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ADAM SMITH: JUSTICE AND MORAL LUCK[1]

ADAM SMITH: *JUSTIÇA E SORTE MORAL*

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ABSTRACT *This article sought to provide a new interpretation of Adam Smith's view about moral luck. In his work* Theory of Moral Sentiments*, Smith diagnosed the influence of luck on our moral sentiments, he named this phenomenon by "irregularity of sentiments". Given the proximity between Smith's analysis of this irregularity of sentiments and the debate on moral luck, some philosophers have attempted to shed more light on his position on moral luck. I defend that these previous interpretations fail to notice the real connection between the virtue of justice and the irregularity of moral sentiments. As I intend to argue, this connection gives us the proper tools to better understand Smith's position in the debate.*

Keywords: *Moral luck. Adam Smith. Irregularity of sentiments. Justice.*

RESUMO *O objetivo deste artigo é fornecer uma nova interpretação da posição de Adam Smith sobre o problema da sorte moral. No seu livro* Teoria dos Sentimentos Morais*, Smith diagnosticou a influência da sorte em nossos*

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sentimentos morais, nomeando esse fenômeno como "irregularidade dos sentimentos". Dada a proximidade da análise da irregularidade dos sentimentos feita por Smith e o debate da sorte moral, alguns filósofos tentaram esclarecer a posição do autor sobre a sorte moral. Irei defender que essas tentativas de posicionar Smith no debate falham em perceber a real conexão da virtude da justiça com a irregularidade dos sentimentos. Pretendo argumentar que essa conexão nos dá as ferramentas corretas para melhor entender a posição de Smith.

Palavras-chave: *Sorte moral. Adam Smith. Irregularidade dos sentimentos. Justiça.*

Introduction

Recently, Adam Smith's approach to the problem of moral luck, presented in his *Theory of Moral Sentiments* (*TMS*),[2] has received attention in the literature (Russel, 1999; Garrett, 2005; Flanders, 2006; Hankins, 2016; Smith, C., 2019). As if Smith's diagnosis were not interesting enough, it also happened over a hundred years ago compared with the first articles by Williams (1993) and Nagel (1993). The author captured the nature of moral luck with other terms, such as equitable maxim and the irregularity of moral sentiments. With all this background, Smith's solution would not go unnoticed, and it rapidly became the epicenter of the moral luck debate and researchers' various attempts to find his position on the issue. Unfortunately, the literature on Smith's position is stuck in part II, section iii of the *TMS*, also known as the part where Smith covers resultant moral luck.[3] Hence, I will argue that this restriction makes the analysis of Smith's view unclear and inconclusive, which is why the debate diverges so much.

With that being said, my goal in this article is to provide an interpretation of Smith's stance on resultant moral luck that also maintains the connection with his previous discussion of the virtue of justice. Basically, I will defend that Smith's considerations regarding the role of justice in society, presented mainly in the second section of the second part, help us understand how the role of luck

2 The references to *Theory of Moral Sentiments* will follow the 6th ed., ed. D. D. Raphael and A. L. Macfie, The Glasgow Edition of the Works and Correspondence of Adam Smith (Indianapolis: Liberty Fund, 1984) with the following structure: part, section, chapter, and paragraph, for instance: (*TMS*, II. iii. ii. 8–9).

3 Chad Flanders in "'This irregularity of sentiment': Adam Smith on moral luck" (2016, p. 193) argued that Smith does not receive proper attention in the debate on moral luck because his solution appears to be weak. Curiously, he also proposed to analyze Smith's position in context of the others parts of the *TMS*.

must be interpreted in its influence on our moral sentiments, particularly our sense of merit and demerit. The whole point is that the analysis of moral luck, where Smith coined the irregularity of sentiments from, can only be properly accessed as a derivative debate from the virtue of justice.

This analysis has some gains, more notably the relation between luck, fortune, and justice in Adam Smith. The first thing that comes to mind is how much we can bridge the gap between Smith's irregularity of sentiments in the contemporary discussion of moral luck. This is particularly interesting because Smith uses different terms; instead of blame and praise, he uses demerit and merit, punishment and reward, and instead of control, he uses intention, all of this in a full background of a theory of moral sentiments. Thus, as we will see, it is not obvious that this approach is completely symmetric. The second gain is to highlight the importance of the virtue of justice in the debate of the irregularity of sentiments to Smith, one virtue that has been ignored in interpretations around Smith's position. By considering justice and injustice, Smith justified different treatments for the same conduct, meaning a different moral treatment to resultant luck cases; this view hardly obtains some proponents in the moral luck literature. Given this context, the relationship between justice and resultant luck may provide a new perspective on moral luck.

This article will be divided into seven sections to achieve the goal outlined herein. The first section will provide the diagnosis of the influence of luck, or fortune, in morality, by Thomas Nagel and Adam Smith. Furthermore, I will explain some basic concepts from Smith, such as judgments of merit and demerit. The second section will cover the part from the *TMS* in which Smith sets the discussion about the irregularity of moral sentiments, discussing its cause, extent, and utility. In the third section, I will deliberate on the relationship between the irregularity of moral sentiments and the virtue of justice from the discussion of negligence cases made by Smith. As for the fourth section, I intend to establish some connections between the utility of the irregularity of moral sentiments by Smith and the virtue of justice. In the fifth section, I will show that Smith still guarantees a place for intention, even though he based his whole argument on the irregularity of sentiments on utility. In the sixth section, we will see that Smith, contrary to the contemporary tradition of moral luck, is also interested in the relationship between luck and our positive moral evaluations; we also will see how this defense relates to justice. Lastly, the seventh and final section will focus on contemplating whether there is a limitation in the symmetry between the irregularity of moral sentiments and moral luck; this limitation is due to Smith's focusing on the judgments of merit

and demerit as related to justice and not to the judgments of praise and blame, which are related to beneficence.

1. Adam Smith: some important remarks

Nagel (1993, p. 59) defined the problem of moral luck as "Where a significant aspect of what someone does depends on factors beyond his control, yet we continue to treat him in that respect as an object of moral judgment." Adam Smith also gave a similar definition to the influence of fortune on moral sentiments: "[…] and thus, Fortune, […], has some influence where we should be least willing to allow her any and directs in some measure the sentiments of mankind, with regard to the character and conduct both of themselves and others" (*TMS*, I. iii. iii. 1).

