

Max Scheler and Adam Smith on Sympathy

Adriana Alfaro Altamirano

Abstract: Recent efforts to theorize the role of emotions in political life have stressed the importance of sympathy, and have often recurred to Adam Smith to articulate their claims. In the early twentieth-century, Max Scheler disputed the salutary character of sympathy, dismissing it as an ultimately perverse foundation for human association. Unlike later critics of sympathy as a political principle, Scheler rejected it for being ill equipped to salvage what, in his opinion, should be the proper basis of morality, namely, moral value. Even if Scheler's objections against Smith's project prove to be ultimately mistaken, he had important reasons to call into question its moral purchase in his own time. Where the most dangerous idol is not self-love but illusory self-knowledge, the virtue of self-command will not suffice. Where identification with others threatens the social bond more deeply than faction, "standing alone" in moral matters proves a more urgent task.

In the past two decades political theorists have once again become intensely concerned about the place of emotions in political life.¹ In reaction to what is seen as an undue emphasis on deliberative politics, philosophers have sought to understand the undeniable—and salutary—role of rhetoric in the public sphere,² as well as the importance of nondeliberative forms of participation

Adriana Alfaro Altamirano will be (as of fall 2017) Assistant Professor in Political Science at ITAM in Mexico City, Río Hondo no. 1, Col. Progreso Tizapán, Álvaro Obregón, Ciudad de México, C.P. 01080 (alfaro@alumni.harvard.edu).

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¹See, among many others, Martha Nussbaum, *Upheavals of Thought: The Intelligence of Emotions* (Cambridge: Cambridge University Press, 2003); Sharon R. Krause, *Civil Passions: Moral Sentiment and Democratic Deliberation* (Princeton: Princeton University Press, 2008); and Michael L. Frazer, *The Enlightenment of Sympathy: Justice and the Moral Sentiments in the Eighteenth Century and Today* (Oxford: Oxford University Press, 2010).

²Bryan Garsten, *Saving Persuasion: A Defense of Rhetoric and Judgment* (Cambridge, MA: Harvard University Press, 2006).

in democratic politics.³ Furthermore, these concerns have an important counterpart in political science and sociology more broadly, as seen, for instance, in recent research on populism, mobilization, and alternative forms of representation.⁴

From different perspectives, all these efforts point to the importance of both sympathy and emotional identification as key political phenomena. Contemporary political theory has often approached such themes with the help of the Enlightenment sentimentalists, such as Shaftesbury, Francis Hutcheson, David Hume, and Adam Smith, hoping they can illuminate our current political experiences on this score.

In the early twentieth century, however, Max Scheler (1874–1928) offered a critique that cast serious doubt on the salutary character of sympathy as it was conceived by that tradition, on the grounds that it provided an unsatisfactory, and ultimately perverse, foundation for human association. In the context of a wider set of investigations intended to provide a phenomenological basis for ethics (*NS*, li),⁵ he set out to identify what he saw as sympathy's true character, and its legitimate place within human emotional life, distinguishing it from related but nonetheless different phenomena, which he thought eventually led to the corruption of human relationships.

Concerns about the noxious influence of sympathy have certainly not been absent in contemporary political theory. For instance, both Arendt and Rawls questioned sympathy's aptness as a political principle, owing to its illiberal, even violent, potential.⁶ Adam Smith's account of sympathy—in my view, both the most subtle one among the sentimentalists, and the most aware of its political import—has been defended against these charges, as constituting a “distinctively liberal conception of justice.”⁷ Yet, before Arendt and Rawls, Scheler criticized Smith on different grounds. He argued that Smith's project was ill equipped to identify and appreciate what, in his opinion, should be the proper basis of morality, namely, *moral value* (*NS*, 5). Even if, as we will see, Scheler's objections to Smith's “ethics of sympathy” are ultimately mistaken, he did have good political, anthropological, and pedagogical reasons to call into question the moral purchase of Smith's project in his own time.

³Michael Walzer, “Deliberation, and What Else?,” in *Thinking Politically: Essays in Political Theory* (New Haven, CT: Yale University Press, 2007).

⁴See Noam Gidron and Bart Bonikowski, “Varieties of Populism: Literature Review and Research Agenda,” Weatherhead Working Paper Series, No. 13-0004, 2013, <http://www.tinyurl.com/qxja4zl>.

⁵Scheler's works are cited parenthetically with the following abbreviations: *NS* equals *The Nature of Sympathy*; *F* equals *Formalism in Ethics and Non-Formal Ethics of Values*; *SPE* equals *Selected Philosophical Essays*; *EM* equals *The Eternal in Man*.

⁶See Hannah Arendt, *On Revolution* (London: Penguin Books, 1990), 71–95; and John Rawls, *A Theory of Justice*, rev. ed. (Cambridge, MA: Belknap Press of Harvard University Press, 1999), 160ff.

⁷Frazer, *Enlightenment of Sympathy*, 89.

Smith's proposal is a powerful and complex means to combat the vices that afflicted his own sociopolitical context, as well as to foster its required virtues. When we read Smith, we realize that the social bond, as he saw it, was mainly threatened by ambition, partiality, dissent, vanity, and faction; hence, his interest in the advancement of impartiality through self-command.⁸ The appeal to the "impartial spectator" is for those purposes an incredibly rich moral vehicle, both from a political and an anthropological point of view. However, the invitation to "identify" with the impartial spectator, to "enter into" his motives, as Smith would say, or worse still, to "make the impartial spectator enter into the principles of [one's] conduct" (*TMS*, 191),⁹ might not be the best moral training if your concern is, as Scheler's own was, with "emotional contagion" and "emotional identification." As we will see, these phenomena present a social challenge that goes beyond the divisiveness and sedition which instead pervade Smith's work (*NS*, 43).¹⁰

⁸The main discussions about faction in *Theory of Moral Sentiments* were added only to the sixth edition in 1790 (see, e.g., *TMS*, 155–56, 215–16, 231–32, 242, 245). Many scholars agree that these additions were influenced by the French Revolution. Still, the problem of faction is present in Smith's thought from early on. For instance, in a letter to Shelburne from 1759 (the year *TMS* was first published), Smith writes: "I hear there is no faction in parliament, in which I am glad of. For tho' a little faction now and then gives spirit to the nation the continuance of it obstructs all public business and puts it out of the power of the best Minister to do much good" (cited in Donald Winch, *Adam Smith's Politics: An Essay in Historiographic Revision* [Cambridge: Cambridge University Press, 1978], 160). Moreover, as Winch says, the problem of faction and dissent "provides the clue to Smith's view of the colonial assemblies in America. Like the 'troublesome jealousy' of some small European republics, they had departed from the golden mean in becoming prey to 'rancorous and virulent factions'" (*ibid.*, 160). Finally, as Richard Tuck suggested to me, further evidence of the early importance of this topic in Smith's thought is David Hume's essays "Of Parties in General" and "Of Parties in Great Britain," published in 1741: Hume and Smith were close and shared many political views and opinions. Therefore, even if many of the explicit discussions of faction appear only in later editions, and are nurtured by both the American and the French Revolutions, they find a "natural home" in *TMS*. That, I think, is because the socio-psychological context was already there, which corresponds to faction as a decisive political concern in Smith's thought.

⁹Adam Smith, *The Theory of Moral Sentiments*, ed. D. D. Raphael and A. L. Macfie (Indianapolis, IN: Liberty Fund, 1982), henceforth cited parenthetically as *TMS*.

