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The impartiality of Smith's spectator: The problem of parochialism and the possibility of social critique

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Abstract

Amartya Sen has argued that contractarian theories of justice inevitably fall victim to the problem of parochialism, for the reason that they rely on a problematically narrow conception of impartiality. Sen finds a corrective model of impartiality in Adam Smith's figure of the impartial spectator. In this essay, I argue that Sen's invocation of the spectator to resolve the problem of parochialism is unfounded, as the impartial spectator is fundamentally a product of socialization that serves to propagate conventional moral norms. I consider various interpretive avenues for "rescuing" the spectator from parochialism, and ultimately conclude that a minor amendment to Smith's account, resting on the possibility of a conscience informed by moral pluralism, is required.

Keywords

Adam Smith, impartial spectator, impartiality, parochialism, Amartya Sen

Amartya Sen (2002, 2009: 124–152) has argued that contractarian theories of justice, including Rawls's "justice as fairness," lack the conceptual resources to ground critiques of local conventions. They inevitably fall victim to the problem of parochialism, he suggests. The problem, on Sen's view, is that these theories rely on a conception of impartiality whose scope is insufficiently broad. The impartiality modeled in the original position, for example, successfully mitigates the personal biases that burden the moral judgment of individual persons, but it fails to transcend the assumptions and norms that persons internalize as a product of their social/cultural/political context. A corrective account of impartiality, according to Sen, is found in Adam Smith's imaginary figure of the impartial spectator. The centerpiece of Smith's moral theory, the impartial spectator supplies a

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disinterested perspective from which to judge an agent's actions.[1] On Sen's reading, the impartiality of Smith's spectator is preferable to that of Rawls's original position because is not bound by convention. It models an ''open'' conception of impartiality, in his terminology, rather than a ''closed'' one, such as Rawls's.

In this essay, I concede that Sen's critique of parochialism in social contract theory is convincing, but argue that his invocation of Smith's impartial spectator as a superior alternative to less thorough conceptions of impartiality is unfounded. That the impartial spectator is capable of transcending the biases embedded in a cultural context is by no means apparent, as a close reading of Smith's *Theory of Moral Sentiments* will show. In fact, as I will ultimately argue, the impartial spectator is essentially a projection of socially-acquired moral sensitivities—and is thus unable to provide a perspective from which to question or critique those sensitivities. It too is bound by parochialism. This conclusion is of particular importance for political theory, insofar as ''closed'' impartiality is of limited use in assessing the rightness or wrongness of alternative political structures. However, as I will argue, a slight amendment to Smith's account can resolve his problem of parochialism for the impartial spectator.

This paper proceeds in five sections. First, I overview Smith's theory of morality and the role of the impartial spectator within it. The second section introduces the problem of parochialism and Sen's critique of impartiality in Rawls's theory of justice. In the third, I consider the interpretation, advanced by Sen and others, of Smith's spectator as modeling ''open'' impartiality. In the fourth section, however, I rebut that interpretation, defending instead a ''closed'' interpretation of the spectator's impartiality. In the fifth section, I consider three responses to the parochialism of Smith's spectator that may redeem its significance for political theory. The first two of these responses are interpretive approaches that frame how the impartial spectator may serve as a political–theoretical resource in spite of the constraints on its impartiality imposed by convention. I ultimately reject these as inadequate, but as a third response, I propose a constructive amendment to Smith's characterization of the spectator by which it could overcome the problem of parochialism.

The impartial spectator in Smith's moral theory

The foundation of Smith's moral theory is not impartiality, but rather sympathy.[2] Sympathy has to do with a person's feeling of concern for the well-being of another. The emphasis on feeling distinguishes sympathy from mere other-regard. Sympathy involves what Smith calls ''fellow-feeling.'' When a person takes note of another's feelings, she will often ''feel something which, though weaker in degree, is not altogether unlike them'' (14). This occurs not through some immediate sharing, but rather by a function of the imagination. When we observe another person who is caught up in some particular emotion or sensation, we tend to imagine ourselves in his or her situation, and thereby acquire a sense of what the other is feeling. Smith affirms that it is impossible to access the sensations of another directly, but by means of imagination one can ''enter as it were into [another's] body, and become in some measure the same person with him'' (13–14).

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This phenomenon of appreciating the other's experience by means of imagination is what Smith calls sympathy.[3]

In ordinary use, sympathy typically refers to sharing in sorrowful emotions, but Smith intends it to describe sharing in any of another's sensations—''any passion whatever'' (15). That said, he does not imagine that sympathy tends naturally to arise in equal portion in response to all passions (15–16, 56). Moreover, sympathy does not mean feeling precisely the same emotion as another person does. This is because, Smith holds, sympathy ''does not arise so much from the view of the passion, as from that of the situation which excites it'' (16). Sympathy is not an act of mimicry, but of imagination. This moral framework rests on a basic paradigm of agent and spectator. The phenomenon of sympathy occurs when a spectator observes the situation of an agent, and places herself in that spot by imagination. The roles are not mutually exclusive: two individuals may feel sympathy for one another at the same time, or a person may at once be an agent and a spectator of someone else. But the foundation of morality, for Smith, is the act of observation of one by another.[4]

Sympathy itself does not comprise any evaluation of the agent's actions in her situation. Rather, sympathy is merely the natural response of one who observes another's passion. Sympathy does provide the *basis* for judgment in Smith's system, and this derives from an assessment of whether the agent's sentiments match those that arise sympathetically in the spectator. If the spectator, upon imagining herself in the place of the agent, feels similarly to the agent, the spectator is said to approve the agent's passions. If the spectator's response to the situation differs from that of the agent, the spectator disapproves. In short, ''To approve of the passions of another, therefore, as suitable to their objects is the same thing as to observe that we entirely sympathize with them; and not to approve of them as such, is the same thing to as to observe that we do not entirely sympathize with them'' (22). Approval and disapproval, in Smith's system, represent consonance or dissonance in the passions of the agent and spectator, respectively. This comparison is the basis for evaluating the actions of another: when an agent takes an action motivated by passions that the spectator, sympathizing with the agent, does not feel, the spectator judges this action improper. Conversely, when the agent acts on passions also felt by the spectator, the spectator judges the action to be proper (24–25).[5]