There are numerous examples of these descriptions in the moral luck debate, including the reckless drivers' case, where two drivers decide to drink alcohol and drive home, even though they are both in no condition to do so. As a result, only one driver hits and kills a pedestrian in their path; the other one, besides being drunk, arrives home safely. What is the difference between both drivers? The difference is a matter of consequence, meaning the first driver hit and killed a pedestrian while the second driver did not. Nonetheless, this difference (in results) is a matter of luck, understood here as a factor that goes beyond the agents' control; what was in the drivers' control was their decision to drive recklessly. In any case, besides the influence of luck, we usually react more harshly to the first driver. Nagel and Smith called attention to this by both claiming the influence of fortune/luck on moral judgments/sentiments. In other words, we should assess the case by blaming and reacting to both drivers to the same degree, given that both had equal moral behaviors/control/intentions; in reality, what we do is blaming on the one who achieved the worst result with a larger weight, regardless if it was due to luck or not.

The reckless drivers' case is figured as resultant moral luck, that is, "[…] luck, good or bad, in the way things turn out" (Nagel, 1993, p. 61), and Smith is seen as also only acknowledging the relationship between luck and its outcomes. For this reason, this article will be centered on resultant luck. Having said that, we can thus seek to solve the influence of luck in the moral sphere. Should we accept the influence of luck and keep the blame asymmetry? Or should we keep an abstract moral principle that prioritizes control or intention as the main ruler of our moral practices and blame "moral luck" cases to the same degree? Or should we assume the paradox identified by Nagel (1993, p. 69) and realize that we can never ground control without luck and end the skepticism of our

moral judgments? As I will try to show, Adam Smith had a curious approach on how we should deal with fortune and its place and importance in society, and this relationship is connected with the virtue of justice.

But before dealing with Smith and cases of moral luck, it is relevant to highlight one important distinction to our discussion, namely the difference between judgments of propriety/impropriety and merit/demerit. According to Smith (*TMS*, I. i. iii. 5-7; *TMS*, II. i. 2), we can evaluate the sentiment of the heart, from which actions come in two different aspects, as described above (i.e., propriety/impropriety and merit/demerit). Judgments of propriety/impropriety concern the agents' causes and motivations, whereas judgments of merit/demerit concern the effects of actions. If, for example, we sympathize with the agents' motivations for action, we will judge their sentiments and action as proper; otherwise, if we do not sympathize with them, the judgment will be one of impropriety.

In contrast, judgments about merit/demerit seem somewhat more delicate, although it is where the heart of the problem of irregularity of sentiments lies, as I will attempt to show. Smith (*TMS*, II. i. 1–2) claimed that if our actions lead to hurtful consequences, we will be an object of demerit, a quality of action that deserves punishment. And if our actions result in beneficial consequences, we will be rewarded. But beyond such a description, Smith (*TMS*, II. i. i. 1–3) stated that what we consider a proper object of gratitude deserves a reward, and what appears to be a proper object of resentment deserves punishment. That is because gratitude and resentment are the sentiments that immediately and directly prompt us to reward and punish. As a result, the sense of merit and demerit comes from the sense of propriety and impropriety of gratitude and resentment. More precisely, Smith (*TMS*, II. i. v. 1;4) noted that if our sense of propriety arises from a direct sympathy for the agents' motives and causes, the sense of merit comes from an indirect sympathy of the sentiment of gratitude for the person who acted. The same goes for the sense of demerit, which comes from an indirect sympathy with the sentiments of the one who suffers.

Therefore, the irregularity of sentiments problem begins to take shape, because we tend to evaluate, using Smith's terms, the sense of merit and demerit partially followed by outcomes, and that is vulnerable to fortune/luck, as was the case for the drunk drivers. Haakonssen puts the problem in these terms:

> This discussion also shows that, as Smith sees it, when we scrutinize our moral judgments, we consider the motivation for behaviour to be the ultimate object of our assessment. But as a matter of fact, we commonly find it difficult to reach such purity of judgment; the actual actions with their perceived merit and demerit, what Smith more generally calls 'fortune', always intervene (2009, p. xvii).

In other words, our sense of merit and demerit does not always seem to go along solely with the sense of propriety and impropriety. As we will see in the next section, Smith identifies and attempts to solve this moral phenomenon.

2. Adam Smith and the irregularity of moral sentiments

As mentioned in the Introduction, the centrality of the debate between Adam Smith and moral luck occurs in resultant luck.[4] This category of the moral phenomenon receives its attention mostly in the third section of the second part of the *TMS*, entitled "Of the influence of fortune upon the sentiments of mankind, with regard to the merit or demerit of actions."

We saw in the previous analysis that Smith closely connects the sense of propriety and impropriety and the sense of merit and demerit. In other words, to reward or punish the results of an action, we should first know the properness of the cause. Smith argued that propriety and impropriety are restricted to the agents' intentions and the only relevant feature of actions we should consider when praising or blaming the agent. In his words:

> To the intention or affection of the heart, therefore, to the propriety or impropriety, to the beneficence or hurtfulness of the design, all praise or blame, all approbation or disapprobation, of any kind, which can justly be bestowed upon any action, must ultimately belong (*TMS*, II. iii. 3).

Smith affirmed that all propriety, impropriety, beneficence, praise, or blame must belong to intention; therefore, the merit and demerit should also be governed by intention, as we already saw in the supposed relationship between them; this form of symmetry is called equitable maxim (EM). Nevertheless, fortune influences our moral sentiments of gratitude, resentment, and sense of merit and demerit.

There is still one last thing to bear in mind regarding intention and the sense of propriety and impropriety: they must be immune to luck. I think that this is one point that causes confusion in the debate, the influence of fortune is restricted to the sense of merit and demerit, which is precisely why the section is called "Of the influence of fortune upon the sentiments of mankind, with regard to the merit or demerit of actions." Fortune only happens to influence

4 Even though the whole debate around Adam Smith and moral luck is centered in resultant luck, Paul Russel in "Smith on Moral Sentiment and Moral Luck" (1999, p. 50) and Nicolás Novoa Artigas in "La problemática posición de Adam Smith acerca de la suerte moral" (2016, p. 183) gave some hope in others parts of *Theory of Moral Sentiments*, where we can find the groundwork to articulate Smith's reasoning to constitutive and circumstantial luck.

our sentiments of gratitude and resentment, the moral emotions responsible for fundamental reward and punishment, although it should not have a place for it in the sense of propriety and impropriety. In Smith's words, "[…] the actual consequences which happen to proceed from any action, have a very great effect upon our *sentiments* concerning its *merit or demerit* […]" [emphasis added] (*TMS*, II. iii. 5).