¹⁰The relevant sociopolitical context for Scheler's reflections is, first, the rise of mass movements in Europe, and especially in Germany. In dialogue with the works of Gustav Le Bon, Gabriel Tarde, and Sigmund Freud, Scheler argues that what he calls "emotional contagion" and "emotional identification" are forms of collective interaction that emerge distinctively—even if not exclusively—in mass movements and other "psychopathic group-movements" (*NS*, 16). Second, his reflections on sympathy should be read against the background the so-called spirit-of-1914 narrative. According to this narrative, the outbreak of World War I was a moment of unification and collective renewal for the German nation, which remained a rich nationalistic

Despite the relative neglect of Scheler's work in contemporary political and social theory, especially in the English-speaking world, its influence—mainly during his own life, both in Germany and in other parts of Europe—was significant.¹¹ He is considered one of the most original contributors to phenomenology in the early twentieth century, in metaphysics as well as moral and social psychology, and one of the pioneers of “philosophical anthropology”—a tradition which remains very much alive today in critical-theory circles and in debates about identity politics, collective intentionality, and joint action. Moreover, from a contemporary perspective, the advantages of turning to Scheler's criticism of the Enlightenment sentimentalists are, first, that unlike Kant, he did acknowledge the necessary and salutary role of emotions in ethics and politics; and second, that unlike Nietzsche, he did affirm the ontological and ethical status of emotions, conceiving them as independent from power structures and relations of domination.

Finally, in light of the predicaments of what has been called “audience democracy” (where citizens play the allegedly passive role of spectators, rather than the active one of civic participation)¹² and of the capacity of populist politics to realign sociopolitical identities through the use of rhetoric in the public sphere,¹³ considering the up- and downsides of sympathy and emotional identification is an indispensable task. As we will see, Scheler's qualms about the ethical and political promises of sympathy will prove helpful in this respect, provided that we first make—as Martha Nussbaum

reference throughout World War II. For many, the experiences of August 1914 constituted a “holy” and “heroic” moment, a “rebirth through war,” in which individual and collective identities were “fused and transformed,” and the soul of the German people was purified (see Jeffrey Verhey, *The Spirit of 1914: Militarism, Myth and Mobilization in Germany* [Cambridge: Cambridge University Press, 2000]). In the second edition of Scheler's book on sympathy (*NS*), published in 1922 (the first one appeared in 1912), he added that his observations had been confirmed by WWI. For Scheler's changing positions regarding the spiritual meaning of the war see Zachary Davis, “The Values of War and Peace: Max Scheler's Political Transformations,” *Symposium* 16, no. 2 (2012): 128–49.

¹¹See Sebastian Luft and Søren Overgaard, *The Routledge Companion to Phenomenology* (New York: Routledge, 2012), chap. 3; Karol Wojtyła (Pope John Paul II), *The Acting Person* (Dordrecht: Kluwer, 1979); and Martin Heidegger, *The Metaphysical Foundations of Logic* (Bloomington: Indiana University Press, 1984), where he calls Scheler “the strongest philosophical force in Germany, nay, in contemporary Europe, and even in contemporary philosophy as such” (50). Contemporary scholarship on Scheler has been advanced mainly under the auspices of the Max Scheler Gesellschaft and the Max Scheler Society of North America.

¹²Jeffrey Green, *The Eyes of the People: Democracy in an Age of Spectatorship* (Oxford: Oxford University Press, 2010).

¹³See note 5 above.

suggests—a good diagnosis of the particular obstacles to appropriate sympathetic feelings that we face in our societies.¹⁴

Scheler's Misreading of Smith

Scheler's general criticism of the "ethics of sympathy" is directed toward any system that claims to find in sympathy a proper foundation for morality. Thus, he is not arguing against the importance of sympathy, but rather against regarding it either as the criterion for distinguishing moral from non-moral action, or as the mechanism through which morality can be realized. Moreover, he is interested in showing that morality cannot be grounded in either reason or feeling, but only in the adequate perception of value.

Scheler criticizes the account of sympathy offered generally by eighteenth-century British psychologists for explaining sympathy away, insofar as it traces sympathy back to the principles of pleasure or utility (*NS*, 130). However, he acknowledges that Shaftesbury, Hutcheson, and Smith escape such a charge, since they do not take natural egoism for granted, nor conceive altruism and sympathy in terms of self-interest (*NS*, 40).¹⁵ Indeed, on this score, Smith says that

it is not the view of this utility or hurtfulness which is either the first or principal source of our approbation and disapprobation. These sentiments are no doubt enhanced and enlivened by the perception of the beauty or deformity which results from this utility or hurtfulness. But still, I say, they are originally and essentially different from this perception. (*TMS*, 188)

Despite this considerable advantage, Scheler thinks, Smith begs the question of morality by presupposing moral value, which is what he allegedly attempts to deduce. In Smith's view, claims Scheler, moral judgment arises ultimately from adopting the standpoint of the "impartial spectator": only "by participating, through fellow-feeling, in the [latter's] hatred, anger, indignation and impulses of revenge" can we eventually judge others, and even ourselves (*NS*, 6). In other words, the charge is that Smith wrongly supposes that "an ethical judgment can only arise through the medium of fellow-feeling" (*NS*, 6). Thus, Scheler concludes, "according to Adam Smith, a man unjustly condemned and universally considered to be guilty should also acknowledge his guilt himself. Indeed (apart from errors of fact), he really would be 'guilty'" (*NS*, 6).

This is clearly a gross misreading of Smith.¹⁶ For the latter, the consciousness of a real standard of propriety and merit are the necessary conditions

¹⁴Nussbaum, *Upheavals of Thought*, 447.

¹⁵This is one of the reasons why the contrast with Smith is more interesting than the one with, say, Bentham or Hume.

¹⁶This misreading might be easily explained by the fact that, as Keith Tribe holds, discussion in Germany about *TMS* during the second half of the nineteenth century

for sympathy to arise, and not vice versa, even if they arise *through* sympathy. In other words, the distinction between good and evil does not depend, ontologically speaking, on the actual acknowledgment of such qualities. In Smith's words:

The applause of the whole world will avail but little if our own conscience condemns us; and the disapprobation of all mankind is not capable of oppressing us when we are absolved by the tribunal within our own breast, and when our own mind tells us that mankind are in the wrong. (TMS, 129)

While Smith certainly emphasizes the role of other people's gratitude in the process of learning what counts as good actions, or the role of resentment and hatred in the process of identifying bad ones, he repeatedly underscores the "reality of virtue" (TMS, 309) and the importance of the "consciousness of merit" (TMS, 82). He makes clear more than once that virtue is what makes the action worthy of gratitude, and vice what makes it worthy of resentment, and not the other way around. He observes, for instance, that "whatever appears to be the *proper* object of gratitude appears to *deserve* reward" (TMS, 67–69, my emphasis). That is different from saying that whatever appears to be the proper object of gratitude actually gets it. In other words, the claim is not that sympathy is the ultimate source of virtue, but only the "natural and original measure of [its] proper degree" (TMS, 306).

Moreover, in Smith, sympathy is an especially fine "detector of virtue," capable of nuanced and subtle measures of it. He is very clear, for example, that "the love of praise-worthiness is by no means derived altogether from the love of praise" (TMS, 114), thereby sharply distinguishing love of virtue

developed in the absence of readily available copies of the work. Two German translations of *TMS* had been published in the eighteenth century, but, Keith says, at the time German university libraries did not routinely purchase translations of English works. Further, no new German edition was available until Eckstein's edition of 1926. This leads Tribe to conclude that "most of those who wrote in German about *Theory of Moral Sentiments* had not read the book" ("'Das Adam Smith Problem' and the Origins of Modern Smith Scholarship," *History of European Ideas* 34, no. 4 [December 2008]: 518).