Of course, the coincidence of passions in actual persons is an obviously inadequate basis for moral evaluation. That I judge another's passions improper (because they do not match what I imagine my own passions would be in his situation) very possibly reflects my inability to perfectly sympathize with his situation, rather than any objective impropriety in his passions. Actual spectators are burdened by interests, prejudices, and preferences that shape the passions they imagine feeling in another's shoes. Moreover, an actor–spectator paradigm involving actual persons is unhelpful in the case of a person assessing the morality of her *own* passions or actions: persons are notoriously prone to misjudge the propriety of their own actions. The fatal problem with the evaluations of actual spectators is that they tend to be shot through with *partiality*. In Smith's words, ''So partial are the views of mankind with regard to the propriety of their own conduct, both at the

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time of action and after it; and so difficult is it for them to view it in the light in which any indifferent spectator would consider it'' (182). The failure of actual spectators is their inability to judge impartially.

Hence, the emergence of the impartial spectator. The appropriate way to examine one's own conduct, for Smith, is to imagine how it would be assessed by an observer who held no stake in the matter. As with the basic phenomenon of sympathy, this requires an act of creative imagination: an agent imagines herself in the position not of an actual other, but of a hypothetical impartial observer, and considers whether this spectator would approve or disapprove the agent's conduct. The impartial spectator thus personifies a perspective free of bias and self-interest. Smith writes, ''it is only by consulting this judge within, that we can ever see what relates to ourselves in its proper shape and dimensions; or that we can ever make any proper comparison between our own interests and those of other people'' (156–157). The impartial spectator offers a morally trustworthy vantage, and for Smith, this is the proper basis of moral judgment. Why is the perspective of this impartial observer privileged over those of actual, interested persons? Smith holds that impartiality is necessary for treatment of persons as equals. He writes that the impartial spectator ''calls to us ... that we are but one of the multitude, in no respect better than any other in it; and that when we prefer ourselves so shamefully and so blindly to others, we become the proper objects of resentment, abhorrence, and execration'' (159). The function of the impartial spectator is to remind individuals of the basic equality of persons, and to adjust their moral judgment accordingly.[6]

Smith's spectator is what Rawls might call a ''device of representation'' (1996: 28)—a figure of the imagination, conjured by the agent to assist in the formation of moral judgments. But Smith does not conceive of the impartial spectator as an esoteric philosophical postulate. Rather, he intends it essentially to describe what people ordinarily do when they think morally, what Charles Griswold calls ''a refinement of the ordinary exchange of moral life'' (1999: 144). In judging my conduct, I attempt to mitigate my own biases by viewing myself as a neutral party would. For Smith, the impartial spectator operates in fundamentally personal terms: when we invoke the impartial spectator's perspective to assess our actions, we are ''endeavouring to view them with the eyes of other people, or as other people are likely to view them'' (133). Indeed, Smith's moral theory is thoroughly naturalist, beginning from his account of sympathy, which he intends as fundamentally descriptive of how people actually end to respond to the experiences of others.[7] That Smith endeavors to link a normative moral framework with actual habits of morality is of significance for my analysis here, insofar as I will argue that the impartial spectator is inevitably bound by the local prejudices embedded in the moral sensibilities of the agent's cultural context.

Impartiality, open and closed

The significance of impartiality is easily identified in a simplified interpersonal context: given a conflict between persons A and B, an impartial spectator will

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judge the interests of each equally (whereas A and B are likely to each weigh their own interests more heavily). Joseph Raz (2001: 195–196) captures this commonplace conception of impartiality nicely:

> People are impartial if an only if, in matters affecting others as well as possibly themselves, they act on relevant reasons and shun irrelevant ones, in particular ... irrelevant considerations that favor themselves or people or causes dear to their hearts, and if their evaluation of the situation is not distorted by the fact that such people or causes are dear to them.

On this account, impartiality is a matter of disregarding "irrelevant" reasons for action. The impartial spectator, in contrast to partial observers, is unswayed by its own preferences, interests, or commitments, and when persons appeal to the impartial spectator for moral guidance, they aim to "shun" those sources of prejudice. In adjudicating the conflict between A and B, the fact that I love A more than I love B is irrelevant, and impartiality requires that it be disregarded.

For many actual moral questions, however, determining which considerations qualify as relevant is far from straightforward. Consider the following example: a slave in antebellum Virginia refuses to work, and is subsequently punished by his owner. How would an impartial spectator judge the slave's protest and the owner's response? On one hand, given the context of slavery, the owner's expectation that his slave carry out an order is not unreasonable, and an impartial spectator might conclude that the slave is in the wrong to resist. A disinterested judge in that day would very likely have viewed the situation in this way. On the other hand, an impartial spectator might take a broader view, recognizing the injustice of slavery, and conclude that in fact the slaveowner is the transgressor for demanding uncompensated labor (along with the other evils of slavery). A contemporary observer is more likely to judge the situation thusly. This is the advantage of several generations of "critical distance." But the question remains: which of these judgments is the truly impartial one? Is the established convention of slavery a relevant or irrelevant consideration in judging the actions of the two parties? Smith suggests that the impartial spectator allows us to view situations "with the eyes of other people," but it seems that our judgments might vary considerably depending on *which* other people's vantage we adopt.