After this diagnosis, Smith proposed investigating the cause, extent, and end of this irregularity, which is the most important part of our discussion. Starting by the causes of the influence of fortune/luck in our moral sentiments, Smith (*TMS*, II. iii. i. 7) argued that this happens due to pleasure and pain being the sole drivers of gratitude and resentment. Hence, even if the agent acts based on proper standards with good intentions, if they fail to achieve a good result, less gratitude seems to be owed, and consequently, less reward also seems due. Conversely, if a great good result does not come from good intentions, the agent stills seems to be a proper recipient of gratitude and merit. Of course, we can say the same about the relationship between bad results, resentment, and demerit. This diagnosis leaves Smith to say that fortune throws a shadow of merit or demerit in the actions of the human kind because results "are altogether under the empire of Fortune."

In his second goal (*TMS*, II. iii. i. 1), Smith tried to delimit the extent of fortune's influence, arguing that it can be analyzed through two aspects: when this influence diminishes our sense of merit and demerit and when it increases our sense of merit and demerit. In the first case, it is emphasized that no matter how good or proper the person's intentions are, they deserve less merit if they fail to achieve the intended good. Equally, no matter how bad or improper the person's intentions are, they also deserve less demerit if they fail to achieve the intended result. As a result, in the first scenario, we feel less gratitude for the person in question, whereas we feel less resentment in the second scenario. In Smith's words, the sense of merit and demerit are imperfect, and besides this irregularity, even the impartial spectator feels this way in some measure (*TMS*, II. iii. ii. 1–2). There are various examples of these cases, although to illustrate some, we can imagine two of our neighbors trying to find a lost dog; besides both being equals in determination and goodwill, say, they both want to find the dog because they care about the owner's happiness and consider the dog an important part of it, we will certainly feel more grateful and reward more intensely just the neighbor who found the dog. Knowing that finding the dog is something subject to fortune, both neighbors should be judged as equals in each other's sense of worth, although one can probably feel the same high level of gratitude with the other hapless but well-intended neighbor.

For the same reason, if a driver tries to kill a pedestrian by running them over because they are crossing the street slowly but fails to do so because the tire broke in the way, making the driver lose control and hit a tree, it seems that the driver deserves to be punished with less intensity. Knowing that the tire breaking is subject to fortune and that the bad intention was not fulfilled, the demerit should be the same in both scenarios, although we feel less resentment when nothing bad happens to the pedestrian. Indeed, even in law, the case is treated with different kinds of punishment, say, different degrees when the result is not achieved.

In the second case, we are presented with situations in which there is nothing worthy of mention in the agents' intention (i.e., nothing to reward or punish), although if the agent achieved a result that generated great pleasure or pain, they would be treated as an object of more merit and demerit than the initial intention warranted. Here, Smith gives us four degrees of negligence and their relation to fortune and punishment (*TMS*, II. iii. ii. 7–10).

Smith calls the first kind of negligence "gross negligence," and it is characterized as "The person who has been guilty of it, shows an insolent contempt of the happiness and safety of others. There is real injustice in his conduct" (*TMS*, II. iii. ii. 8). Smith's example is a man throwing a large stone on the street without any care or warning. Even if the stone fails to hit someone, the action should still be punished, almost as if the man intended to hit someone; his action lacks a proper sense regarding the happiness and safety of his equals, thereby being a case of real injustice. If a bad result is obtained, such as someone dying by the negligence of throwing a rock on the street, the law treats the case as if the person had this intention. The second kind of negligence is not so much discussed by Smith, although Hankins (2016, note 32) described it as a "weaker species of gross negligence" and a conduct that "do[es] not result in harm to another, but because his actions expose his fellows to such great risks the agent's actions are still said to reveal his contempt for the interest of his fellows." In these cases, less punishment seems to be due than in gross negligence cases.

The third degree of negligence, *culpa levis*, treats the scope of people who take fair care in their conduct, where no injustice is done. However, they do not do everything they can, which is why they deserve some degree of blame but not to be punished. However, if something bad results from this kind of conduct, the person in question must compensate for the damage, which is a kind of punishment; Smith also said that our natural sentiments approve of this asymmetry in our reactions.

The last kind of negligence treated in the second chapter, *culpa levissima*, shows us cases in which the person in question fails just in a minimal detail in their action, which, Smith says, is usually not required and even not desirable because it can freeze the action; hence, it is not blamable. Nevertheless, the law still obligates compensation if a bad result obtains from the lack of this detail.

Having explained the cause and extent of the irregularity of moral sentiments/moral luck, Smith (*TMS,* II. iii. iii) dedicated himself to arguing about the final cause of the phenomenon. Smith exposed his final opinion about the resultant luck, albeit, besides that, there are many interpretations of what Smith wanted to defend. The disagreements are basically about the role and relevance of fortune in our moral sentiments. Part of the confusion about understanding Smith's position is due to some ambiguous terms or statements, including "real merit" and "shadow of merit and demerit," saying that EM should regulate our moral sentiments. At the same time, it is said that our natural sentiments and the impartial spectator agree with the irregularity of sentiments. Nevertheless, after I show Smith's argumentation in the last chapter, I intend to highlight his position in the debate of resultant moral luck in a way that the apparent ambiguity is solved.

However, Smith clearly says that the irregularity of moral sentiments has a utility, a purpose given by nature to the happiness and perfection of humankind (*TMS*, II. iii. iii. 1–2). Moving toward this final cause, Smith seemed first to present a safe argument for the phenomenon, defending that if we started to judge and punish intentions with the same intensity that we treat the actual result, instability would result in our minimal suspicion of others' intentions. In his words, sentiments, thoughts, and intentions would become the target of a real inquisition, which is precisely why the Author of Nature made the actual result the only object of resentment and punishment. Moreover, the effect of intentions constitutes the real merit and demerit of actions, and Smith says they are beyond our capacities and left to be the instrument of the judgment of God.

Smith still defends that man was created for action and to make external changes to promote happiness (*TMS*, II. iii. iii. 3–4); this cannot happen if we were to be satisfied with just the intentions and good affections of the herd. This is the utility of the irregularity named, as we tend to applaud more fruitful good intentions that generate results than infertile good intentions because we were made to promote actual change in the external world. As a result, by caring about the actual results, we care about our peers' happiness and how our actions' consequences influenced it. Hence, this characteristic of the irregularity of the relationship between the status of happiness and the actual

results happens to be a kind of pedagogic strategy of nature for the prosperity of humankind.

