Moral Science: What Is It?

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David Schmidtz's new book, *Living Together*,[1] does not give a definition of moral science. Instead, each section of this book, in instructively different ways, points to and demonstrates what moral science was, is, and could be. It is clearly a call for moral philosophers to be much more engaged with empirical social science—and indeed there is something eccentric about the fact that we are not. The book begins with the philosophy of science, arguing that science is the study, through observation, of contingency. The book ends with deep problems of normative ethics, offering solutions to them that are profoundly philosophical *and* based on observation. For example, we transcend merely instrumental rationality when we—at a point of time in our lives—can be observed to recognize that the overall integrity of all of our ends becomes an end that we have (Chapters 18–19). In between—and that which connects the two—is what most people would recognize as "nonideal political philosophy," but what that is bookended by is what qualifies it specifically as *moral science*.

The intellectual "launching pad" (pp. 188, 202) of the book is Adam Smith's and David Hume's approach to moral philosophy. They are not the central subject of the book, nor is some particular reading of their foundational principles, if they had them, an axiom from which the rest of the book is derived. Just as not all ends call out for further reasons (Chapters 18–19), the Scottish Enlightenment is a self-evidently reasonable starting point for discussing moral philosophy and

[1] David Schmidtz, *Living Together: Inventing Moral Science* (New York: Oxford University Press, 2023). All subsequent references to *Living Together* will be cited by page number parenthetically in the text.

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social science. It is only "one way of telling" the story (p. 5), but it proves an inherently compelling one, if proof were needed.

The content of *Living Together* contains philosophical profundity, but it does not lay out a philosophical system. It is by design (so to speak) nonsystematic. Moral science, as Schmidtz argues, does not need to be systematic—at least, not in terms of building a deductively sound theory that is necessarily true, to be applied to all and everywhere, owing to the merits of its systematicity. Schmidtz indicates that this project is still a work in progress and one that contains gaps that he hopes will be seen as invitations for creative sympathizers to fill (p. 248). As a sympathetic reader, I accept the invitation. In this essay I will offer an interpretation of what moral science is. I will then attempt to shed light on the nature of its normative import and ask to what extent it requires a prior commitment to liberalism.

The historical narrative of moral science Schmidtz tells is the following. Smith and Hume (among others) conducted social science and moral philosophy simultaneously. That is to say that moral philosophy took a cue from observation: empirics were not deemed irrelevant to ethical reasoning. Neither were empirical observations deemed to be merely positive data devoid of any normative content. Moral science investigated how people can live together—the "can" here being both that of modality and permissibility. Our understanding of what is good for society is informed by and grounded in what is actual and possible for human society. Much of the book fittingly draws on and draws together Schmidtz's previous work within the ideal versus nonideal theory debate as well as on ethics and economic methodology.

Over the course of the nineteenth century, as industrial labor became increasingly specialized, so too did intellectual labor become specialized with regard to moral science.[2] Observation of the mechanics of human society became the purview of social science, which then further subdivided into politics, economics, sociology, psychology, and so on. Moral theorizing about social life became the purview of philosophy. The *moral* and the *science* were then prized apart, but without the ongoing understanding of the dynamics of social

[2] Over the course of the prior century, moral science had separated from theology. Philosophers implicitly if not explicitly believed that if morality could be derived from nature or God's Creation, then there was less and less need for involving the Scriptures or Tradition in moral reasoning and theorizing; it could be drawn from observation of the world around us.

life, what do philosophers have to theorize about? Snapshots and abstractions. This leads them not to give the *wrong answers* about justice but rather to ask the *wrong questions* (p. 53). Schmidtz gives a helpful illustration of this with John Stuart Mill. Mill's principles of political economy describe the conditions, based on observation, under which a society is materially productive. Separately and in contrast to this, Mill's principles of justice simply ask how what society produces ought to be divided up: wondering what we must do with the surplus produced by society, to the exclusion of considering how that might affect society's producers.[3] Does that not morally and scientifically make a difference?