In Scheler's private library, there is only a German translation of the *Wealth of Nations* (by Max Stirner, published in 1911), but no copy of *TMS*. Scheler's English was not very good, so he most surely used a translation, but it is unclear which one. Most likely, it was one from a public library in Jena or Munich. However, since there are no records of their book exchange, and in Scheler's few lecture notes there seem not to be any bibliographical notes concerning Adam Smith, it is difficult to know. I very much thank Wolfhart Henckmann for his help with this information. Scheler's reading of Adam Smith might have been influenced by Gustav Störing's *Moralphilosophischen Streitfragen* (Leipzig: Wilhelm Engelmann Verlag, 1903), which Scheler cites in the *Ressentiment* book. I thank Zachary Davis for pointing this out to me.

from vanity. Furthermore, in the spectrum that opens up between those two, he finds “love of true glory” — an intermediate passion, inferior to the love of virtue, but still attached to a correct and sincere reference to it (*TMS*, 309). The seeker of glory, says Smith, is able to see and cherish virtue for what it is, whereas the vain man, the one who loves only praise, either “desires praise for qualities which are not praise-worthy in any degree, or not in that degree in which he expects to be praised for them,” or “desires praise for what indeed very well deserves it, but what he perfectly knows does not belong to him” (*TMS*, 309). In sum, Smith offers a careful phenomenology of emotions, where sentimental diversity—something crucial from a Schelerian perspective—is very rarely neglected.¹⁷

This means, in my opinion, that sympathy in Smith actually incorporates, so to speak, something very similar to what Scheler calls *Wertnehmung*, or “perception of value.”¹⁸ For Scheler, values are neither thought of, nor judged, nor chosen: they are rather *perceived* through feelings.¹⁹ More specifically, he proposes a hierarchy of values—from the material to the spiritual—and a corresponding stratification of our emotional life, according to which, at every level, different types of feelings are “attuned” to different spheres of value.²⁰ Feelings are, in other words, “receptor organs” through which we cognize values; hence the ethical significance of our emotional life.

To be sure, Smith lacks the conceptual apparatus and the terminology Scheler uses to approximate, through language, the nuances of value and feeling. However, as we saw, for Smith, sympathy is an imaginative faculty apart from reason and sensibility, with the capacity—not unlike Scheler’s feelings with respect to value—of “detecting” virtue. Virtue, in turn—not unlike Scheler’s values—has an ontologically independent status apart from pleasure or utility. For Smith, the faculty of sympathy is the one responsible for our capacity to approve and disapprove of (and not merely to be affected by) the actions, opinions, and feelings of others. Moral value resides in sympathy’s

¹⁷Cf. Remy Debes, “From *Einfühlung* to Empathy,” in *Sympathy: A History*, ed. Eric Schliesser (New York: Oxford University Press, 2015), 286–321, who also recognizes Scheler’s “wrongheaded reading” and “dismissive tone” with respect to both Smith and Hume (313), but who does not explore the extent to which Smith can actually push back against Scheler, thereby missing what I see as the real contrast between them.

¹⁸*Wertnehmung* is a term coined by Scheler, which combines value (*Wert*) with perception (*Wahrnehmung*).

¹⁹However, they are different from sensations. For Scheler, against Kant, cognition is not exhausted by sensation and understanding. Values are data of intuition, which are yet not sensible in character. That is why he calls them “material a priori” (see *F*, 45–80).

²⁰To illustrate briefly: joy and sorrow correspond to spiritual values, such as the beautiful or the holy; the feeling of health and illness, to the vital value of well- or ill-being; and the feelings of pleasure and pain, to the values of the agreeable and the disagreeable. For further details, see *F*, 101–11.

necessary relation to the consciousness of what he calls propriety and merit. All this, and no less, is meant when we say that, for Smith, sympathy is a moral sentiment insofar as it refers to what is virtuous.²¹

It would therefore, I think, not be completely misleading to say about Smithian sympathy what Scheler says about love and hate—namely, that it is an “act [that] plays the disclosing role in our value-comprehensions” (F, 261). Even if, again, the terminology would be completely foreign to him, Smith’s sympathy is *something like* an “intentional act,” which “relates originally” to moral value, just as Scheler would say about love (F, 257).²² Still, when faced with such an obvious misreading in the history of philosophy as in the case of Scheler with respect to Smith, it is important to inquire not so much *what* the mistake was, as *why* it happened. What kind of concerns made it more likely that Scheler would overlook these aspects of Smith’s work?

Smith’s Impartial Spectator: The Problem of Contagion and the Exercise of Comparison

Before we set out to answer that question, it is important to notice that Smith avoids one further feature that Scheler condemns in his more general attack against the ethics of sympathy (one that, admittedly, he does not charge Smith with): the problem of “contagion of feeling.” According to Scheler, philosophers and psychologists tend to reduce sympathy to a phenomenon of automatic transmission of emotions, depicting it as a mere “reaction” akin to communicable diseases, leaving out all agency in the moral act of sympathizing (NS, 14–18). On the contrary, Scheler distinguishes between “true fellow-feeling,” “mere emotional infection,” and “emotional identification”—a set of distinctions which I will explore shortly.

On this point, let us recall that Smith says that sympathy “does not arise so much from the view of the passion, as from that of the situation which excites it” (TMS, 12). Therefore, we can safely say that he depicts sympathy not as a passive process of transmission, but as a reflective process intertwined with judgment. In Smith’s account, we cannot sympathize with the gratitude of another, *unless* we approve of the motives of the benefactor; and likewise, we cannot sympathize with her resentment, *unless* we simultaneously disapprove of the person who did the mischief (TMS, 71).

²¹On the issue of Smith’s “sophisticated emotivism,” or “qualified moral objectivism,” see Charles Griswold, *Adam Smith and the Virtues of Enlightenment* (Cambridge: Cambridge University Press, 1999), 129–30, and chap. 4.

²²To put it in more technical terms, sympathy, I think, is closer to Scheler’s *Fühlen* (feeling) than to his *Gefühlen* (feeling-states). For this distinction, see F, 253–64, and Ingrid Vendrell Ferran, *Die Emotionen: Gefühle in der realistischen Phänomenologie* (Berlin: Akademie, 2008), 205–10.

Even more, according to Smith, we are capable of feeling, through sympathy, passions of which the person sympathized with seems to be altogether incapable: "We blush for the impudence and rudeness of another, though he himself appears to have no sense of the impropriety of his own behaviour; because we cannot help feeling with what confusion we ourselves should be covered had we behaved in so absurd manner" (*TMS*, 12). Thus, on top of the acknowledgment of virtue as the *real* basis of the moral sentiments, we find no trace in Smith of a story about "contagion," such as would devalue the act of sympathizing.²³

However, there is another point of Scheler's critique that does touch Smith's theory, even if Scheler does not explicitly draw that connection. His observations on the "exercise of comparison" as an inaccurate portrayal of the experience of sympathy seem to address much more directly what I take to be the cornerstone of Smith's theory of moral sentiments: the notion of the impartial spectator.