Nevertheless, what do we do with good intentions alone? Do they have no moral role? In this regard, Smith provided an error theory about our intuition that good intentions somehow matter (*TMS*, II. iii. iii. 5–6). Suppose someone's action did not initially intend a bad result or has an unfruitful good intention. In that case, they can appeal to the just EM to have peace in their heart and soul, correcting the irregularity of the sentiments.

3. The irregularity of moral sentiments as a justice matter

Given the above, it is easier to see now that Smith places the debate on the irregularity of moral sentiments (i.e., moral luck) among discussions of merit and demerit, that is, as a matter of how the relations between intentions and results should be treated in terms of reward and punishment. This is where the contemporary debate about Smith and moral luck takes place or, as Flanders (2016, p. 197) put it: "The question is whether Smith sees our irregular sentiments only as (possibly unjust) means to a good end, or whether he sees them as sometimes proper and as making ethical sense in their own right." What is highly overlooked by the readers and, as I defend, is the background of the discussion is Smith's concern about the virtue of justice.[5] As I intend to show below, the discussion about the role of justice sheds light on Smith's view of the irregularity of sentiments.[6]

It is not a coincidence that the section about the influence of fortune on moral sentiments came right after the section about justice and beneficence. The relationship between justice and the irregularity of moral sentiments is, by now, more important than the benevolence one, so it will be the first discussion. To start, there is a connection between justice and punishment, meaning the "observance [of justice] is not left to the freedom of our own wills, which may be extorted by force, and of which the violation exposes to resentment,

5 To be fair, there are considerations about the social role of morality for Smith; Keith Hankins in "Adam Smith's Intriguing Solution to the Problem of Moral Luck" (2016, pp. 744-746) spoke about the discussion on Smith and social virtues. Chad Flanders also called attention to how the irregularity of sentiments may be part of our social world. And Haakonssen, in his introduction to *TSM* (2009, p. xix), pointed out how utility in Smith has a political relevance. However, none of them connect or recognize the specific link between the irregularity and justice.

6 This is an interesting topic for the debate; take, for example, Paul Russell (1999, pp. 45-47), who argued that punishing individuals by considering the irregularity of sentiment as the sole criterion would lead to injustice. This is because we could punish innocent individuals who hurt someone even though they did not intend to. However, as we will see in this article, Russell misled the real whole of the intentions into the irregularity of sentiments and its real connection with justice.

and consequently to punishment" (*TMS*, II. ii. i. 5). In other words, justice is a virtue directly connected with resentment and punishment and, as said in other parts (*TMS*, II. ii. i. 4), resentment is a mechanism given to us by nature to defend ourselves from injustice. But why can (must) justice be enforced? To answer this, we must look at the importance and role of justice in humankind. Smith (*TMS*, II. ii. iii) argued that society can subsist without mutual love, affection, or benevolence but not without justice, and this is because no healthy social interaction can exist in an unjust place. In addition, Smith stated that people have a natural love and desire for society and its union and flourish, and any disorder to this harmony is an unpleasant object of aversion. In Smith's words (TMS, II. ii. iii. 6): "He [man] is sensible too that his own interest is connected with the prosperity of society, and that the happiness, perhaps the preservation of his existence, depends upon its preservation."

However, besides the original relation between justice, punishment, and the preservation of the existence of society and the happiness of mankind, Smith (*TMS*, II. ii. iii. 10) also highlighted that this is not always the case in common cases; when we punish the individual, we do this because we are concerned with the multitude, which means that it is not always the case that "our regard for the individuals arise from our regard for the multitude: […] our regard for the multitude is compounded and made up of the particular regards we feel for the different individuals of which it is composed." So when we punish an agent for a crime committed against a peer, we do so because we are interested in harming the individual, and this concern is based on the "general fellow-feeling" that we have for our neighbors.

Now, we can say that there are two perspectives on the relationships between justice and punishment: a concern for society and a concern for the individual. In the second case, as we saw above, Smith argued that punishment is the common case. But what about when we punish, as regards society? Well, for Smith (TMS, II. ii. iii. 11), these are cases of civil police or military discipline. These kinds of crimes do not directly harm anyone but the order of society. The example given is of a sentinel who falls asleep on duty, and in this case, they can be punished by a death sentence due to jeopardizing the security of the army base. The point here seems that crimes committed against individuals and the collective are founded on different principles because they are aimed at different purposes; thus, we can see that while the punishment of the first kind of crime is following our natural blame, the second kind (e.g., the watch person) does not cause the proportional feeling of blame in regards to the severity of the punishment.

As stated at the beginning of this section, Smith's reasoning on justice and punishment came right before the section on moral luck and, as I intend to show, will help us to better understand Smith's position on the moral phenomenon. We can set the discussion between justice and moral luck in the discussion made by Smith about the right treatment of cases of negligence and its connection with fortune. Even though Smith has also covered the pertinent discussion in cases where fortune diminishes the sense of merit or demerit, it is in the second effect of fortune (i.e., cases where fortune increases the sense of merit or demerit) that we saw more properly the discussion about moral sentiments and luck, as represented by the negligence cases. As demonstrated herein, the four kinds of negligence receive different degrees of punishment depending on the agent's fortune.

In the first kind of negligence, Smith exemplified using a man with "gross negligence" and acting with a lack of justice (i.e., without the sense of what is due to his fellows) when he throws stones toward the street. This is the most severe kind of negligence given the nature of the conduct. Smith argued that the man should receive a harsh punishment, although it should be even harsher if this conduct leads to bad consequences (*TMS*, II. iii. ii. 8). Why so? I defend that this asymmetry is founded on the nature of the goods of justice, meaning a man who acts with this kind of carelessness to their neighbors jeopardizes what the virtue of justice must protect. As shown in the description of justice, it aims for society's stability and happiness, and there can be no harmony where people act without due care for others' lives. This is why such negligence deserves harsh treatment and even harsher treatment if it results in a bad consequence of hurting someone. In the second scenario, differently from the first, someone is actually hurt; thus, the goods of justice were damaged in reality, not just in intention. Therefore, the relevance of luck is due to the intention materializing and generating a bigger threat to the goods of justice. The same reasoning goes for the second kind of negligence, and the punishment is harsher in case of the worst result due to the relationship with justice.