Amartya Sen has highlighted the importance of scope in shaping the significance of impartiality, distinguishing between "open" and "closed" impartiality. The difference between the two concerns the relationship of the persons whose actions are being assessed (the "focal group") to the persons who perform the impartial assessment. Closed impartiality describes the case where only the perspective of members of the focal group are invoked in forming an impartial judgment (Sen, 2009: 123–124). Open impartiality, in contrast, invokes the perspectives of persons outside the focal group in addition to those of persons within. The difference between these two conceptions of impartiality is of special consequence in assessing the morality of political arrangements and other social conventions: persons who live under some set of conventions (i.e. members of the focal group) are less likely to identify

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moral problems with those conventions, even as they aspire to impartial judgment, than are outsiders to the focal group. Under closed impartiality, persons may successfully disregard their own particular interests and biases, but tend to regard established conventions as contextual givens. Open impartiality, in contrast, invites more thorough evaluation—and critique—of established conventions, as persons outside the focal group will tend to regard the established existence of social conventions as an irrelevant consideration to be ''shunned'' (Sen, 2009: 128–130). In the slavery example above, the Southern, pre-Civil War judge models closed impartiality, while the present-day observer models open impartiality.

Sen calls the weakness of ''closed'' impartiality ''procedural parochialism,'' and he describes it this way: ''closed impartiality is devised to eliminate partiality toward the vested interests or personal objectives of individuals in the focal group, but it is not designed to address the limitations of partiality toward the shared prejudices or biases of the focal group itself'' (Sen, 2002: 447). Closed impartiality may have its proper domain of application (adjudication of disputes in court, for example, where precedent and established law rightly carry the day), but for moral assessment of political arrangements, it suffers a serious weakness. Sen points to John Rawls's device of the original position as an instance of closed impartiality at work (2009: 132–134).[8] Behind the veil of ignorance, participants working out the social contract are unaware of their particular location within society, and thereby model impartiality with respect to their own interests. However, these individuals do know that they all belong to the same society, and there is no requirement that they consider the perspective of anyone *outside* their society. Thus, the design of the original position does not include a mechanism by which to fully scrutinize the biases shared by the members of the society. Sen concludes that ''As a device of structured political analysis, the procedure is not geared to addressing the need to overcome group prejudices'' (2009: 446). While Sen focuses his critical attention specifically on Rawls, the charge of parochialism could be applied in the same regard to the contractarian tradition as a whole (2009: 126–128).

I will not here assess the accuracy of Sen's critique of Rawls, or defend Rawls against it (though this would make for an interesting argument in its own right).[9] Rather, I will simply accept Sen's claim that procedural parochialism represents a real weakness for a theory of justice. Of interest for us is that Sen suggests, as an alternative to the closed impartiality of Rawls's original position, the impartiality of Smith's spectator, which he understands as an example of the ''open'' variety.[10] Smith, Sen claims, ''argued strongly for the possibility that the impartial spectator could draw on the understanding of people who are far as well as those who are near'' (2009: 151). Whereas for Rawls, the authoritative perspective is that of a member of a given society reasoning from behind the veil of ignorance, Sen writes that ''In Smithian analysis, the relevant judgments can come from *outside* the perspectives of the negotiating protagonists'' (2009: 131, emphasis added). On Sen's interpretation, the impartial spectator provides a perspective from which to impartially judge the morality of social arrangements, as the impartial gaze of the spectator is not burdened by the biases and conventions of the society whose arrangements are under scrutiny.

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Evidence for "Open" impartiality in Smith

Sen conceives of the impartial spectator as a hypothetical yet identifiable person from a country or society outside that of the agent. This spectator is a person who is impartial by virtue of bearing a set of social and cultural assumptions different from those embedded in the agent's cultural context. Such a person can assess the rightness and wrongness of political arrangements with vision unobscured by the haze of custom. Sen takes Smith's invocation of "the eyes of the rest of mankind"[11] almost literally: it is the perspective of other cultures that can supply a truly impartial assessment of our practices. Sen writes that "Scrutiny from a 'distance' may be useful for practices as different as the stoning of adulterous women in Taliban's Afghanistan, selective abortion of female fetuses in China, Korea, and parts of India, and the use of capital punishment (with or without opportunity for celebratory public jubilation) in the United States" (2009: 459). The outsider is better positioned to construct an accurate critique of immoral practices within a society than is the lifelong member.

Adam Smith engages in at least one instance of cross-cultural social criticism in *Theory of Moral Sentiments*. In a chapter titled "Of the Influence of Custom and Fashion upon Moral Sentiments" (V.2), he addresses the practice of infanticide. He notes that the ancient Greeks, as well as "all savage nations" of Smith's day, tolerated infanticide, and Smith lays the blame for this error squarely on the distorting influence of culture: "Uninterrupted custom had by this time so thoroughly authorized the practice, that not only the loose maxims of the world tolerated this barbarous prerogative, but even the doctrine of philosophers, which ought to have been more just and accurate, was led away by the established custom..." (246). Social custom shapes the moral sensibilities of a people, sometimes blinding them to the injustices that should be obvious in their practices. Smith appreciates this phenomenon, and Sen takes his awareness of the problem in the case of infanticide as evidence that Smith's intention for the impartial spectator is to provide a perspective from beyond the reach of these forces—i.e. an "open" impartiality (2002: 458–459).

The "open" interpretation of Smith's spectator is bolstered by indications that Smith may have intended an even greater critical distance between the spectator and the agent than Sen imagines. Whereas Sen speaks of the impartial spectator as an identifiable (if hypothetical) person, Smith sometimes suggests that the spectator is not intended to represent an actual person, bound by the biases and obstacles to judgment that are inherent features of human existence, but is rather a personification of reason itself. In the words of one author, this interpretation views the spectator as "aperspectival" (Boltanski, 1999: 49). This spectator is capable of correct moral judgment because it has no interests or prejudices of its own. It assesses conduct from no vantage in particular other than that of disembodied reason.

