

Review of Jason Brennan and Peter M. Jaworski's *Markets without limits: moral virtues and commercial interests*. New York: Routledge, 2016, 239 pp.

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Recently, ethical analysis of markets has taken a new direction. The current focus can be called the 'commodification debate'. This commodification debate concerns what should or should not be bought and sold. These arguments have direct implications for the scope of markets: if something cannot morally be for sale, then a market for that item is impermissible. 'Anti-commodification theorists' such as Elizabeth Anderson and Michael Sandel argue that there are particular things that ought not be commodified. For example, Elizabeth Anderson argues that commercial surrogacy is an illegitimate form of exchange (Anderson 1990, 71). Michael Sandel's (2013) book, *What money can't buy: the moral limits of markets*, provides further examples.

Jason Brennan and Peter Jaworski's recent book, *Markets without limits: moral virtues and commercial interests* insightfully and systematically critiques anti-commodification theories. The authors argue that whatever may be done for free can be permissibly commodified. One of the book's many virtues involves subjecting this intuition to rigorous analytical critique. Its contribution to the current literatures is so significant that one should not enter into the debate without addressing it.

The authors' central claim is "if you can do it for free, you can do it for money". If you can ethically donate an organ for free, you can ethically sell it for money, if you may provide sex for free, you may provide sex for money, and so on; conversely, anything that is immoral for free, such as murder, would also be immoral for money. The objections that most people have to markets are rarely regarding the actual exchange of money, but the circumstances in which the

transaction is made; objections to selling dogs for dog fighting are not actually about exchanging dogs for money, which would be perfectly moral at a pet store, but to dog fighting itself. Thus Brennan and Jaworski fully acknowledge that commodification can *incidentally* cause exploitation, rights violations, corruption, and so forth, but it does not *essentially* cause them. Importantly, the categories above exhaust the moral framework the authors use to evaluate a market exchange. In other words, if a market transaction does not exploit, harm, corrupt, or result in rights violations, then it is permissible. Limiting their arguments to these categories of wrongs is an important philosophical strategy that the authors employ. The authors frame their arguments relying only on widespread moral intuitions and avoiding controversial political theory. Brennan and Jaworski's overall strategy is to first articulate the anti-commodification theorists' objections to the best of their abilities, then refute them. One of the book's strengths is the justice it does to its opponents' arguments. At all times, it portrays its adversaries fairly and insightfully. By responding to each argument and describing how each controversial market could be tweaked (thus showcasing that said market is only *incidentally* and not *essentially* harmful), their thesis is defended.

Also important is Brennan and Jaworski's claim that the concept of a market ought not be restricted to common examples. They note that there are markets that use barter instead of currency, some markets involve government regulation, others may mediate exchange through a broker, etc. This qualification is important to the argument: Brennan and Jaworski's claim is not that anything can be for sale on any market; rather, anything that it is permissible to do for free may be legitimately exchanged on at least one type of market. The concept of market "dials" are introduced as a metaphor to explain these variations. These seven dials include participants, means of exchange, price, proportion/distribution, mode of exchange, mode of payment, and motive of exchange, and can conceivably be tweaked in any market to satisfy the objections of anti-commodification theorists. When the dials are changed, then certain harms, rights violations, forms of corruption, and exploitation may also be removed. This is an excellent demonstration of the authors' general process for dismantling each anti-commodification objection.

First, the authors select a market which is well-known for being rife with exploitation, notably the sex industry. Many people take issue with

this market, and for good reason. Prostitutes are often beaten, raped, enslaved, or unwillingly pressured by their financial situation into providing sex for money. The authors fully agree that such incidents are exploitative, but not inherently: imagine a prostitute who actively makes their own decision to enter sex work because they enjoy the sex and the pay. This hypothetical prostitute has opportunities for other employment, is not addicted, has not been beaten or enslaved, and finds sex work both pleasurable and personally fulfilling. In this scenario, no exploitation is taking place, and any sex that occurs between the prostitute and their clients stands within a symbiotic agreement between consenting adults.

In the same way, Brennan and Jaworski posit that similar exploitation objections have not to do with the actual exchange of money (or other forms of exchange) for goods or services, but with extraneous properties. By tweaking the market's dials, a situation will certainly arise in which exploitation/corruption/immorality does not occur. It is therefore possible that the exchange can occur sans exploitation, proving that the exploitation is not inherent to the market and in no way that market's product or responsibility. Thus the exploitation objection is defeated, and Brennan and Jaworski's thesis is defended. They continue in the same way throughout the book, working through the "immoral preference objection", the "crowding out objection", and the "selfishness objection", among others, by presenting them in their best iterations and then refuting them (often with their dials as a tool).

These arguments are not designed to be a purely theoretical enterprise. As Brennan and Jaworski put it, "After all, suppose a certain market could, in principle, be permissible, but only under highly fantastic conditions. If so, our thesis would remain intact, but would be significantly less interesting" (p. 41). Their acknowledgement of this worry is well founded. If a vote selling market avoids rights violations only when the market is so precisely constructed that it is unlikely to ever come about, then all that is shown is that there is a possible market where vote selling is permissible, and any actual vote selling market would be wrong. The emphasis on expanding actual markets by critiquing anti-commodification theorist's arguments has a practical aim. For example, they claim that these arguments matter to those waiting for kidneys. If people's repugnance toward an organ market is unfounded and providing such a market would result in a great good,

then there are strong reasons to create a market for kidneys. The twofold aim of showing that limits to commodification are wrongheaded and arguing in favor of the expansion of markets goes hand in hand. This second aim, that is, expanding markets into vote selling, sexual service, kidney exchange, and baby buying, is where we find their arguments much less compelling.

The difficulty is that the authors have not shown that there is a policy proposal that could create a market that would assuage all the worries of the anti-commodification theorist. It may be true that one moral evil, say rights violations, could be fixed by fine-tuning one feature of a market. However, it does not follow that there is a policy that could modify all the market dials in such a way as to avoid the array of moral concerns that motivate the anti-commodification theorists. The challenge for Brennan and Jaworski is made more difficult if we assume that the market dials are interdependent. For example, if kidneys are sold at a price determined by supply and demand, then those who are willing and able to pay will purchase kidneys, thus eliminating the shortage. One worry that an anti-commodification theorist might point to would be that this form of market would only give kidneys to those with greater income/wealth. An anti-commodification theorist may object that the allocation mechanism of this market is unjust. One possible way to solve this issue would be to overcome this problem would be to change the means of exchange. A famous example of this type of market was the ration cards given by governments during WWII (Goodwin et al., 107). Notice that we solved one difficulty caused by one market dial by turning another one. This example is not meant to show that all such markets are doomed to fail or that markets can't be fine-tuned to avoid these problems. Rather, the interdependence of market features makes the task of arguing for these types of markets more difficult. The argument that actual markets could have moral goods while avoiding moral evils needs further support.

As a whole, *Markets without limits* is an insightful book defending commodification, and will no doubt be cited for years to come in regards to the anti-commodification debate. The authors present each anti-commodification objection justly, impartially, and thoroughly. Their responses are exceptionally coherent, clear, and concise (often even with a sprinkling of humor!). Although there are most certainly objections to be raised about the relevance of trivial possible market scenarios to the reality of actual markets, *Markets without limits* is a skillful defense of

commodification, set forth in a manner that is accessible to veteran philosophers and novices and students alike.

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