

SLAVERY AND COMMODIFICATION: The Case Against Market Socialism

No contract is valid in which human persons, willingly or unwillingly, are dealt with as commodities, because such contracts of necessity defeat the end for which alone society enforces contracts at all.

—Green [1986] 201

Introduction

THE TRAIN OF THOUGHT behind recent enthusiasm for market socialism seems this. Developments in the former Soviet Union and in Eastern Europe have shown that centralized command economies are unworkable: they are inefficient, unable to provide for growth and prosperity, incur significant costs in data collection and analysis, and support a bureaucratic élite that makes a mockery of the ideal of workers' rule. The growth and success of market economies, especially during the period of intensive deregulation and privatization, suggest an attractive alternative. Why not use market competition to set prices and regulate exchange while adopting socialist policies to regulate and limit their effects? Markets might well coexist with the abolition of private ownership of the means of production, replaced by workers' cooperatives, state ownership, or public corporations. Distributive mechanisms could curb the unwanted side-effects of market competition, such as waste or inequities, by profit-sharing across the economy, the abolition or subsidy of labor markets, or setting limits to individual accumulation of wealth. Certain 'welfare goods'—goods thought to make essential contributions to individual well-being, such as health care, education, or housing—might be removed from the sphere of market exchange to guarantee each person an initial equality of opportunity. These measures could be combined with a restructuring of political institutions to permit greater access and power to those who are currently disenfranchised, laying the foundations for a more extensive conception of democracy than that provided today. Furthermore, there are benefits associated with markets apart from their purely economic virtues (such as the efficient and optimal allocation of goods), namely freedom and independence: competition and the law of supply and demand jointly guarantee a variety of choices among similar goods for the individual, who is not constrained to any one of them—or to any of them at all, as opposed to choosing another good entirely. Market socialism therefore has the best of both worlds. The presence of markets sets it apart from traditional communist states and keeps it from repeating

their failures. The social policy regulating the market sets it apart from traditional capitalist states and keeps it from committing their excesses. Market socialism is the last, best hope of the left. The only remaining issue concerns which of the several proposed forms of market socialism to put into practice.

Much could be said to this line of reasoning. On the one hand, its factual premises are at best controversial, at worse simply false. Markets in the real world do not succeed in the efficient and optimal allocation of goods. All too often the invisible hand is replaced by direct state intervention (the visible foot), kicking a moribund market-based economy into brief periods of limited growth. Nor is the resulting distribution optimal, but characterized by waste, inefficiency, and an inability to deliver on welfare goods (among others).¹ On the other hand, the argument above blurs several relevant distinctions. It is bad politics and worse logic to infer from recent events in the former Soviet Union and in Eastern Europe that the problem must lie in the centralized command structure of their economies. It is at least as likely that the single-party dictatorships running these nations were at fault—through mismanagement, or through the creation of worker alienation so great as to paralyze their economies, or through economic pressures and distorted planning caused by a disastrous military and nationalist competition with western countries.² Equally, the move from abolishing private ownership of the means of production to endorsing workers' cooperatives (or state ownership or public corporations) needs to be carefully examined. The emphasis on the number of owners involved—'private' versus 'collective' ownership—suggests that socialism is distinctive in that ownership is collective. Yet the privateness of private property has nothing to do with possession by a single individual. If it did, multiple ownership of private property would be impossible, which is not so: families, partnerships, cooperatives, companies, corporations, and other multiple subjects can and do possess private property. If property can be private while being possessed by several individuals, multiple ownership, even in workers' cooperatives, does not mark out a distinctive feature of socialism.

¹ See Philip Gasper's contribution to this anthology for detailed criticism of market socialism along these lines.

² Even if centralized planning were the culprit, further argument is needed to rule out decentralized planning; see Milton Fisk's contribution to this anthology. It might be said that the political structure of these countries (dictatorial single-party rule) flows naturally from the demands of centralized planning. That may well be. But such a claim has to be proved, not merely asserted. And it is at least as likely that market economies naturally generate ruling élites.

Yet there is a more fundamental issue at stake. The line of reasoning in support of market socialism given above, apart from its brief nod in the direction of Friedmanesque freedoms, takes the market to be a neutral means toward realizing a predetermined end: the attainment of non-moral goods (such as economic efficiency) that contribute to our well-being, limited by socialist principles that are independently taken to be desirable. It is this fundamental assumption I want to question. For it is possible to formulate a cogent case against market socialism on moral grounds, I believe. The market is not a morally neutral means that derives whatever value it has solely from its instrumental role. On the contrary: the institutionalization of markets, as I shall argue, carries significant negative moral weight, because markets are objectionable by their very nature. This claim, I hold, can be established by appealing to nothing more than ordinary moral standards that are widely shared and, to that extent, not in question.

We can therefore put aside the socialist principles that are meant to regulate markets and focus only on the nature of the proposed markets themselves, to see whether they are morally objectionable. Consider three proposals for market socialism, each currently in circulation, taking only their position on markets into account: the first permits an unrestricted use of markets in all goods to set prices competitively, including labor markets; the second prohibits labor markets but permits markets in all other goods; the third prohibits markets in welfare goods but permits markets in all other goods. I shall argue against the use of each kind of market put forward in each proposal. In §1 I try to isolate the morally objectionable features of slavery; the account proposed here will be used in developing the notion of ‘commodification’ in the succeeding sections. In §2, I argue that there is no moral distinction between slave markets and labor markets, and that workers under capitalism are in all relevant respects like slaves. In §3, I argue that markets in welfare goods are morally objectionable because they devalue human lives. In §4, I consider markets in luxury goods, arguing that production for exchange under market socialism is unacceptable, since it makes of people no more than mere consumption machines. By way of conclusion I offer some remarks about the possibility of structuring production directly for need.

The ordinary moral standard with which I shall begin is the claim that slavery is at least deeply objectionable by its very nature, much the way that killing the innocent is objectionable, only more so: while some nightmare circumstances might lead us to condone an isolated act of killing the innocent for the sake of some realizing some immensely greater good, it is hard to imagine circumstances so horrendous and widespread that they

justify adopting slavery as a social institution. (It isn't hard to imagine circumstances that lead to adopting slavery as an institution, but justifying it is another matter.) If not an absolute condemnation of slavery, this is close to it.³ There is a common, though not universal, consensus against slavery, and it is today as uncontroversial a moral judgment as can be found.

1. The Case Against Slavery

This is surprising for two reasons. First, the wholesale condemnation of slavery is recent. Slavery has been endorsed and put into practice far more often than not; the slave systems of classical antiquity and modern racially-based slavery are two familiar examples. Most slaveholders, and at least some slaves, endorsed slavery as an institution.⁴ The modern moral sentiment against slavery is remarkably uniform given its short history. Second, there is no consensus on why slavery is deeply objectionable, only that it is. The situation does not improve if we turn from the ordinary person to the intellectuals. Most philosophers have given arguments in support of slavery rather than the reverse.⁵ The few who have spoken out against slavery give plainly inadequate reasons—Kant and Mill, for example, argue that slav-

³ More exactly, it isn't necessary to reject consequentialist appeals to think that some action or institution carries significant negative moral weight. The consequentialist takes killing the innocent seriously, but thinks that there are circumstances in which its negative value can be outweighed by the positive benefits that flow from it. The same position can be taken in regard to slavery, with the twist that slavery is by its nature institutional, and so immediately moves the debate to the level of rules and policies. That said, it is hard to imagine a realistic scenario for the consequentialist in which slavery appears to be an acceptable institution.

⁴ There is ample evidence that slave-revolts in classical antiquity (such as in the Servile Wars) were designed not to abolish slavery but to gain free status for the enslaved, who could then become slaveholders. This was not a possibility for racially-based slavery. This difference may explain why modern slave revolts are fought as wars of liberation rather than limited rebellion.

⁵ The most common pro-slavery argument derives from Aristotle (*Politics* 1.5 1254^a34–1255^a2), combining a metaphysical premise with paternalism. Some individuals are identified as 'natural slaves' on the grounds that their deliberative rationality is impaired, who therefore are not fit to manage their affairs properly; hence it is in their best interests, as well as in the interests of the 'natural master' (one equipped with a full share of deliberative rationality), that their lives be controlled (1255^b13–14). Thus slavery is a natural institution beneficial to master and slave alike. There are many variations on this basic argument. For example, the appeal to deliberative rationality may be put aside in favor of a direct command from God, itself not further explained, establishing a natural hierarchy on a supernatural basis. (There are justifications of slavery that appeal to authority rather than argument, especially scriptural authority, that we need not go into here: see Fletcher [1852] for a typical specimen.) Or

ery is impermissible because it violates the presuppositions of free contract; why such a violation should be impermissible is not explained, and neither suggests that there is anything worse about slavery than merely being a bad bargain.⁶ Yet this is all they have to say on the matter.

some other feature than deliberative rationality is at issue—having a soul, for example, was the definitive criterion applied to Native Americans. Another twist on the basic argument is to hold that individuals lacking the relevant characteristic can be identified by some other characteristic they all share. Thus it turns out that women in general have underdeveloped deliberative rationality, or that blacks do, providing a moral justification for sexism and racism. Proslavery intellectuals such as Alfred Taylor Bledsoe and Thomas R. R. Cobb relied heavily on this form of the Aristotelian argument: see Oakes [1990] for a discussion. In the antebellum U.S. South, a new pro-slavery argument is developed to take its place alongside its Aristotelian and religious counterparts: the life of a slave is far better than the life of a ‘free laborer’ under capitalism! (See Fitzhugh [1854] for a powerful statement of this indigenous pro-slavery critique of capitalism, and Glickstein [1979] for some of the Abolitionist responses.) They were half right: workers under capitalism are no better off than slaves. I shall return to this point at length in §2.