This reading is supported by a passage in Smith's chapter titled "Of the Influence and Authority of Conscience" (III.3), where Smith describes the

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force that is responsible for counteracting the tendency to inordinate self-love: "It is a stronger power, a more forcible motive, which exerts itself upon such occasions. *It is reason, principle, conscience, the inhabitant of the breast, the man within, the great judge and arbiter of our conduct*" (159). So as to leave no uncertainty, later in the same paragraph Smith identifies this "inhabitant of the breast" as the impartial spectator. Smith's choice of words in this selection advances a characterization of the impartial spectator as not so much an idealized anthropic figure as an impersonal "power." In the second sentence, the later descriptive terms—"inhabitant of the breast," "man within," "great judge"—read as imagery predicated of the first term: reason. Thus, to take up the perspective of the impartial spectator is essentially the same as acting on reason (Fleischacker, 2001: 34n21). Sen reads the spectator as a device for invoking the perspectives of particular others, but this alternative reading draws on reason itself as a basis for moral judgment, transcending the limits not only of local prejudices, but of all human prejudices themselves, by virtue of its high degree of abstraction. Thus, this interpretation suggests that Smith perhaps understood the impartial spectator to model an impartiality even more "open" than Sen suggests.

The case for reading Smith's theory as representative of open impartiality is further supported by evidence that Smith's own revisions of *Theory of Moral Sentiments* aimed specifically to address the problem of parochialism. As several scholars have documented, in Smith's first edition of the text he had not formulated the doctrine of the impartial spectator—he appealed merely to a "spectator."[12] Subsequent editions, however, develop the concept of the impartial spectator and further advance Smith's attempts to establish the independence of conscience from social convention. Smith wanted to retain the framework of sympathy and spectatorship as the fundament of his moral theory, but these revisions suggest that he strove to articulate a model of impartiality that could transcend prevailing social attitudes.[13]

Socialization and "Closed" impartiality

Sen's interpretation of the impartiality of Smith's spectator is by no means a consensus reading,[14] and here I will argue that the "open" interpretation of the spectator is fatally incomplete. An alternative view holds that Smith's impartial spectator is a device that functions to personify the prevailing norms of the society in which the agent lives. Campbell, for example, writes that "to talk of *the* impartial spectator is simply a shorthand way of referring to the normal reaction of a member of a particular social group, or of a whole society, when he is in the position of observing the conduct of his fellows" (1971: 145). This view interprets the impartial spectator as a projection of conventional values that facilitates the agent's imagining how her actual, immediate neighbors would assess her conduct.

Crucial to this interpretation is the relationship between the impartial spectator and the process of socialization, by which a person learns to shape her behavior on

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the basis of not only her own desires, but also the evaluation of others around her.[15] Social cohesion would be impossible if individuals did not periodically compare their actions to those prescribed by social mores. Smith's impartial spectator invites the agent to consider how others would assess her conduct—and how they would assess it as if they were uninfluenced by partiality. Thus, the spectator helps the agent to conform her actions to prevailing social norms, countering the influence of partiality and self-interest. The judgment of the impartial spectator is a refinement of the prevailing morality of the agent's social context. Along these lines, Charles Griswold describes the impartial spectator as a "personification of the public" and "an idealization of the moral demand for social unity" (1999: 135, 143). On this reading, the impartial spectator functions essentially to propagate established cultural values.

Smith considers the hypothetical case of a human who grew to adulthood entirely apart from other humans. This person would, of course, suffer from all manner of abnormalities, but Smith focuses on his retarded moral sense. This person, he writes, "could no more think of his own character, of the propriety or demerit of his own sentiments and conduct, of the beauty or deformity of his own mind, than of the beauty or deformity of his own face" (133–134). Having never received a sign of approbation or disapprobation from another person, this asocial person would know no vantage apart from that of his own self-love from which to assess his conduct. Interestingly, Smith here compares moral judgment to aesthetic judgment, as he does regularly throughout *Theory of Moral Sentiments* (Griswold, 1999: 183). Smith's statement should not be read as supporting full-blown relativism, either moral or aesthetic. That a person cannot judge the "beauty" or "ugliness" of her actions or physical features does not imply that those actions or features have no objective moral or aesthetic status. Rather, Smith's comment suggests that the capacity for judgment is dependent on learned standards communicated by social means. The tools of moral evaluation are not naturally accessible by individuals, but are rather learned in society.

This need not be taken to imply that an agent's moral judgment must always be biased in favor of her co-nationals or those who are like her in any other particular respect. Sympathy does not require similarity, but is rather based in recognition of "common humanity" (Darwall, 1999; Schliesser, 2006a, 2011; Smith, 2009: 108–109).[16] The issue, though, is not the possibility of such acts of sympathy, but whether persons are capable of performing these acts with sufficient impartiality to mitigate conventional prejudices and thereby generate reliable moral judgments. When I sympathize with another being, I imagine the passions I would feel in its position—this is possible even when that being is itself incapable of feeling those passions, as in the case of dead persons or, potentially, non-sentient beings (Frierson, 2006). My imagined response to the other's situation is shaped, though, by the commitments and assumptions I actually hold.[17] Impartiality is a matter of setting these aside in order to most accurately enter the situation of another. So long as a moral agent's capacity for impartiality (in the figure of the imagined spectator) is constrained by the conventional biases transmitted via

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socialization, the judgments of propriety or impropriety generated by her act of the imagination will be unavoidably prejudiced.

It would seem, on the basis of Smith's affirmation of the necessity of socialization for moral education that the impartial spectator is vulnerable to the charge of parochialism that Sen applies to Rawls's original position. If the spectator serves to reflect back socially-transmitted moral norms to the agent, that agent is inevitably limited in her ability to critique the practices of her own society (Fleischacker, 2011: 28–31; Hope, 1989: 83–117). One way around this conclusion would be if the judgment of the spectator was held to be constitutive of morality (Fleischacker, 2011: 25; Griswold, 1999: 144–145). If morality *just is* what the spectator recommends, how can the spectator be accused of "missing" something in morality, as the parochialism charge suggests? If this is Smith's view, he could dodge the critique (if trivially). However, he provides indications that this is not his intention.