The justice of how we distribute the social surplus is surely affected by whence the social surplus came. Was it a gift from God to be used for specific purposes? Does it belong to people who were here before us? Can we replace it after it is consumed, and is that affected by how we consume it? Today, it would be perfectly acceptable for someone presenting a paper on justice at an ethics or political philosophy seminar to say that they do not need to answer these questions, because the theory of justice is not affected by the answer. These are questions for theologians, historians, economists, and so on. The discursive norms of our seminar rooms permit and even demand this deflection of broader interest in the subject of analysis. Schmidtz argues that it is not merely scientifically imprudent to construct theories of justice based on social snapshots, but also morally reprehensible (pp. 58, 86). Indeed, it is not just a deflection of intellectual curiosity, but also of moral responsibility. If we care about the justice of how we distribute things, we must care about how what we are distributing got there in the first place, and what will happen if we try to distribute it. In order to know the before and the after, we need to have some inductive understanding of cause and effect in the social world; we need some account of observed reality over time.

In this vein, Schmidtz shows different ways in which geniuses of twentieth-century normative philosophy, consciously or not, denounced the need to engage with dynamic reality: John Rawls, G. A. Cohen, and Peter Singer. Rawls's and Cohen's approaches to ideal theorizing assume away noncompliance. Many things are written off as merely matters affecting the *feasibility* of enacting a principle of justice, but in fact they affect the *desirability* of enacting it (Chapters

[3] John Stuart Mill, *Principles of Political Economy with Some of Their Applications to Social Philosophy*, ed. W. J. Ashley (London: Longmans, Green, & Co., 1920).

9–10, esp. pp. 70–74). There are kinds of predictable noncompliance that affect desirability rather than merely feasibility, because there are kinds of noncompliance we ought to respect (more on respect below). Singer, he argues, turns utilitarianism—a theory that is about mechanisms that maximize benefits—into one that demands ignorance of social mechanisms and the maximizing of individual cost. That is, Singer's focus is on what costs you are required to incur rather than on how you might be able to have the most beneficial impact. Most argue that Singerian utilitarianism is *too demanding* in requiring you to turn out your pockets until no one else is poorer than you are. Schmidtz argues, in contrast, that it is *not demanding enough* (Chapter 5). If morality requires us to actually help people, we need to find out what helps rather than merely to demonstrate that we are willing to self-harm. One is reminded of the Psalmist's lamentation:

> If thou had desired sacrifice I would have given it. Thou wilt not be pleased with whole burnt offerings. A sacrifice to God is a broken spirit. A broken and humbled heart God will not despise.[4]

The commandment to *μετανοέω* (repent) requires that we actually change how we live. We work out what went wrong, and then we make an informed attempt at fixing it and proceeding in a different, better way. Signaling that you are not selfish is not the point of utility-maximizing; actually maximizing utility is. The costs this requires you to incur may be immense, but they include, inter alia, those of finding arrangements that predictably generate the most utility. Consequentialism should be consequential.

Schmidtz tells us that "Hume and Smith studied what people observably expect from each other" (p. 7). Following the terminology of Cristina Bicchieri, we can say they studied our "normative expectations"[5] in order to understand why society operates the way it does, which can help us to model how society might respond to a change in variables. Empirical expectations are our expectations of what we think other people will do in particular circumstances. For example, A believes that if she *Φ*s, then B will *Ψ*. Normative expectations are one of the mechanisms that produce these empirical

[4] Psalm 51H/50G:16–17.

[5] Cristina Bicchieri, *The Grammar of Society: The Nature and Dynamics of Social Norms* (Cambridge: Cambridge University Press, 2006).

regularities. Perhaps it is the case that B *Ψ*s when A *Φ*s because B believes that A believes that B ought to do so, and B wants to satisfy what A believes is the good and right thing for B to do. If we want to make society more just, we will need to take note of such dynamics, as they affect whether our interventions or reforms will be effective (or indeed, if they will be negatively effective).