Similar reasoning applies to the third kind of negligence, *culpa levis*, where the case description states that it is not an example of injustice, just a lack of refined care and circumspection, being the object of censure but not punishment. However, if this negligence results in a bad consequence, the agent must compensate the victim, which is "no doubt a real punishment" (*TMS*, II. ii. ii. 9). Why so? Well, this asymmetry found an answer that was also based on the goods of justice. In the first scenario, there is no need for punishment because no injustice is involved, so it is just an object of blame and censure. Nevertheless, in the second scenario, the goods of justice are

damaged, someone is hurt, and their safety and happiness are worse than before the incident. For Smith (*TMS*, II. iii, ii. 9), "Nothing, we think, can be more just than that one man should not suffer by the carelessness of another; and that damage occasioned by blamable negligence, should be made up by the person who was guilty of it." Hence, the worst situation that someone is found due to the negligence of another is a case of justice, which justifies the punishment.

The last kind of negligence, *culpa levissima*, shows a description where the attention required to overcome the negligence is not even recommended by virtue. If the agent harms no one by this kind of conduct, it is not a case of a blamable or unjust act, although if this negligence harms someone, there is an obligation to compensate them. An example is a man who cannot control his horse, subsequently running over his neighbor's slave. Smith argued that despite the nature of this negligence, the law obliges compensation for the damage. In addition, we feel some sense of the ill desert of the negligent man, and we expect that he acts with due care to the people involved in his action by seeking to apologize and compensate for the damage (*TMS*, II. ii. ii. 10). The answer to this asymmetry between intentions and result is also founded in the goods of justice. In the scenario where no one is harmed, there is no case of injustice; indeed, it is not even blamable. In the second scenario, this is not the case, as someone was harmed and the stability of justice was altered negatively; someone's safety and happiness were impaired by an act of negligence, so the compensation is due to equalizing the justice. This kind of reaction regarding the given example is supported by the impartial spectator, as with all other cases of negligence.

4. The defense of utility

Following this train of thought, there are some final arguments in the last chapter of the section dedicated to the irregularities of moral sentiments. It is the one that receives the most attention in the attempt to understand Smith's position about moral luck. In this chapter, Smith defends a utilitarian approach to the irregularity of sentiments. This defense is highly criticized by Russell (1999, pp. 43-44):

> Smith's utility claim is unconvincing at two distinct levels. First, as indicated, Smith overlooks or underestimates the significant disutilities that result from these irregularities. The point here is not simply that he fails to take account of the costs of these irregularities, but that it is by no means evident that, when factored in, the benefits will in fact outweigh the costs (i.e., as judged by some relevant utilitarian calculus). Second, and more importantly, it is not evident that these irregularities are required to motivate agents to take consequences seriously. [...] Indeed, for reasons

> explained, the irregularities that Smith describes seem to work against the ends that he is concerned with.[7]

As we will see, its analysis is better understood when we relate it with other passages from the book than when reading it alone.

Smith begins the chapter with some utilitarian care about the relevance of the irregularities of sentiments, that is, "Nature, however, when she implanted the seeds of this irregularity in the human breast, seems, as upon all other occasions, to have intended the happiness and perfection of the species" (*TMS*, II. iii. iii. 2). And this, as we will see, also has direct relations with the virtue of justice. The first utility of the irregularity of moral sentiments deals with the stability/safety of society and our epistemic agency; Smith argued that if we only guided our judgments by the malevolence of affections, we would end up in a "real inquisition." This result would be obtained by our limited agency that, in the attempt to regulate our moral judgment of merit and demerit only by the equitable maxim, would end up punishing the tiniest signal of bad sentiment, thoughts, intentions, and so forth. This is why, argues Smith, the Author of Nature made it *proper and approved* that we only punish actions that provide real evil or attempt to do it. For Smith:

> That necessary rule of *justice*, therefore, that man in this life are liable to punishment for their actions only, not for their designs and intentions, is founded upon this salutary and useful irregularity in human sentiments concerning merit or demerit, which at first sight appears so absurd and unaccountable [emphasis added] (*TMS*, II. iii. iii. 2).

The second utility of the irregularity of sentiments concerns happiness. Smith argued that to promote happiness, man must change the external circumstances through actions and exercising virtue, as mere intentions alone cannot promote such changes. Here, one can observe an important pedagogic aspect in Smith's discussion: the importance of caring about the happiness or unhappiness achieved. Indeed, this point is emphasized in the negligence debate in which, even when no bad intention is involved, one should care about the negative circumstance(s) generated and repair it. For Smith:

> It is even of considerable importance, that the evil which is done without design should be regarded as a misfortune to the doer as well to the suffer. Man is thereby taught to

7 Chad Flanders tried to defend the utilitarist defense of Smith: "[...] good or bad consequences might perform an epistemic function in determining the true moral worth of others (they can) or whether our fallacious guilt in causing bad things to happen to other people might show us something deep about our relationships to one another (it does)" (2016, p. 216).

> reverence the happiness of his brethren, to tremble lest he should, even unknowingly, do any thing that can hurt them, and to dread that animal resentment which, he feels, is ready to burst out against him, if he should, without design, be the unhappy instrument of their calamity (*TMS*, II. iii. iii. 4).

To illustrate this point, Smith gave the following: the piacular case. Smith compared the happiness of a man to holy ground; that is, in ancient heathen religion, the ground that was reserved for some god was considered holy, and even if someone by ignorance violated that space, it would be considered a case of piacular and object of the proper vengeance of that god. Similarly, if someone's happiness is violated, even by "the smallest degree of blamable negligence," the person who violated it becomes a proper object of some measure to repair it (*TMS*, II. iii. iii. 4).

As we can preliminarily conclude, Smith agrees with the sense of demerit being influenced by luck when the goods of justice are in danger. There is utilitarian care in his answer to the resultant luck, and punishment applied to someone can be influenced by luck; this is not unfair precisely because luck, in the cases provided herein, endangers the fundamental structure of society's subsistence, namely the safety and happiness of all. Moreover, as we cannot live where such consequences are not treated, the punishment is justified and the object of justice. Furthermore, although I have focused on the second group of cases (i.e., negligence examples where the sense of demerit becomes more serious by luck), the same reasoning can also be applied to the first examples given by Smith: cases where the sense of demerit is diminished by luck (*TMS*, II. ii. ii. 2–5). In that part, Smith gives a series of cases in which malevolent acts fail to produce real damage in the world, thereby being cases in which agents' failed to materialize their intentions. Here, the degree of punishment, or the sense of demerit, is also influenced insofar as the conduct and its results affect the structure of society.