For instance, Smith invokes the analogy of a mirror to describe the role of society in moral judgment (134). Just as a person cannot see her own face without a mirror, a person without society cannot evaluate the moral status of his actions. Once he is introduced to society, however, "it is here that he first views the propriety and impropriety of his own passions" (134). The capacity to assess the morality of one's conduct originate in the standards transmitted to an agent socially. The mirror analogy suggests that this socially-conditioned perspective cannot constitute the whole of morality, for a mirror does not determine the nature of the object it reflects, only how it appears to the viewer. A mirror may be warped, and reflect a distorted image. Similarly, if socialization provides the agent a "mirror" for moral judgment via the impartial spectator, this suggests that the spectator relays, but does not itself determine, the moral status of a sentiment or action. Smith notes elsewhere the likelihood that social standards will diverge from true moral standards:

> In estimating our own merit, in judging of our own character and conduct, there are two different standards to which we naturally compare them. The one is the idea of exact propriety and perfection, so far as we are each of us capable of comprehending that idea. The other is that degree of approximation to this idea which is commonly attained in the world, and which the greater part of our friends and companions, of our rivals and competitors, may have actually arrived at. (291)

The standard of propriety "commonly attained" is likely to fall short of the truer standard of "exact propriety" (see Schliesser, 2006b: 336–337). Smith writes that "the wise and virtuous man" concerns himself with this latter standard (291), though we can set our sights on this standard only "so far as we are each of us capable of comprehending that idea." The moral truth, for Smith, is "out there," and an agent's efforts to place herself in the position of an impartial spectator may bring her into accord with that standard only partially or imperfectly.

Thus the impartial spectator is a means of approximating a transcendent moral standard, but, as a product of socialization, it is shaped by the biases embedded in an agent's social context. How are we to make sense of the indications, discussed in

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the previous section, that Smith intended his spectator to provide a vantage enjoying some significant critical distance from the agent's social setting?

First, consider the example of cross-cultural critique that Sen invokes: Smith's rejection of infanticide. While Sen takes this critique as evidence that Smith intended a moral theory capable of critiquing conventional practices, it seems actually to confirm the *opposite*. Smith raises the practice of infanticide as a case of moral judgment hindered by convention: even decent societies such as classical Athens can be blinded to the injustice of their established practices. That ancient Athenians were unable to see the obvious immorality of infanticide actually underscores the fact that the moral judgment of an agent is bounded by the norms they internalize via a process of socialization.[18] Only an outsider is capable of making the correct judgment. This essentially restates the problem of parochialism. Smith's critique of infanticide does not support an ''open'' interpretation of the impartial spectator, but rather the contrary.

Second, where Smith associates the figure of the impartial spectator with reason itself, a leap to the conclusion that the impartial spectator embodies a kind of perfect, universal reason is unwarranted. Reason, or rational judgment, is not identical with perfect reason (Griswold, 1999: 139). Raphael notes that the impartial spectator has often been misleadingly identified with something like Roderick Firth's ''ideal observer'' (Raphael, 2007: 44; Frazer, 2010: 95; see Firth, 1952). Firth's observer enjoys total knowledge, total perception, and total dispassion. In contrast, Raphael writes, ''Adam Smith's impartial spectator is disinterested, but neither omniscient nor omnipercipient, and he is certainly not dispassionate'' (2007: 44; also Otteson, 2002: 58–64). The impartial spectator, as a construct of the imagination that personifies the moral sensibilities of one's surrounding culture, does not have access to the resources of judgment necessary to achieve perfect impartiality. It may judge reasonably and equanimously, but its perspective remains conditioned by context.[19]

In short, Smith's impartial spectator can only be held to model ''open'' impartiality if we disregard the thorough association Smith draws between the judgment of the spectator and the moral norms learned via socialization. Smith's text, admittedly, falls short of perfect precision, and some descriptions of the spectator may admit of some ambiguity. But the most coherent and plausible reading of *Theory of Moral Sentiments* supports a ''closed'' interpretation of the impartial spectator.

Rescuing the impartial spectator

I have argued that Adam Smith's impartial spectator is not capable of overcoming the problem of parochialism, contrary to Sen's claim otherwise. In the hypothetical dispute between slave and slaveowner, the impartial spectator would supply an even-handed perspective, but would not necessarily recognize the injustice embedded in the background condition of legally institutionalized chattel slavery.[20] As it stands, we cannot rely on the impartial spectator to ground critiques of social conventions and practices. Insofar as we might hope to invoke Smith's spectator as a judge in political questions, the parochialism inherent in its judgment constitutes

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a significant *prima facie* weakness. Without the ability to critique social practices, what good is the impartial spectator for political theory?

I want to consider three avenues for rescuing the political significance of the impartial spectator. The first concedes the charge of parochialism but affirms the critical edge of "closed" impartiality. The second is an interpretive strategy that highlights an element of Smith's account that could ground the spectator's independence from convention. I ultimately reject both of these possibilities, but in a third provide an original constructive amendment to Smith's theory to render the impartial spectator capable of social critique.

The impartial spectator as immanent critic

The parochialism critique alleges that a moral theory is problematically weak if it is incapable of critically evaluating prevailing norms and conventional practices of the agent's society. It assumes that critical appraisal of political arrangements requires a perspective external to that political context. There is, however, an alternative possibility, namely that political critique can be grounded in the very norms embedded in that context. *Immanent critique* appeals to some understanding that is taken for granted and calls attention to practices that contradict or violate that understanding.[21] Essentially, this variety of critique aims to hold a society accountable to the values and norms that it ostensibly affirms. Thus, even if the impartial spectator has access only to those norms transmitted to the agent in the process of socialization, it may nevertheless critique the conventions of its society on the basis of those norms.

