Beleaguered Rulers: The Public Obligation of the Professional
William F. May

William F. May has had an extensive career as an ethicist, holding various prominent positions, including, president of the American Academy of Religion, founding director of the Maguire Center, founding fellow of the Hastings Center and member of the ethical foundations subcommittee of the Clinton Task Force on National Health Care Reform. Currently, in addition to holding the title of Maguire Professor of Ethics Emeritus at Southern Methodist University, he serves on the President’s Council on Bioethics. As a member of the Council, he recently voted in favor of allowing the creation and destruction of cloned human embryos for research. This will come as no surprise to readers of Beleaguered Rulers, as May’s consequentialist approach to ethics does not admit of moral absolutes or exceptionless moral norms (181).

In the book under review, May intends to “explore the varied links between the professions and civic responsibility in America” (9). His thesis: “Since professionals perceive themselves as marginal and beleaguered, public servants, they tend to overlook their duties as public servants…” (6).

In any analysis of ethics and economics, one cannot ignore, for instance, the decisive critique of Hume’s empiricism, or “psychologism” in Husserl’s classic, *Logische Untersuchungen* (1900–1901), which launched the phenomenological movement. The penetrating critique of the neopositivism of the Vienna Circle, by the two “dissidents,” Wittgenstein and Popper, should not be overlooked either.

Of course, as Kierkegaard—and Aquinas, Scotus, Leibniz, and Pascal before him—highlighted so brightly, we have to be fully submerged in existential reality: away from “essentialism,” but focusing exclusively on the changeable and becoming blind to the permanent and arbitrary reduction of human experience. A proper dose of empiricism is always healthy, as Kant acknowledged when, as he said, on reading Hume he was “awakened from his dogmatic slumber.” But as Shakespeare put it in *Hamlet* (Act 1), “There are more things in heaven and earth, Horatio, than are dreamt of in your philosophy.” And again (in Act 3): “To be or not to be” (metaphysics!), “that is the question.”

There are such things as permanent, objective, and “abstract” values, acknowledged even by Einstein. They are metaempirical but nonetheless real: in fact, more real than mere sensible impressions, and present in the immortal works of the human spirit through the ages, both in the arts and in the physical sciences. These are not just high-sounding words but facts of history, thoroughly discussed by Max Scheler and other axiologists.

The trouble with a “social science” that aspires to be “real science” is that it falls between the two shoals of, on the one hand, eliciting the scorn of mathematical physics for not being able to assimilate the imponderable factors of human life and human society, and, on the other, showing its vulnerability to a critique by a personalist, metaphysical perspective that refuses to accept a reductionist confinement of human experience to what is quantifiable, overlooking what is qualifiable, or reducing the latter to a matter of subjective tastes or preferences.

On the other hand, the American Declaration of Independence proclaims “self-evident” truths, not simply subjective opinions or majority preferences. And these truths are expressed in human rights, inalienable, certain, and given by the Creator: life, liberty, and the pursuit of happiness—liberty under the rule of reason and law.

Economists need an exposure to the whole history of philosophy, not just to the empiricist tradition, so as to avoid a one-sided view of the connection of ethics and economics. By focusing on the human person, both existentially and essentially, one can discern the metaphysical ground of social ethics.

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that the clinical portion of medical education is referred to in many medical schools as the “cynicals” (271).

Another virtue of this book is May’s consideration of professional ethics within the context of religious faith. In spite of the fact that the vast majority of Americans describe themselves as “religious,” most contemporary texts on professional ethics typically treat Christian moral principles briefly, if they are mentioned at all, in a historical section and then move on to something more “objective.” In contrast, May believes that Christian sacramental theology and Old Testament exegesis are relevant to, among other things, considerations of engineering ethics (109). In another place, after describing the theological debate over the significance of our being created in the image of God, he then illuminates the relevance of that debate to business ethics and corporate governance (144). It is as rare, as it is enjoyable, to find a chapter on business ethics that illustrates a point by referring to Balaam’s ass from the Bible’s Book of Numbers (158).

