

ETHICS AS SOCIAL SCIENCE: THE MORAL PHILOSOPHY
OF SOCIAL COOPERATION. BY LELAND B. YEAGER.
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Like feuding relatives at a family barbecue, economists and moral philosophers often like to pretend they have nothing to do with each other. Economists pose as value-neutral scientists who have no need for airy-fairy moral theory; yet they regularly dispense the sorts of prescription and advice that cry out for ethical analysis. Philosophers likewise view themselves as having loftier concerns than vulgar economics; but by conducting their ethical and political theorizing in ignorance of economic principles, they are unable to avoid recommending policies that would be unworkable or disastrous in practice. This, at any rate, is how Leland Yeager sees the situation, and it is hard to disagree with him; ethics and economics need to learn from one another.

But what is it, precisely, that needs to be learned? Here Yeager's answer is more controversial; he defends what might be called Austro-utilitarianism (the term is mine, not his), i.e., a version of utilitarianism informed by the concerns of the Austrian School and squarely in the tradition of Mises, Hazlitt, and Hayek, with a particular emphasis on the conditions for successful social cooperation.

Yeager defines utilitarianism as "a doctrine whose test of ethical precepts, character traits, legal and economic systems, and other institutions, practices, and policies is conduciveness to the success of individuals as they strive to make good lives for themselves in their own diverse ways" (p. 13). This definition is neutral—I suspect deliberately so—between universalistic and egoistic versions of utilitarianism, and Yeager cites universalist John Stuart Mill and egoist Ayn Rand with equal approval (though he is unimpressed by the transcendental arguments Mill and Rand offer for their respective principles as presuppositions of value in general). Universalistic utilitarianism's ethical criterion is the welfare of society as a whole; egoistic utilitarianism's ethical criterion is the individual agent's own welfare.¹ For Yeager, however, the universalist and egoist formulations are equivalent in practice, since the same principles of conduct serve the long-term interests of both individual and society: society fares better if individuals give priority to their own interests, and individuals' lives fare

¹The term "utilitarianism" is sometimes restricted to the universalist version only, but I here follow Yeager in applying the term more broadly.

better if they cultivate benevolence as one of those interests. (Even if the two standards generally coincide, one still wants to ask which one is *really* correct; but Yeager seems impatient with such questions. Chapter 8 might be read, however, as suggesting that his sympathies have been shifting toward egoism.)

Yeager believes that contemporary moral philosophy is largely a “parade ground of intuitions, revelations, and bombast” (p. 1), a condition that can be cured by basing ethics on the testable, verifiable results of social science. Yeager is particularly skeptical of the philosophically dominant method of “reflective equilibrium,” at least as it is used by critics of utilitarianism. This method proceeds by starting with all the moral judgments one initially finds intuitively compelling, and then working through mutual adjustment to reach a maximally coherent belief system—sometimes revising judgments about general principles to fit judgments about particular cases, sometimes revising judgments about particular cases to fit judgments about general principles. Practitioners of this method often end up rejecting utilitarianism on the grounds that it would license, at least in some circumstances, conduct that intuitively seems immoral.

To Yeager, revising general principles to ensure or avoid specific verdicts in particular cases illegitimately treats mere intuitions as “analogues of scientifically observed facts to which an acceptable theory must simply accommodate itself” (p. 34) when they are just as likely to be “mere prejudices” (p. 199). Yeager regards such intuitions—and thus the achievement of coherence among such intuitions—as of no scientific value *per se*, since he endorses the Humean (and Misesian) view that ultimate judgments of value are rationally arbitrary and not subject to proof or disproof.

Rather than despairing of the prospects for a scientific ethics, however, Yeager proposes to narrow the scope of ultimate value judgments to the uncontroversial premise that happiness is preferable to misery, thus allowing the *rest* of ethics to be a respectably scientific, empirical affair of determining which practices are in fact conducive to happiness. While recognizing that there are different conceptions of happiness (preference satisfaction, subjective pleasure, objective flourishing), Yeager regards deciding among them as a matter of little urgency, since on just about any plausible conception, happiness will depend heavily on the individual’s ability to coordinate her actions with the actions of others, and so the best way to promote happiness is to foster the social conditions for such coordination. Social science then gives content to ethics by determining empirically which principles of conduct are in fact most likely to foster those conditions. (Unlike Mises, Yeager appears to regard social science as a purely empirical enterprise.²) Such happiness-promoting principles of conduct will be relatively invariant across different conceptions of *what* happiness is and *whose* happiness should be promoted.