⁶ Kant [1798] III §30 Akad. 283 (see also Akad. 330); Mill [1859] Chapter 5. Their arguments are worse than I have made them out to be. Kant’s case is particularly egregious since he readily allows a woman to trade her full obedience and domestic labor to a man in return for sustenance—a fine contract, Kant thinks, without any of the problems that beset slavery. (See Elizabeth Anderson’s contribution to this anthology.) Kant also sees no difficulty about criminals being slaves. The problem, in his eyes, has to do with becoming a slave by consent, which he holds cannot be done. Kant’s argument against selling oneself into slavery is that one would thereby “cease to be a person” and thus no longer stand under any moral obligation, in particular the moral obligation to abide by the agreement to remain a slave. But there is nothing morally objectionable in the condition of being a slave, according to Kant; this is the proper treatment of criminals, who have already forfeited their personality. Mill vacillates between the claim that selling oneself into slavery is self-defeating since it violates a necessary condition of freely undertaking contractual obligations and the claim that there would never be a good motive to do so since he could never secure his good by future actions. Both claims need justification: why are actions ‘self-defeating’ in this rarefied sense impermissible? How can Mill the consequentialist say that it is never sensible to sell oneself into slavery, that it must always be a terminally bad bargain? (Bentham [1789] Chapter XVI.xliii explicitly allows this possibility.) Mill’s confusion is all the more remarkable since he provides us with tools to explain what is wrong with slavery which he does not use, namely that slavery by its nature interferes with the kind of individual self-development and self-fulfillment Mill takes to be “one of the elements of well-being.” T. H. Green is a remarkable exception on this score, as on many others (see Norman [1987] Chapter 2). Green [1986] §§138–140 offers a complex argument against slavery that takes the recognition of the slave as an independent self implicit in the master’s commands to the slave to be grounds for a system of rights possessed by slaves that are contrary to their enslaved condition. Yet he immediately tempers this conclusion by arguing that the free citizen still ought to

We can isolate the source of the common judgement that slavery is deeply objectionable due to its very nature by considering two models of slaveholding societies that are mirror-inverses: nightmare slavery and welfare slavery. The discussion of these cases will give us the clues to construct an account of what is wrong with slavery.⁷ This account can then be applied to the question of the legitimacy of market exchange, distinguished by the types of markets involved, and to the general enterprise of market socialism.

1.1 Nightmare Slavery (The Simon Legree Case)

Consider a society in which slaveholders are free to mistreat slaves—where slaves are beaten to death or tortured for any reason and even for no reason at all; where slaves are subject to rape and sexual violation; where the basic needs of slaves are not met, so that they are malnourished, ill-clothed, and poorly protected from the weather; where commands are absolute and obedience must be immediate; where the slave is subject to the iron whim of the master.

Most of us, I hope, shudder in horror at the conditions sketchily described here. The image of a semistarved, mistreated slave is a powerful one that arouses moral outrage. The slaves have been brutally treated, and their owners brutalized in dealing with them in this way. Surely, we might say, simple humanity dictates better treatment for the slave than this!

Powerful as this response is, it does not isolate any specific morally objectionable feature of slavery. One way to see this is by noting that we have the same response of moral outrage to prisoners of war treated in the nightmarish fashion described above. The horrors of rape and sexual violation, for example, are specific to the acts of rape and sexual violation: they are horrors wherever they occur, be the victims slaves, prisoners, or free. So too with death, torture, and physical abuse, perhaps made even worse by being handed out at whim. These are horrors. But there is nothing in these horrors that is specific to slavery.

Two objections might be raised to this conclusion. First, it might be said that the dependence of the slave on the master does magnify these

observe the laws regarding slavery so long as they remain on the books (§§143–147).

⁷ There are special moral concerns related to questions of fact that can be raised about slavery. For example, if we grant that racially-based slavery was founded on a mistaken factual belief about the enslaved races, to what extent are the slaveholders culpable for their epistemic failure? Ought we to excuse the slaveholders if it would have been impossible to correct their mistake? difficult? inconvenient? against prevailing orthodoxy? against prevailing fashions? and so on. However, the issue here is not the culpability of the slaveholder but rather what makes slavery as such morally objectionable. Therefore, I set all such questions as these aside.

horrors, and that this feature is specific to slavery. Second, it might be said that the institution of slavery makes such horrors more likely to occur. An intrinsic connection is not needed for this; causal connections are sufficient. For example, there is no intrinsic connection between the speed limit (or the drinking age) and the number of highway fatalities, but there is undeniably a causal link between them. So too with the horrors brought about by slavery. The causal link is enough to condemn it. After all, we cannot approve of a social institution that increases the likelihood that moral horrors take place.

Regarding the first objection: the fact that the victims of these horrors are slaves who are solely dependent on their masters does, I think, magnify the horrors. Yet this too is not intrinsic to slavery. It is a consequence of the view that special responsibilities attach to being the sole support of dependent individuals, and special care has to be exercised in dealing with these dependents. The same view comes into play in cases of child abuse. Although beating a child is morally objectionable, and it is made worse by the child's sole dependence on the parent, these facts do not entail that being the parent of a child is morally objectionable. So too with slavery. Even if moral horrors occur due to, and are magnified by, the victims' dependency, these facts do not entail that slavery is morally objectionable as such.

Regarding the second objection: even if we grant the principle that institutions with causally objectionable effects ought to be prohibited—a controversial claim at the very least—and further that the institution of slavery causes the sorts of horrors described above, at best we are left with a partial explanation.⁸ The moral condemnation of slavery does not take slavery to be a morally neutral institution that gets a negative value from its instrumental role in bringing about objectionable effects. It can be condemned on

⁸ Both the causal connection and the principle are controversial. There seems to be no more reason for slavery to generate these horrors than, say, prisoner-of-war camps, and in addition there is a powerful incentive for the slaveholder to avoid such horrors, namely the fact that the slave is a valuable piece of property. We might reasonably expect slave abuse to occur on a more limited scale than the abuse of farm animals involved in productive labor, such as draught animals—and this is comparatively rare. (Farm animals raised as food or as food-producers are routinely abused, but this case is dissimilar: slaves are not typically owned purely for breeding purposes, and certainly not as food.) The principle has come in for much criticism in the debates over anti-pornography legislation. Yet it seems clear that the mere fact that a social institution lends itself to abuse is not sufficient to prohibit it. The modern nuclear family lends itself to child abuse, but this is not grounds for doing away with it. (There may be other grounds for doing away with it.) Instead, this is grounds for limiting the rights of certain individuals to participate in the institution. If the causal link and the dubious principle be granted, the argument presented in the text goes through; if either be denied, so much the better for my case.

those grounds, to be sure, but the condemnation goes beyond those grounds. The objectionable effects add to the condemnation rather than providing its content. The fact that slavery is objectionable even when none of the above horrors occurs supports this contention. An account of why slavery is morally objectionable that refers only to its causal or instrumental role in bringing about other moral horrors cannot tell us anything specific about slavery.

We may conclude, then, that the horrors of nightmare slavery are not sufficient to explain what is deeply objectionable about slavery. Its morally objectionable features are extrinsic to the nature of slavery as a social institution.

1.2 Welfare Slavery

Consider a society the inverse of the preceding one, a society in which slaveholders are restricted in their treatment of slaves. Let there be a ‘Slave Bill of Rights’ that sets forth the rights the slave possesses. In this society there is no punishment of a slave without due process; family integrity must be respected; slaves can own limited amounts of property; medical care, food, shelter, clothing, and the like, must be provided to slaves; working hours are limited; slaves can formally register complaints against masters that are examined by an impartial Board of Inquiry; and so on—a cross between the U.S. Bill of Rights (applicable to full citizens) and various ‘humane-treatment’ laws (applicable to animals). This is a system of slavery in which the welfare of the slave is protected and safeguarded by the force of law. It is as good as slavery gets.

Most of us, I hope, find this a better system than most actual forms of slavery that have existed, and thus far better than nightmare slavery. The insistence on the slave’s welfare treats the slave with all due respect, bearing in mind the slave’s subordinate status.⁹ Slaves under this system might like it, and prefer it to being free workers without guaranteed welfare. This possibility raises a question: what, if anything, is objectionable about consensual slavery? (Assuming the slaves enter it freely, in full knowledge, by

⁹ It seems to be generally held among modern Kantians that respect is incompatible with anything less than full mutual recognition of equal status. Why think so? Regardless of its use as a technical term, ‘respect’ was coined to describe the proper attitude towards superiors in a hierarchy. I suspect the modern Kantians have been led astray by Kant’s insistence that respect is due to someone as a member of the kingdom of ends. Each member of the kingdom of ends, according to Kant, is equally a moral agent and therefore cannot be used as a mere means. But this account presupposes equality rather than justifying it, and so begs the question about subordination and superordination.

their choice, and so on—the standard assumptions for any legitimate contract.) The contract-based argument common to Kant and Mill, mentioned at the beginning of this section, turns on the idea that freedom is somehow inalienable. There is no good reason to think so: we give up our freedom whenever we accept a job, enter a loving relation with another, or agree to abide by the laws of our country. There need not be anything impermissible in these activities. Why should consensual slavery be any different? Given the positive benefits of welfare slavery, why should it suffer any moral condemnation?¹⁰

The answer is not far to seek. Just as the horrors associated with nightmare slavery turned out to be objectionable independent of any specific feature of slavery, by the selfsame argument the benefits associated with welfare slavery are worthy of pursuit independent of any specific feature of slavery. The slaves under welfare slavery remain slaves despite the benefits that are conferred on them. A prison in which the prisoners were treated in the fashion in which the slaves are treated under welfare slavery also might be thought to be an attractive bargain. This shows that the positive benefits that come with welfare slavery are goods wherever they occur, be the beneficiaries slaves, prisoners, or free citizens. Such benefits therefore do not affect the morally objectionable features of slavery. Whatever is objectionable in slavery remains objectionable in welfare slavery.¹¹ This gives us an important clue: the conditions of the slave's life are *irrelevant* to the moral condemnation of slavery.