For example, in a society where abortion is widely condemned as a violation of human dignity, an established regime of capital punishment may be vulnerable to critique on the basis of the same commitment to human dignity that rules out abortion. In a more thoroughly theoretical connection, the later work of John Rawls is explicitly described as elaborating a conception of justice that accords with values embedded in the "public political culture" of north-Atlantic liberal democracies (Rawls, 1996: 13). That is, "justice as fairness" is not defended as a universally true account of justice, but rather as a consistent working-out of the values held in a particular political context. This, of course, does not diminish its normative force. Along similar lines, the unavoidable 'parochialism' of the impartial spectator may not imply that it has no critical perspective to offer.

A move in this direction is supported by the empirical groundedness of Smith's moral theory. Smith's account of the moral sentiments and of the perspective of the impartial spectator straddle the line between normative prescription and socio-psychological description (Evensky, 1987). Several commentators have recognized Smith's aim to bridge the gap between what persons perceive morally they ought to do and what they are already accustomed to doing—what Samuel Fleischacker (2011: 25) calls Smith's "anthropological sensitivity."[22] With this in mind, it may be that to expect Smith's moral theory to ground radical critiques of conventional practices is to hold it to a mistaken standard. Rather, we might conclude, what Smith's account can do is leverage local norms—imperfect as they may be—as

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sources of ongoing critique (Fleischacker, 2011: 30–31).[23] Surely this is not equivalent to failure.

Interpreting Smith's impartial spectator as a model of immanent critique shines important light on the relationship of Smith's theory to the actual experience of morality, but does not resolve the problem of parochialism. For one, it essentially concedes the point that the impartial spectator is incapable of identifying injustices that are deeply embedded in the agent's public culture. It admits that the ''savage nations'' are bound to remain such, and that fundamental critiques of their practices can only originate from without. It goes without saying that this deeply relativistic concession is one that Sen would reject. But further, settling for an impartial spectator as immanent critic is unsatisfying apart from its relativist implications. One reason an impartial vantage from outside the focal group is morally useful is that elements of a society's public culture often conflict with one another, and resolving the stalemates between them can require a fresh perspective that is not wed to these embedded values. For example, in some developing countries, traditional patriarchal norms of honor and loyalty clash with emerging norms of equality and autonomy. To an ''insider,'' these may seem like irreducibly contradictory commitments that one must simply wrestle to balance; to one outside the culture, in contrast, it may be possible to identify retrograde or pernicious norms as ones to be abandoned. In short, while immanent critique possesses a unique force, it is no answer to the problem of parochialism.

A divinely-informed conscience

I have so far considered the question of parochialism as a binary one: the spectator is either capable of transcending convention, or it is not. Some commentators have sought an intermediary reading that sees the spectator as a product of socialization but simultaneously capable of grounding critique of that same social context (Griswold, 1999: 281; Pitts, 2005: 43–52; Schliesser, 2006a; Von Villiez, 2006: 126–128). The major problem, however, with these attempts to reconcile the socially-transmitted moral education of the spectator with the possibility of social critique is that they fail to account for *how* the spectator comes to acquire the moral resources necessary to formulate that critique (Forman-Barzilai, 2006: 99, 2011: 92–93). Absent such an account, the intermediary position is little more than wishful thinking.[24]

As evidenced by Smith's revisions to his text, however, the intermediary view was likely his intention. Fonna Forman-Barzilai has argued that Smith desired ''to find a way to establish the independence of conscience,'' but wanted at the same time to avoid ''abstracting morals entirely from their sociological roots'' (2011: 98). His answer, she argues, was theological. Socialization transmits established norms to the agent, but it alone cannot produce a conscience that can transcend convention. To ground this additional step, Forman-Barzilai suggests that Smith relies on a notion of divine intervention. She notes that Smith describes the impartial spectator as ''the demigod within the breast,'' a figure ''partly of immortal, yet partly too of mortal extraction'' (130). This part-human, part-divine figure is capable of

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transcending parochialism, Forman-Barzilai argues, because it is informed by divine insight. She writes that ''Smith invoked the demigod ... to challenge the social order for its falsehood and corruption, to provide refuge for man *from* society when it violates his inner sense of what is right'' (2011: 103–104).

Smith leaves the specifics of this divine representation unclear; specifically, how divine input comes to reside in the conscience is similarly ambiguous. Thus, the invocation of a divine perspective remains incomplete as an intermediary reading of the spectator's impartiality. But Forman-Barzilai suggests that such a notion would not have been unusual in Smith's time ''as a deistic formulation of the independent and irrefutable authority of the Protestant conscience'' (2011: 102).[25] On this interpretation it is the mature conscience's capacity to receive divine insight that grounds its independence from convention. Informed by the divine vantage, the agent can shed the prejudices inherited via socialization.

Interesting though this suggestion may be, it is not a coherent reconstruction of Smith's spectator-centric moral theory.[26] First, the notion of divine input into an agent's moral judgment does not square with the development of conscience by socialization—i.e. interaction with particular other persons—or his description of the spectator as invoking ''the eyes of other people'' (133). To view the spectator as taking the perspective of God undercuts the strong social connection Smith describes, and seems to revert to the conflation of Smith's spectator with the ''ideal observer'' of other philosophers.

More basically, divine insight simply does not fit within the spectator framework. If God provides the conscience with its moral sensibility, the device of an impartial spectator is superfluous. Where the divine perspective is morally authoritative, the proper question is not ''How would an impartial spectator judge my act?'' but rather ''How would *God* judge my act?'' The judgment of the impartial spectator is otiose. This shift separates moral judgment from Smith's foundational emphasis on sympathy, spectatorship, and impartiality, transforming Smith into a divine command theorist. To invoke divine insight as grounding the independence of conscience has the feeling of a *deus ex machina*: with no other mechanism to rescue the impartial spectator from the problem of parochialism, Smith plays the divine trump card to establish the independence of the conscience. If the spectator is to be rescued, it cannot be by God.