While Yeager denies the objective validity of normative judgments, he is no longer, he tells us, a proponent of the emotive theory of ethics associated with logical positivism (pp. 19-33, 204-05). According to that theory, a sentence like “bombing civilians is immoral” really means something like “bombing civilians? yuck!”—that is, while having the *form* of an assertion of fact, it is really the expression of an attitude and so is not open to rational assessment. On Yeager’s view, the emotive theory

²Yeager has suggested in other works (Yeager 1994, 1997a, 1997b) that economic axioms, far from being *a priori* in the Misesian sense, can all be sorted into “inescapably obvious” empirical facts on the one hand and “useful tautologies” on the other.

confuses *fundamental* normative judgments, which are indeed rationally arbitrary, with derivative applications of those judgments. *Given* a background assumption like “what promotes happiness is right and what hinders it is wrong,” a specific judgment like “bombing civilians is immoral” implies the testable proposition that a policy of bombing civilians will tend to frustrate happiness—both one’s own and that of society generally. Yeager’s criticism of nonutilitarian moral theories is precisely that by increasing the number of normative judgments that must be taken as fundamental rather than derivative, such theories thereby decrease the range of ethical questions that are open to empirical assessment.

Yeager’s own empirical assessment yields the conclusion that the conditions of social cooperation, and so of happiness, are best served by, *inter alia*, “secure property rights, a free-market economy, and a government of limited powers” (p. 274)—in short, a libertarian social order. He is critical, however, of such rival libertarian thinkers as Murray Rothbard, Robert Nozick, Walter Block, and George Smith, whose theories are faulted both for their radicalism (Yeager’s own libertarianism is fairly moderate—endorsing, e.g., the legitimacy of taxation and the coercive state, p. 284) and for their nonutilitarian foundations.

Yeager’s theory is a version of *indirect* utilitarianism; the most reliable way to promote happiness—or social cooperation for that matter—is not, he argues, to aim at such a goal directly in all one’s actions. Utilitarian goals are best pursued indirectly, by committing oneself to certain rules, institutions, and character traits. Hence arises the temptation to believe that morality is valuable for its own sake rather than for its consequences. Morality’s value is in fact purely instrumental—a means to promoting a further end—but we will tend to secure better consequences in the long run by acting *as if* morality had intrinsic value in its own right. Prevailing moral ideals persist because they tend, in large part, to have beneficial consequences, and so have been reinforced by both biological and cultural evolution; hence our moral intuitions, far from constituting an external check on utilitarian considerations, are themselves the product of processes that selected for utility, and indeed are open to further refinement by conscious intention in the light of empirical evidence concerning their causal tendencies. Invoking indirect utilitarianism allows Yeager to dismiss the common charge that utilitarians are committed to doing whatever will maximize utility, including—given sufficiently unusual circumstances—the torture of innocent people and the like; on the contrary, things will “work out better on the whole,” Yeager tells us, if agents “internalize an almost absolute prohibition on inflicting torture” (p. 147).

Yet if the conduct recommended by our moral intuitions promotes happiness only indirectly and for the most part, what *are* we to say about those exceptional cases when one could bring about still more happiness by violating some moral principle in order to promote happiness directly? Which is the right thing to do—abide by the rule, or promote utility? Yeager objects to the use of such “cooked-up cases” (p. 12) as unrealistic and “unlikely to arise” (p. 147). One reason for their scarcity is that the tendency of even a single rule-violation to undermine the agent’s own generally-beneficial character traits must be taken into account. And even if the cost-benefit balance still turned out to favor breaking the rule, an agent who has inculcated virtuous habits in herself is unlikely to notice this: the sort of person who is “alert to such an opportunity” has a character trait that will tend in the long run to “impair the individual’s relations with others and impair his chances for a good life generally” (p. 167). And if a person who is virtuous overall nevertheless, through some fluke, happens to notice this opportunity, and accordingly feels obligated to violate the moral rule for

utilitarian reasons, “the critic in the ivory tower would be presumptuous to moralize against his choice” (p. 148), since we have no grounds, apart from mere intuition-mongering, for any conviction as to which value should take precedence.

