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Natural and Artificial Impartiality

Michael L. Frazer¹

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The ways in which we interpret philosophers of the past can reveal much about the blind spots of philosophy in the present. Nowhere is this more diagnostically revealing than with the undue emphasis on the imaginary over the actual in recent discussions of Adam Smith’s conception of an “impartial spectator” (1776/1790). Amartya Sen, for example, says that “the Smithian ‘impartial spectator’” is primarily “a device for critical scrutiny and public discussion” (2009, 135). Like the impossibly ignorant agents in John Rawls’s “original position” (1999/1971)—or, in an even closer analogy, like the “ideal observer” first described by Roderick Firth (1952)—this impartial spectator is not a real person, but the protagonist of a thought experiment. By appealing to this imagined figure, Smith is thought to be primarily concerned with constructing an artificial perspective which any of us can and should adopt at will in order to provide the proper viewpoint for moral evaluation, rather than describing a social category to which some of us may already belong.

Yet while none of us ever find ourselves suddenly behind Rawls’s “veil of ignorance,” or in the position of Firth’s ideal observer, we are all regularly impartial spectators. As T. D. Campbell observes, in most instances where Smith speaks of an impartial spectator he is merely speaking of “the ordinary person when he is in the position of observing the behavior of any person with whom he has no special connection and whose behavior does not affect him more or less than it affects anyone else” (Campbell 1975, 70–71; see also Campbell 1971, 134–145). Whenever we find ourselves evaluating competing claims in a conflict where we have nothing at stake and in which we have no affinity for any participant over any other, we are in the position of an impartial spectator. There is nothing either unusual or praiseworthy about being in this position. Smith’s impartial spectator is an ideal

1. University of East Anglia, Norwich NR4 7TJ, UK.

type primarily in the Weberian, descriptive-sociological sense, and only secondarily in the normative, moral sense.

Throughout Smith's ethics, the perspective most often taken is of a disinterested spectator evaluating the actions of others. Only later does Smith set out to explain why when we are not in the position of an impartial spectator—when we form moral evaluations of our friends, family or ourselves, for example—we still feel that our moral judgments ought to remain impartial. It is then, and only then, that we must artificially attempt to examine our conduct or that of those close to us “as we imagine any other fair and impartial spectator would examine it” (Smith 1976/1790, III.1.2). To overcome our natural perspective in this way is a morally praiseworthy feat of imagination, one which we typically fail to accomplish fully. Smith's discussion of these cases legitimately inspires Sen and others today to describe an imaginary impartial spectator as a “device” for improving moral judgment. Yet such cases, for Smith, are the exception, and not the rule (Martin 1990, 118; Frazer 2010, 95–96). In most of our judgments of most other people most of the time, Smith believed that our natural impartiality as spectators was sufficient to produce fair and unbiased conclusions, without appeal to an imagined spectator of greater impartiality than our own.

Regardless of whether Smith was correct in believing that this is true most of the time, it is certainly true at least some of the time. In this respect, the natural perspective of impartial spectators can be a valuable resource for fair judgments in both philosophy and practice. This is a resource, however, which most recent philosophers have chosen to forego. Convinced that those who do not actively participate in a scheme of mutual cooperation need have no say in determining the fairness of that cooperation, most today exclude all spectators—impartial or otherwise—from the formulation of principles of justice. In order to achieve impartiality, participants in social cooperation are imagined to rely entirely on their own ability to screen out the natural biases caused by their competing interests.

This essay is an attempt to shift theorists of justice away from exclusive focus on the perspective of participants in social cooperation to include consideration of the perspective of impartial spectators, ending the exclusive reliance on what I call *artificial impartiality* in a way that makes room for what I call *natural impartiality*. Such a shift in perspective would not only serve to improve theories of justice, like Sen's own, which take direct inspiration from Smith's conception of an impartial spectator. More generally, it would make impartial theories of justice both easier to formulate in theory and easier to implement in practice with the right institutional design.² To be sure, the mere fact that one philosophical approach is easier than

2. I have discussed the practical topic of institutional design at length in an essay (Frazer 2014) that overlaps to a limited extent with the present one.

another is not necessarily a decisive reason to adopt it. Like many things worth doing in life, formulating impartial theories of justice may be unavoidably difficult. There is no reason, however, to make it any more difficult than it needs to be.