It might be said that although the benefits of welfare slavery do not alter its morally objectionable features, perhaps they outweigh it: the advantages conferred by the system of benefits are greater than the disadvantages of slave status. (This is the bargain Kant and Mill did not permit.) Consensual slavery could be founded on this kind of cost-benefit analysis. To point out the independence of the objectionable features of slavery from the benefits associated with it is not to say that welfare slavery should not be chosen

¹⁰ In an interesting twist, Ruffin [1853] 82–85 argues that welfare slavery is the realization of socialist ideals. After a discussion of how communal slavery is the ideal “association of labor,” Ruffin describes the benefits that typically go with household slaves, and writes in conclusion: “Thus, in the institution of domestic slavery, and in that only, are most completely realized the dreams and sanguine hopes of the socialist school of philanthropists.”

¹¹ Other things being equal, it is of course better to be a slave under welfare slavery than under nightmare slavery. This is compatible with the claim that welfare slavery and nightmare slavery are the same *qua* slave status. The choice between the two is not grounded on any such purported difference, but on the fact that it is better to be surrounded with additional benefits rather than additional horrors.

once all things are considered.

In reply, it can be said that there is some evidence that people do not take the benefits of welfare slavery to outweigh its objectionable features. There is a real-world analogue to the system of welfare slavery: a rank-and-file career in the volunteer army. Basic constitutional freedoms are guaranteed; complaints can be filed; punishment for all but minor infractions must observe due process; soldiers must be provided with medical care, food, shelter, clothing, and the like. In addition, some work may develop individual skills; a pension plan provides for old age; soldiers are not slaves. Yet despite these advantages, few people join the army at the rank-and-file level unless it is the best of an admittedly bad set of choices—to avoid prison, as a way out of a dead-end life of poverty, and so on—and if they stay they usually try to advance through the ranks. Few volunteer soldiers have any other real options, and those who do enter the army at the command level rather than as enlisted soldiers. If the army has such a hard time getting volunteers, the prospects for welfare slavery are even worse.

This reply to the objection accepts one of its assumptions, namely that consent always confers moral legitimacy. The assumption is false. Consent may sometimes be necessary for moral legitimacy, but it need not be sufficient.¹² Being a slave may be something that consent alone cannot render legitimate. Exploring this possibility will allow us to see what is wrong in the contract-based argument against slavery and permit us to isolate the morally objectionable features of slavery.

1.3 The Problem with Slavery

If slavery is not objectionable due to its consequences or due to attendant features, as argued previously, the problem must lie in the condition of being a slave itself. The contract-based approach of Mill and Kant tries to locate the problem with *entering* the state of being a slave. Entering into slavery may be objectionable. If so, it is because slavery itself is objectionable. The problem is in being, not in becoming, a slave.¹³ No analysis restricted to

¹² Most ethical theories, even those assigning a central role to consent, recognize this point. The emphasis on hypothetical consent (as opposed to actual consent) among contractarians, for example, shows that there are relevant grounds other than consent on which to assess the moral acceptability of a course of action—such as the possession of relevant information, or only upon due reflection, or whatever. But that just is to accept the point that consent can be necessary but not sufficient for moral legitimacy. In any event, ordinary morality strongly rejects the claim. We are often inclined to criticize behavior that involves only consenting adults. (Whether we ought to do so is another question.) Becoming a slave is a hard choice to justify, if justification beyond free choice is called for.

¹³ There may be moral costs to entering a condition that are not derived from being in

choice and its attendant conditions can take this point into account.

The problem with slavery is that it is *dehumanizing*—a denial of the distinctively human capacity to be a complete moral agent, to have full authority and responsibility over one’s actions.¹⁴ The institution of slavery systematically denies complete moral agency to the slave in granting final authority to the master. Now slaves can be treated as having moral agency in that they can be held accountable for their actions and have responsibilities to discharge; they are not literally on a par with mere things. Yet despite the recognition of the slave’s moral agency, the master holds the same authority over the slave as he does over anything owned, to do with and dispose of as he pleases; the slave’s desires and ends have no claim to be taken into account in the master’s deliberation. (They may be taken into account, but not as a matter of right.) The slave is put in the position of an instrument, a mere means to the accomplishment of another’s end, in consequence of this inferior status.¹⁵ Full authority resides with the master, resting on a moral claim to be obeyed simply because he is the master (a claim ultimately backed by coercive means).¹⁶ The slave’s moral agency, if

that condition. Being dead, for example, might be morally neutral (we usually do not blame people for being dead), whereas the process of becoming dead—dying—might involve moral evaluation: committing suicide may be prohibited, dying for a worthless cause deplored. But the contract-based arguments of Kant and Mill do not establish that there are independent moral costs attaching to becoming a slave. Instead, each argues that the choice to be a slave is in some way invalid. See n.6 above.

¹⁴ The capacity for moral agency is ‘distinctively human’ because only humans (as far as we know) can modify their behavior at will, in accordance with freely-adopted principles—their actions are not completely fixed by circumstances. This power is what makes morality possible: whales and ants cannot be moral agents, since they are (as far as we know) unable to modify their behavior at will. The core of the following account is inspired by what sense I can make out of Green’s discussion of slavery, mentioned in n.6 above. However, unlike Green, I do not take the important features of the analysis to depend on consciousness. When I use terms like ‘treating’ or ‘recognizing’ I am referring to concrete social practices that may or may not involve any cognitive component.

¹⁵ The slave in classical antiquity was legally classified a “talking tool” (*instrumentum vocale*) as opposed to a “silent tool” (*instrumentum mutum*), such as a hammer, but a tool nonetheless. Kant seems to me to have caught this point exactly when he classifies slavery as *das auf dingliche Art persönlichen Recht*, a right over persons of the ‘thingish’ sort (Kant [1798] §29 Akad. 282). Such rights presuppose the denial of complete moral agency to the slave. The instrumentality of slaves is therefore not fundamental, but predicated on their incomplete agency.

¹⁶ The master’s commands are supposed to have authority simply because he is the master. This sets apart such authority from the kind of authority someone might hold as the leader of a common project in which people are engaged, the authority

recognized at all, remains incomplete. The slave is treated on a par with mere things (or with brute animals), despite his possession of characteristics that make him distinctively different from mere things or brute animals.¹⁷ Slaves are dehumanized.

Slavery is morally objectionable because dehumanization involves injustice. If justice is a matter of giving each his due, the slave is treated unjustly in not being granted the moral status that is due to him. This primary injustice is usually linked with a secondary injustice, occasionally misidentified as primary, namely the comparative moral discrimination against the slaves *vis-à-vis* the slaveholders despite their having the same characteristics.¹⁸ Nor are these ordinary injustices. They deny the slave the complete moral agency needed for full responsibility and authority over his actions. Because they call into question his agency, they are far deeper than the run-of-the-mill case of injustice.

Traditionally, slavery has been taken to be morally objectionable because it involves unfreedom rather than injustice. Slaves have represented their struggle as one for freedom, not justice. While it might be argued that cases of unfreedom are also cases of injustice, the converse is implausible. Yet the analysis of slavery offered here can take this common intuition into account once an ambiguity is exposed. Normally, talk of freedom refers to a range of potential choices or options, or at least to possible forms of interference. Freedom is a matter of what an agent may do or be prevented from doing.¹⁹ Slaves are unfree in this sense, for there are many courses of action that are not open to them—closed off by the customary practices of slavery, we might say. In the discussion of slavery, however, there is another kind

exercised by parents over children, or the authority police have over civilians.

¹⁷ Animals arguably deserve humane treatment, and may also be the recipients of other rights and duties on our part. (They are moral patients.) This is not the case with mere things; there is little sense to be made of the notion of the ‘humane treatment’ of a typewriter. Slaves may have a status as moral patients without being complete moral agents.

¹⁸ There could be a society in which different groups have different packages of powers over the members of other groups such that no person is accorded complete moral agency, at best having only partial agency, and subject to some other person or group in some respect. That is to say, there could be a society in which everyone is discriminated against. In such a case the secondary injustice is absent but the primary injustice is ubiquitous. Hence they are distinct kinds of injustice.