The impartial spectator is an artificial standpoint at which we arrive by way of comparing ourselves to others. This comparison, according to Smith, allows us to gradually get rid of all predispositions toward ourselves, achieving eventually an impartial perspective on every particular situation. Such impartiality constitutes the pillar of morality. Throughout his book, Smith presents several wordings for the mental exercise involved in it. Among others, we find that it is a comparison that "bring[s] somebody else's case back home," or that "transport[s] myself, at least in fancy, to a different station" (*TMS*, 135), from which I can pick up the right proportion of a situation, an experience, or an event. These can all be seen as variations of the familiar idea of "placing oneself in another's shoes."

Scheler critiques this premise, and argues that a comparison can never be a solid basis for true sympathy to arise, for the latter must be "a genuine *out-reaching* and entry into the other person and his individual situation, a true and authentic transcendence of one's self" (*NS*, 46). For him, the impartial onlooker is a nonstarter since "true fellow-feeling betrays itself in the very fact that it includes the existence and character of the *other* person as individual, as part of the object of commiseration or rejoicing" (*NS*, 39, my emphasis). The way *I* would feel, or what *I* would do if *I* underwent the same situation as another, is simply irrelevant to the kind of act that genuine sympathy should look like, for to be such it must preserve the individual uniqueness of the feelings of the other. Comparison, therefore, Scheler concludes, "must be ruled out as insufficient for an understanding of the situation" (*NS*, 40). This concern is rooted in what is probably *the* central aspect of Scheler's

²³Cf. Nussbaum, *Upheavals of Thought*, 302n10, who states that Smith associates sympathy with contagion of feeling. I think this is imprecise, but probably not wrong, if by that she means (as I think she does) that Smith requires us actually to experience the feeling of the person that we sympathize with.

metaphysical project: the preservation of absolute *personal* uniqueness; the affirmation of the irreducibility of the person to matter, concepts, sensations, or even reason (F, 371–74); and the corresponding identification of the values that belong to the ontological level of the individual person.²⁴

Before we assess whether this criticism really undermines Smith's theory, I will give an overview of Scheler's classification of the different phenomena of fellow-feeling, that is, the set of related feelings that have to do with partaking in the emotions of others. This will allow us, first, to become acquainted with Scheler's approach to the constellation of emotional variations related to sympathy and their role in the constitution of social ties; and, second, it will prepare the ground for identifying more precisely what, from a Schelerian perspective, is really problematic in Smith's account.

Varieties of Sympathy

For Scheler, moral agency depends on the diversity of feelings of which we are capable. Hence the importance of appreciating all the nuances and distinctions among them. He identifies four categories of fellow-feeling, arranged in a hierarchical structure. Their moral value varies in direct proportion to their capacity of connecting people through shared feelings and emotions, *while maintaining a clear distance between them*. In other words, for Scheler, "true sympathy"—i.e., morally valuable sympathy—unites people through feeling, but prevents them from confounding themselves with each other.

First, Scheler finds what he calls *community of feeling* (*Miteinanderfühlen*), in which two or more people share the same sorrow or joy with one another. What characterizes this phenomenon is that people enjoy or suffer something *in common*, and not that they experience it *identically*. Scheler's example is that of two parents standing beside the dead body of a beloved child. What matters here, he says, is not that the parents are afflicted by each other's pain, or that they experience similar feelings, but that they are both originally afflicted by *the same pain* (NS, 13). This feeling preserves the individuality of the experience, while creating a bond between people.

Second, he identifies the experience in which we are able to perceive another's suffering or joy, *but without partaking in it*. We visualize the feeling, but we do not feel it (he calls it *Nachgefühl*, which means "reproduced or vicarious feeling"). This is a crucial distinction for Scheler, and as we will see below, one of great political significance. His contention is that one can *see* suffering more or less as one can see a tree. Suffering is one object among others, and therefore you do not need to "infer" its existence from the gestures of other people. Rather, expressions of feelings convey the experiences themselves directly. Just as I do not *infer* that there is a tree in front of me

²⁴See, e.g., Stephen Schneck, *Person and Polis: Max Scheler's Personalism as Political Theory* (Albany: State University of New York Press, 1987).

from the fact that I perceive its image, but actually *see* the tree, Scheler says that “it is *in* the blush that we perceive shame, *in* the laughter joy” (NS, 10).

The result of rejoicing with others, he says, is not that we “are joyful on their account, for this would then be simply our own joy, but that we are able to *savour* their joy without thereby needing to get into a joyful mood ourselves” (NS, 42). Again, just as we do not become an apple as we eat it (despite claims that “we are what we eat”), we do not need to become sad to be able to perceive sadness.

A comparison with Smith on this point is worth keeping in mind. As I said before, sympathy in Smith is not exclusively made out of feelings, but refers to a more complex phenomenon composed of reflection, judgment, and passions, whereby I can sympathize with someone even if that person herself *does not* feel sad or happy. Still, I *do* need to feel sad or happy on her behalf. Not in the case of Scheler, for whom, again, the reproduction or replication of the feeling of another is necessarily excluded in cases of “true sympathy.”

Next in Scheler’s hierarchy we have *emotional infection* (*Einfühlung*), which is what, according to him, most theorists have in mind when they talk about sympathy. Emotional infection is the transference of emotional states, in a quite involuntary and unconscious fashion (NS, 15–16). It covers relatively innocuous cases, as when someone surrounds herself with cheerful people to be merrier for a while, as well as more serious ones, “where we are so caught up, as it were, in the other’s changing moods and interests that we no longer seem to lead a life of our own” (NS, 41–42). He finds typical examples of emotional contagion in all mass-excitement and in the formation of public opinion (NS, 15).

For Scheler, the problem with this account of sympathy, as we saw, is the exclusion of what should be at the core of true fellow-feeling: seeing other people’s emotions as really pertaining to others. Emotional infection cancels this possibility by erasing the distance between those involved. In his view, sympathy does not require us to “bring others’ case home to our breast,” as Smith likes to say, or to look for situations where the sentiments of others “give occasion, coincide, and tally with our own” (TMS, 19). Rather, in sympathy we must acknowledge that we do not need to experience the same thing as someone else to be able to know what she is going through (NS, 10). In short, sympathy is a matter of adequate perception, and not of harmony, attunement, or coordination.

Finally, we get to what Scheler calls *emotional identification* (*Einsfühlung*). If the previous category already conveyed the idea of a pathological transference of sentiments, this one is its extrapolation.²⁵ He offers a representative list of cases. Not all of them are necessarily negative, or even avoidable: some are just a normal phase of our personal development (some traits of

²⁵By “pathological” I mean just passive as opposed to active; related to the senses, instead of to the spirit.

the child's mental life), others are preeminently desirable (truly loving sexual intercourse). However, the list includes the mass's self-identification with a leader that engenders "a sense of identity among the members themselves" (NS, 19), or the further outcome of, as he puts it, "the mutual coalescence of [different people] into a single stream of instinct and feeling, whose pulse thereafter governs the behavior of all... so that ideas and schemes are driven wildly before it, like leaves before a storm" (NS, 25). In the second edition of Scheler's book on sympathy, published in 1922, he remarks that "if there is any one thing within recent experience which serves to confirm these observations, it is the experience of the World War" (NS, 36).²⁶

Scheler thinks that these phenomena depend on a "region" that is intermediate between the body and the mind, or between matter and spirit (NS, 33), which, when "activated," sets off a process where not only isolated feelings of another are unconsciously taken as one's own (as in cases of emotional infection), but in which one's own self is wholly identified with that of another (NS, 18). Hence, contrary to other interpretations of the experience of war and mass-mobilization as something either brutal or holy for those involved in them, for Scheler, these experiences cause "body *and* soul [to] go under *together* in a single passionate surge of collective activity" (NS, 36, my emphasis).