This way of bringing social science and moral philosophy together does so by observing the social mechanisms that hinge upon our moral sense: our beliefs and perceptions about morality. Many philosophers would want to reject this on the basis that beliefs and perceptions about morality can always be held up against the *truth* of morality and that truth is what philosophers are engaged in trying to discover, without distraction from fallible beliefs held by others out there in the world. Some might wish to say that what we see in Hume and Smith is *moral psychology* rather than *moral philosophy*. It would be typical in an elite ethics or political philosophy seminar for a presentation to begin with a hypothetical example of some interpersonal conflict, to prime our intuitions about how hypothetical people have behaved (whether it is blameworthy, a rights-violation, or what have you). Some logical inconsistency is then identified, and then an effort is made to *remake* our intuitions to make them consistent. That process would be like saying to someone that because they like cheese on pizza but not in other contexts, they *ought* either to stop eating pizza or to start enjoying cheese in other contexts. The primary mode of current moral philosophy is to make an *observation* and then work out what we think we *should* be observing. This may be appropriate for soul craft, but not statecraft. There is a relevance of moral psychology to *political normativity* that is just a matter of fact, where its relevance to ordinary normativity might be philosophically contestable. There are at least some things that are both (a) causal determinants of the consequences of our social actions and (b) beyond our control as social agents, even acting politically through the state. Moral psychology describes a realm of things falling within (a) and (b), and therefore needs to be taken note of in order for us to know how to connect our actions and interventions (guided by principles and theories) into just consequences.[6]

Schmidtz does not explicitly say that he is chiefly concerned with any distinctively *political* normativity. He does, however, make

[6] Note here that the institutionalization of deontic practices can be among those consequences; this does not presuppose substantive consequentialism.

reference to "social morality" (p. 52) and contrasts it to "personal morality" (p. 56), indicating that in social morality, the law of unintended consequences plays an even bigger role than it does in personal morality. In the realm of social morality, our actions and their consequences are mediated by other people's responses to them: "People decide for themselves. . . . [W]e typically do not choose outcomes in the way that we do choose actions" (p. 41). Their responses to our actions depend, inter alia, on their own moral sensibilities. Therefore, our moral compass must in some sense include or be indexed to theirs, whatever it may be. When we are concerned with how our moral action impacts and interacts with others in society, at perhaps an aggregated level based upon their moral beliefs, moral psychology becomes deeply important.

We can choose our own actions; in some social or political circumstances we might meaningfully imagine choosing institutions to adopt or playing a role in such a group choice. Whatever action or institution we choose, we cannot control how others will respond to the new set of constraints. Any institutional arrangement involves some scope for individual freedom of choice and thereby some variables beyond our control. Whatever we might want to *promote*, there is always something we must, of necessity, *respect* (p. 56).

If this is an accurate interpretation of what moral science is, then what it does is yield a picture of social technology: a set of opportunities for and constraints upon social improvements philosopher-kings might imagine constructing. The idea that we must *respect* people as choosers in order for our moral theories to be realistic might sound as if a commitment to liberalism is an implicit assumption of the project.

There are hints of what may be called "comprehensive liberalism" involved in the case for moral science, as Schmidtz seems to see it, which is a liberalism that identifies a substantial part of the human good with autonomous individual choice. It is not just good to live and let live because it reduces conflict. It is also good for individuals to get what they freely choose; indeed, it becomes choice-worthy by their choosing it. Schmidtz speaks of a relationship between diversity, vibrance, and social progress (p. 21), remarking that "[t]he ideal is everyone choosing for themselves" (p. 82). In his reconstruction of Smith's moral science (Chapter 13), Schmidtz argues that one of Smith's major insights about commercial society was that while the marketplace truncated the seriousness of our own moral failures, it presented ample new opportunities for it. The market offers