Background and definitions

Questions of justice arise in social situations where, although individuals may have many interests in common, they also have interests in conflict. Following Rawls, who in turn was following David Hume and Adam Smith, recent theorists of justice have understood society as such to be a scheme of mutual cooperation in which imperfectly altruistic individuals wish to increase their share of the benefits from this cooperation while decreasing their share of the burdens. It is taken as axiomatic that principles of justice designed to resolve such conflict should be impartial in the sense they should not favor the interests of any parties over those of any others. Ideally, impartiality should be absolute—no greater weight whatsoever may be given to the interests of any party. In our less than perfect world, however, we can also speak of impartiality as a matter of degree. Although some favor may be shown to the interests of some parties over others, the decision which results is more impartial (or, less partial) than one in which even greater favor is shown.

The central distinction of this essay is between two ways that individuals can experience the moral demand for impartiality. In cases of natural impartiality, the demand isn't actually demanding at all. In such cases, one simply has no interest in favoring, and no reason to favor, the interests of one participant in a given conflict over those of any other.³ To make use of the visual metaphors so common in this area, we can say that, from the perspective of those with natural impartiality, all parties to a conflict look the same. Naturally impartial individuals see the interests at stake from a distance sufficient to obscure any differences between them which might lead us to treat them unequally. As with impartiality in general, we can also speak of natural impartiality as a matter of degree. Individuals shows greater natural impartiality than they otherwise might to the extent that they have less of an interest in favoring some over others.

Natural impartiality in this sense can be contrasted with artificial impartiality. Here, although one has a reason to favor the interests of one party to a given conflict, one also has a reason to not do so. This latter is a reason to disregard the former. That is, one has a reason to view the dispute as if one had natural impartiality, to see the situation in a way that makes all parties look the same even

3. For purposes of this essay, I can remain agnostic on the infamously complex relationship between interests in something being done and reasons to do that something.

though they do not appear so initially. Such impartiality is artificial in the sense that it involves adopting a perspective on the situation which is not naturally one's own. In order to achieve artificial impartiality, an individual must impose what David Hume called "a proper violence on his imagination" (Hume 1985/1777, 240). When we speak of artificial impartiality as a matter of degree, we are speaking of the extent to which individuals succeed in departing imaginatively from their natural perspective on the world, adopting some artificial perspective in its place.

Committed as they are to democracy, recent theorists of justice have taken the responsibility to determine impartial principles of justice to reside only with the parties to a conflict themselves. The paradigmatic case to be resolved is isolated from all outside influence. Ronald Dworkin (2002) imagines castaways dividing up the resources on a desert island, while Bruce Ackerman (1981) describes the crew of a spaceship drawing up principles of justice to govern their colonization of an uninhabited planet. These are not isolated examples; the operating assumption of virtually all 'contractarian' (and/or 'contractualist') social theory is that participants in a conflict are responsible for drafting their own social contract.

What qualifies parties in a given conflict as parties is that their own, first-order interests are at stake. By *first-order* interests, I mean interests which do not make reference to other interests, either one's own or those of anyone else. An interest I may have in advancing the interests of someone else, or the interest I have in advancing my own first-order interests, is an example of what I will call a *higher-order* interest.

The distinction between first- and higher-order interests is different from the distinction which is often made between self- and other-regarding interests. All other-regarding interests are higher-order interests, since they necessarily make reference to the interests of others. Yet not all higher-order interests are other-regarding, since they can also make reference to one's own interests. Nor do I believe all first-order interests to be self-regarding. While it is true that first-order interests cannot be other-regarding, the distinction between self- and other-regarding interests is not exhaustive. We can also have what can be called principle-regarding interests, perhaps grounded in what Rawls called "principle-dependent desires" (see Rawls 2000). Such interests do not make any reference to one's own interests, but they also do not make reference to the interests of others. Instead, one takes a direct, first-order interest in abiding by some principle, moral or otherwise.

When the first-order interests of an individual are at stake in a conflict, that individual may find herself actively taking part in the settlement of the conflict. Yet I will classify individuals as parties to a conflict solely on the basis that their first-order interests are at stake, even if they are not actively involved in defending them, or in settling the dispute any other way. Those who are not actively involved in a conflict although their first-order interests are at stake can be called *passive*

parties in the conflict, as opposed to *active parties*. The distinction between active and passive parties in a conflict may have important repercussions for some theories of justice—particularly those concerning international justice, where the interests of those outside a given state may be profoundly affected by the results of deliberations in which they, as non-citizens, are excluded from active participation.