Yeager’s book makes an impressive case for an attractive Austro-utilitarian version of consequentialist moral theory, and replies convincingly to a number of common objections to and misunderstandings of utilitarianism in general. Nevertheless, I am inclined to resist his conclusions. Let me say why.

Most of the disagreements between Yeager and myself can be traced to one fundamental divergence: our differing appraisals of the scientific value of reflective equilibrium as a method of inquiry. Yeager sees this method as having a more limited applicability than I do. More precisely, he is happy to endorse reflective equilibrium when judgments about specific cases are revised to fit general principles, but *not vice versa* (p. 34); in the latter case, the number of normative judgments treated as fundamental, and so immune to rational assessment, is too great. Here I would maintain, however, that because the reflective-equilibrium method is itself a form of rational assessment, any normative judgment (“fundamental” or otherwise) that is left standing after the application of the method *has thereby received, and survived, rational assessment*—and so can no longer be described as arbitrary or untestable. What distinguishes reflective equilibrium from mere “intuition-mongering” is that while it may *start* with intuitions, those intuitions are not accepted uncritically, but are instead tested against other intuitions; the cognitive value of intuitions lies not in the intuitions themselves but in the *use* that is then made of them. To borrow an analogy from Susan Haack, intellectual inquiry is like a crossword puzzle (Haack 1995): one starts with answers that initially seem plausible, but every answer is subject to revision in the light of other answers; by the time the puzzle is completed, it is quite possible that none (or some, or all) of the original answers will have escaped revision.

Yeager would object, I suspect, that merely testing intuitions against other intuitions is a meager form of rational assessment; the judgments that count, objectively speaking, are those that can be tested against empirical evidence. But I find the contrast unconvincing. As W.V. Quine reminds us, no scientific proposition can be empirically falsified *in isolation*. Empirical tests falsify only *conjunctions* of beliefs, and cannot tell us *which* conjunct(s) to reject; *that* decision requires the inquirer to make judgments of relative plausibility and overall coherence, i.e., to apply the reflective-equilibrium method (Quine 1951). An empirical test simply introduces a new belief—and thus a new potential for inconsistency—into one’s overall system of beliefs; in short, empirical data constitute an exogenous shock to the inquirer’s belief set. Like any exogenous shock, such data are a disequilibrating factor, which ordinarily triggers a self-correcting mechanism to move the system back toward equilibrium. In the course of adapting itself to the new belief, the mind may adjust or eliminate older beliefs that conflict with it. (Sometimes, however, it is quite properly the empirical “data” themselves that get rejected, as occurs in the case of experimental results that cannot be replicated. Hence in a sense there are no “data”; no facts are simply *given* to us in such a way as to exempt us from the responsibility to assess them critically.)

The mind’s self-correcting mechanism does not operate automatically or uniformly. The process of intellectual inquiry is an *entrepreneurial* one, requiring alertness—not only to novel information but also to the previously unnoticed implications of information one already possesses. Just as the ordinary entrepreneur moves the economy toward equilibrium by discovering and correcting asymmetries of information within the market, so the auto-entrepreneur (to coin an ungainly phrase) moves

herself toward reflective equilibrium by identifying unresolved tensions within her own belief set—unexploited opportunities for intellectual profit, we might say—and seeking to resolve them.³ Bringing Hayek’s metaphor home to roost, we might call this “discovery as a discovery process.” For familiar Austrian reasons, complete reflective equilibrium is of course never achieved—first, because inquiry is costly, and in any case we never have the time or ingenuity to trace out all the implications of our beliefs and so uncover every hidden conflict; second, because new experiences are constantly introducing novel information into the belief set, compelling the process of reflection to chase a new equilibrium. Hence a better name for the method of reflective equilibrium would be “reflective *equilibration*”; an evenly-rotating mind is as much an artificial construct as an evenly-rotating economy.⁴