¹⁹ These remarks are not intended to be an adequate discussion of the complex topic of freedom, but it should be noted that the discussion here is meant to avoid taking any sort of stand on the (supposed) distinction between positive and negative freedom, or on the link between freedom and desires. The talk of ‘choices or options’ is left vague for these reasons.

of freedom at issue: the freedom to *be* something rather than merely to *do* something. The slave is prevented from pursuing many courses of action only because he is not a complete moral agent—more exactly, only because he is prevented from being a complete moral agent. Authority is denied to the slave and granted instead to the master. This fundamental injustice is also a kind of unfreedom, where the freedom in question is different from the ordinary sense, referring not to a range of choices or options but to a condition the slave is prevented from attaining. Now this might be represented as a foreclosed option if the notion of ‘option’ were suitably broad, but what would be the point of it? Doing so would blur the distinction just drawn for no clear gain. There is a loose sense in which one can speak of ‘choosing’ one’s character (or moral condition), but we can talk about this without the misleading assimilation of two distinct kinds of freedom. The unfreedom that is the fundamental injustice of slavery, the denial of the slave’s standing as a complete moral agent, should not be conflated with the typical limitations on courses of action that are part of the slave’s lot. Slavery involves both kinds of unfreedom, but only one is primary, and that kind of unfreedom is part and parcel of injustice. Objections to slavery usually concentrate on limitations to the slave’s choices or options, but this is a secondary kind of unfreedom.

Though we may put choice aside in explaining the unfreedom associated with slavery, the defender of consensual slavery could still object that this doesn’t explain the wrongfulness of consensual slavery. Why shouldn’t a person freely choose to become dehumanized? After all, consent usually cancels injustice: if you give me less than my fair share of the pie, I may rightfully complain of injustice, but if I agree to have a smaller portion there is no injustice in treating me according to my choice. (It would be odd to insist that I take my fair share.) Likewise, it may be unjust to prevent me from attaining complete moral agency, but if I agree not to be a complete moral agent, where is the injustice in treating me according to my choice? Voluntary slavery seems to avoid the stigma attached to involuntary slavery.

The reply to this objection must turn on the special standing that we accord to complete moral agency, beyond that associated with ordinary goods (which may be traded off against one another). The primary and secondary injustices of slavery depend, ultimately, on the following *principle of moral agency*:

Individuals who can be complete moral agents must be treated as such.

This principle lacks an analogue for ordinary goods. The claim that each person must have an equal amount of the pie, for instance, is false, and gets

whatever plausibility it has from being confused with the distinct principle that each person may have an equal amount of the pie. The principle of moral agency also makes consent irrelevant, since what matters is not what people want but how they are to be treated. Complete moral agency is an incommensurable value, one that cannot enter ordinary calculations of costs and benefits. Like friendship, its value is that it cannot be bought or sold. To put it on a par with other things is deeply to misunderstand its nature.

Why should we accept the principle of moral agency? Following Mill, it seems to me that the ultimate ground for the principle of moral action is that accepting it is the most beneficial to us all in the long run.²⁰ Positive results follow upon encouraging autonomy and discouraging oppression. What is more, individuals often avoid complete moral agency—full responsibility—for their actions if given half a chance; this principle is a counter-weight to the all-too-human tendency toward bad faith. So described, there are two things wrong with consensual slavery. First, consensual slaves are slaves, and that violates the principle of moral agency. Second, it shows a character flaw of those who do so consent, namely their unwillingness to take on responsibility, as well as of those who are willing to take over their responsibility. The benefits of the principle of moral agency are collective and long-term, but genuine.

Further support can be given to the principle of moral agency by considering its application in another domain. What has gone wrong when parents treat their adult offspring as though they were children? Although there are adults who want to continue to be children to their parents and parents who want their adult offspring to remain children, the sentiment is widespread that something has gone wrong in these cases. Consent to the arrangement does not legitimize it. Children grow up and leave the nest. If they don't leave voluntarily, they have to be nudged over the edge, or maybe just pushed out. When adult offspring are treated as though they were children, they are not being accorded the status they ought to have. They are not treated as complete moral agents, no longer dependent children. The principle of moral agency has been violated. We are all better off in the long run if adult offspring are not treated as children. As with children, so

²⁰ The principle of moral agency could be justified on any number of grounds. Aristotelians may see it as based on human nature, since what it is to be human is to exercise deliberative practical rationality; Kantians may see it as built into the structure of the mind itself, forced on us by the ultimate postulates of practical reason which we cannot but accept. I think Mill's broad consequentialist approach is the best, and I have adopted it here, but I don't want to be dogmatic about it. It is far more important to agree on the principle than on the grounds behind the principle.

with slaves. The cases, while not identical, are closely analogous.²¹

Therefore, the problem with slavery, in brief, is that it makes people into slaves—beings who are systematically denied the exercise of their distinctively human capacity to be complete moral agents, who are instead dehumanized by their unjust treatment as mere property. Consent does not sanction slavery, and the conditions of the slave’s life are irrelevant in determining what is objectionable about slavery *qua* slavery.

2. Labor Markets

Labor markets differ from slave markets. On slave markets, human beings circulate as property: they are passively bought and sold, and once bought they become the private property of their owners for an indefinite term. On labor markets, human beings do not as such circulate as property. Instead, labor-power is bought and sold, where the possessors of labor-power are themselves private owners taking an active role on the market, and the purchase of labor-power is for a fixed term. Yet we should not narrowly concentrate on features that are specific to market transactions; at stake here is a way of organizing production. To be a slave is more than being bought or sold. Likewise, to be a worker is more than being hired or fired. In each case, though, it seems like it is the same thing more: to be at the beck and call of the members of another class.

I shall argue that there is no moral distinction between slave markets and labor markets, despite the differences mentioned above, and that workers under capitalism are in all relevant respects like slaves. If so, then everything that is morally objectionable in slavery is also present in wage-labor. It will be most illuminating to set the argument forth by considering two apparent disanalogies between slave markets and labor markets: (*i*) slaves are owned whereas workers are not; (*ii*) workers are hired for a fixed period whereas slaves are possessed without term.

²¹ There are two points of disanalogy. First, slavery involves dehumanization, which is objectionable because it violates the principle of moral agency. Treating adult offspring as children isn’t dehumanizing, though, since children are not regarded as property. (Not any longer, that is.) There seems to be no name for the corresponding condition with offspring—call it ‘juvenilization’. Then we can say that juvenilization is objectionable because it too violates the principle of moral agency. The same principle is at stake, but in different ways in each case. Second, slavery must be a social institution that involves the subordination of one whole class to another, whereas treating adult offspring as children need not be a social phenomenon, since it normally involves only the members of a family. (It could be institutionalized. The state could keep adults as wards, for instance. But it typically isn’t.) Juvenilization is a familial problem rather than a social problem.

2.1 Ownership and Commodification

Throughout history, slaves have belonged to households (or to the heads of households). More exactly, they are accounted part of the property that makes up the household estate. Slaves have, then, always been owned by private individuals.²² Yet slaves could just as well be treated as a public resource and remain slaves. We can dispense with the idea that slaves have to have identifiable owners. They have to have masters, to be sure, but not owners.²³ An analogy may clarify this point. In large corporations there are private secretaries, usually assigned to a specific person or office, and members of a secretarial pool, who are not assigned to any specific person or office but can be called upon by anyone (with sufficient authority) to do whatever secretarial work needs to be done. Now we could say that each member of the secretarial pool is ‘assigned’ to everyone (or to anyone), but this characterization would be more confusing than helpful. Talk of assignment is out of place in describing members of the secretarial pool. Nevertheless, members of the secretarial pool are expected to perform exactly the same tasks as private secretaries, and are subject to the same authority from their superiors. They are treated as an available (corporate) resource.

Slaves could be analogously organized into ‘slave pools’. Each member of the slave pool can be called upon by anyone (with sufficient authority) to do whatever work needs to be done. Likewise, talk of ownership is out of place in describing members of the slave pool. Nevertheless, members of the slave pool are expected to perform exactly the same tasks as privately-owned slaves, and are subject to the same authority from their superiors. Just as secretaries remain secretaries whether assigned to a specific individual or a member of the secretarial pool, so too slaves remain slaves while belonging to the slave pool. They are treated as an available (public) resource. Therefore, private ownership is not essential to slavery.

If this conclusion is correct—that ownership is not essential to slavery—then the fact that slaves are owned whereas workers are not is an accidental rather than an essential difference. The gap between the slave market and the labor market is not very wide. Hence the fact that slaves are literally

²² There has been ‘public’ ownership of slaves in the past, that is, slaves belonging to the state—that is, to the royal family. Often the links between the slave and the royal family are so attenuated that we can speak of a genuine ‘slave pool’ as described below. There is no reason an entire society might not be set up along these lines.

²³ Traditionally, members of superordinate classes had *dominium*, but not *ius*, over members of subordinate classes. This traditional distinction roughly corresponds to the modern distinction between mastery (authority) and ownership.

bought and sold while workers are not does not mark a relevant moral distinction between them. The determining factor is the social standing slaves and workers have.²⁴ On this score, they are on a par. Slaves are unambiguously treated as mere things—as property, though the property may not be privately held. This treatment is reflected in the authority claimed by the masters, who, in failing to treat the slaves as complete moral agents, dehumanize them, and thereby relegate them to inferior status. The slave must treat the dictates of the master as so many fixed circumstances in his life, as features that determine his well-being over which he lacks control.