A spectator can be understood as an individual whose first-order interests are not at stake in a given conflict. The distinction between parties to and spectators of a conflict is exhaustive. With regards to any given conflict, all of us are either parties or spectators. All of us either have first-order interests involved or we do not; all of us are either inside the conflict or outside it. Of course, passive parties may be outside in the different sense that they are not actively involved in settling the matter, but their interests remain inside even if their voices do not.

While passive parties may not be actively involved in a given conflict despite the fact that they have first-order interests at stake in it, spectators may become involved in a given conflict even though they have no first-order interests at stake. When they are involved, they cannot be involved in the same way that active parties often are—involved, that is, through defending their first-order interests. By definition, they have no first-order interests to defend. While they may become involved so as to defend their second-order interests, active spectators can also become involved as arbitrators—those who take a role in a dispute involving the interests of others.

**Claim 1. Being a spectator of, rather than a party to,
a given conflict is necessary, but not sufficient,
for absolute natural impartiality.**

In order to defend Claim 1, it is first necessary to refute the opposing claim that it is not necessary to be a spectator to a given conflict to have absolute natural impartiality—that participants, too, are capable of absolute natural impartiality. It is then necessary to refute the quite different opposing claim that being a spectator of, rather than a participant in, a given conflict is sufficient for absolute natural impartiality.

1. In order to address the first of these counter-claims, I must make clear that I refuse to assume that participants in a conflict are purely self-interested. First, I am happy to admit that virtually all of us (with the possible exception of clinical psychopaths) have other-regarding interests—that is, higher-order interests in seeing that the interests of others are advanced. Other-regarding interests may have emotional foundations in sympathy or fellow-feeling, but they may also stem from a more direct desire to see others thrive for their own sake. We may also

have a self-regarding, second-order interest in advancing the interest of others or pursuing impartial principles to govern our cooperation, since doing so is often the best available means of achieving our first-order interests. We may also have strong, first-order, principle-dependent interests—interests which make no reference to our own interests or those of anyone else. For example, we may have a principle-dependent interest in determining and abiding by fair terms of social cooperation, or acting only on principles which no other participant in a given situation can reasonably reject. We may even have first-order, principle-dependent interest in being impartial simply for its own sake.

In order to establish that parties to a conflict cannot have absolute natural impartiality, it is sufficient to show that their (first- or higher-order) interests in impartiality cannot be the only first-order interests at stake in a conflict. The most obvious way to defend this claim is through appeal to the empirical realities of human psychology. Although we can grant the reality of both principle-dependent, first-order and other-regarding, higher-order interests, none would deny that we also have self-regarding first-order interests. In a world of limited resources, our self-regarding interests will often come into conflict with both our own other-regarding interests and the self-regarding-interests of others. It is this conflict which impartial principles of justice are meant to resolve, and without which they would not be necessary. As long as parties to a conflict have self-regarding as well as other-regarding interests at stake, they have an interest in favoring their own selfish interests over those of others, and are not absolutely naturally impartial. Their other-regarding and principle-dependent interests may give them both a relatively high degree of natural impartiality and a very strong reason to strive for absolute artificial impartiality, but they cannot provide them with absolute natural impartiality as long as conflicting, self-regarding interests are also at stake.

While sufficient, this appeal to the empirical reality of conflicting self-regarding interests is actually unnecessary to prove my point. The point can also be defended conceptually. In order for a conflict to qualify as such, the parties to a conflict must have competing first-order interests. Of course, we can imagine a world without competing interests—and hence without conflict—but this would be a world in which issues of justice do not arise. The natural impartiality of participants grows greater only as impartiality becomes less necessary—that is, as conflicts grow weaker—and becomes absolute only when conflict disappears entirely.

It is also important to note that even a world of saints whose only first-order interests are in abiding by impartial principles would not necessarily be a world without conflict. Different saints might interpret the demands of impartiality differently; their competing first-order interests might involve abiding by these different, allegedly impartial principles. Despite their strong commitment to impartiality, in the conflict between these principles they would not be absolutely

naturally impartial. They may nonetheless have both a relatively high degree of natural impartiality and a very strong commitment to resolving the dispute through some form of artificial impartiality.