After these considerations, I would like to highlight the completely forgotten return to Smith's discussion of moral luck in part VI (iii. 29–33). In this passage of the work, Smith reflected on the relationship between fortune and the projects of a great man with a bad character of excessive self-estimation and presumption. The basic idea is if someone (e.g., Caesar) succeeds in their plans, besides the vicious behavior, the good luck of the results will overshadow their character and they will be an object of admiration. In Smith's words (*TMS*, VI. iii. 30):

> It is otherwise with that admiration which he [the impartial spectator] is apt to conceive for their excessive self-estimation and presumption. While they are successful, indeed, he is often perfectly conquered and overborne by them. Success covers from his eyes,

> not only the great imprudence, but frequently the great injustice of their enterprises; and, far from blaming this defective part of their character, he often views it with most enthusiastic admiration. When they are unfortunate, however, things change their colors and their names.

As with the other part of the book dedicated to resultant moral luck, Smith also defends the utility of this irregularity of moral sentiments that concerns projects. Its utility is found in the necessity of "establishing the distinction of ranks and the order of society" (*TMS*, VI. iii. 30). The admiration of great figures makes us more susceptible and less resistant to being governable by them.

I believe that the return of resultant luck in the last part of the book has important notes. The first is the relationship between the utility of irregularity and subsistence of society because, as demonstrated herein, the kind of admiration we have for the good fortune of authorities is necessary for us to be more easily governable. Hence, the justification of the phenomenon also highlights the importance of preserving the goods of justice. The second note is about the asymmetry between the public and common man because, as Smith stated, our disposition to follow the excessive self-admiration does not go with regular man, "But we cannot enter into and sympathize with the excessive self-estimation of those characters in which we discern no such distinguished superiority" (*TMS*, VI. iii. 33). This seems to denote the one different kind of resultant luck, maybe an "authority/public figure luck" that, in addition to possibly being an interesting research avenue to investigate, is not the scope of the article. By now, what is interesting to show is that there is another part of the book where the topic of resultant luck returns in the area of the great man's projects and that the utility of this phenomenon is also based on the subsistence of society and hence, has relations with justice.

5. What about intention?

Now that we have seen the importance of the results to the sense of demerit and virtue of justice for Smith, we can ask about the intentions' place: Do they really matter, or when it comes to punishment, just the consequences matter? Of course, this is also a question about the place of EM. This question is highly relevant for at least two reasons: first, as we originally saw the relationship between intention and sense of merit and demerit were closer than they actually are (indeed, this is what the irregularity of sentiments puts in question); and second, the sense of impropriety regulating the sense of demerit, or the intentions being the sole criteria to evaluations, is a deep moral intuition that

we have (and we saw this in the contemporary debate of moral luck about the control principle). Therefore, I intend to show how Smith accommodates the intentions in his moral scheme of the sense of demerit.

Indeed, the relationship between EM/intention and the irregularities of sentiments is a significant point of tension in the debate. For instance, Hankins (2016) defended the following relationship between them:

> [...] EM ought to govern some, but not all forms of approbation and disapprobation. On view - which I think is Smith's - paradigmatic instances of praise and blame will conform to the EM, but certain attributions of praise and blame can be appropriate even though they don't conform to the EM (2016, p. 735).

Thus, for Hankins, EM regulates the "real" praise and blame and is an adequate criterion for judging merit and demerit. Nevertheless, sometimes our approbation has to convey other values, such as our sympathy to the hurt ones, even when it comes from unintentional results, thereby being appropriate for this consequence to become part of our judgment.

Additionally, despite believing that Hankins has made the most progress in the debate thus far, I disagree with such a relationship. Hankins makes a misleading analysis of the terms "blame" and "praise" in Adam Smith, which compromises its whole result, as discussed in section eight. Moreover, this relation blurs the interaction between EM/intention and the irregularities of sentiments. Therefore, my proposal is as follows. The first thing to note is the importance of intention to set the degree of punishment in some cases. This can be seen in the debate about negligence; hence, why do we punish the imprudent worker who throws stones and hits no one on the street more than the man who could not control his horse that also, by hypothesis, ended up hitting no one? The answer is that the intention of the first one is much worse than that of the second. In the first example, we saw a case of "gross negligence," while in the second, we saw a case where circumspection is not even recommended by virtue, and neither is punishable when there is no damage involved. We can say that even if death resulted from both negligence acts, besides both agents being punished, the first would receive a more serious treatment given the nature of their conduct. Together with the results, the intentions also have a role in the punishment. Of course, the last criteria for punishment are still the relationship that outcomes or intentions have with the goods of justice, although the reasoning so far has shown that it may lead to a misunderstanding that intentions are not important to punishment, which is not the case.

Indeed, one point of the four kinds of negligence is that they have different statuses (i.e., they have different degrees of (lack of) concern with others).

Furthermore, this kind of analysis should be considered when interpreting how punishing the consequent outcome should be. For instance, someone dies and the offender must be punished, although how did they kill someone? Consider these two scenarios: (i) the offender made an elaborate plan to murder their neighbor because of the loud music playing in their house, or (ii) the offender offered a piece of cake with peanuts and, without knowing so, ended up killing the allergic neighbor? In both cases, the nature of negligence (or intention) should be considered at the time of punishment. Indeed, Smith reinforces this by stating that "[…] the violation of justice is injury: it does real and positive hurt to some particular persons, *from motives* which are naturally disapproved of. It is, therefore, the proper object of resentment, and of punishment […]" [emphasis added] (*TMS*, II. ii. i. 5). Hence, EM/intention are also important for the punishment.

Moreover, Smith promoted a certain error theory about the importance of the sense of propriety and intention; when speaking about how one should feel when doing evil without intention or failing to provide some good even if intended to, Smith argued that nature does not leave this man unassisted: "He then calls to his assistance that just and equitable maxim, That those events which did not depend upon our conduct, ought not to diminish the esteem that is due to us" (*TMS*, II. iii. iii. 6). In addition, Smith reported that only God could judge by the affections of the heart; otherwise we would fall in the dangers described above. Indeed, that is why Smith uses the term "real demerit," it is just that only the great Judge of hearts can effectively get what is the most valuable in human actions because his jurisdiction is limitless (*TMS*, II. iii. iii. 2). With this being said, we can now see the important place of intentions to comfort the soul; even though we fail with our good affections of herd, we deeply know that this is enough and what counts to the equitable maxim and God.

