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modern period and how the problem of resistance was dealt with during it. Moreover, one of the aims behind the collection is to set out some perspectives for research, following what Friedeburg calls the "Paradigmenwandel" ("conceptual shift") that has taken place since the last collection on this topic, which dates from 1972 (*Widerstandsrecht*, ed by Arthur Kaufmann). Contemporary research aims to understand the early modern period on its own terms and with its own (political) language. According to Friedeburg (15), historical research should not aim in the first place to provide guidelines for contemporary action ("Handlungsrezepte"). Rather, it can create room for reflection, so that we can be warned against producing simple answers to complicated (modern) questions. As the editor himself writes (56), the contributions in this new volume do not, and cannot, provide a new synthesis on the topic. What they do provide is an overview of some of the results of current research on the topic in Germany and in English-speaking countries. It is, however, regrettable that none of the contributors to this volume is a jurist (or, at least, none of them is attached to a law faculty). Without any doubt, the right of resistance is also a legal topic, which will attract readers and scholars interested in law.

In conclusion, I would suggest that those looking for a comparison of the German and the British sources on resistance in the early modern period should first turn to Friedeburg's monograph of 1999, rather than to the collection here reviewed. It is necessary to read this study to understand why Friedeburg is especially interested in a "Vergleich" between the German and the British sources, rather than, for instance, between the German and the French sources. On the other hand, the volume reviewed here will be of use, first, to those wanting to acquire a better knowledge of the specific topics and problems in the German and the British regions, and, secondly, to those looking for the results of recent research.

Gustaaf van Nifterik
Lecturer in European Legal History
Free University of Amsterdam

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Adam Smith, THE THEORY OF MORAL SENTIMENTS. Ed by Knud Haakonssen
Cambridge: Cambridge University Press, 2002. Cambridge Texts in the History of Philosophy.
xxi and 411 pp (incl index). ISBN 0 521 59847 8 (pb). £15.95.

This is a students' edition of Smith's great work on morals, *The Theory of Moral Sentiments*, based on the sixth and last edition revised by Smith, and following closely the critical edition published in 1976. The text is lightly but skilfully annotated throughout, drawing on previous editions but also on Haakonssen's own substantial work on Smith. Readers other than students will find the annotations useful. Also, readers familiar with other editions will notice that Haakonssen has been especially generous with references to Smith's *Lectures on Jurisprudence* (1976), making this edition particularly useful to lawyers.

There is very little to criticise. The publisher might have added headings at the top of each page, to allow the reader to find sections and subsections more easily. Also, the publisher must be aware that the critical edition of this text, reprinted by Liberty Fund of Indianapolis, USA, at present is selling at a price far less than this edition.

But otherwise this is an excellent book for students. Alongside the annotations, Haakonssen has included certain material which was omitted by Smith in the course of the work's publication history, but which a student ought to know about. There is, for example, the famous "passage on atonement" at the end of II.2.3.12 but omitted from the last edition, where Smith joins his own account of natural sentiments to an orthodox view of Christian

redemption. The section to which this passage was appended is devoted to an attack on Hume's belief that the perceived disutility of an act is the foremost reason why a person restrains himself from that act. The student may see the omission of the passage on atonement as a gesture of politeness to his dead friend, or a change of views, or its inclusion in earlier editions as a sop to his Christian audience. Whatever the reason, the omitted passage is rightly included in a students' edition (as are the related omissions at III.2.31, 32). The same is true of the emendations which Haakonssen flags at I.3.1.9, where Smith, following the advice of Hume, makes clear to his audience, from the second edition onwards, that the very fact of being in accord with the feelings of another person produces an agreeable sensation, quite apart from the sentiments which arise from that accord. It is partly thanks to Hume that Smith's particular use of the word "sympathy" is reasonably well understood today.

Haakonssen's introduction gives some of Smith's ideas in outline and discusses them briefly in comparison with the ideas of his predecessors. There is a lot in a little space. Haakonssen's description of end-utility and means-utility is shorter and clearer than a student will find elsewhere, and his description of sympathy as "spontaneously see[ing] people as purposeful" (xiv) is very good. Haakonssen also takes aim at "Smith the Stoic" and "Smith the virtue theorist", which are both in fashion today.

An equally important matter for this review is the place of *The Theory of Moral Sentiments* in the law curriculum. Jurisprudence textbooks published in Britain tend to present writers chronologically. This gives the false impression that jurisprudence enjoys a kind of scientific progress, and that each theory betters an earlier one. Yet the only Scot who fits easily into this approach is Hume, who makes a brief appearance to subvert natural law and then disappears (would Hume have appreciated being presented as the father of legal positivism? I doubt it). Even if a student stays with Hume long enough to discover the artificial virtue of justice, he will probably take away no more than the half-message that the justness of an act is not permanent and universal but highly variable with the circumstances. This again pushes the student towards positivism. Why would such a student bother to read in Smith a fuller empirical account of justice? The student would see it as painting the lily, or worse, a retreat to the past: when he or she opens *The Theory of Moral Sentiments* and sees words like "natural", "God", and "higher tribunal" on nearly every page, he or she may assume that this is a treatise on natural law.