Reflective equilibration, as I’ve described it, is in tension with empiricism, since empiricism by definition grants empirical data a privileged status, while reflective equilibration throws them in on a level with everything else. Yeager’s own commitment to a certain kind of empiricism is manifest in his distinction among different types of propositions, a distinction crucial to his defense of utilitarianism. In the first place he divides propositions into positive and normative; positive propositions are in turn subdivided into logical and factual. Logical propositions can be established by conceptual or linguistic analysis; factual propositions, by empirical testing. Normative propositions cannot be established in either of these ways (pp. 17-18). Yeager likewise divides normative propositions into specific and fundamental. A specific normative judgment is justified by showing it to be supported by a fundamental normative judgment; a fundamental normative judgment itself cannot be justified, but depends instead on an arbitrary subjective commitment to some ultimate value (pp. 28-31). This four-way division represents a familiar philosophic perspective, inaugurated by David Hume and reaching its peak of popularity during the reign of logical positivism. (While the position enjoys far less favor among philosophers today, it still attracts a sizeable following.) But the four-way division is open to challenge.

Yeager notes, correctly, that positive claims have a bearing on normative ones because “ought presupposes can” (p. 17). But what is the status of the “ought presupposes can” principle? It is clearly a normative proposition; but is it fundamental or specific? Not fundamental, since it clearly isn’t arbitrary; not specific, since it doesn’t seem to depend on any more fundamental value. It seems much more like a conceptual truth. But that would make it a logical proposition, contradicting Yeager’s claim that all logical propositions are positive.

For that matter, what is the status of the very claim that normative propositions are not objective? If this claim is normative, it is either fundamental (and therefore arbitrary, so why should we accept it?) or specific—in which case it is justified (but how?) by some other value or values (but which?). If the claim is positive, it is either logical (yet its denial seems to involve no contradiction) or factual (but what could count as empirical evidence for it?).

A proposition is factual if its truth can be determined empirically; but, in light of the Quinean point discussed above, to speak of a proposition as empirically testable

³In addition to manifesting Kirznerian *alertness*, the auto-entrepreneur also bears Misesian *risk*; her time-consuming reflective activity might reach the wrong solutions, or no solutions.

⁴For a fuller defense of reflective equilibration, cf. Long 1997 and 2000.

is to say no more than that the proposition is subject to revision as a result of a process of reflective equilibration arising from an exogenous empirical shock. By that criterion, normative judgments too are factual propositions. Yet an equally good case can be made for regarding them as logical. A proposition is logical if its truth can be determined by appeal to the meanings of words; but what a word means is ultimately determined by how competent speakers are disposed to use it. However plausible we may initially find the proposition that every unmarried male is a bachelor, we will probably retract our endorsement once we recall that the class of unmarried males includes Popes, infants, and nonhuman animals; and the fact that we are so disposed is part of what determines what the word “bachelor” means and has meant all along. But if the meaning of a term depends on how judgments employing that term would be revised upon reflection, then the deliverances of reflective equilibration represent an unpacking of the term’s meaning and so are logical propositions. All this suggests that a mutually exclusive division of propositions into normative, factual, and logical categories cannot be sustained.

Yeager endorses the Humean doctrine that it is impossible to derive normative conclusions from positive premises (pp. 17-19). He recognizes, however, that this doctrine is not strictly true, since, e.g., “ $2 + 2 = 4$ ” logically entails “Either $2 + 2 = 4$ or Smith ought to pay Jones \$5.00.” But Yeager objects that this counterexample, while containing a normative *term*, expresses no normative *judgment*, because it is not incompatible with any contrary normative judgment (p. 25). Perhaps not; but the example can easily be cleaned up: “Smith pays Jones \$5.00” logically entails “Either it is morally permissible for Smith to pay Jones \$5.00 or Smith does something morally impermissible”—and *that* conclusion is not normatively vacuous, since it is incompatible with the (empirically falsifiable) judgment “It is morally impermissible for Smith to pay Jones \$5.00, and Smith never does anything morally impermissible.”