In like manner, workers are also unambiguously treated as mere things. They are (to coin a useful term) *commodified*. Work takes the form of a commodity.²⁵ The most evident way in which this happens is that workers appear on the market. Workers are subject to the law of supply and demand just as coal or computers or anything else that circulates on markets. They are hired and fired only for purely economic reasons. The worker must treat the dictates of the market as so many fixed circumstances in his life, as features that determine his well-being over which he lacks control. His lack of control shows up in two ways. First, the worker has no choice other than to sell his labor-power. No choice, that is, other than starving—which is no choice at all. The fact that we cannot point to an individual who is responsible for the lack of alternatives the propertyless worker faces does not mean that the worker has any real alternative than to sell his labor power. The member of the slave pool likewise cannot point to an individual owner, but that does not render him any less liable to commands of a master. Second, the fact that a given worker can always be replaced by another member of the reserve army of the unemployed is a powerful weapon by means of which workers have to submit to employer's commands (both individually and as a class). In each case, the employer gains authority over the worker, an authority ultimately grounded in the employer's right to hire or fire anyone

²⁴ See Green [1986] p.201: "Labour, the economist tells us, is a commodity exchangeable like other commodities. This is in a certain sense true, but it is a commodity which attaches in a peculiar manner to the person of a man. Hence restrictions may need to be placed on the sale of this commodity which would be unnecessary in other cases, in order to prevent labour from being sold under conditions which make it impossible for the person selling it ever to become a free contributor to social good in any form."

²⁵ None of the following discussion turns on any claims about exploitation or expropriation. These morally objectionable features are distinct in kind from commodification and the forms of dehumanization discussed below. I have chosen not to discuss exploitation and expropriation here to give market socialism the benefit of the doubt.

for any reason.²⁶ The employer's authority has nothing to do with the work at hand.²⁷ The unowned worker is subject to the authoritative employer, forced into accepting a subordinate position without the economic ability to exercise his distinctively human power of self-determination.²⁸ Commodification, then, is a form of dehumanization. In all relevant respects the worker is like the slave.

It might be objected that there is a significant difference between the slave and the worker, because the master can mistreat the slave at his pleasure whereas the employer cannot; if the employer tries to use any extra-economic means of coercion, he is liable to the full penalties of law. Yet this is only to say that the worker is in a condition akin to that of welfare slavery, which is just as morally objectionable as any other form of slavery. (More pleasant, but equally objectionable.) Restricting the employer to a single means of coercion is like restricting the executioner to a single instrument. The victim is just as dead when it's all over, which has altogether more uniformity about

²⁶ If there is a strong social safety net, the worker might be able to exercise a significant choice by not working. This demolishes the free market in labor, of course, by allowing an alternative to market interaction. It might be suggested that in market socialism we combine a guarantee of full employment with allowing employers to hire workers competitively. A worker would therefore be guaranteed a job (some job or other), while employers would compete to offer jobs. This again is to dispense with a labor market, replacing it with an employers' market in jobs. There is no way to prevent employer authority as long as we keep a labor market.

²⁷ There are kinds of work in which some kind of command privilege is called for: the surgical nurse, for example, is to be at the beck and call of the surgeon, yet this is not morally objectionable. (I am indebted to Anna Greco for this case.) The reasons for granting authority to the surgeon and requiring obedience from the nurse are available to the nurse (though perhaps not immediately), and derive from the goal to which both the surgeon and the nurse subscribe, namely the medical care and treatment of the patient. Furthermore, the surgeon's authority over the nurse ends with the operation. Surgeons cannot properly order nurses to park their cars. Therefore, authority in these cases ought to depend on the nature of the work itself. One of the goals of socialism is to make such work as cooperative as possible. The employer's authority, by contrast, is ultimately noncooperative, resting on the threat of unemployment. The work itself may be the same, but the structure of the justification underlying each authority differs.

²⁸ This conclusion is not softened if we mandate that firms are worker-owned and worker-controlled. From the point of view of the individual worker, he is fired just as surely by managers he helped put in place as by those he had no control over. Nor would it help to be told that the workers' collective was firing him not on a profit-related basis but so that the remaining workers could have some other non-economic benefit (such as more free time). Allowing worker-owned and worker-controlled businesses under market socialism would not blunt the sharp edge of the labor market.

it than might have been expected. Such are the consequences of structuring work by a labor market.

There is more to the dehumanizing effects of commodification. Interpersonal interaction on the market, in the sphere of exchange, is purely *instrumental*: each person treats those with whom he interacts as so many means toward maximizing his expected utility, nothing more, unless they are active competitors and hence threats to successful maximization. In the terminology of neoclassical microeconomics, rational human activity in market exchange is purely parametric, i.e. a case of rational choice under conditions of certainty—the actions of others are taken as fixed circumstances; as a result, rationality and optimality coincide.²⁹ In market exchange, each agent is assumed to want to consume as much as possible, which is the arena for individual satisfaction, and desires to produce—to provide factor services—as little as possible, which is the arena for unpleasant activity.³⁰ Markets separate production from consumption, vesting each with a specific character. They dehumanize all who participate, for everyone else on the market becomes no more than either a means or an obstacle to one's own success.

Yet there is a deeper point at stake here. The segmentation of human activity into the spheres of production, exchange, and consumption has another, less obvious, effect. If *homo economicus* maximizes expected utility through the consumption of (interchangeable) bundles of goods, then needs are only fulfilled through consumption, not in production. In particular, this means that work itself is construed solely as an instrumental activity, one that is always subordinate to a further end—it is the means by which one obtains the money to engage in consumption. Hence productive activities are mere means to an extrinsic end, and not in themselves meaningful

²⁹ The parametric rationality of market behavior systematically obscures the fact that market phenomena and the conditions of market interaction are social rather than natural. This is the phenomenon stigmatized by Marx as “commodity fetishism”: the representation of a collective creation, namely the conditions of market interaction and supply/demand phenomena, as something that has to be dealt with as if it were a natural force like the weather (*Das Kapital* I.i.4). Insofar as parametric rationality is held up as a normative model, it covers up an important fact about market interaction itself: that it is, in the broadest sense, optional.

³⁰ Neoclassical microeconomics explains wage levels in this manner as a trade-off between the strength of preferences regarding desirable activities (consumption) and undesirable activities (production); think of the close connection under capitalism between ‘leisure’ and ‘vacation time’ (Walzer [1983] Chapter 7). But this presupposes the propensity to exchange and the unpleasantness of work, which are the points in need of explanation. See Karl Marx, *Grundrisse*, in MECW Vol. 28 530.

or valuable (or only accidentally so). Therefore, the deep presupposition incorporated in market exchange is that human action is only motivated by, and thus only makes sense in terms of, consequences that are realizable independently of the action.³¹ This is questionable at best. There is a large body of evidence that people often engage in activities for their own sake, and regularly identify themselves in terms of these activities. People find meaning through work, not mere means. To deny this is to dehumanize people in perhaps the worst way, by systematically refusing to countenance the meaning in their lives. The activities that make up the major portion of most people's lives, namely the time and effort spent in working, are trivialized as mere means to an extrinsic end, and not in themselves meaningful or valuable—or, if so, only accidentally so.

The market in labor-power renders labor, just like any other commodity, commensurable ('abstract'). To facilitate such commensurability, production is developed to the point at which individual characteristics, such as talent, skill, or ability, are not relevant to the performance of the work at hand. That is, the jobs available on the labor-market become simplified, repetitive, and do not of themselves contribute to the development of any individual talents or abilities. These jobs are therefore undesirable, a fact that reinforces the purely instrumental character of work.³² This is an intrinsic tendency of commodification due to labor markets, not specific to capitalism. There is nothing special about market socialism that would curb this tendency.

2.2 Indenture and Employment

Commodification is dehumanizing for all the reasons that slavery is. It subjects individuals to authority that does not derive from the work at hand, and systematically deprives them of the requirements for exercising complete moral agency. In addition, it instrumentalizes interpersonal interaction, trivializes work, and tends to make work undesirable. Yet it might be objected that the sale and purchase of labor-power, unlike the sale and purchase of slaves, do recognize the individual moral agency of the worker.

³¹ See the discussion in Ripstein [1989].

³² Any kind of work can be done by workers operating through markets, be the overarching social structure capitalism or market socialism, just as any kind of work can be done by slaves in slaveholding societies. Yet the social structures in which the work is embedded have an effect on the character of the available work. Markets tend toward simplified and repetitive uses of labor-power. Racial slavery seems to have concentrated on manual labor (mostly in agriculture) and domestic labor. Ancient slavery, by contrast, often made use of the talents and abilities of slaves, allowing them influential and important positions.

The worker is the one who disposes of his labor-power on the market, and he only ‘sells’ it in an odd sense: the worker’s labor-power is at the disposal of another for a limited period, after which full control reverts to the worker. Slaves have no say in their purchase, but the worker has control over his hire, and can walk away from any job for any reason. Furthermore, the worker is his own person at the end of the day, unlike the slave.

These Friedmanesque freedoms suggest that labor markets cannot be put on the same footing as slave markets. To see whether this is so, we need to take a close look at the control exercised by the worker over his labor. There is a social institution that raises the same questions of free contract and sale, located halfway between slavery and wage-labor: indentured servitude.

Slavery may be socially recognized as a permanent condition or it may be changeable. If the latter, the power to free slaves cannot directly lie in the hands of the slaves themselves, for that would not be a system of slavery at all. It may, however, be indirectly within their power. A slave might be permitted to make money, and eventually purchase freedom.³³ Alternatively, a slave might expect to be freed upon the master’s death as a reward for faithful service. While the power to gain freedom is outside the slave’s direct control, we may still intelligibly speak of a system of slavery.