2. Just as the mere fact that parties to a conflict may have strong interests in impartiality does not render them absolutely naturally impartial, the mere fact that one is a spectator to a given conflict does not imply that one is absolutely naturally impartial with regard to it. First, and most obviously, a spectator may have a greater higher-order interest in advancing the first-order interests of some parties to a conflict than they do in advancing the first-order interests of others. Our other-regarding, higher-order interests often come into conflict—as when the first-order interests of the children of one pair of selfless parents are in conflict with the first-order interests of another’s. Parents are notoriously partial arbitrators of conflicts between their children: My little angel was clearly in the right when he punched your brat, and you probably believe the same about your little angel when he punched back. Partial spectators with other-regarding, higher-order interests which favor the first-order interests of different participants in a given conflict can themselves be understood as higher-order parties to the conflict.

Yet spectators do not need to have a strong higher-order interest in the first-order interests of only some of the participants in a conflict in order to remain naturally partial. There are many reasons a spectator might choose to favor the interests of some over others, some of which might be tied only very loosely to the spectator’s own interests, higher-order or otherwise. A biased spectator might simply take a liking to a particular participant and a disliking to others, for reasons that might not be entirely explicable. Taking a shine to some participants and developing an inexplicable antipathy to others might not give one a very strong higher-order interest in their first-order interests, but it nonetheless may be sufficient to prevent absolute natural impartiality. As with parties whose own first-order interests are at stake, however, even partial spectators may both show a significant degree of natural impartiality and have very good reasons for overcoming their natural biases through appeal to artificial impartiality.

Claim 2: The natural impartiality of a spectator is sometimes sufficient to render fair judgment without appeal to artificial impartiality.

The basic insight behind Rawls’s original position is that when we are entirely blind to the differences between participants in a conflict, differences which otherwise might lead us to favor the interests of one over others, the principles we construct for resolving the conflict will be absolutely impartial. Since Rawls assumed

that parties to the conflict would themselves be the ones formulating the principles, he argued that it was necessary to obscure the differences among them behind an imagined veil of ignorance. Since, as has now been established, no party to a conflict is entirely naturally impartial, Rawls is correct in believing that some such device of artificial impartiality is necessary for such purposes.

The situation changes, however, when it is spectators of rather than parties to a conflict who are asked to formulate impartial principles to resolve it. In cases where these spectators are naturally partial to some degree, a device of artificial impartiality may also be necessary for them. Yet there are also cases in which spectators are naturally impartial—if not absolutely so, then at least sufficiently so as to render reasonably fair judgments.

Real-world spectators to conflicts, through no doing of their own, may be as blind to the differences between participants in a conflict as are the imaginary agents behind the veil of ignorance. The blindness may be a result of simple ignorance—here real rather than imagined. But it may persist even in a situation of full information. From the point of view of a sufficiently detached spectator, there may simply be no relevant differences to see, and hence no reason to favor the interests of one party to a conflict over another.

Of course, there is still a possibility of partiality in these cases by arbitrary whim. Simply knowing that spectators have no noticeable reason to favor any participant in a conflict—that they have no personal connections to any of the parties involved, or particular affinities for some over others—is not sufficient to establish their absolute natural impartiality. There is still a possibility of arbitrary favoritism. Only the introspection of the spectators themselves can reveal that such capriciousness is not at work, and even they cannot know with any certainty whether such factors are at play on a subconscious level. Yet even though the fact that a certain group of spectators are utterly detached from all the participants in a conflict is not sufficient to establish that they are absolutely naturally impartial, that fact is nonetheless good evidence that they probably have a relatively high degree of natural impartiality. Arbitrary whims are rarely known for their strength or vehemence, after all.

What is more, there are real-world techniques that spectators can use to increase their natural impartiality but that are unavailable to participants. If the appearance (including the race and gender) of a potential bandmate would bias an audition process, candidates can perform behind a curtain—a practical analogue to the veil of ignorance. To take an example more familiar to the likely readers of this essay, if the name of the author of an academic article would bias reviewers, a journal can establish a system of blind review. Such techniques are unavailable to parties to a conflict. Short of a lobotomy, there is no way to increase their natural ignorance of the interests and identities of the parties to a conflict, since these

interests and identities are their own. While journal editors and bandleaders can experiment with real-world techniques to increase the impartiality of spectator-judges, only thought experiments are available to participant-judges.

