2 Some Philosophical Help with "Neoliberalism" JOHAN GERSEL AND MORTEN SØRENSEN

This chapter is unusually long and might be best thought of as being made of three subchapters, all of which help explain the ideas that animate this book. In considering how you might use this chapter, it might be worth thinking about how the sections of this chapter answer different sorts of questions, and they may be of greater or lesser use depending on what you're hoping to get out of the cases. The first section of this chapter ("What Is Neoliberalism") explains what the authors and editors mean by "neoliberalism" and develops the specific idea of "market imperialism" to explain what exasperates the authors and editors. The second section ("The Problematic Theoretical Underpinning of Market Imperialism") presents and critiques the arguments that undergird advocates of market imperialism. The final section ("Conclusion: Network of Thinkers and Art of Government") explains how neoliberalism and market imperialism can operate even though individual people may not explicitly see themselves as advocates of neoliberalism and market imperialism. This last section also summarizes some common attributes of market imperialism and neoliberal thinking.

You may have noticed that in our Introduction we used the word "neoliberalism" to describe a particular way that people and governments think about problem-solving as well as a particular kind of capitalist economy that seems to come along with that thinking and that problem-solving. Our hope in using this term is to draw attention to a kind of thinking that we take to be central to the motivation and justification for the type of market-based problem-solving that we aim to criticize. Once again, we don't claim that market-based solutions are always wrong. We merely claim that they aren't always right and, moreover, that they shouldn't even be assumed to be the default optimal solution for a given problem. Rather, we suggest that when facing a specific problem, fair consideration should be given to whether neoliberal or nonmarket approaches to problem-solving should be

employed. In actuality, as our Introduction suggested, this sort of consideration is often not even reached, because no one even dreams of exploring solutions that fall outside the perspective of markets, individualism, or capitalism.

Given its centrality in our sense of how the world currently works, the goal of this chapter is to clearly define what we mean by neoliberalism. We do this for two reasons. First, it will be easier for the reader to identify what common line of thinking lies behind all the neoliberal solutions that are challenged in the following chapters and cases. Second, we can better present the arguments that have traditionally been employed in the favor of neoliberalism and explain why, for each argument, their persuasiveness evaporates upon closer scrutiny. Neoliberalism is, as a default approach to problem-solving, completely unjustified - or so we will argue. This chapter provides theoretical arguments, perhaps even philosophical ones, as to why we ought to look beyond neoliberalism when we solve problems. This philosophical approach, then, provides an intellectual grounding for the following chapters, which use empirical cases to provide proof that we can imagine nonmarket, nonindividual ways to solves problems.

2.1 What Is Neoliberalism?

2.1.1 Our Point of Departure: Two Innocuous Ideas

Centering our volume on the term *neoliberalism* is certainly a controversial choice. Indeed, the term is notoriously amorphous and contested by scholars. For more than a generation, neoliberalism has been explored as much more than a synonym for the economic deregulation and free-market ideology propounded by Margaret Thatcher and Ronald Reagan in the 1980s. Moreover, neoliberalism seems to have few if any self-acknowledged proponents. Therefore, a critical discussion risks targeting a straw man rather than a real position. However, as in the case of other messy, contested global concepts such as Christianity, Islam, socialism, or fascism, neoliberalism is a crucial topic of discussion because it refers to what many thinkers agree, and many people feel, is an influential phenomenon (Brown, 2019: 17; see Slobodian and Plewhe, 2020: 3–5). Furthermore, even if hardly anyone explicitly defends neoliberalism today, and even if it has in some

contexts become little more than an intellectual swear word (see Williamson, 2004; Plewhe, 2009: 8), this only challenges us to clarify its distinguishing features, as the influence of neoliberalism has become hidden rather than removed. In fact, the peculiar, "invisible" character of the influence of neoliberalism in contemporary society might itself be one of its most significant accomplishments.

Importantly, we won't provide a historical account of how the neoliberal way of thinking acquired the widespread, if invisible, influence it now has in contemporary society. There is no single global historical trajectory. Rather, the paths that have led to neoliberalism's influence differ from country to country: from actual coups and constitutions partly written by economics professors from the University of Chicago, to well-intentioned socialist governments unwittingly taking the importance of fiscal responsibility to imply the need for neoliberal governance. The present chapter describes a way of thinking, the neoliberal way of thinking, as well as the most prominent arguments that have been used for its justification. Whenever one wishes to challenge a particular neoliberal attempt at problem-solving and the type of thinking used in justifying it, the hope is that the present chapter will provide a terminology that will both assist in clarifying the underlying neoliberal assumptions and show why those assumptions are, in most cases, unjustified.