If the textbooks were less chronological and more thematic, Smith might fit in better and his value to law studies might become clearer. Smith's theory of justice is different from the normative theories of justice that dominate students' thinking. Students accept that laws create generalisations, and they are taught to ask what exactly ought to be generalised. Utility? A balance of goods? Cultural authenticity? In Smith they will find the beginnings of an entirely different tradition, where the generalisations created by laws are always imperfect and always secondary to the sentiments of the actors. The student, who is perhaps accustomed to dismissing "sentiment" as a shorthand for bias, caprice, and self-interest, will discover that sentiment can be discussed scientifically, that is to say, causally, to a degree of precision that Hume never approaches. And though an actor's opinion of his or her own conduct is ultimately "caused" by the opinions of others, the student will find that the actor is fully capable of virtuous acts even under universal disapproval. For lawyers, Smith's principal lesson in *The Theory of Moral Sentiments* is not that there are certain values natural to human beings, but that human beings naturally follow a certain mechanism for making moral judgments, and that any laws a lawmaker cares to promulgate will pass through that mechanism, whether the lawmaker likes it or not. That is a good lesson for law students as well.

The book on justice Smith hoped to complete in his lifetime was never completed, and the drafts were burnt at his death. The two surviving accounts of his jurisprudence lectures at Glasgow give illustrations of his theory of justice, but not the theory itself. *The Theory of*

Moral Sentiments is therefore the right book for law students. This edition, together with Campbell's *Adams Smith's Science of Morals* (1971), and Haakonssen's *The Science of a Legislator* (1981), will give students what they need to know.

Ernest Metzger
Senior Lecturer in Law
University of Aberdeen

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Gianfrancesco Zanetti, POLITICAL FRIENDSHIP AND THE GOOD LIFE

Dordrecht: Kluwer, 2002. xi and 146 pp (incl index). ISBN 90 411 1881 0 (hb). £43.50.

In *Political Friendship and the Good Life* Gianfrancesco Zanetti looks at the debate over the place of the ideal of the good life in the decision-making processes of the state. This topic has been the object of extensive discussion, especially over the last few decades, and has attracted the interest of classical philosophers and contemporary scholars alike. Zanetti's contribution to this debate is powerful and original. He does not confine himself to examining along traditional lines the complex debate on the role that ideals such as the good life, and human well-being should play in political decision-making; he also contributes to the discussion in a refreshing way, presenting us with an original and valuable addition to the existing literature.

The book is clearly set out. The first three chapters enter into an extensive critical analysis of Aristotle's and Kant's political thought: the stage is set here in which are introduced various key notions, such as happiness, individualism, autonomy, holism, good life, and well-being, that figure centrally in the reasoning developed later on. Zanetti then expounds his views on the role that the ideal of the good life should have in the State's decision-making processes. This presentation takes up the fourth, fifth, ninth and tenth chapters and develops along an essentially liberal line of reasoning. Finally, the sixth to eighth chapters are mainly devoted to applying the previously expounded general views to specific issues, such as the legal enforcement of morality and the idea of friendship. In these chapters, the positions of Patrick Devlin, Michael Sandel, John Finnis, Herbert Hart and Ronald Dworkin are discussed at length.

Throughout the book Zanetti argues for a liberal approach to the relation between the ideal of good life and political decision-making. He observes that in recent years liberal positions have come under fire from various quarters: from neo-natural law theorists, from communitarians and from non-individualistic approaches, to name but a few. Zanetti admits that some works upholding non-liberal positions stand their ground in many ways. In particular, he acknowledges some merit to what is known as "perfectionism", namely, the political stance by which a government may legitimately promote an idea of good life and arrange institutions so as to maximise the achievement of human excellence. Nevertheless, Zanetti puts forward two basic arguments against the perfectionist view.

The first supports a weak form of anti-perfectionism and turns on the need to defend a so-called "right to unhappiness". Such an argument develops the idea that we as individuals have desires, aspirations, and goals that cannot necessarily be fulfilled simply by our taking part in community life, and hence are not inevitably concordant with the desires, aspirations, and goals of the body politic as a whole. For this reason the possibility will have to be left perpetually open that the relations between the "parts" and the whole—individuals with their aspirations on the one hand, the state and the common idea of the good embodied therein on the other—are not entirely harmonious: this possibility is by no means merely an accident. Consequently, a system should be informed by principles allowing individuals to express their dissent and to choose their own ways of life independently. The option of so