Now, it is precisely in the light of the phenomenon of identification, and the corresponding "intermediate region" of the human psyche, that I wish to go back and consider again Smith's impartial spectator. The comparison between Smith's account of sympathy as crystallized in the standpoint of the impartial spectator, on the one hand, and Scheler's own understanding of sympathy, on the other, shows that, at times, both authors are in outright opposition to each other in terms of their respective conceptions of the self and of moral agency. However, most interestingly, part of the distance that separates them seems to be best understood in more "strategic" terms: not so much as a substantive difference between them, but as a similar response to different moral and political problems. Such disparity in context will allow us, in turn, to single out the concerns that underpin Scheler's criticism of Smith.

Phenomenology of the Impartial Spectator and the Problem of Identification

As I said before, a more proper criticism of Smith's impartial spectator from a Schelerian perspective is that a comparison can never be a solid basis for true sympathy to arise, because the latter is supposed to be a "genuine out-reaching" or a real transcendence of one's self (NS, 46). Admittedly, Smith's choice of words as he elucidates the character of the impartial spectator

²⁶See note 10 above.

might indeed sometimes suggest a deep self-centeredness. However, Smith does tackle the issue explicitly as he attempts to exonerate his construct from charges of egoism. On that score, he affirms:

When I condole with you for the loss of your only son, in order to enter into your grief I do not consider what I, a person of such a character and profession, should suffer, if I had a son, and if that son was unfortunately to die: but I consider what I should suffer if I was really you, and I not only change circumstances with you, but I change persons and characters. (*TMS*, 317)

This passage, among others, proves that it would be unfair to hold the charge of corrupting self-regard against Smith's impartial spectator. However, still from a Schelerian perspective, it is worth looking at the opposite danger. Considering the foregoing reflections on emotional identification, the problem might not be that in Smith's account the sympathizer loses the "phenomenological reference to the other person as such" (*NS*, 40), but rather the phenomenological reference to *her own self*.

In one of his characterizations of the impartial spectator, Smith says that as soon as someone "*identifies* himself with the ideal man within the breast, he soon becomes himself the impartial spectator of *his own situation*" (*TMS*, 148, my emphases). In other words, in moral reasoning, the person *should lose sight* of himself, and adopt the persona—the motives, the passions, and the reasons—of the impartial spectator.

Now, this is not to suggest that the relation of identification that is established between, say, a hypnotist and his patient, or a charismatic despot and his subjects, is exactly the same as that which exists between someone's "inmate of the breast" and himself. The fact that the latter is "merely a man in general" (*TMS*, 129), a "supposed" character that lives only in our imagination with no particular connection to us or the people around us (*TMS*, 129–35), and more importantly, someone that comes to existence through our own efforts of reflection aiming at impartiality, makes the "inmate of the breast" probably not the best candidate for the kind of phenomena that worries Scheler primarily. Freud's theory of the superego notwithstanding, it might be a stretch to say that both are equally instances of domination. Still, as a pedagogical mechanism, the impartial spectator will be insufficient, and perhaps even counterproductive, to fight the moral problem that Scheler finds most pernicious—namely, emotional identification.²⁷

In the face of massive psychic usurpation, the answer cannot possibly be to advise people to become the impartial spectators of their own situation, but on the contrary, to teach them how to become moral *agents*. Just as ambition,

²⁷Cf. Elisa Aaltola, "Varieties of Empathy and Moral Agency," *Topoi* 33, no. 1 (2013): 243–53. Aaltola associates Smith with a "projective" notion of sympathy, which leads her to attribute to it the potential drawbacks of "feed[ing] atomism and detachment" (246). My analysis highlights the opposite danger.

faction, vainglory, and self-love are the main villains of Smith's story, the "almighty social authority" (NS, 6) and the "complete and total infection of the very roots of individuality" (NS, 19) are those of Scheler's. In this context, the appeal to impartiality cannot do the job anymore.²⁸ As we will see, where the most dangerous idol is not self-love but "illusory self-knowledge," stoicism will appear as a poor remedy, and the virtue of self-command will not suffice. Where "identification with others" threatens the social bond more deeply than faction, "standing alone" in moral matters will prove much more urgent to protect moral value (F, 319).²⁹

Vain men consciously play a game in order to project a certain image in society, but as Scheler says, it is still *they* who present it: "they oscillate between this picture and an awareness of themselves as they really are" (NS, 43). On the contrary, for *mental parasites*—as he calls those thrown into a clinical condition by a morbidly bloated vanity—"the presence of an onlooker immediately upsets [their] natural self-possession, [their] consciousness of [themselves] being replaced by the image [of themselves] as seen by the onlooker, and as judged by the latter's standards of preferences" (NS, 44). People affected in this way, he goes on, "will not be content, like the still normal *prima donna* type, to put on a stricken air so as to make others feel sorry for [them], or a gay one to cheer them up" (NS, 44); rather, in their minds "the picture comes to life," and they really stage the desired calamity or hilarity (NS, 43).

Such a *mise en scène*, he claims, results from a "consciousness of internal emptiness and nullity," "a vacuity which drives [a person] out of 'himself,'" prompting him "to fill his empty belly with the experience of others" (NS, 43). Similarly to cases of hypnosis, where "the 'seat' of the hypnotic subject's own intellectual activity is *usurped* by that of the hypnotist" (NS, 21), the mental parasite's capacity for self-awareness is displaced by the presence of the spectator. Admittedly, Scheler is talking here about specific clinical cases of the then-called *hysteria*, but as mentioned before, he draws a link

²⁸Scheler interpreted the rise of fascism in Europe, and specifically among German youth, as a "reversal" of values, in which spiritual values were subverted in favor of vital values. Such vital dimension corresponds, in turn, to the "intermediate region" which—as we have seen—is activated, in his view, in cases of emotional contagion and identification. See Zachary Davis, "A Phenomenology of Political Apathy: Scheler on the Origins of Mass Violence," *Continental Philosophy Review* 42, no. 2 (2009): 149–69.

²⁹Griswold has rightly denominated Smith's pedagogical strategy as the "internalization of spectatorship." Cf. Vivienne Brown's suggestive interpretation, according to which we find in Smith (at least in the *TMS*) a much richer notion of agency than I allow here, based on a distinction between action and judgment, and how they are respectively affected (or not) by motives. See Vivienne Brown, "Agency and Discourse: Revisiting the Adam Smith Problem," in *Elgar Companion to Adam Smith*, ed. Jeffrey Young (Cheltenham: Edward Elgar, 2009), 52–72.

between individual and social afflictions of this kind, and clearly finds collective manifestations of such type of identification in mass society.

Further, the maladies that Scheler diagnoses are all the more insidious insofar as, according to him, they often pass unavowed. This, he thinks, is due to the false confidence provided by what he calls “the idols of self-knowledge.” The term refers to the illusion that self-knowledge is evident: “This theory, stemming from Descartes... is one of the foundations of that false kind of confident self-certainty which has grown up in the course of the development of our culture” (*SPE*, 3). We tend to think that we have “first-hand knowledge” about ourselves, and know about others only in a secondary way. Scheler thinks this is wrong: taking self-knowledge for granted, we have forgotten the wisdom and the task underlying the Socratic dictum *Know thyself*. For him, we live first “in others” (*NS*, 247), and only gradually acquire a better sense of our own individuality. He worries that such “illusory self-certainty” has evolved into a legitimate human attitude, while, in reality, in his view, the roots of individuality are being depleted by the force of social authority.