To get a precise sense of neoliberalism, then, we'll begin our discussion from two well-known ideas that most of us accept:

- 1. The value of individual liberty; and
- 2. The fact of the efficiency of a free marketplace a place where people can engage in voluntary transactions and where the relationship between supply and demand is allowed to determine prices.

We take these ideas to be innocuous and widely accepted, at least among readers coming from a liberal democracy. Let's now take a closer look at these ideas, as neoliberalism really is just a particular combination of market and liberty thinking.

First, we have the core thought of liberalism. This is the idea that there is a fundamental value in the freedom of individuals to choose their own trajectory through life; they are "liberated." This means that justification is needed whenever we want to introduce a societal structure that limits individual freedom (Mill, 1963, vol. 21: 262; Gaus, 1996: 162–166; Rawls, 2001: 44, 112). Or, when structures that limit

freedom are retained, justification for this must be given. Typically, liberalists will defend some degree of restriction upon the freedom of individuals. They will claim that it is acceptable to restrict a single individual's pursuit of his own goals whenever such behavior conflicts with the possibility fellow citizens have for being similarly free. For example, I am not free to push you around, no matter how much I may want to, as this interferes with your freedom to not be shoved. Precisely where those lines are to be drawn is one of the fundamental political tensions in "liberal" democracies – how much should we restrain people – and according to which freedoms or values? When might shoving in self-defense be allowed?

Along with this valuation of individual freedom goes the assumption that such freedom is only possible when people have the resources required to pursue meaningful choices. To some, this means that the right to possess private property is an inherent part of what it is to be free (Locke, 1960: chapter V). To other people freedom doesn't consist in the right to privately own stuff, but that right is deemed a necessary means for sustaining the more substantial liberties that are sought after, such as the freedom to pursue one's own interests without substantial interference (Hayek, 1960: 17-18). Notably, these values are compatible with forms of socialist liberalism (social democracy), where the state provides substantial social services through high taxation and/or ownership and control of significant portions of the economy such as healthcare or energy production. They are also, however, consistent with important strands of conservatism, notably the emphasis on social cohesion, as well as with libertarian conceptions of a minimal state that should only provide the most basic services such as policing, courts of law, and an army against external challengers. It's because so many political perspectives embrace some form of liberal rights and constraint of government that we regard this minimal liberalism as relatively uncontroversial.

The other idea that most of us take for granted is that free markets can be effective for two important purposes: they can be a useful means of assigning capital to the production of goods, and they can be a helpful way to determine what goods should cost. We've gotten to a place in our societies where most of us specialize in our work. Despite the fact that we eat food, wear clothes, use computers, and so on, it would be really odd to find someone who grows all their own food, makes all their own clothing, and manufactures and programs their

own computer. Once we allow for this kind of specialization in production, then everyone needs to acquire a variety of goods, from food and clothes to phones and computers, from other people in order to live their lives, Many also need to supply their surplus of produced goods of a particular type to others. The idea of the efficiency of the free market is that when we need to determine how many of us should produce, say, shoes, as well as settle how much each shoe should cost, then a good way of determining this such that society produces the goods that are needed for human flourishing is to allow free market forces to reign. Forces external to the willingness to engage in trade by exclusively self-interested buyers and sellers, typically the government, thus shouldn't determine the size of shoe production, nor should they determine the price of each shoe.

As a recap, here are the two innocuous ideas we've been talking about from the liberal tradition:

- 1. Justification is needed whenever we want to introduce or retain a societal structure that limits individual freedom (*minimal liberalism*).
- 2. The willingness of self-interested producers and consumers to engage in exchange can in some contexts be the most effective means of assigning capital to the production of goods and for determining what goods should cost (*limited marketization*).