According to Yeager, as we’ve seen, an ultimate end cannot be rationally assessed; only a means can (pp. 29-30). Hence utilitarianism, by treating all values other than happiness as means rather than ultimate ends, maximizes the range of values that are open to rational assessment. But first, even ultimate ends can be assessed by the standard of coherence (both internal coherence and coherence with other ends). And second, even if only means could be rationally assessed, the superiority of utilitarianism still would not follow.

Yeager seems to make the crucial assumption that a means must always be an *instrumental* means, i.e., that if X is a means to Y, then X makes a *causal* contribution to Y. Yet this ignores other sorts of means-end relationships; a means can also be valued as *part* of an end (as when I wear a tie because I want to be dressed up) or as the most defensible *specification* of an end (as when I wear my Mises Institute tie because I want to wear a tie). Such cases are sometimes called *constitutive* means; their relation to their ends is internal and logical, not external and causal. Once the possibility of constitutive means is recognized, the door is then open to nonutilitarian theories, like the classical eudaimonism of Aristotle and other Greek philosophers, that treat moral virtue as a constitutive rather than an instrumental means to happiness. Since constitutive means are as open to rational assessment as instrumental means, utilitarianism proves to have no advantage over classical eudaimonism in this regard. (As I have argued elsewhere [Long 2000], empiricism in epistemology leads almost inexorably to consequentialism in ethics, since the only connections between happiness and morality that can be identified *empirically* are external, causal ones.) Nor does

social cooperation seem to exhaust the scope of morality; we can gain or lose respect for someone because of conduct that violates no norm of social cooperation.

Yeager tends to claim as a fellow utilitarian any thinker (e.g., David Hume) who allows utilitarian considerations any weight whatsoever. (As I read Hume's position, there are two kinds of virtues, the natural and the artificial, and only the latter is grounded on utilitarian considerations.) Indeed, Yeager interprets even the most stalwart opponents of utilitarianism as crypto-utilitarians. Plato's *Republic*, for example, is devoted to the question: why is it better to be a just person with a reputation for injustice than an unjust person with a reputation for justice? According to Yeager, Plato's reply is "in effect that the truth cannot remain unknown indefinitely; at least the gods will know it. The just man will fare well in this life eventually, and in the afterlife; the scoundrel will be found out and scorned" (p. 163). Yet this is precisely the reply that Plato explicitly rejects, arguing instead that a just soul is intrinsically worth having, regardless of what benefits accrue here or hereafter.

Similarly, Yeager portrays Immanuel Kant's categorical-imperative test as asking: "Would you like everyone in your situation to act on the maxim that you now propose to act on?" (p. 184). But for Kant the question is not what you would *like* (a sadomasochist might be willing to authorize all sorts of oddities as universal laws), but whether you can will the maxim without committing yourself to a logical inconsistency. (Hence it is, if not exactly false, at least seriously misleading to describe Kantian moral duties as "objective aspects of a reality independent of human desires" [p. 184], since rather than confronting us as external commandments, such duties are constituted by the logical implications of our own choices.) The problem with lying, for example, is not that it would have disagreeable results if practiced universally, but rather that the notion of a universal practice of lying is logically incoherent. Deceitful speech can succeed only by exploiting a general practice of truth-telling; it is thus the sort of thing that can only be an exception, not a rule. Thus by lying, I simultaneously commit myself *both* to willing lying as a rule (since I thereby treat lying as a reasonable option and so authorize lying generally) and to willing lying as an exception (since it is only as an exception that lying can occur). Whatever one may think of this argument, in making it Kant is certainly not "revealing himself, inconsistently, to be a crypto-utilitarian" (p. 232, n. 17), since although consequences are mentioned, the argument does not turn on any *evaluation* of those consequences.