Thus, while Smith’s whole arrangement is designed to save us from—as he puts it—the “delusions of self-love” (*TMS*, 159), for Scheler, a far more dangerous threat to moral development comes from our naive and arrogant self-certainty.³⁰ Given this diagnosis, the adequate corrective is not to become aware, as Smith would suggest, of the degree to which we “see ourselves through the eyes of others,” but to understand the individual processes in which we gain access “into our true depths” (*SPE*, 4), and in which we learn how to listen to the voice of our individual conscience.³¹

³⁰This is not to say that self-love is always bad, but that its corrupted or delusory version is. See Brown’s discussion of Smith’s Stoic interpretation of self-love, according to which “love for oneself” can become the basis for loving others, and thus cannot be conceived merely as an individualistic concern (Vivienne Brown, *Adam Smith’s Discourse: Canonicity, Commerce, and Conscience* [London: Routledge, 1994], 95–96). Still, my point is that, without the appropriate moral treatment, for Smith, self-love becomes the *main* source of moral trouble. This does not seem to be true for Scheler.

³¹In a sharp interpretation, Samuel Fleischacker has argued that self-deception, and not *akrasia*, is the real problem that the impartial spectator is meant to address (“True to Ourselves? Adam Smith on Self-Deceit,” in *The Adam Smith Review*, vol. 6, ed. Fonna Forman-Barzilai [London: Routledge, 2011], 75–92). However, notice that self-deception is not the same as lack of self-knowledge. They differ crucially on what the object of knowledge is. In Fleischacker’s account, self-deceit happens when I misuse my moral resources, and talk myself into what I already know is not my ideal and my standard (88–89). So, even if, with Fleischacker, one acknowledges a cognitive problem at the root of partiality in Smith’s treatment, it would still be different from Scheler in two respects: first, self-deceit regards, for Smith, not knowledge about *myself*, but about my *standard* of morality. For Scheler, on the contrary, self-knowledge concerns me as a *person*, and not as a rational being capable of having standards or forming judgments (see *F*, 371–86). Second, even if the problem is put in terms

Phenomenologically speaking, Smith's failure to theorize the depths of human personality is perhaps most clearly revealed in the impartial spectator's "extremely low time-discount rate," as economists would say. On this score, Smith indicates:

The impartial spectator does not feel himself worn out by the present labour of those whose conduct he surveys; nor does he feel himself solicited by the importunate calls of their present appetites. To him their present, and what is likely to be their future situation, are very nearly the same: he sees them nearly at the same distance, and is affected by them very nearly in the same manner. (*TMS*, 215)

Strengthening the "man within" means overlooking time: placing the "solicitations of our present appetites" at the same level as those of the future, and, for the most part, letting go of the past (in economics parlance, it means assuming equal treatment of present and future, or what they call "zero discounting"). "Lived-time" is replaced here by time considered from afar. In fact, one of the most important differences—if not the chief one—between Smith's early modern phenomenology of emotions, and the phenomenological approach of the late nineteenth century has to do with their respective treatments of time.³² For the latter, time constitutes one of the most important dimensions of the self; and this—at least in Scheler—has to do partly with the fact that *only in time* we can come to know ourselves. The "depths of our personality" can only be traversed with patience, endurance, and perseverance, all of which are virtues that would not make sense if we "flattened" time, so to speak, "pondering equally" every single moment.

So even if we grant, first, that part of Smith's approach to time is a matter of prudence,³³ and second, that it does not go as far as the Epicurean solution of annulling time in order to cancel both pain and pleasure (*TMS*, 295), it is inescapable that Smith finds certain "pedagogical purchase" in time, which consists precisely in that *we can learn how to neglect it*. The impartial spectator must treat time, not as the proper and only dimension in which individuality can exist—as a more Schelerian approach would have it—but as that "great and universal comforter, [which] gradually composes the weak man to the

of self-deceit, it is still true, I think, that, for Smith, self-love (and not illusory self-certainty) constitutes the main reason behind it.

³²See Christel Fricke and Dagfinn Føllesdal, *Intersubjectivity and Objectivity in Adam Smith and Edmund Husserl: A Collection of Essays* (Frankfurt: Ontos, 2012).

³³It could be argued that, in Smith, a long-term approach is given priority mainly for the sake of prudence, but without, for that reason, allowing it to have the last say in all kinds of situations. However, I do not think this rejoinder is valid, since Smith gives a consistent treatment of time—one that favors a long-term approach—not only in the context of prudence, but also of duty and of utility. See, for example, *TMS*, 190. I thank Charles Griswold for helping me to clarify this point.

same degree of tranquillity which a regard to his own *dignity* and *manhood* teaches the wise man to assume in the beginning" (TMS, 151).

As this quotation shows, for Smith, the stakes of "zero discounting" are high: "suppressing" time is an exercise in dignity. Pedagogically speaking, the engagement with "lived experience" loses prominence in favor of the insight that "in all the irreparable calamities which affect himself immediately and directly, a *wise man* endeavours, from the beginning, to anticipate and to enjoy before-hand, that tranquillity which he foresees the course of a few months, or a few years, will certainly restore to him in the end" (TMS, 151, my emphasis). Wisdom is thus acquired through tranquility and self-command.

Moreover, the absolute centrality of self-command in Smith's scheme of virtues is a further characteristic that runs counter to the notion of individuality, conceived from a Schelerian standpoint. This is not to say that the life of the libertine is commendable for, or compatible with, a proper exercise of Schelerian individuality; but rather, that curbing certain impulses and passions will be pursued through other means, and not by cultivating self-control.

According to Smith, "self-command is not only itself a great virtue, but from it all the other virtues seem to derive their principal lustre" (TMS, 241). Only through it can our sentiments and feelings be "in *exact proportion* to the vivacity and force with which we enter into and conceive of [the other's] sentiments and feelings" (TMS, 152, my emphasis). In other words, the propriety and merit of our sentiments and passions depend to a large extent on self-command, as it allows us to harmonize with other people's feelings.

Indeed, harmony is the key metaphor to understand both the problems that Smith addresses and the kind of solutions that he is able to offer. Its lack is Smith's central sociopolitical diagnosis, and thus sympathy is that exercise of "prodigious effort" in which we "get attuned," through self-command, to the other people's feelings, until we arrive at the position of the impartial spectator. Reaching the latter's pitch, so to speak, involves a formative process where—as Smith says—the person "must flatten, if I may be allowed to say so, the sharpness of [the passions'] natural tone, in order to reduce [them] to harmony and concord with the emotions of those who are about him" (TMS, 22).

Compare this to Scheler's strategy. Like Smith, he thinks that the development of moral character depends on an appropriate "sentimental education," but for him the latter is achieved not through self-control, but rather through adequate perception. Scheler's conception of a proper moral training pursues not a modulated sensibility—as Smith recommends—but simply an *accurate* one. Morality is not about feeling less or more, but about being able to perceive, as we have said, all the nuances and gradations of value, by means of nuances and gradations of feeling. The expectation is that the "equilibrium" obtained from self-command in the former

scheme will be already, so to speak, “built into the system” through a refined perception.³⁴

To stick to the acoustic metaphors, Scheler’s conception of moral education requires us to “sharpen our ears” instead, making them more precise, in order to be able to listen to all the nuances of our emotional life. The ideal is not harmony, but something like perfect pitch. The primary virtue is not self-command, but, as he says, the ability to “stand alone” in moral matters, independent of other people, and even sometimes of universal norms (*F*, 318–27). Now, what can be the political advantages of conceiving sympathy that way?