This account of manumission suggests that debt bondage is of a piece with slavery. Indentured servitude is often taken to be different in kind from slavery since it is based on a voluntary fixed-term contract. I do not see how this makes a difference.³⁴ There is, I suspect, a confusion here. Manumission is traditionally a power reserved to the master, whereas in indentured servitude it is no longer solely up to the master but is fixed though contractual arrangement. Yet it is a mistake to think that because it is out of the master’s hands that it is therefore in the hands of the indentured servant. To be sure, in some sense the length of time the indenture lasts is fixed by contractual negotiation, but this only means that the person is free before entering the contractual arrangement, not thereafter. In classical antiquity individuals could (and did) sell themselves into slavery; their freedom before becoming slaves did not make them any the less slaves

³³ Slaves in classical antiquity often had the right to make money, for example by independent contracting, and could buy their freedom from their master. To do so was a matter of only moderate difficulty, although it did take time, and mostly depended on the slave’s willingness to save the necessary amount.

³⁴ Imagine a master who declares that all slaves shall be free on the master’s next birthday. These slaves now have a fixed time at which they will be given their freedom. Yet until that time they remain slaves as much as they ever were. Nothing has appreciably changed in their status.

thereafter. The indentured servant in all relevant respects is like a slave whose term is indefinite. Just as ownership is not an essential condition of slavery, so too duration, be it definite or indefinite, is not an essential component of slavery.

Like indentured servants, workers forfeit their freedom for the period when they are at work. The freedom they may retain outside their work environment is not germane to the issue of their freedom while at work. (It is of course better that they have it than not.) The fact that the worker's labor-power reverts to his full control at the end of the day says nothing regarding his freedom for most of the day—and, after all, most people spend most of their waking lives at work. During the day, the worker is subject to the employer's authority in the way and for the reasons described above. There is no real difference between the worker and a person who contracts each morning to be an indentured servant for the day, and there is no real difference between the indentured servant and the slave, other than the time their subjection to external authority lasts, which does not cancel the morally objectionable features present in each. It might be thought that the freedom surrounding the worker's employment is sufficient to remove its morally objectionable features. First, the worker is the active party on the market, selling his labor-power as he sees fit. Second, he is not obliged to take any particular job. What would be objectionable if the worker were willing to trade off his unfreedom at work for his freedom after hours? This freedom makes consensual employment different from consensual slavery.

To take the second point first: the worker is not obliged to take any particular job but, as argued above, he must take some job; otherwise we do not have a pure and competitive free market in labor. This fact alone allows for the domination of the working class as a whole: employer authority will be the same in any job. The worker can avoid any particular job but must have some job or other. Likewise, he can avoid any particular authority but must be subject to some authority or other. The labor market supports an entire structure of domination, even if everyone is a productive worker and hence equally liable to domination, as under market socialism. Abolishing class-domination does not abolish domination, which is written into the structure of markets.

The first point, about the worker's agency on the market, magnifies rather than alleviates the morally objectionable features of labor markets, since it encourages each agent to construe his powers and abilities in a purely instrumental fashion. In market interaction, productive assets are bought or hired, and goods for (private) consumption are acquired. For such exchanges to take place, there must be private property rights in all productive assets.

The ‘privateness’ of this private property is a matter of an agent possessing the liberties of use and benefit in something, with the power of managing its use by others or transferring the thing to others altogether by the power of capital. In particular, it is important for understanding labor markets that individuals be construed as having the power of capital over their labor-power, which then appears on the market as a commodity, and that owners of the means of production maintain the liberty to benefit from others’ use of it, which includes full ownership in the goods produced, as well as the power of management. The worker, then, has to treat his powers and abilities as objects—things that can be the subject of property rights and entitlements (=—by means of which he tries to secure employment and eventually earn a livelihood, through making them available to others. Far from being a liberating act, the ‘freedom’ to sell one’s labor-power is no better than the freedom to enter indentured servitude or slavery (a subordinate moral status). The worker’s activity and complicity only makes things worse by encouraging him in a commodified view of his powers and abilities.³⁵

I conclude, then, that structuring work through labor markets is as morally objectionable as slave-markets are. Commodification makes people into *commodities*—beings who are systematically denied the exercise of their distinctively human capacity to be complete moral agents through being placed in subordinate positions, who are dehumanized by their treatment as mere property. Consent does not sanction commodification. The morally objectionable features of commodification flow from the nature of markets, and so affect any society that tries to have a labor market, including the various proposed forms of market socialism.

3. Welfare Goods

Whether there is a labor market or not, market socialism does allow various kinds of commodities to circulate. In this section I argue that it is morally objectionable for welfare goods such as health care, education, or housing to be in the sphere of market exchange. (Nothing in my argument depends on any particular list of what the welfare goods are.) Since this is the position traditionally associated with market socialism, the argument here will be correspondingly brief.

What makes welfare goods, whichever goods they may be, special?

³⁵ See Karl Marx, *Zur Kritik der politischen Ökonomie (Manuskript 1861-63)*, in MECW Vol. 30 131, where he discusses implications of the sale of labor-power: how the worker is confronted with an alien power; the sense in which the worker is ‘free’; and the presupposition of objectified labor for market interaction.

The traditional answer is that welfare goods are conditions on free action.³⁶ The lack of welfare goods is a constraint on individual freedom.³⁷ The mere duty of non-interference, it is argued, is necessary but not sufficient for individuals to pursue their ends. By providing welfare goods, the state can guarantee an initial equality of opportunity for everyone: no particular ends are privileged, but a common impediment to the pursuit of any end is removed. Therefore, welfare goods should be provided directly to each citizen rather than left to the vagaries of the market.

This traditional answer involves elements that can be given a radical extension, one far wider than usual. If we grant the principle that constraints on or impediments to an individual's pursuit of his ends ought to be removed, as the first part of the traditional answer does, there is no reason to remove only common impediments: the impediments to each person's pursuit of his ends ought to be removed. This does not favor any one person's ends over anyone else's ends. Everyone would begin on a genuinely equal basis, with impediments removed, as opposed to the traditional plan of equipping everyone with the same set of resources despite individual need and individual differences. The free market would be deeply disrupted, since individuals would be entitled to various commodities in virtue of the ends they pursue (since lacking them would interfere with the pursuit of their ends). Traditional welfare goods, if they are conditions on all free action, would be removed from the sphere of market exchange generally; other commodities might be allowed to circulate only to those whose need for them is not an impediment to the pursuit of their plans—what we might call 'pure luxury goods'. Now given the difficulty of drawing the line between goods required for the pursuit of ends and goods the absence of which impedes the pursuit of ends, it seems that the net result will be a needs-based entitlement system for most goods, with perhaps a market in pure luxury goods. The radical extension of the traditional answer, then, leads us down the road toward socialism.

³⁶ The argument here is common to many authors; my formulation is taken from Rawls [1971] p.396. Rawls is clear about the role of what he calls the "thin theory" of the good as providing a list of welfare goods (or 'primary goods' in Rawls's terminology) that does not privilege any particular ends.

³⁷ I follow Swanton [1992] p.90 in taking a constraint on action to be anything that (a) makes it impossible for an agent to do or avoid something; (b) makes it more difficult for an agent to complete successfully or to avoid the action to which the restraint is attached than would be the case if the restraint were absent; or (c) raises the prospects of costs to be incurred subsequent to the completion or avoidance of the action to which the constraint is attached—costs that are (prospectively) greater than would be the case if the constraint were absent.

There is a deeper point at issue here. In the preceding discussion we have taken for granted the claim that welfare goods are special because they matter to an individual's freedom. Yet why should that make a difference? The answer, it seems to me, is that welfare goods are thought to make essential contributions to individual well-being, and as such ought not to be subject to commodification. Their link to individual freedom (and ultimately to complete moral agency) should remove them from the sphere of market exchange. Even if we grant the radical extension of the traditional argument, we can admit that welfare goods were thought to be tied to basic needs in some fundamental way, perhaps ultimately biologically explained. The slippery-slope argument on which the radical extension of the traditional answer is based does not affect this original idea. To commodify welfare goods such as proper medical care, or housing, or perhaps even (in the modern industrial world) education—to have them appear on the market—is to make them commensurate with all other goods in circulation, not recognizing their fundamental role in providing a basis for human flourishing. Their purchase costs will be weighed against other commodities, and they will be subject to the same purely economic decisions about production and pricing as everything else. Nor will individuals have any particular voice in the nature or the provision of these commodities; whatever the market dictates will decide the shape in which welfare goods are delivered.

What is wrong in all this is that genuine human requirements are not respected, that urgent needs are put on a par with strong desires.³⁸ Leaving it up to the market fails to recognize welfare goods as fundamental human needs. Commodifying welfare goods devalues persons, because it rates the necessities of life alongside trivialities and does not let people have a say about them. This is, in a word, to dehumanize people. Of course, commodifying welfare goods does not seem to devalue persons in precisely the way slavery and labor markets do: neither persons nor their attributes circulate on the market. Instead, welfare goods circulate on the market. Yet welfare goods are, by definition, fundamental to people's lives. They can therefore be identified with the person, at least to the extent that his talents and abilities are. Just as the objectification of powers and abilities into items of alienable property devalues human lives by encouraging purely instrumental attitude toward these attributes, so too treating welfare goods as commodities renders something deeply connected with the person as an instrumentally valuable item of alienable property. Market circulation of

³⁸ See the discussion in Scanlon [1975].

welfare goods encourages a commodified view of human lives. This matters because human lives matter.