To summarize, the EM/intentions are a proper principle to set the sense of propriety and impropriety and to regulate the proportion of punishment in our sense of merit and demerit. As seen herein, the irregularities of sentiments are important due to their relation to justice, which is a virtue highly connected with punishment. Nevertheless, the irregularity of sentiments alone could not deal with punishment, and we also need EM/intention to know how to deliver the punishment to get the goods of justice. This, for instance, eliminates Russell's critique (1999, pp. 45-47) that taking the irregularity of sentiments seriously would lead innocent individuals to be punished because Smith is not taking the irregularities of sentiments as a sole criterion of punishment (see note 3 above). Given this context, one can consider the agent in the fourth kind of

negligence as innocent because there is no ill intent involved, and even though the kind of punishment does not involve suffering, just compensation for the damage caused. There is no injustice in compensating for the damage caused.

6. Merits and rewards

Thus far, the debate on Adam Smith's answer to the problem of moral luck has been basically on the scope of demerits and punishment. This is not a peculiarity of his but, in fact, commonplace among the thinkers of the phenomenon. The debate generally orbits around negative moral expressions; the positive ones are barely touched. But, as I intend to show, Smith's discussion about merit and reward in the relationship between luck and morality can give us important insights into the phenomena.

The first thing to note is the asymmetry between punishment and rewards toward the sense of demerit and merit. The first time this asymmetry begins to show up is in the section dedicated to justice and beneficence (*TMS*, II. ii. i), in which Smith clarifies some important remarks about these two virtues, starting with their relationship with reward and punishment. The virtue of beneficence cannot be extorted by force, and the mere lack of beneficence cannot be an object of punishment. This is the opposite for the virtue of justice, as it can be extorted by force, and its lack is an object of punishment. In addition, great actions of beneficence appear to merit rewards, while the observance of justice does not. In Smith's words:

> Though the mere want of beneficence seems to merit no punishment from equals, the greater exertions of that virtue appear to deserve the highest reward. By being productive of the greatest good, they are the natural and approved objects of the liveliest gratitude. Though the breach of justice, on the contrary, exposes to punishment, the observance of the rules of that virtue seems scarce to deserve any reward (*TMS*, II. ii. i. 9).

Part of the explanation of this asymmetry is due the lack of beneficence does not incite resentment, while the lack of justice does. Moreover, resentment is a fundamental emotion to justify punishment, and another part of the justification seems to be based on our natural sentiments that good brought by an act of beneficence deserves to be rewarded. On the contrary, the virtue of justice is seen as a negative virtue, and its observance does not require that the agent does anything; they just need to not do unjust actions, which is why the observance of justice does not seem to demand rewards.

This is the first asymmetry between punishment and reward, and once again, the discussion precedes the debate about moral luck and its influence. So

far, the discussion of beneficence and justice is worked in a context where the actions are performed and not influenced by fortune. In the section dedicated to the irregularity of sentiments, Smith returns to the asymmetry discussion between merit-demerit and reward-punishment, but now with fortune playing a role. He argued that even if it seems wrong to our natural sentiments to punish someone who, even by fortune, has failed to produce real evil, it is not the same with good intentions failing to produce real good and the merit to reward. In Smith's words:

> To reward indeed that latent virtue which has been useless only for want of an opportunity to serve, to bestow upon it those honours and preferments, which, though in some measure it may be said to deserve them, it could not with propriety have insisted upon, is the effect of the most divine benevolence. To punish, on the contrary, for the affections of the heart only, where no crime has been committed, is the most insolent and barbarous tyranny (*TMS*, II, ii. iii. 3).

Nevertheless, why can we reward good intentions without good results but cannot punish someone solely based on their bad intention? The answer, I suggest, is once again connected with the virtue of justice. Firstly, there is no reason to think that someone who rewards another based on good intentions will lead to a "real inquisition." Hence, Smith's concerns about the stability of society, which begin to punish using just the equitable maxim, do not mirror rewards and good intentions because rewarding the virtue of someone is not something that creates instability due to our social organization and epistemic limits. Indeed, I suggest that solely rewarding good intentions may be seen as a pedagogical practice aiming to encourage the exercise of virtue, which is a form of maintaining the goods of justice. Notably, one of Smith's justifications for punishing bad results is precisely to make people care for their neighborhood's happiness and as a pedagogical strategy.

7. Fortune vs. praise and blame

To finish the discussion about the resultant luck on Adam Smith, there is one important topic that, so far, has gone completely unnoticed. Contemporary discussion on moral luck is set on the tension between moral judgments of blame and praise and luck; that is, should luck play a role in this kind of evaluation?[8]

8 There are some studies on the relationship between the concept of blame and moral luck cases. Depending on how we understand the nature of blame, we will have different conclusions in the analysis. We can see this debate about blame and resultant luck in Thomas Scanlon's article "Interpreting Blame" (2013, p. 91), about

However, as can be seen herein, Smith's view on moral luck is set between the tension of the sense of merit and demerit and fortune (i.e., should fortune play a role in our practices of reward and punishment?). Given this reasoning, there are two different focuses on the role of fortune: the first concerns our expressions of blame and praise, and the second is Smith's approach, which concerns rewards and punishment.

As a matter of our sense of merit and demerit, we have already observed that Smith accepts the influence of fortune. The problem is if we can find some answer from Smith about the relationship between blame, praise, and fortune. This first diagnosis, named the difference between the contemporary discussion of moral luck and the Smithian one, may help us to clarify the contemporary debate about these subjects.

Returning to the section on justice and beneficence (*TMS*, II. ii), Smith defined a proper object of blame as the one who falls short of the ordinary sense of beneficence; meanwhile, the proper object of praise goes beyond it. Besides this relevant definition, it is important to remember that the lack of appropriate beneficence does not justify punishment, meaning an agent who performs only one blamable action (and not an unjust action) is not an object of punishment; only the virtue of justice (or lack of) justifies punishment. For Smith:

> We must always, however, carefully distinguish what is only blamable, or proper object of disapprobation, from what force may be employed either to punish or to prevent. That seems blamable which falls short of that ordinary degree of proper beneficence which experience teach us to expect of every body, and on the contrary, that seems praise-worthy which goes beyond it (*TMS*, II. ii. i. 6).