As I said before, one of the alleged pitfalls of grounding political and social ties on sympathy, as Smith envisages, is that it carries along highly exigent demands of probity and incorruptibility, which can eventually end up in political oppression. Given the difficulty of enforcing the commitment to the principles of sympathy (how can it be proved that someone is, or is not, experiencing sympathy or compassion toward others?), any politics of sympathy is said to be potentially illiberal and violent—think of the connections to the Reign of Terror (Arendt’s example), or to the fight against terrorism, and its appeal to unity and loyalty against a common enemy.³⁵

Scheler’s rejoinder, as we have seen, is that the collective bond should not depend on the actual transmission of feelings, nor its integrity be protected by trying to prove or disprove the presence of such feelings. On the contrary, he thinks, striving to reproduce what other people feel will just end up in pretense and simulation, without providing a true path to sociability.

Another drawback associated with sympathy as a political principle is Rawls’s claim that the impartial-spectator definition of justice cannot, on its own, avoid what, in his view, constitutes classical utilitarianism’s main drawback—namely, failing to take seriously the distinction between persons.³⁶ In his view, while the impartial and sympathetic spectator does not necessarily lead to the collapse of individuality, given that it does not spring from a commitment to the distinction between persons, it will not be a proper guarantee against such a collapse either. Similarly, as we saw, from a Schelerian perspective, the impartial spectator is not a good guard against the phenomenon of excessive identification that undermines individuality. Moreover, in

³⁴Cf. Leonidas Montes’s very interesting interpretation, according to which the virtue of self-command in Smith should not be traced to the Stoic tradition of *apatheia*, but to the Socratic doctrine of *enkrateia*. The latter refers to an enabling and empowering notion of inner power and rule over oneself, rather than to self-control, suppression and, restraint (“Adam Smith as an Eclectic Stoic,” in *Adam Smith Review*, vol. 4, ed. Vivienne Brown [Florence: Taylor and Francis, 2008], 30–56).

³⁵Cf. Frazer’s defense of Smith on this point, which consists, as I said, in showing that his version of sentimentalism “fully appreciates the distinctions among individuals in a way Hume’s public-interest-based theory fails to do” (*Enlightenment of Sympathy*, 90).

³⁶Rawls, *Theory of Justice*, 163–64.

Scheler's context—where the political developments jeopardized people's capacity to remain conscious of their own person—the invitation to “apprehend our common humanity” through sympathy even pushes in the opposite way: focusing on what is common, it prescribes, so to speak, a fever reducer to someone with hypothermia.

Rawls proposes that if we were to prevent the impartial observer from impairing individuality, a viable option would be to let him “be guided by the principles someone would choose if he knew that he is to split, so to speak, into the many members of society.” That is, instead of aiming at a common denominator, “he is to imagine that he is to divide into a plurality of persons whose life and experiences will be distinct in the usual way.”³⁷ Thus, in Rawls's view, an adequate corrective to the impartial spectator would take us precisely in the direction of a full recognition of diversity: since the construct proposes only *one* spectator, this “single individual is literally to become many persons.”³⁸ Interestingly, Rawls advances somehow in the Schelerian direction of “inner diversity.”

However, as we know, Rawls's theory of justice does not follow such a “corrective,” and instead develops the construct of the original position, in which, on the contrary, individual experiences and memories are deemed morally irrelevant. Many have argued, from different fronts, that Rawls is insufficiently attentive to individuality and to diversity.³⁹ I do not pretend to review or assess those arguments here. Instead, I will only indicate the reason why, from a Schelerian perspective, the original position looks indeed like a “depersonalizing device.” It concerns the fundamental cognitive and ethical role that emotions play in Scheler's ethical theory.

As we saw, for Scheler, we can access moral value only through seeing others in all their particularity through our emotions as “organs of cognition.” The original position, therefore—with its injunction to anonymity, where people's faces lie behind a veil of ignorance—does not seem an attractive starting point. Moreover, Scheler would have rejected the claim that benevolence and sympathy (understood in his own sense) lead only to confusion once the claims of people conflict with each other, as Rawls thinks. In Rawls's (Kantian) view, “benevolence is at sea as long as its many loves are in opposition in the persons of its many objects.”⁴⁰ For Scheler, on the contrary, the lack of determinacy and universal rules does not condemn us to be amiss in moral matters.⁴¹

³⁷Ibid., 166. Rawls takes the idea from Thomas Nagel.

³⁸Ibid.

³⁹For a recent discussion of this topic see Matt Zwolinski, “The Separateness of Persons and Liberal Theory,” *Journal of Value Inquiry* 42, no. 2 (2008): 147–65.

⁴⁰Rawls, *Theory of Justice*, 166.

⁴¹For Scheler on the particularity of moral judgment, see *F*, 203–32.

One further objection to Smithian sympathy concerns its high emotional prescriptions (i.e., the requirement that people actually feel what others do, and that they then moderate their sentiments up to the point of “perfect equilibrium”), which can eventually lead us into the way of anxiety, guilt, and hypocrisy. Being emotionally taxing, the argument goes, Smithian sympathy is morally implausible and even politically dangerous.⁴² In light of this, I want to briefly suggest that Scheler’s view of sympathy, unlike Smith’s, might offer a plausible account of the way in which certain people—say, those with the strenuous job of administering justice in a trial court of a malfunctioning and unfair criminal justice system—can “become vulnerable to the upset of another,”⁴³ without therefore losing what it takes to carry out their commission.

The best example I have of this is a judge of such kind, whom I once had the chance to interview.⁴⁴ Unlike many of her peers, she showed a great command of the personal and technical details of the cases. She seemed to know a good deal about the stories not only of the defendants themselves, but—quite impressively—of their nuclear and extended families as well. It was clear to me that she was personally acquainted with all these people, and totally capable of what Nussbaum calls “eudaimonistic judgment.”⁴⁵

However, at the same time, she struck me as being especially “insensitive” and “pragmatic,” compared to other judges I met with. I do not mean to say that she was uninvolved, uninterested, or unresponsive; quite the opposite: as I said, she knew the cases very well, and she was lively and energetic—clearly the highly effective, sturdy, and resolute type at work. But at the same time, you could tell that it was *other* people, and *not her*, who were going through the ordeal of facing a highly inefficient, bureaucratic, punitive, and discriminatory criminal justice system, even if she could portray it very well. She managed somehow to remain “unaffected by,” but was still “receptive to,” the cases she tried. I left her office feeling encouraged, rather than depressed; and I remember thinking back then that without such a moral disposition, it would have been impossible to carry out a job such as hers—emotionally taxing, indeed, especially if one is capable, as she was, of taking others as ends in themselves—in the effective way it seemed she did.

⁴²See the recent work by the psychologist Paul Bloom, “Against Empathy,” *Boston Review*, September 10, 2013, <http://bostonreview.net/forum/paul-bloom-against-empathy>. Accessed November 22, 2016.

⁴³Nussbaum, *Upheavals of Thought*, 325.

⁴⁴I did so as a recent college graduate, for a project sponsored by the Freie Universität Berlin to investigate the administration of criminal justice in Mexico City. I conducted twenty-seven in-depth interviews with trial court judges who specialized in criminal cases.