Yeager expresses "outrage" (pp. 112, 151) at common misrepresentations of utilitarianism; but nonutilitarians might well feel that their theories fare little better at his hands. Yeager apparently shares with many utilitarians of my acquaintance an outlook that finds nonutilitarian positions utterly baffling and unfathomable, and so either reinterprets them as implicitly utilitarian or else rejects them as fantastic. Kant is a case in point; Yeager recycles the popular caricature of Kant as holding that it is better to act grudgingly from duty than to feel genuine benevolence: "An act is especially virtuous, on this view, if done *contrary* to one's own interest and inclination" (p. 183). (Yeager is at least in illustrious libertarian company; previous perpetrators of this caricature include Friedrich Schiller and Ayn Rand.) Yeager even cites, with apparent approval, Richard Taylor's bizarre remark (p. 184) that Kantian ethics is as repulsive as drowning babies for pleasure. (I'm not a Kantian myself, but speaking personally, I'll take Kant over recreational infanticide every time.) But Kant is *not* opposed to benevolent feelings; on the contrary, he insists that it is our duty to cultivate such feelings within ourselves in order to make it easier for us to act rightly. Kant's point is simply that making such feelings the sole basis of moral motivation

leaves duty at the mercy of whatever psychological state I happen to be in at any given time. If my *only* reason for treating others rightly is that doing so makes me feel good, then I'm not really *committed* to morality; if I were to wake up tomorrow in a thoroughly depressed mood, so that I no longer found moral behavior emotionally fulfilling, I could no longer be counted on to do the right thing. Kant's moral ideal is not the person who joylessly performs her duty, but the person whose performance of duty, however joyful, does not *depend* on her being able to take joy in it; acting against inclination is *evidence* of, not a *requirement* of, moral worth.⁵

Yeager treats the charge that utilitarians care too little for rules (pp. 144-52) and the charge that they care too much for rules (pp. 154-56) as though they were two unrelated criticisms; but they are best understood as two halves of a single argument, which is this: there are possible cases, however infrequent, in which one could best promote utility by committing (not just any rule-violation but) a morally horrific rule-violation. In such a case, if a moral theory recommends the rule-violation, it is a bad theory; and if it does not recommend the rule-violation, it is no longer utilitarian. We've seen that Yeager objects to such "cooked-up cases" as unrealistic; but why does it matter whether the cases are realistic? (Yeager does not claim that they are *impossible*.) The role of cooked-up cases is in arguments of the following form: "In cooked-up case X, it would be wrong to do Y; but moral theory Z entails that in cooked-up case X, it would be right to do Y; therefore moral theory Z is wrong." No claim that the cooked-up case is realistic or likely occurs as either a premise or a presupposition of the argument; hence one does no damage to the argument by impugning the realism of the cooked-up case. (Yeager will of course question the anti-utilitarian's certainty that action Y is indeed morally prohibited; is this not a mere intuition, of no probative force? But that is a different point; and in any case, as we've seen, no judgment that issues from reflective equilibrium is a *mere* intuition, but on the contrary has the same epistemic status as the deliverances of science.)

But how, Yeager asks, can the anti-utilitarian be justified in her confidence that certain moral values must be maintained come what may? Because economists understand the concepts of tradeoffs and marginal utility, the notion of a moral absolute that must be upheld at all costs is, Yeager tells us, "foreign to an economist" (p. 13). But should it be? Since economic values are ordinal, not cardinal, economic marginalism by no means rules out the possibility of two goods being so related that any amount of one will be preferred to any amount of the other; and reflective equilibration may well favor such an outcome. (Given that Yeager's argument is directed *inter alia* at Rothbard, it is perhaps ironic that Rothbard himself employed a similar argument (Raimondo 2000, p. 113) against the moral absolutism of Yeager's fellow consequentialist Ayn Rand.)

Yeager sees the anti-utilitarian as taking a somewhat offensive holier-than-thou attitude: "The critic, so runs his veiled hint, would never act so shamefully; he is nobler than the crass utilitarians" (p. 148). But the wrongness of action Y is not meant to be something only the anti-utilitarian recognizes; rather, it is assumed to be something that the utilitarian likewise grants (as indeed is evidenced by the utilitarian's eagerness to show that utilitarianism does not in fact recommend action Y), and the

⁵Yeager's interpretation of Kant may have been led astray through relying only on the *Groundwork for the Metaphysics of Morals* and not on its sequel, the *Metaphysics of Morals* itself, where Kant explains his standpoint somewhat more clearly.

objection is meant to expose a tension between utilitarian theory and the utilitarian's other moral values. Intellectual *persuasion*, like intellectual *inquiry*, takes the form of reflective equilibration, or the Socratic method; each seeks out unexploited profit opportunities, whether in one's interlocutor's belief set or in one's own. The critic's claim is not "I have a better moral character than yours" but "I have a better moral theory than yours"—not "you have the wrong values" but "your values are in disequilibrium with your official theory."