The virtue of justice and its violation is connected with punishment, as we already saw, due to the relation with resentment. That is, "[…] the violation of justice is injury: it does real and positive hurt to some particular persons, from motives which are naturally disapproved of" (*TMS*, II. ii. i. 5). As a result, the person who acted unjustly is a proper object of resentment and punishment. Smith maintained his characterization of justice, claiming that its observance incites little or no sense of gratitude and deserves little or no reward, and this is because justice causes no real positive good, thereby being a negative virtue. Meanwhile, the lack of benevolence does not produce real positive evil; therefore, resentment and punishment are off the hook, although great exertions

blame and constitutive luck in Nomy Arpaly's book *Unprincipled virtue: an inquiry into moral agency* (2004, pp. 169-173), and Judith Jarvis Thomson's article "Morality and Bad Luck" (1993) for a broader approach.

of benevolence deserve gratitude and reward due to the good its causes (*TMS*, II. ii, i. 7–9).

Hence, blame and unjust actions and praise and just actions are different in their relationships with the pair resentment-punishment and gratitude-reward. One deeper aspect that helps us situate the difference between Smith's position from the contemporary discussion about moral luck is the connection between beneficence and the sense of propriety-impropriety, which deals with the motives and intentions of an action. As we have already seen, Smith's discussion of the role of fortune revolves around the sense of merit-demerit, which deals with punishment and reward:

> *To the intention or affection of the heart*, therefore, to the propriety or impropriety, to the *beneficence* or hurtfulness of the design, all praise or blame, all approbation or disapprobation, of any kind, which can justly be bestowed upon any action, must ultimately belong [emphasis added] (*TMS*, II. iii. 3).

At this point, the "problem" with Smith's approach should be clear. Smith sets the reaction of blame as a case out of ordinary beneficence, not related to justice and punishment. At this point, the analysis of Smith and moral luck becomes slightly more ambiguous, and these ambiguities cause part of the cloudiness in the debate. Indeed, Hankins (2016) seemed to take blame reactions as equal to our reactions to demerits and punishment; this hard symmetry compromises Hankins' analysis.

Here, we may have reached a conceptual limitation in how the literature generally tries to put Smith as a moral luck author.[9] This approach has some challenges due to the different terms Smith uses; for instance, common terms used in the contemporary moral luck debate, such as control, and Smith does not use the word 'blame.' There are no issues regarding control because control and intentions mean an agency's internal capacity that is supposed to be the sole guide of our moral judgments. Nevertheless, regarding blame and praise, there is a different issue, and Smith placed them in another set of evaluations

9 In the same fashion, Paul Russell argues about some differences between Smtih's interpretation of the problem of moral luck and the one Nagel does, according to Russell, there are three important differences: "(1) Whereas Nagel interprets the problem in terms of PC and its libertarian presuppositions, Smith interprets the problem in terms of EM, which has no such presuppositions. (2) Nagel's account leads to various modes of moral luck (circumstantial, constitutional, consequential), and from there to a general moral skepticism. Smith's position, as based on EM, does not allow for modes of moral luck other than consequential luck, and it has no general skeptical implications. (3) Unlike Nagel, Smith maintains that the 'irregularity' of our moral sentiments is a problem that has 'a solution.' The solution, Smith suggests, rests with a proper description of the utilitarian benefits that are (indirectly) secured by means of this irregularity. In coming to recognize and understand these hidden benefits, he claims, we will find it easier to reconcile ourselves to the gap between moral feeling and our (reflective) sense of justice" (1999, p. 51).

with a very different approach from contemporaneity, as we do not see blame and praise as a matter of beneficence. When Smith affirms that fortune affects our moral sentiments, he talks about gratitude and resentment, and resentment is connected with justice and punishment, not blame and the lack of adequate benevolence. Therefore, I am forced to conclude that there is no room for fortune in the blame reactions, which is the main point of the contemporary debate on moral luck. What about praise? Praise is beneficence above the line, generating gratitude and rewards; as we observed herein, there is an asymmetry between justice-resentment-punishment and benevolence-gratitude-reward. In any case, fortune just plays a role in our sentiments of gratitude and rewards; in other words, it just affects our sense of merit and reward, not the degree of praise and beneficence.

Conclusions

Throughout the article, I sought to analyze Adam Smith's discussion on the irregularity of moral sentiments. This discussion is understood as a debate about resultant moral luck and sparked interest in the literature to attempt to shed more light on what Smith meant about the relation of fortune and morality. This study was highly challenging, given that there was little consensus about Smith's final position.

Given this context and with my analysis, I attempted to demonstrate that this lack of consensus was due to the missing point that the virtue of justice presents to debate around luck and morality. In short, some events that occur after someone's action, even if it is a work of fortune, are morally relevant as they affect the goods of justice. There is a connection between our moral sentiments and the virtue of justice; as Smith stated, when we face some injustice, we feel resentment, and resentment is a moral feeling based on punishment. Hence, when connected with the results of someone's actions, our moral sentiment of resentment is legitimate and should be an object of punishment, even if the results are consequences of fortune. In other words, fortune is relevant to morality as it affects justice.

Besides this relationship between justice and fortune, other subtleties hinder understanding Smith's position. Another obstacle is Smith's focus on judgments of merit and demerit regarding fortune. When I say that Smith accepts the influence of fortune in morality, I want to say that Smith accepts the influence of fortune in our sense of merit and demerit, which justifies reward and punishment. As I showed, fortune does not seem to influence the sense of propriety and impropriety, which is precisely the point of the irregularity

of sentiments; the way fortune affects our moral sentiment of resentment or gratitude does not go along with our sense of propriety and impropriety, and this last one remains untouchable by fortune. There is a conflict between the EM, which is immune to luck, and our moral sentiments of gratitude and resentment, or our sense of merit and demerit influenced by luck. This conflict is solved by considerations about justice.

The last difficulty in analyzing Smith's position is his concern with justice, not praise and blame. As is recognized by Nagel and Williams, the moral luck debate is set by considerations of luck and our judgments of praise and blame. However, Smith deals with praise and blame as an aspect of beneficence, not as one of justice, and it is just considerations about justice that justify punishment, not the ones about beneficence. Praise can be rewarded, even if it is an object of beneficence, but, as discussed herein, it is just because it is connected to the goods of justice.

With all this being said, I hope this discussion will help highlight important remarks about the relationships between Smith's discussion about the irregularity of moral sentiments and the contemporary discussion about moral luck.

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