Allowing welfare goods to fall within the sphere of market exchange, then, is to endorse a commodification that is of the same nature and order as the commodification of labor-power in labor markets. It therefore seems to me that the two proposals stand or fall together. Either we have a social system in which there are untrammelled free markets in both labor-power and welfare goods, or we have a system in which labor-power and welfare goods are systematically excluded from market exchange. (Whether this is possible, given the tendency of markets to expand, is an open question.) But the former is not a real option. Given the links between markets in welfare goods, markets in labor-power, and slavery, we can conclude that welfare markets are morally objectionable by their very nature. Once a good is deemed to be a welfare good, it should be excluded from the sphere of market exchange. That is what it means to take human welfare seriously. Therefore, markets in welfare goods, just like markets in labor-power, are not present in a morally acceptable society.

4. Luxury Goods

Proposals for market socialism that include labor markets, or markets in welfare goods, or both, are a bit off-center: something seems to have gone awry in spite of the surrounding socialist regulatory policies. Matters seem very different if we envision a social structure that permits only luxury goods—goods that are not essential to individual well-being—to circulate. This proposal, I take it, has traditionally been the heart and soul of market socialism: exchange ought to be restricted to non-necessities. The objections that were raised to the sale and purchase of labor-power or welfare goods seem out of place here, since there is by definition no deep connection to human flourishing in the case of luxury goods. What could be morally objectionable in letting tennis rackets (for example) circulate on markets?

There are two difficulties in principle with this proposal (as noted in §3). First, it is not clear whether a sharp distinction can be drawn between welfare goods and luxury goods. Shelter can be provided by a common dormitory, an efficiency apartment, a townhouse, a freestanding house, or a mansion. Which one does an individual need? The line between needs and desires is hard to make out. Does a writer need a computer, given that he can use a pen and pencil? Second, if we accept the radical extension of the traditional argument and recognize need-based entitlements generally,

free market competition may be disrupted for any good at any time.³⁹ It is unclear whether goods can be circulated widely enough to allow markets to be established.

Yet suppose for the sake of argument that these problems could be addressed, so that there is a clear demarcation between welfare goods and luxury goods, the latter circulating on the market. Even here luxury markets have morally objectionable features, resulting from the commodification of luxury goods, that are good reasons for condemning them. These morally objectionable features are common to all markets; they do not turn on any particular characteristics of luxury goods.⁴⁰ Instead, they are intrinsic problems with market exchange. To see why there are such powerful general objections to market economies, let us review the framework in which elementary market transactions, such as the sale or purchase of a tennis racket, take place.

Markets intervene between the spheres of production and consumption. They provide an arena for the exchange and subsequent distribution of goods. Markets rely on and reinforce the distinction between use-value and exchange-value. Each commodity has both a use-value and an exchange-value. The use-value of a commodity is whatever features make it suitable as an object of consumption; the use-value of shoes is that they protect the feet and complement one's other clothing. The exchange-value of a commodity is the ratio at which it normally exchanges with other commodities. A peck of pickled peppers might exchange for three french hens or for two turtledoves. Generalized systems of commodity exchange, of the sort typified by modern market economies, are properly described by a series of determinate exchange-equations of the form:

$$x \text{ commodity A} = y \text{ commodity B}$$

for any commodities at all. The generality and universality of exchange-equations is what sets modern market societies apart from past social forms in which limited 'markets' also appear. (Mediaeval trading fairs, the barter of the Islamic *souk*, Roman shipping contracts, and Greek export trade do not make their respective social forms into market societies precisely

³⁹ Unless there are goods that could not be the objects of anyone's needs at any time. Given the unclarity in the concept of a need, it is hard to put any great weight on this distinction.

⁴⁰ Markets restricted to luxury goods avoid some of the morally objectionable features of other markets. If there are no markets in welfare goods or in labor-power, then the market-enforced commensurability of all luxury goods is not objectionable (or at least is much less objectionable), since luxury goods by definition are not required for individual well-being.

because the exchanges are not general and universal in this manner.) This is compatible with sequestering some items from the market. Everything that is exchangeable must be exchangeable in determinate ratios with everything else exchangeable, the ratios maintaining a stable pattern over time, but not everything need be an exchangeable good. In the version of market socialism under discussion, at least labor-power and welfare goods are not exchangeable goods. A society can be market-based and still permit only luxury goods to circulate.⁴¹

The fundamental question to raise about such market-based economies has to do with their *raison d'être*: why separate production and consumption so that markets are needed at all? Why not strive toward the ideal of a society in which production is directly for consumption (usually called 'production for needs' or 'production for use') without any intervening market mechanism? The usual reply has been that planned economies are sluggish, inefficient, and incur significant costs in their need for planning and gathering information, whereas market economies efficiently produce an optimal allocation of goods without the associated costs. Now these claims, as noted at the start of this paper, are dubious at best. Yet even if we grant the reply, the reasons it provides through its (dubious) factual claims are all narrowly economic reasons to prefer market socialism to command economies.⁴² The question raised above has a moral aspect this reply does not address. Market-based economies, by definition, give a commodity an exchange-value apart from any use-value it may have. Yet production for exchange rather than use treats people as no more than depositories of production goods regardless of whatever use-value these goods may possess. This dehumanizes people by treating them as mere consumption machines, a side-effect of commodification. Furthermore, production for exchange systematically affects and distorts production goods—their salient feature is

⁴¹ Hereinafter I drop the reminder that we are considering a form of market socialism that permits markets only in luxury goods; nothing essential hangs on it.

⁴² These economic reasons have, to be sure, a connection to human well-being, in that markets provide non-moral goods to people that are conditions of their well-being (though they do not constitute it). To the extent that they do so the narrow economic reasons have wider scope. That is not to say they are definitive. Furthermore, market socialism, to the extent that it is a form of socialism, has moral advantages over capitalism. The exclusion of markets in labor-power and in welfare goods, for instance, is an important step toward realizing socialist ideals of equality, solidarity, and community. Yet these advantages are also part of traditional command economies. Each is preferable to capitalism. What I hope to show here is that even granting its economic advantages there remain serious moral objections to market socialism, which is compatible with preferring it to capitalism.

their exchangeability rather than their utility—and this has objectionable effects on people.

These are powerful and general objections to market economies. Before examining them we need to consider a counter-argument that tries to prevent them from gaining a foothold against market socialism in the first place. The defender of market socialism could say that there is an unjustified move from the claim that market socialism permits goods to circulate on markets to the claim that production under market socialism is for exchange rather than use. Production for exchange might be morally objectionable, but market socialism need not incorporate production for exchange. The market could function as a neutral means solely for the purposes of distribution. Therefore, the objections sketched above miss their target, no matter how the sketches be filled in.

This counter-argument correctly identifies the assumption that market socialism structures production for exchange rather than use. I think the assumption justified. Production is either directly for consumption (use), or it is not. If production is directly for consumption, then markets are pointless. If, on the other hand, exchange under market socialism were no more than a neutral means of distribution, then it could easily be replaced by better distributive mechanisms. Markets are no more than venues for barter, according to this line of reasoning. Yet there are better ways to coordinate production and consumption. The paradigmatic instance is the ‘ride board’, a public bulletin board where some people look for travel companions and others look for means of travel. Here there is no market, nor any centralized planning, but only a pool of information out of which individuals arrive at cooperative arrangements. The contemporary cousin, electronic bulletin-board services, suggest how such a method for matching service-providers to service-seekers could be expanded—to say nothing of the cooperative endeavors suggested by computer newsgroups, discussion sections, and the Net itself. Centralized planning, decentralized planning, information pools, coordination channels, subsidized bartering—there are many alternatives to markets. Setting up a competitive market is a less than optimal solution if the intention is to provide a neutral mechanism for distribution.

Yet even if we grant competitive markets to be the most efficient means for coordinating production and consumption, which seems patently false, *ex hypothesi* production is not directly for use. What else could it be for if not exchange? One reply is that there is no single thing that production is ‘for’. Most defenders of market socialism argue that workers, as the owners and perhaps managers of their enterprises, should collectively decide for themselves which ends they shall pursue: the economic goal of increas-

ing profits (to be shared in some equitable fashion), or the non-economic goals of improved working conditions, shorter working hours, or restructured production practices—or a mixture of all the above. This suggests that a plurality of ends can be recognized under market socialism, and gives control over the choice among ends to those who are most affected by it. Therefore, it might be argued, market socialism need not structure production for exchange.

The encouragement of collective self-determination is to be applauded.⁴³ As an explanation of the goal of production, however, it is deeply misleading. Workers choose either to maximize profits or to do something else in the place of maximizing profits—that is, to substitute another end as the equivalent of the unreaped profits. What determines the equivalence? Market exchanges, of course. Hence it is always in the interest of the individual enterprise, be it owned by capitalists or by workers, to maximize the value gained in exchange. It is irrelevant whether this value takes the ultimate form of money, reduced hours, or whatever.⁴⁴ (Irrelevant for determining the goal of production, that is; of course it is important to the workers themselves.) Hence the counter-argument fails. Production under market socialism is for exchange, and linked to maximizing exchange-value.