⁴⁵Which means seeing someone as an “end whose good is to be promoted” (Nussbaum, *Upheavals of Thought*, 321).

A Smithian Alternative to Identification?

I have argued so far that the injunction to identify oneself with the impartial spectator will do poorly against the social maladies with which Scheler is concerned. However, “identification” is admittedly not the only metaphor that Smith offers for the relation between myself and the impartial spectator. There are other ways in which Smith depicts it. At some point he clarifies that the “inmate of the breast” is not actually the impartial spectator as such—it cannot be, since the latter is “supposed” or “imaginary,” while the former is certainly more real—but rather his representative. *Representation* is, however, an ambiguous term. Hence we can ask: what kind of representative is the “man within”? What kind of message does he transmit from that “great judge and arbiter of our conduct”? Smith is clear:

It is he who whenever we are about to act so as to affect the happiness of others, calls to us, with voice capable of astonishing the most presumptuous of our passions, that we are but one of the multitude, in no respect better than any other in it. (*TMS*, 137)

In this striking passage, we find then that the alternative to full identification is not the preservation of individuality properly, but an immediate lapse into the Hobbesian injunction that we are “just one more” within the multitude.⁴⁶ The voice of conscience reminds us of “the real littleness of ourselves,” and frees us from “the natural misrepresentations of self-love” (*TMS*, 137). Nothing could be more different from what Scheler’s “voice of conscience” has to say. According to him, “the more clearly the voice of conscience speaks, the more it must tell each person something different for the same situation” (*F*, 324). For Smith, conscience speaks through, among other things, our capacity to arrive at general rules (*TMS*, 159–70).⁴⁷ For Scheler, on the contrary, conscience, properly understood, is “a cognitive organ insofar as it is the objective good for an individual” (*F*, 325). Conscience, in this legitimate sense, he says, protects the moral individual qua individual from “false claims of merely universal moral laws” (*F*, 325, my emphasis).⁴⁸

⁴⁶Interestingly, the voice of conscience in Smith has been interpreted (and with reference to the exact same passage in *TMS*) along Kantian lines instead. See Samuel Fleischacker, “Adam Smith and Cultural Relativism,” *Erasmus Journal for Philosophy and Economics* 4, no. 2 (2011): 33.

⁴⁷To be clear, in Smith, general rules are not the only, or the main, moral resource available. For a good discussion of the role of general rules, see Fleischacker, “True to Ourselves?,” 84–88.

⁴⁸This could convey the idea that the good is self-evident, welcoming therefore all sorts of moral, religious, and political fundamentalism. I think that would be a misinterpretation. Just as someone with a “trained ear” can actually find more things in a melody than those who are not familiar with music, conscience is an “organ” that needs training, to be able to deliver its message with all its subtlety.

So even if it can be rightly argued that Smith's recourse to spectatorship succeeds in preserving the distance between people, thus jettisoning complete identification, it is also true that his approach curtails individuality insofar as it is not positively interested in *uniqueness*.⁴⁹ Smith's emphasis on the social construction of the self, and—to put it in a somewhat postmodern fashion—on how we come to exist only through the eyes of others, *does* undermine a concern for uniqueness and authenticity, thereby threatening individuality. After all, as it has been aptly put, in Smith we realize that “we do not have a moral self outside of human community.”⁵⁰

Scheler pushes us in just the opposite direction. In an admittedly obscure remark, Scheler observes that the core of individuality remains, *even if we abstract from all physical and psychical differences*. He argues that having got rid of the particularity of bodies, “including their here-and-nowness,” and of the particularities of “mental and spiritual content,” including specific thoughts, feelings, volitions, virtues, vices, and so on, “the individual diversity of their central personalities would still remain, despite the fact that the *idea* of personality would be the same in each of them” (NS, 34).

Conclusion

The preceding analysis shows important contrasts between Smith's and Scheler's respective conceptions of moral agency. In each case, the moral import of time, the voice of conscience, and the conception of the moral self reflect very different views. From these, we can conclude that Smith's and Scheler's respective moral phenomenologies correspond to incommensurable understandings of moral experience. Consequently, we see different assessments of spectatorship and its role in the formation of moral character. For Smith, the spectator brings the moral sanction of publicity and reciprocity into our actions, whereas for Scheler, it taints them with the curse of inauthenticity and cowardice.

However, we also saw that the differences between them are the result not only of their contrasting conceptions of the self, but of the different social threats that each one of them had to address: faction in Smith, emotional identification in Scheler. Thus, Smith encourages us to have the strength to

⁴⁹See both Griswold, *Adam Smith and the Virtues of Enlightenment*, 88–91, who argues that Smith's theatrical scheme preserves the distance between myself and the impartial spectator standpoint; and Brown, *Adam Smith's Discourse*, chap. 3, where she argues that, hermeneutically, TMS “displays a radical doubt concerning the viability of the spectator mechanism,” precisely on account of the impossibility of achieving complete identification with the “man within” (251–56). Brown also argues that there is textual evidence that Smith himself was skeptical of the *desirability* of such a complete identification (255). Still, a concern about individuality is certainly absent from the picture.

⁵⁰Griswold, *Adam Smith and the Virtues of Enlightenment*, 105.

overcome partiality by stepping out of ourselves and taking distance from our own interests, while Scheler's injunction is to have the courage to "stand alone" in moral matters, or to be able to respond for ourselves *as individuals*, even if we are alone in the world. Smith's catchword is harmony, while Scheler exhorts us to stand on our feet, even if we cannot count on the solid ground of universalizability.

Morality, for Smith, can still safely trace the greatest human fears and desires—the desire to be loved, and the fear of being alone. In other words, in trying to fulfill our desires and avoid our fears, we can pursue a moral life. For Scheler, these can no longer provide a safe path, since sociability has become importantly threatened as well by our tendency to "enter into" other people's position to the point of collective fusion, where we no longer recognize our individual features.

While Smith does acknowledge that the applause of the whole world cannot guarantee the impartiality that only "inmate of the breast" can offer, he still relies on gratitude and condemnation as appropriate tools for our sentimental education. Scheler, on the other hand, appeals to other resources. Failing other people's approbation and disapprobation as suitable guides in our moral education, the "external reference" to harmony must be lost and replaced by another framework. Such a task is largely to be met, in Scheler's scheme, by the emotional hierarchy constitutive of the inner self, which—through its gradations of feelings and corresponding values—is supposed to provide us with a sharp and reliable moral compass.

For Scheler, the experience of sympathy becomes not only a bulwark against selfishness and ambition (as in Smith), but it also fosters an adequate awareness of one's own individuality. Actually, it is expected to do both things simultaneously, and allegedly at a "deeper" level. On the one hand, since true sympathy is not based on a comparison and therefore avoids reasoning by analogy, it helps to dissipate what Scheler calls the "illusion of egocentricity," that is, "the illusion of taking one's own environment to be the world itself" (NS, 58).

On the other hand, and by the same token, "true sympathy" counters the opposite threat—namely, that of losing ourselves in emotional identification with others. By keeping a radical separation between people and eliminating the requirement of reproducing the feeling that is being sympathized with, Schelerian sympathy is meant to address the danger posed to individuality by collective frenzy and the weight of public opinion—concerns that became especially pressing after the Great War. In addition to that, I have suggested that in especially strenuous circumstances—which are, however, by no means exceptional, like those of the judge I interviewed—Scheler's approach might provide an accurate account of the moral disposition of some people, whose moral resourcefulness should serve as a model for civil servants and citizens alike.