Reflection on praxeological principles may be useful here in seeing what cooked-up cases are meant to show. Whatever I choose, I choose either as a consumer's good (a first-order good) or as a producer's good (a higher-order good). Utilitarianism of any sort regards morality as a producer's good, a means of producing happiness; but *indirect* utilitarianism maintains, in effect, that the most effective way to promote happiness is to treat morality *as if* it were a consumer's good, even though it isn't one. But is it really possible to adopt the attitude that indirect utilitarianism recommends? When I choose morality "as if" it were a consumer's good, either it really *becomes* a consumer's good for me, or else it remains a producer's good and I am only pretending. There is no third possibility.

Suppose it does become a consumer's good for me. In that case, I am no longer a consistent utilitarian, since in my actions I reveal a preference for morality as an end in itself. Yeager recommends treating a principle as inherently binding at the everyday level while recognizing its contingency on utilitarian outcomes at the reflective level (pp. 294-95); but doesn't this just amount to advising us to form inconsistent preferences? And if the preferences on which I ordinarily act do treat morality as a consumer's good, in what sense can it be said that I *really* regard it as a producer's good? On the other hand, suppose that morality remains a producer's good for me. Following Mises, we may say that every action embodies a means-end scheme; in that case, even when I choose to act morally, my choice commits me to rejecting morality in counterfactual situations—cooked-up cases—where immorality would be a more effective means to the end, and this commitment is a blot on my character *now*. (Hence the Kantian insistence on the importance of *maxims* rather than actions.)

It has often been claimed that indirect utilitarianism is unstable, and must collapse either into direct utilitarianism on the one hand or into "rules fetishism" on the other. This can be interpreted as a psychological claim about the likely results of trying to maintain a utilitarian attitude, in which case its truth or falsity is an empirical matter. By transposing the familiar stability objection into a praxeological key, however, what I've been trying to show is that indirect utilitarianism is not just causally but *conceptually* unstable. If I treat morality as a consumer's good, I must reject utilitarianism on pain of inconsistency; if I treat morality as a producer's good, I thereby exhibit a moral character or disposition that utilitarian considerations themselves condemn. But I must treat morality in one way or the other; hence utilitarianism is praxeologically self-defeating. The praxeologist cannot be a *direct* utilitarian, since praxeological reasoning itself shows us that the utilitarian's goal depends on social cooperation, which in turn requires the kind of stable and consistent commitment to principles that a direct utilitarian cannot have. Nor can the praxeologist be an *indirect* utilitarian, since praxeological considerations force a choice between treating morality as a producer's good (in which case we're back with direct utilitarianism) and treating it as a consumer's good (in which case utilitarianism prescribes its own rejection). We may have utilitarian reasons for *adopting* moral commitments, but once we *have* adopted them, we can no longer regard them

as resting on purely utilitarian foundations—because so regarding them would alter their status as commitments.

Like any reviewer, I've stressed my areas of disagreement with Yeager's book; but there is certainly much in it that I value. Few will deny that utilitarian considerations are *relevant* to moral assessment, even if they do not *exhaust* the domain of what is thus relevant. Yeager's analysis shows convincingly that one can give utilitarian considerations quite a *strong* weight and still defend both common-sense morality and a libertarian social order. This needs showing; for the notion that utilitarianism requires the sacrifice of ordinary ideas about common decency and individual rights is not confined to utilitarianism's critics, but is sometimes trumpeted by utilitarians themselves. (One thinks of Peter Singer, for example.) Yeager thus offers us a way of meeting utilitarian arguments for bad policies. On the nonutilitarian side of things, theorists often practice reflective equilibrium without taking the insights of economic science into account, spinning belief systems that are desperately in need of an exogenous praxeological shock; Yeager offers us a way of meeting their arguments as well.

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