A conscience informed by moral pluralism

In Smith's account, consciences move along a continuum of development. An immature conscience follows the guidance of the spectator only instrumentally, for the purpose of gaining favor (140). A mature conscience, in contrast, has thoroughly internalized the virtue of self command: it constitutes what Smith calls the ''man of real constancy and firmness'' (145).[27] The development of conscience might, on one hand, be taken simply to describe the formative process of socialization, but Smith's description of conscience's maturation suggests that a mature conscience is a product not merely of socialization but also of the agent's will. In this section, I do not pretend to uncover any innovative interpretive

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approach that can resolve the problem of parochialism, but rather advance a constructive amendment to Smith's theory that draws on the notion of a developed conscience to identify the conditions under which conscience may achieve independence from convention.

Recall Joseph Raz's definition of impartiality, quoted above. For Raz, impartiality is a matter of discerning those considerations (''reasons for action'') that are relevant and irrelevant in a given situation, and ''shunning'' those irrelevant ones. In some cases, the objective morality of some social convention may be irrelevant: for example, when my spouse expects that I wear dress clothes to a formal event, the ''justice'' of this convention is not a consideration that need enter into the adjudication of our dispute.[28] In other cases, however, a more probing assessment of a convention's morality is critical. In the process of moral education, agents internalize norms transmitted to them by their neighbors, and this is sufficient for achieving impartiality within the conventional parameters of a social context. But the possibility of thorough social critique, as I have argued, requires consideration of perspectives from outside the social context. Smith seems to think this can only come from a person who is *actually* outside that context, but I would contend that an agent is capable of internalizing various moral perspectives, including both that of her own context and those of others outside it. That is, it is possible for a single agent to curate an array of moral outlooks that she may bring to bear in formulating moral judgments. Where ''open'' impartiality is required to ground the possibility of social critique, this morally mature agent—or the impartial spectator she imagines—can invoke those external outlooks herself.

A mature conscience, I therefore suggest, will (a) recognize those occasions where the morality of a convention is a relevant consideration, and (b) have cultivated the necessary moral resources to make a properly impartial judgment. By (b), I mean that informing one's conscience requires active exposure to and consideration of alternative moral perspectives and normative systems, in contrast to the automatic process of socialization that Smith appears to assume. The profound diversity of Western liberal societies, in particular, means that these alternative outlooks may actually be present within the geographic bounds of an agent's own state, even if they are practically marginalized. We are capable also of appreciating different moral views instantiated across the dimension of *time*.[29] Whereas Forman-Barzilai found in Smith a conscience which bears an ''independent and irrefutable authority'' (2011: 102), I propose that the impartial spectator be conceived as a product of a wide formative process involving exposure to and consideration of actual moralities affirmed by various persons and peoples.[30]

Such a process is not altogether different from what many people do already: they acknowledge moral perspectives that may be valid, but different from their own, or that may apply in some contexts but not others. For example, as a US citizen and resident, I recognize that many European countries are more committed to the welfare state, while we Americans prize individualism and desert. Awareness of these different perspectives may not be useful when disputing my tax bill, but it may indeed be salient when assessing the justice of US tax policy. The mature conscience is able to tell the difference between these cases, and has resources to

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draw on when a broader perspective is required. Over time, an agent may come to consider these perspectives in light of one another, potentially revising each as appropriate, in something like a Rawlsian reflective equilibrium (von Villiez, 2006).

It might be objected that consideration of multiple moral perspectives does not guarantee closer approximation to ''exact propriety''—after all, a plurality of cultures can just as easily affirm odious practices as can a plurality of individuals. Or, a related objection worries about an embrace of moral pluralism degenerating into relativism. If all moral perspectives are worth considering, why believe that there is any true morality?[31] The latter objection can be addressed by recalling that a Smithian moral framework retains confidence in the existence of objective moral standards: the aim is to approximate these by adopting the proper vantage for moral judgment. The former objection misunderstands the point of invoking plural moral outlooks. The hope is not that any one of them will be perfectly correct, but that consideration of alternatives will help an agent to recognize—and overcome—her partiality toward familiar norms and practices. Where unjust conventions are held in common across cultures, this likelihood will suffer. But a widely-informed conscience has improved odds of ''getting it right'' in comparison to one informed only by local norms.

The proposal that perspectives from outside the ''focal group'' of the agent's society can be included in the agent's process of moral reasoning provides an alternative to the two untenable proposals considered above. Unlike the ''sociological'' reading that limits the function of the spectator to immanent critique, my proposal does not abandon the hope that the spectator could ground an agent's critique of her own society's conventions. And in contrast to the stipulation of divine assistance in the spectator's judgment, my proposal maintains Smith's connection to the actual experience of moral education and reasoning. In a sense, it splits the difference between the ''open'' and ''closed'' interpretations of Smith's impartial spectator, affirming the possibility of judgment from outside the focal group, but grounding this not in perfect rationality or divine omniscience, but rather in the perspectives of actual others.

This is, after all, more or less what Sen had in mind by appealing to Smith's spectator as a superior alternative to Rawls's original position. By invoking the perspectives of persons from outside the agent's society, Sen claimed, the impartial spectator could uncover injustices embedded in conventional norms and practices. As I have argued, Sen's claim is not supported by Smith's theory as articulated in *Theory of Moral Sentiments*. Smith's spectator is a refinement of the moral sensibilities an agent learns via the process of socialization. It provides the agent with device of representation to imagine how those around her would view her actions under a degree of impartiality, but no mechanism to robustly question the morality of established conventions. We considered two interpretive approaches to the apparent problem of parochialism in Smith: one that conceded the ''closed'' impartiality of the spectator, but affirmed the possibility of immanent critique; and one that identified a divine remedy to the limited moral vantage of the spectator. I argued that neither offered a tenable solution, but then proposed a constructive amendment to Smith's theory. By conceiving of the agent as capable of maintaining

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plural moral outlooks, an agent of mature conscience can appeal to external perspectives in cases where these are relevant considerations, as in political questions. This entails a corollary obligation on agents to cultivate a broad set of moral perspectives, but this is not so different from what most persons already do. Thus, while Sen's appeal to Smith's impartial spectator as a bulwark against the prejudice of convention may have been too facile, with the slight amendment I have proposed, the spectator can indeed overcome the problem of parochialism.