In my opinion, although the above strengths predominate, a few weaknesses run through this work. First, while the text excels at paying attention to the social implications of professional conduct, it only pays minimal attention to the well-being of professionals themselves. Professionals are almost exclusively considered as instrumental means to social goods. A virtue, a disposition to action, is an element of a person’s character. While others certainly benefit from a professional’s mastery of various virtues, the main beneficiary is the professional himself or herself. The professional who is honest, truthful, or concerned with the common good is, according to Aristotle, that much better a person and thus, that much better a professional.

Second, the book displays a consistent distrust toward corporations, market forces, and individual self-interest while, in my opinion, underestimating the risk to the professions from governmental regulation. In repeatedly recommending regulation as a solution to perceived defects in the professions, May is advocating a cure that most professionals find worse than the disease (272). Self-regulation, at least in significant part, is an essential characteristic of the professions. The greater the legal regulation of a profession, the greater role that lawyers play in governing that profession. For example, when medical students graduate today, they frequently take a modified version of the Hippocratic Oath that includes the promise to “give no medicine that is illegal.” In doing this, doctors give, unknowingly, to be sure, their obeisance to lawyers.

May repeatedly suggests that market-based incentives for giving clients what they want are corrupting. As an alternative, he promotes paternalism as an ethical mandate that requires “professionals [to] address the deeper needs of their clients and patients and not just [the clients’] marketplace wants and desires” (10, 38). In saying this, it seems to me that he gives too little responsibility or credit to the clients and places a frightening amount of power in the hands of professionals. I want my doctor to follow my express wishes, not his or her judgment of my “deeper needs.”

—Nicholas C. Lund-Molfese

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Ethics, Economics, and Freedom: The Failure of Consequentialist Social Welfare Theory
Timothy P. Roth
Aldershot, United Kingdom and Brookfield, Vermont: Ashgate Publishing, 1999 (111 pages with bibliography and index)

Timothy Roth’s volume, Ethics, Economics, and Freedom, addresses the behavioral assumptions, internal consistency, and ultimately, the failure of social welfare theory, which has come to be important in economic debates over what constitutes good social policy and institutional objectives. This is a book for the specialist, written in predominantly academic language. It is not an easy read and is not likely accessible for the reader who does not have some formal background in economics or political philosophy. It is more for the academic economist or political philosopher who does foundational work that undergirds public policy. Here, the book is very helpful in identifying the logical flaws in both the economics and the ethics of the prevailing social welfare theory.

Chapter 1 provides the overall outline and thesis of the book. Roth argues that social welfare theory is based on neoclassical economics with its efficiency standard assumed to be value-free. He rightly points out that it is anything but. Rather, it has strong consequentialist moral philosophy at its heart and, thus, has a value system undergirding it. Once this is brought into the open, social welfare theory can be more fully analyzed and critiqued. As an alternative, Roth suggests more of a contractarian approach in which there is space for rights and their corresponding obligations, ethical behavior, and justice.

Perhaps the most helpful part of the book is the initial material, in which Roth insightfully points out that the behavioral assumptions underlying neoclassical economics are inadequate. A human being is clearly more than a *homo economicus* who atomistically and autonomously acts to maximize self-interest. Roth insists, correctly so, that this view of a human being ignores the multifaceted range of constraints that govern pursuit of self-interest. Chief among these are ethical norms that restrain opportunistic pursuit of self-interest and provide a substantial benefit to the economy—minimizing of transaction costs. This is a critical point for the market system and one for which Adam Smith’s contribution has been forgotten—that trust among the participants in the economic system is essential in keeping transaction costs down, and when trust breaks down, the costs of doing business increase due to both internal problems such as oversight within a firm, and external factors such as increasing regulation and litigation. As Roth puts it, “respect for rights and correlative duties and trust as the essential lubricants of an increasingly impersonal market economy” (12). This is why, for example, the response to the recent plethora of accounting scandals has called for a renewal of trust between corporations and investors. The suggestion that trust has broken down is rightly considered a serious one. Roth maintains that “It is clear that