining. He arguably faces an analogous problem explaining norm change. Specifically, insofar as Hume leans on the utility of general rules (and our attraction to them) to explain our attachment to norms, it's hard to see why communities would readily abandon entrenched norms. Of course, the persistence of unjust or inefficient norms is often a problem, and Hume can easily explain why such norms persist. But when norms do change, and especially when they change rapidly, it's hard to see what Hume can say by way of explanation. For Smith, on the other hand, the pleasure of mutual sympathy offers a mechanism for explaining how a norm innovator or critic of existing norms might spark change. This is because the pleasure of mutual sympathy provides a mechanism for amplifying the power of persuasion. To see why, consider the following example where the status quo is governed by a suboptimal norm N, but a norm innovator I publicly argues for displacing N in favor of some alternative norm N^*. In such a case, an account like Hume's that leans heavily on the utility of general rules will tend to predict that an agent A will abandon N in favor of the new norm N^* only if they predict that a sufficiently large percentage of their community will also shift to N^* making it an efficacious norm. Indeed this is likely to be true even if A personally thinks that N^* is greatly preferable to N. This is because the case for abandoning N in favor of N^* depends not only on whether the norm innovator I persuades A and enough other members of the community

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[19] For an updated and expanded account of conventions that treats Hume explicitly, see (Vanderschraaf, 2018).

that *N** is preferable, but also on whether *A* and other members of the community like her can accurately predict that enough members of the community have been similarly persuaded. For Smith, on the other hand, the pleasure of mutual sympathy makes such changes more explicable by giving *A* more reason to abandon *N*. More specifically, if *I* persuades *A* that *N** is preferable to *N*, then the pleasure of mutual sympathy that *A* might enjoy with her comrades who were similarly persuaded can give her reason to abandon *N* even if she is not sure that enough members of her community have been persuaded to make *N** an operative norm. To deploy the term coined by Fleischacker (that we referenced in Section 1), the possibility that we can find ourselves "comrades in outrage" makes it more palatable to engage in protest. And the fact that protest is made more palatable, makes persuasion easier because it means that norm innovators and critics of entrenched norms don't need to persuade everybody, and more importantly they don't need to convince persuadable members of a community that everybody else has also been persuaded. Since as a descriptive matter norms do change, and these changes are often surprisingly rapid, it would once again seem as if Smith's account of the pleasure of mutual sympathy provides him with an important explanatory resource that Hume lacks.

5 | TRACKING AND GROUNDING NORMS

Having focused on the differences between Hume and Smith, we want to conclude by saying something about the relevance of the questions discussed above to some debates in contemporary ethics and social science. We can distinguish between two views of the place of the sentiments in moral theory. On one hand is a tracking (or epistemic) view and on the other is a grounding (or constructivist) view. On the *tracking* view, our sentiments play the role of giving us access to the moral "truth" (or on views uncomfortable with the idea of moral truth, whatever the relevant normative prescriptions might be). On the *grounding* view, however, it is the fact that we have certain sentiments that grounds our moral practices. In other words, on the former view the sentiments are primarily important for the role they play in our practical reasoning, while on the latter view, the sentiments serve as a starting point from which our normative practices and concepts are built up.

Smith's teacher, Frances Hutcheson, arguably held a version of the tracking view.[20] Smith, however, clearly defends a version of the grounding view. We see this, for example, in his discussion of accidents where he suggests that some of our practices would be wholly inappropriate were it not the case that the impartial spectator shared the sentiments which give rise to our practices. On Smith's view, the sentiments serve to ground our practices in two ways. On one hand, our sentiments *explanatorily* ground our practices (e.g. of apportioning responsibility for making victims whole in various ways) by explaining why we are motivated to act as we do. It is this aspect of Smith's account that is of enduring relevance to contemporary social scientists and philosophers. Whether Smith is right or not about the pleasure of mutual sympathy, or the role that the impartial spectator plays in mediating our judgments, he has provided anthropologists, social psychologists, and other social scientists a clear account of how our norms could have emerged, and why we should expect to find local convergence and global diversity. More importantly, his account is amenable to empirical testing through laboratory and field experiments, ethnographic study, and other methods of confirmation or disconfirmation. To our knowledge

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[20] David Norton (1974, 1985) attributes a view like this to Hutcheson.

few (if any) social scientists have sought to do so.[21] But, if we are right, such work will prove fruitful.[22]

On the other hand, for Smith, our sentiments also serve to *normatively* ground our practices via the endorsement of the impartial spectator, and this aspect of Smith's account is also of enduring relevance. Constructivism of various stripes has become increasingly popular in contemporary ethics and, perhaps surprisingly, Smith provides a promising model of how one might look to our sentiments as the foundation of a constructivist ethics.[23] One reason for this is that Smith offers us an account of the sentiments, and of moral judgment, that makes convergence on shared norms less contingent.[24] At the same time, Smith's account relies on neither a particular conception of agency, nor on a strong notion of reasons or reasonableness. For Smith, normative consensus does not arise simply because our sentiments happen to coincide; because we engage in moral reasoning in the same way; or because we are all endowed with a moral sense that tracks a mind-independent moral truth.

Rather, for Smith, normative consensus emerges because we are driven by the pleasure of mutual sympathy and the device of the impartial spectator to bring our judgments into line with others. Of course, this feature of Smith's view leaves it vulnerable if it turns out that the desire for mutual sympathy is less pervasive than Smith suggests. But, as we said in the previous section, others have persuasively argued that, even if the pleasure of mutual sympathy is not universal, it almost surely extends beyond our circle of friends and close associates.

Contemporary philosophers interested in exploring the ability of our sentiments to ground our normative judgments could thus do worse than to look to Smith for inspiration. Indeed, one need not even be interested in looking to the sentiments to ground our normative judgments for Smith to be relevant. Arguably the dominant strand of contemporary constructivist thought is public reason liberalism which attempts to justify coercive political authority in terms of reasons that all persons can accept. One problem that has plagued such accounts, though, is the inability to explain why individuals have an interest in so justifying themselves. Here again, Smith's account of the pleasure of mutual sympathy offers a helpful interjection.

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[21] An exception here is the recent work of Bart Wilson and Vernon Smith (2019). However, their work focuses almost exclusively on how Smith's work can be used to interpret and predict economic behavior in laboratory experiments. Robert Sugden (2002), as we noted earlier, also raises the possibility that the pleasure of mutual sympathy could be used profitably in economic modeling of cooperation.

[22] As we have alluded to at various points, one parallel we see between Smith's account of norm emergence discussed here and contemporary work on norms is with Bicchieri's work on social norms. At the heart of Bicchieri's account of social norms is the idea that they help to transform mixed motive social dilemmas into coordination games. The pleasure of mutual sympathy Smith posits is one possible explanation for how this happens (i.e. for why we find it attractive to endorse/follow norms). In particular, as we suggested in section 3, one way of understanding the pleasure of mutual sympathy is as an explanation for our sensitivity to a norm. This is what Bicchieri (2006) models with the parameter k in her model of social norms.

[23] Stephen Darwall (2006) draws on Smith's account of sympathy in developing his constructivist ethical theory. John Thrasher (2015) has also argued that Adam Smith should be understood as a contractualist of a distinctive sort, as least in regards to justice. Ryan Hanley (2009) has argued persuasively that Smith should be considered a virtue theorist of a sort, as well. The view of Smith as an ideal observer theorist or a proto-utilitarian is still probably the dominant view common among non-specialist philosophers and social scientists, however.

[24] Again, Smith's account of moral judgement is similar in many ways to the "sentimental rules" account developed recently by Shaun Nichols (2007).

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