These real-world techniques are deliberate contrivances and, in that sense, they are artificial. Yet the impartiality which results from them is still natural impartiality in the relevant sense, since the spectators involved are still viewing the world from their own, everyday perspective. Nor do they deserve any moral credit for doing so. The journal editor who establishes a system of blind review may be deserving of praise for his sense of fairness, but the reviewer who simply never learns the name of the author of an article is not praiseworthy by virtue of the natural impartiality which results from such unchosen ignorance.

Through a combination of the detached position from which they view a conflict and the use of techniques designed to shield them from possible sources of bias, spectators may reach a very high degree of natural impartiality. Even if we can never be certain that a natural impartiality is absolute, it seems reasonable to suppose that, at least in some situations, it would be sufficient to render judgments quite fair indeed, and to do so without the need for further appeal to some form of artificial impartiality. And in those cases where the natural impartiality of spectators is insufficient to render an adequately fair judgment, the greater is the degree of natural impartiality that the spectators already possess, the easier it would be for them to achieve the artificial impartiality necessary to do so. Mere whims and weak second-order interests are relatively easy to overcome through sufficient imaginative effort when compared with stronger first- or second-order interests.

Of course, there are difficult questions of what degree of impartiality is necessary for judgments to qualify as fair, and of how fair judgments need to be for purposes of adequate justice. I will not try to put forward an elaborate theory of when a high but imperfect degree of justice or fairness can be considered good enough in our always imperfect world—a theory of justifiable complacency, if you will. But there is no doubt that utopian dreams of perfect justice will never be fulfilled, and that absolute impartiality, whether natural or artificial, need not be our goal.

This anti-utopian note may seem dissonant given that, in the previous section, I seemed to hold it against parties to a conflict that they can never achieve absolute natural impartiality, although they may show both natural and artificial impartiality to a relatively high degree. Might the natural impartiality of parties to a given conflict be good enough, just as the natural impartiality of spectators has just been defended as good enough? Perhaps, but for the reasons outlined in the previous section, the natural impartiality of parties to a conflict is greatest when it is least necessary. This is not the case, however, with the natural impartiality of spectators. Participants in a conflict will only show a high degree of natural impar-

tiality when their shared interest in impartiality is significantly stronger than their conflicting interests, hence rendering their conflict a relatively weak one. Yet the natural impartiality of spectators can be very high even while the heat of conflict is very high, as long as the force of competing interests is limited to the participants and does not spread to the detached spectators. No matter how intense the competition between those trying to be published in a given journal may become, blind reviewers naturally have a position above and outside the fray.

Claim 3: Those without natural impartiality can more easily achieve artificial impartiality if they can model their artificial impartiality on the natural impartiality of an existing spectator.

Let us suppose that Firth is correct in his argument that the morally right course of action in any given situation is the one which would be approved of by an ideal observer. Such being is omniscient (with full knowledge of both all things past and all things future), “omnipercipient” (with perfect powers of imagination), perfectly disinterested, perfectly rational, and (now for the punchline) “in other respects...normal” (Firth 1952, 344). In order for Firth’s analysis of moral rightness to be action-guiding, we must now imagine our way into the perspective of his ideal observer, and figure out what this impossible creature would and would not approve of. Given that the ideal observer is so radically unlike any of us, and that there is nothing even approximating an actual ideal observer available for consultation, it is not clear how the project could even get off the ground. Perhaps that is why there has been so little normative theory which reaches any concrete moral or political judgments—let alone a full theory of justice—on the basis of Firth’s ideal observer theory.

The opposite, of course, is true of the equally impossible beings behind Rawls’s veil of ignorance in the original position, beings who have served as a starting point for much of the normative theorizing of the past four decades of moral and political philosophy. The great advantage of Rawls’s theory over Firth’s is that the former’s is a workable model of artificial impartiality designed to produce concrete conclusions. As anyone who has taught an introductory class on Rawls knows, however, it is no easy task to imagine one’s way into the perspective of the original position. Even those who succeed in doing so often come to different normative conclusions depending on the different ways they imagine the original position to work.

It seems clear that an attempt at artificial impartiality would be made much simpler were it possible to consult an actually existing, naturally impartial spectator. The claim that it is easier to achieve artificial impartiality when a naturally impartial spectator is available—either in person or through some sort of indirect communication—is admittedly an empirical one, and hence a better subject for experimental testing than for mere philosophical speculation. As far as I am aware, however, there have yet to be any psychological studies as to whether those without natural impartiality can more easily form impartial judgments about a conflict when they can consult the decisions of an existing impartial spectator.