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Notes

1. Smith (2009). Subsequent references are cited parenthetically in the text.
2. Campbell (1971: 89), Griswold (1999: 81), von Villiez (2006: 117). For more thorough overviews of Smithian sympathy, see, for example, Broadie (2006), Fricke (2013), Otteson (2002: 13–64), and Pitson (2012).
3. On the counter-factual reasoning involved in this act of imagination, see Schliesser (2014).
4. Hanley (2009) argues that Smith accounts for the need to transcend local norms—especially the corrupting moral of commercial society—by means of a theory of virtues rooted in a transformation of self-love. On this reading, the sympathetic process provides only a departure point for the development of the virtues (99). The role of virtue in Smith's theory is of undoubted interest, though it is of only tangential to our present focus on the mechanism of the impartial spectator.
5. Schliesser (2013, 2014) has argued that the sympathetic process is not simplistically uncritical, but rather involves counterfactual reasoning, inspection of causal relations, and "mutual modulation" of sentiments. These suggest that the imaginative faculty might be susceptible to meaningful control by the agent. I thank an anonymous reviewer for bringing this point to my attention. The critical question is whether these aspects of the sympathetic process provide access to resources of judgment to ground independence from convention; I shall argue that they do not.
6. Darwall (1999, 2004), Debes (2012), and Fleischacker (2011: 34).
7. He calls sympathy as one of the "original passions of human nature," and writes that "The greatest ruffian, the most hardened violator of the laws of society, is not altogether without it" (13). See Fleischacker (2011: 23).
8. Rawls (1971: 183–192) does address Smith's idea of the impartial spectator, though he treats it primarily as a device of utilitarianism. See Raphael (2007: 45–46), Frazer (2010: 90–93).
9. Sen is, of course, not the first to accuse Rawls of parochialism. See, for example, Allan Bloom (1975: 649) wrote in review of *A Theory of Justice* that he suspects "Rawls began from what is wanted here and now and then looked for the principles that would rationalize it." Also James (2005).
10. Martha Nussbaum (1995: 134n23), in contrast, has drawn parallels between the impartial spectator and the original position, though she invokes the comparison in support of an anti-conventionalist reading of Smith's impartial spectator, like Sen's.
11. The phrase comes from Smith (1978: 104).

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12. See Forman-Barzilai (2011: 96–99), Raphael (2007: 32–42).
13. Cf. Fricke (2013: 194) who asserts that Smith likely assumed the general propriety of social conventions, insofar as these are the cumulative product of sympathetic processes over time.
14. See Rasmussen (2014: 49–50).
15. Berry (2003: 211–13), Forman-Barzilai (2011: 75–105), Fricke (2011: 211–213). On the economic dimensions of socialization in Smith, see Heilbroner (1982).
16. Schliesser (2011: 20–21), in particular, has argued that Smith's moral theory is two-tiered, in that it rests first on a thin common humanity and then on standards developed by local custom.
17. On Frierson's view, the extension of sympathy to nature is essentially anthropocentric (470–471): we can sympathize with other beings only so far as we can see them as "like us." Thus, our assessments of actions toward nature will always be biased in favor of anthropomorphic assumptions about what it is like to exist, to be a patient of action, etc. Analogously, assessments of social practice will be prejudiced by a corresponding set of socially-inscribed assumptions.
18. Smith appears to recognize the justifiability of abandoning a child in some extreme circumstances. See Pitts (2005: 48), Rasmussen (2014: 57–58).
19. Forman-Barzilai (2006) distinguishes "affective" impartiality, which counters individual biases, from "cultural impartiality," which enables social critique. On her reading, Smith's impartial spectator demonstrates affective, but not cultural impartiality.
20. Smith himself opposed slavery on both moral and economic grounds (Griswold, 1999: 198–200; Peart and Levy, 2005; Salter, 1992, 1996; Weinstein, 2006).
21. On immanent critique generally, see Antonio (1981), Sabia (2010).
22. See also Campbell (1971), Raphael (2007: 48).
23. Recall that Smith identified two standards against which to assess one's conduct: "exact propriety" and the "ordinary perfection" achieved by one's fellows (291, 294). While Smith says the latter often leads to self-satisfaction, it might also, when considered honestly, serve a helpful critical role.
24. Fricke (2011) argues that while Smith's account of socialization "inevitably includes the endorsement of cultural prejudices" (49), a separate element of Smith's moral theory—the "sacred rules of justice"—ground evaluation of conventional practices. As I am here focused specifically on the impartial spectator, I leave this suggestion aside.
25. Broadie (2006: 183–184) takes Smith's use of "demigod" as evidence of the *limitations* of the spectator's impartiality: "The impartial spectator is simply not ideal, but instead the best, for all its many faults, that we can manage. ... The impartial spectator is after all only a demigod ... not God."
26. In advancing this objection I take no stance on the historical or textual accuracy of Forman-Barzilai's interpretation.
27. See also Smith (2009: 167–169).
28. Members of a jury occupy a similar normative space: they are precluded from considering the justice of the laws in question (cf. Butler, 1995).
29. Schliesser has argued that Smith's historical sensitivity in accounting for norms of justice aims to "make the inquirer aware that future impartial spectators may improve on one's explanations and evaluative criteria" (2006a: 86).
30. To be clear, I intend "moral pluralism" in a sociological/descriptive sense, entailing nothing like a Berlinian conception of incommensurable moral values. On this latter type of pluralism in Smith, see Gill (2014). Thanks to Joshua Cherniss for prompting this clarification.
31. I thank Bruce Douglass and an anonymous reviewer for these objections.

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