⁴³ Workers' self-determination and autonomy are ideals worth the struggle. Market socialism does not, and cannot, go very far toward realizing them. To take but a single example, consider the idea that a worker-owned (and perhaps worker-managed) enterprise determines for itself what its output should be. Laudable, certainly. But nonsense in a competitive environment, where market interaction—the iron law of supply and demand—determines what an enterprise needs to do to stay afloat. Other workers' enterprises will act competitively to undercut and undersell the enterprise that tries to fix its production output in isolation. (No special plea of solidarity will work here, because any company providing production goods is a workers' enterprise.) The fact that an enterprise's profits are collective rather than private does not render them magically immune to market pressures. Hence the apparent 'self-determination' of workers' enterprises under market socialism is illusory. It should be noted that this is *not* a problem faced by coordination economies, *i. e.* economies in which production is directly for consumption, since there is no market exchange to acquire a life of its own. To be sure, there are problems common to market economies and coordination economies. For example, many enterprises need input from other production processes (so-called 'production factors'), a demand that has to be reconciled workers' autonomy and self-determination. But coordination economies confront the problem directly rather than having the impersonal market mechanism to do the dirty work.

⁴⁴ This conclusion should not come as a surprise. Marx argues at length in *Das Kapital* that many of the objectionable features of capitalism stem from its organization of production for exchange; he offers a separate analysis to show that the value acquired through exchange—that is, the expansion of value attained through the circulation of commodities—is ultimately realized as the valorization of capital.

We may now consider what is morally objectionable (if anything) in production for exchange. Now since production under market socialism is geared toward maximizing exchange-value rather than use-value, and all that matters for this is that the produced goods be exchanged, those not directly involved in production are treated as no more than mere receptacles. Individuals are depositories of production goods despite whatever use-value the goods may possess. (They may actually be useful, but this is irrelevant.) When production goods are commodified, individuals become the end-points of their circulation, and of no particular interest once the initial transaction has been completed. Hence market-based economies have built into their structure the presumption that, apart from production, individuals matter only to the extent that they engage in market transactions (or are the end-point of a series of market transactions). Machines that consume production goods would be no different. In short, the commodification of production goods has as an effect the dehumanization of individuals, because it treats them as consumers only and not also as ends in themselves. Therefore, market socialism, even in its most attractive form, is morally objectionable.

The defender of market socialism might object that this conclusion is disproportionate to the case at hand. After all, we are only concerned here with limited markets, with markets in luxury goods, which are by definition non-necessities.⁴⁵ Surely the social structure as a whole does not dehumanize individuals by treating them as mere consumers! That is the point of disallowing markets in labor-power and in welfare goods, which does treat persons as ends in themselves. Luxury goods are another matter. It is surely too much to find any kind of market exchange morally objectionable; by adopting markets in luxury goods, we can provide a greater supply and variety of such goods than would otherwise be possible. Here at last consent should legitimize markets, since nothing of any human importance rides on the luxury goods.

Four separate points need to be made in reply to this objection. First, while it is true that limiting markets to luxury goods and taking the special role of work and welfare goods into account are positive features of market socialism, they do not cancel or remove the effects of commodification. The former do treat each person as an end in himself. But the latter just as much treats each person as a mere means toward maximizing exchange-value. This is unacceptable. Holding otherwise is like saying that keeping

⁴⁵ Walzer [1983] p.110 suggests that markets in luxury goods are unobjectionable for precisely this reason.

a promise to someone allows you to insult him afterward.⁴⁶ The two cases are incommensurable. Nor are we concerned with globally assessing how a society treats someone, which might force commensuration, but instead with the propriety of particular social institutions, namely markets in luxury goods. The assessment of this institution is logically independent of the assessment of another, such as sequestering labor-power and welfare goods from market exchange.

Second, the fact that luxury goods are by definition non-necessities does not trivialize the dehumanization involved in their commodification. It is less important than the indignities visited on individuals by labor markets or markets in welfare goods, but that does not mean it lacks moral weight. Likewise, being severely beaten is less important than being murdered, but neither is negligible. People take what they want seriously (sometimes more seriously than what they need), and this fact alone should entitle luxury goods to our due consideration.

Third, consent can no more legitimize accepting an inferior moral status here than it could in the cases considered previously. On labor markets, individuals were themselves commodified, just as much as they are on slave markets. Furthermore, lives were distorted by the effects of the labor market on the nature of work. If welfare goods are commodified, then human lives are themselves downgraded and devalued. Here too human lives are deprived of recognition: they are treated as long strings of consumption episodes, instrumentally useful to others. Being granted less than complete moral agency is equally objectionable. Consent is beside the point since these are not consensual activities. Persons are treated as means whether they want to be or not. Thus consent cannot and should not legitimize such treatment.

Fourth, any appeal to the range or variety of choices made possible through the market, or to any purely economic goods delivered by the market, depends on the market being a morally permissible forum for interpersonal activity in the first place. Yet that is what the argument above denies. Murder may be a simple and elegant solution to personal difficulties, but its simplicity and elegance, while they might recommend it, cannot sanction it. The advantages of theft over honest toil make it no better. So too with the economic virtues of the market.

Production for exchange under market socialism, then, is morally ob-

⁴⁶ Note that treating Jones as an end in himself and also treating Jones as a means is not the same as treating Jones not merely as a means but also as an end in himself: the latter Kantian formula refers to one and the same treatment, whereas the former case refers to two distinct instances of treatment.

jectionable, in much the same way we found slavery to be morally objectionable. There are many consequences of the fact that market socialism structures production for exchange. For market exchange is a system geared to the production not of useful things but rather of salable things. On the one hand, desires that cannot be satisfied through some form of exchange or sale will be systematically ignored. Such are solidarity, love, trust, and the various forms of self-actualization: self-expression, integrated and healthy development of one's talents and capacities, and the like. On the other hand, desires that can only be satisfied through consumption will be developed and exploited, despite their effect on the individuals who have such desires (including whether the desires can be satisfied). Such are goods with built-in obsolescence, goods that are fashionable and trendy, harmful products (the Dalkon Shield), and addictive products (cigarettes). Market socialism will inherit these glories of capitalist production through its market organization.

The separation of the spheres of production and consumption in market socialism has another effect, one not immediately apparent. Normal mechanisms of reinforcing behavior that operate in market societies encourage the identification of individuals with *homo economicus*.⁴⁷ Yet consider how *homo economicus* is portrayed in neoclassical microeconomics, the ideology of market interaction. Agents seek to maximize their expected utility through choices among indifferent alternatives. The presumption underlying these ideas is that an agent's desires are all commensurable; an agent is represented as having a single fundamental desire, the desire for utility, which may be equally well satisfied with different consumption bundles. But neoclassical microeconomics only reflects the reality of market activity. Indifference is the representation of the commensurability of production goods, that is, the fact that all commodities are exchangeable in determinate ratios. Utility is the scale that measures such exchanges, most visible in the price of goods, where money acts as the medium between the agent's desires and their satisfaction. Hence market activity recognizes desires only as particular manifestations of the single desire for utility—that is, the desire for the means by which it is possible to maximize expected utility, namely money. Therefore, differences among the objects of desire are systematically ignored, and only a single mode of gratification recognized (namely acquisition). Individuals are encouraged to have a one-dimensional view of

⁴⁷ A point explicitly recognized in Gauthier [1986] p.99: "In market societies the process of socialization unsurprisingly encourages each person to identify with his market self." This modern truism derives from Polanyi [1944].

their desires, even if this is the realm in which meaning is sought.⁴⁸

Finally, market socialism also incorporates alienation in consumption. An individual is confronted with market phenomena as though they were independent of his will. The production and availability of goods, for example, will be regulated by aggregate levels of demand in equilibrium with the supply—individual demand is ineffective. Furthermore, mass production for market exchange leads to economies of scale, which leads to ‘least common denominator’ and ‘levelling’ problems in the available choices. The tyranny of the majority is alive and well on the market. The net result is that the individual is powerless to the extent that he does not conform to recognized market pressures. This is hardly appropriate treatment.

I conclude, then, that even markets in luxury goods are morally objectionable. The commodification of luxury goods essentially involves treating the individual as a consumer only, not as an end in himself, with all the skewed treatment this implies: the fostering only of desires that are satisfied through consumption, the encouragement of a one-dimensional self-understanding, and systematic devaluation of the individual as individual. These objections are perfectly general, intrinsic to any system of generalized market exchange, and so are more powerful than the arguments given in the preceding sections.

Conclusion

I’ve tried to formulate a case against market socialism on moral grounds. The market is not a morally neutral means that derives whatever value it has solely from its instrumental role. Instead, the institutionalization of markets carries significant negative moral weight, because markets are deeply objectionable by their very nature—they necessarily involve an unacceptable form of commodification. Yet there is a final objection the defender of market socialism can propose: market socialism, with all its failings, might be the best society can have. There is no evidence that it is possible to structure a society for anything but exchange. If that is so, market socialism might be the best of the bad lot of choices we have.

This gloomy conclusion may be correct. I hope it is not. Recent events in the former Soviet Union and in Eastern Europe are hardly decisive refutations of centralized command economies, much less of coordination economies generally. If our goal is structuring production directly for use rather than for exchange—and we are morally bound to accept no less until

⁴⁸ This point is not new. Walzer [1983] Chapter 4 discusses it at length. An insightful recent discussion of the ethical limitations of the market is found in Anderson [1990].

we have conclusive evidence that it cannot be done—there are many candidates for how to bring this about. Centralized planning is just one runner in a crowded field. Decentralized planning is another. There are many coordination schemes that do not involve prior ‘planning’: information pools are one such proposal, as is computer-linked real-time matching. Common to these proposals is an absence of markets. Instead, they attempt to match production services with consumption needs directly. This is an ideal worth fighting for.

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