There is, however, growing evidence that what some psychologists call “surrogation” can be an effective means of practical deliberation in other contexts. For example, subjects in one study could more accurately predict their affective reactions to a future event when they know how a neighbor in their social network reacted to the event than when they know about the event itself. Dan Gilbert et al. (2009) found that undergraduates could better predict how they would feel about particular partners while speed-dating on the basis of how acquaintances (or “surrogates”) felt after dating these individuals than they could on the basis of extensive personal profiles. In this and other contexts, the emotional reactions of a surrogate are more useful in predicting one’s own emotions than is information about the object of one’s future reaction. Although we must wait for more studies on the matter, there is reason to believe that surrogation provides a means of making up for weaknesses in our imaginative abilities. Gilbert et al. conclude that “because surrogation does not rely on mental simulation, it is immune to the many errors that inaccurate simulations produce” (2009, 1617).

Of course, it might be questioned to what extent failures in affective forecasting and failures in impartiality are analogous to one another, but both can be attributed to failures of imaginative accuracy—failure to imagine future events’ effects on oneself accurately in the former case, and failure to imagine the effects of one’s judgment on all the parties to a conflict accurately in the latter case. If anything, however, surrogation is likely to be an even more effective strategy with regards to impartial judgments than it is with regards to self-interested affective forecasting. The differences between individuals might make one a poor surrogate for predicting another’s happiness, but impartial judgments do not depend on the idiosyncrasies of individual psychology in this way.

Even in cases where an impartial spectator cannot be directly consulted, simply being able to model one’s own attempt at an artificially impartial perspective on the existing perspective of an actual person may make one’s task much easier. Although it is very difficult indeed to know what it would be like to see a conflict from the point of view of a god-like ideal observer or an impossibly ignorant agent in the original position, it is much easier to imagine what it would be like to see it

from a perspective which, while not one's own, can and has been taken by other individuals. It would be easiest if these spectators could be asked for their impartial opinions. When this is impossible, their very existence can serve as a guide for coming to an artificially impartial perspective of our own.

Of course, before impartial spectators can either be consulted or have their perspectives recreated imaginatively, they have to be identified. Doing so is no easy task, even with the purest of intentions. Since it is not easy to catalogue individual interests, we may never be certain that someone does not have any interest at stake in a conflict simply because these interests are not readily apparent. The situation is made worse once we remember that each party to a conflict has an interest in having it resolved in a way biased in her favor. One way to accomplish this is to claim falsely that someone who is actually on her side in the conflict qualifies as an impartial spectator, and to insist that this partial spectator's perspective govern the resolution of the conflict.

In order to avoid such problems, we may have no choice but to rely on a party's own artificial impartiality. It may never be possible to do away with the political need for artificial impartiality entirely; it will play an important role even in theorizing about justice that relies primarily on natural impartiality. Yet just as the advocates of natural impartiality need not and cannot exclude artificial impartiality from both theory and practice, so too should the advocates of artificial impartiality not exclude natural impartiality.

Here is hardly the place to even begin constructing a new theory of justice on the basis of primarily natural rather than primarily artificial impartiality. The present essay should be considered an invitation for others to do so—to imaginatively consider an impartial alien offering advice to Ackerman's space explorers, or the residents of another island (perhaps within shouting distance, but inaccessible across rough, shark-infested waters) helping Dworkin's castaways. Nor should our use of natural impartiality be confined to the speculative fictions of philosophers' imaginations—we should draw on all the empirical literature available from across the humanities and social sciences so as to increase our understanding of actually existing, naturally impartial spectators and their potential role in resolving conflict.

I can make no claims to where this turn to natural impartiality would lead, but I have great expectations for the results. It may turn out that Adam Smith's greatest contribution to political philosophy today will be to remind us of a rather obvious fact that we have somehow forgotten: Impartial spectators are around us all the time, and it would be foolish to ignore their actual, everyday perspectives in order to construct baroquely imagined, often impossible perspectives for thinking about justice.

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About the Author



Michael L. Frazer is a Lecturer in Political and Social Theory at the University of East Anglia. The author of *The Enlightenment of Sympathy: Justice and the Moral Sentiments in the Eighteenth Century and Today* (Oxford University Press), he received his B.A. from Yale, his Ph.D. from Princeton, and has previously held positions at Brown and Harvard. His email address is michael.leo.frazer@gmail.com.

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