

In order to understand how the sense of justice originates for Hume, one must first examine his views on the factors motivating men in a "state of nature," that is, a condition in which men's passions are left to run their natural course in social relations. The purely free or merely natural dynamic of the passions as motivating forces of human behavior is always already "plugged into" a social situation by means of the purely natural mechanism of sympathy. The sole and animating principle of all human passions is sympathy. Whenever one observes the behavior of another, the passion motivating the behavior of the other is conveyed to the observer by his imagination, which produces an idea in him resembling the original impression in force and vivacity. If there is anything about the other or his circumstances related to the observer by resemblance or contiguity, then his idea of the other's passion is enlivened into an impression, so that the observer feels the passion of the other. In addition, the ideas of such passions as grief and sorrow are in themselves more easily convertible into the corresponding impressions.

Two further conditions must be met for the mechanism of sympathy to function in such a way as to produce a concern in the observer for the other, or to motivate the observer with pity and benevolence. First, in order to feel

too strong

social

pleasure + pain? pride?

pity, the observer's imagination must be focused directly on the other's suffering. Were the observer imaginatively to compare the sentiment of the other with his own, he would feel joy in the other's sorrow or sorrow in the other's joy. If the observer's idea of the other's passion in this case were enlivened enough, then the observer would be motivated by malice rather than benevolence, in order to enhance his pleasure by producing greater suffering. Secondly, if the mechanism of sympathy<sup>h</sup> operates weakly, if the other has little resemblance or contiguity to the observer, then the observer will feel contempt for the other in any case. If the other or his circumstances do bear a close relation to the observer, if the other's misery is great but not too great in degree, and if the observer directly considers the sentiment of the other, then the observer should for the most part be aroused with benevolence.

The outcome of this analysis of the purely natural mechanism of sympathy is that men are for the most part concerned in a helpful way with the needs of relatives and friends, but are apt to treat the needs of strangers with contempt or indifference at best. In their "natural state," men are motivated primarily by selfishness and a sense of generosity limited to close relations. The social consequences of this constant, natural motivational framework depend on one other factor: the character of the goods that one is motivated to procure in order to satisfy the needs of one's

close relations. Since the advantages of human minds and human bodies remain relatively fixed and constant with respect to their possessors, they cannot be easily procured to satisfy the needs of others. All external goods, however, as relatively scarce and easily transferable in the state of nature, are sought after as the means of satisfying the needs of one's close relations.

Injustice arises out of this concatenation of the natural motivational framework of men and the scarcity of transferable goods in society. The need for a sense of justice as a remedy is great, but this sense cannot arise out of the natural motivational framework itself. This framework is bound together by the mechanism of sympathy, which not only renders men blind to the needs of strangers, but also motivates injustices against them in the first place. If the operations of sympathy could attune one to the needs of strangers as easily as it attunes one to the needs of friends, or if there were not a scarcity of external goods, then no sense of justice would be necessary. However, the mechanism of sympathy in its natural state cannot be modified, at least directly, to produce an unlimited sense of generosity. Neither can the scarcity of external goods be shared or eliminated (at least in Hume's day).

The problem of the origin of the sense of justice is thus tied to the problems posed by the natural tendency of men to focus on the needs of those close at hand, to the

exclusion of the needs of those seemingly far away. The primary interest of all men, of satisfying the needs of those close at hand, is threatened by the instability of the possession of goods by each for this purpose. This instability of possession arises in turn from the inability of most men to focus on the needs of strangers. Since the partiality of sympathy and the 'natural' or 'inartificial' virtues of men as "rude savages" are the causes of injustice to begin with, the sense of justice as a remedy can come only from 'artificial' or conventional sources. Men can come to be motivated by justice only by taking an 'artificial' interest in pursuing their 'natural' interests safely. The first step in making this artificial interest motivationally effective is to contrive to give the same stability to the possession of external goods as the possession of the goods of the mind and the body already have. All men agree, by certain conventions, to guarantee to each the safe use and enjoyment of the external goods he possesses. All are brought gradually to recognise the common interest in justice, as the interest one has in leaving the other's goods alone provided that the other in turn leaves the goods of the former alone. One comes to see that one can more safely and usefully satisfy the needs of one's close relations by means of the conventions of justice, or in an oblique and artificial manner, than by the "headlong impetuosity" of the passions or natural virtues alone.

However, after the conventions of justice have been agreed upon, and as the possession of property becomes well established, a society can grow large enough in material wealth to tolerate infractions of rules. Or at least it seems that there is now such an abundance of goods that an infraction could be occasionally tolerated. One's passions can still blind one momentarily to the basic interest in order or the "long view" in any case. Hence, there is an ongoing need for arousing the sentiment of justice, even after the order or convention of justice has been introduced into a society. At this point the mechanism of sympathy can be rehabilitated and exploited for moral purposes, in a way that could not be attempted when men were affected by it in their 'raw,' natural state. If a man is still for the most part blind to his own unjust actions, he is not blind to the unjust actions of others. So also are others not blind to his unjust actions, and he and others are thus subject to the influence of public praise or blame, and of private education, both of which are aided by the mechanism of sympathy. Concern for one's reputation and the moral approbation of others both become motivating forces for justice, by the same mechanism of sympathy that motivates men to act unjustly in their natural state.