a huge volume of morally worthless forms of life, chiefly, conspicuous consumption or the accumulation of wealth for wealth's own sake.[7] More importantly, though, is that while we might be failing ourselves morally by consuming things we do not need or even that actively harm our souls, we do it in a way that is beneficial to others rather than costly to them. In order to obtain frivolities on the market, I must buy them from a producer; in order to accumulate wealth in the market, I must produce things people want (p. 109). However, unless some version of comprehensive liberalism is invoked, this cannot quite work. Why should we assume it benefits the producer to buy his baubles, if we are contending that the lining of one's pockets for one's own sake might be lamentable? Surely, the conclusion here is that the benefit of commercial society is that even when I consume that which is not good for me and horde wealth out of compulsion, at least I *do no harm* to others in the process. While they may be failing themselves as much as I, at least I force nothing upon them. It is far better to work a job that you hate so you can buy things you do not need than it is to be conquered, enslaved, or socially ostracized. But we ought not pretend that selling someone baubles necessarily benefits them.

If we were to assume comprehensive liberalism, then the importance of the fact that people choose for themselves becomes both trivial and irrelevant. We do not need to know *how* people might choose, if we take it for granted that whatever they choose is good for them. More often, Schmidtz invokes what might be called a merely "political liberalism," one of lowering the stakes of politics, of making social life a positive-sum game (or, as I would prefer to say, a *possibly-positive-sum game*) of peaceful coexistence. Chapter 3, for example, articulates justice as a system of "traffic management" in contrast to converging journeys. From the perspective of political liberalism, moral science is *useful*; it can tell us how to work around differences. We do not need to say that other people are *right* to think that "*Φ*-ing in *C* is just" in order for the fact of their belief that "*Φ*-ing in *C* is just" to affect what counts as just for us when interacting with them or designing institutions to share with them. Nor do we need to suspend our comprehensive moral commitments, whatever they are. The moral sensibilities of others give us crucial information on how to realize what is good or right in a social context in which people disagree.

There is a difference between respecting people as choosers and therefore trusting that they are making good choices, and

[7] Schmidtz poignantly notes here that this is not a problem of people wanting too much, but of settling for too little (p. 100).

respecting people as choosers and *accepting* that they will choose as they please. Political liberalism, I suggest, only requires the second. Schmidtz notes that while political conflict is often taken to be the basic philosophical problem to be solved by liberal ideal theorists, it is at least as much the case that philosophical conflict is the basic political problem (p. 221). Understanding how our different philosophies manifest themselves is a scientific prerequisite for enacting our own philosophy. Social morality, then, appears to be at least akin to political normativity. It is not imminently the realm of our moral flourishing among others; rather, it is that realm of normativity in which we participate as a means to securing the existence of any social environment in which we might flourish. Peace is not *more important* than justice, but *just is* prior to it. Unless and until we work out how to achieve peace, we cannot establish a system of justice (p. 25). Social morality, as a peace-making mode of conduct, is a necessary condition for our social flourishing, even if that flourishing is not constituted (exclusively) by it (p. 55 n. 3). What Schmidtz demonstrates is that a lot of peace-making involves trade-making and choice-respecting, as a matter of observable fact.

Schmidtz offers a solid set of descriptions of the social conditions for moral flourishing, most fundamentally the "right to say no" and, by extension, permissionless innovation, an impersonal system of property rights, commerce, and a transparent approach to trade-offs in public policy. Such is the necessary social technology from which we might bring forth any meaningful notion of justice or of social progress. A second-order question for moral science is how the social conditions are, in turn, politically sustained.[8] How do we develop them when they are not already there? What is the moral psychology of powerful elites in nondemocratic, illiberal regimes and how can this be used for positive steps toward institutionalizing the conditions of social flourishing? To what extent are the ways in which such actors responding to the incentives they face—based on their expectations of social opprobrium—to be respected (normatively or positively)? We have seen what moral psychology can do for social morality and that we must not destroy peace in pursuit of justice. Perhaps the next questions are: What can moral psychology do for a program of political development? How can we build peace from violent chaos, given that the liberal experience is yet to be universal? If

[8] Schmidtz touches on these issues in his discussions of corruption (Chapter 14) and rule of law (Chapter 15).

a precondition of trust between citizens is trust between political elites, how might that picture differ?