2.1.2 Market Imperialism

Starting from these seemingly basic and innocuous claims in the liberal philosophical tradition, neoliberal thinking makes a quite significant leap. A central, unique, and highly contentious claim of neoliberalist thought is that in order to best conserve and develop a liberal (a "free") society, we should aim to align every social practice such that it becomes an actual or virtual free marketplace where goods or services are freely bought and sold by individuals. Everything should be organized as a market and the primary responsibility of the state or the government is to ensure these markets function efficiently while not interfering directly in their mechanisms. This liberal justification of expanding marketization is evident in the work of central neoliberal thinkers such as Milton Friedman (1962), Gary Becker (1978; 1996), and Friedrich Hayek (1988).

We dub this universal pretension, whether it is implicitly or explicitly at stake, market imperialism. By imperialism we mean the hostile invasion, seizure, and occupation of other's people's space by foreign invaders. The term economic imperialism has been used to describe the aspirations of neoliberal economic theory to become the unifying theory of the social sciences (Gray, 1987: 33; Radnitzky and Bernholz, 1987). Analogously, we employ the notion of market imperialism to describe neoliberalism's universal pretention as a problemsolving approach. Market imperialism is the idea that whenever we face a societal challenge, say treating the sick, educating the next generation, or combating poverty, we should approach that challenge by creating a form of marketplace structure and then allow the forces of a free market to govern the interactions of those involved. The uninhibited willingness of self-interested individuals to engage in trade was seen by traditional market thinkers (Smith, 1976: chapter VII) as a good norm for how one should solve the challenge of determining price and production in a limited set of contexts. This approach is also seen, much more expansively, by the neoliberalist as the best way to solve every type of social problem that a society may face.

We might summarize the market imperialism of neoliberal thinking as follows:

• We should respond to every social problem by organizing an actual or virtual free marketplace where goods or services are exchanged between self-interested individuals (*market imperialism*).

Our interpretation of neoliberalism focuses on the problematic idea of market imperialism¹. In Section 2 we criticize the attempts to provide principled arguments to defend market imperialism found in the works of Hayek, Friedman, and Becker. In this first section, however,

There are strands of neoliberal thought that do not support the idea of market imperialism, or that even argue in defence of the status quo of nonmarket spheres. The work by Wilhelm Röpke or Alexander Rüstow within the so-called ordoliberal school of neoliberalism might figure as an example in this regard. However, even the market-limiting arguments of the work of Röpke or Rüstow stand side by side with an emphasis on "liberal interventionism" which is meant to "facilitate structural adjustments" in order to secure "the competitive order." In other words, the ordoliberal defense of nonmarket spheres seems ambiguous and half-hearted, to say the least, especially when assessed in retrospective, where one can discern its history of effect; for example in the Scandinavian competition states. Thanks to Thomas Biebricher for bringing this point to our attention.

we concentrate on describing the neoliberal conceptions of the state, civil society, international governance, inequality, and citizenship in which market imperialism is embedded. Note that by making neoliberal market imperialism the core target of our book, our theoretical contribution is therefore actually quite small; all we claim is that market structures are not *always* the best solution to a social problem. However, this small point can be of real political and social importance. It means that whenever we face a social problem, decisionmakers cannot immediately assume that we should adopt a market approach and then place the burden of proof squarely on those who champion a different way of thinking about and solving the problem. Those who champion the solving of a problem by relying on marketlike structures do not begin from a superior position. The burden of proof is equally on them to provide us with good reasons to think that in this empirical case we should create some sort of market. However, as the empirical cases you are about to read in the following chapters will show, such good reasons are in many cases impossible to find, and the decision-makers often did not even bother to try to find any such reasons before opting for market solutions. In light of these diverse cases, and in light of the more general consequences of forty years of market imperialism, we hope that our small theoretical point can be leveraged to have a large and desperately needed impact on the way we teach and practice societal problem-solving in the future.

Again, our critical focus is on *market imperialism* as opposed to the two basic, innocuous ideas from the liberal tradition, *minimal liberalism* and *limited marketization*. We merely want to empirically disprove the idea that it is *always* the best approach to problemsolving to introduce market structures and rely on the forces of the free market. We simply seek to debunk the myopic dogmatism that, no matter what type of societal challenge you face, marketization is the proper response.

The limited focus of our critique has other significant consequences. First, our focus is compatible with the suggestion that the neoliberal tradition may contain genuine theoretical insights, apart from its problematic market imperialism. For example, neoliberal theory is often distinguished from classical liberal economic theory by emphasizing its rejection of a laissez-faire approach to markets. Neoliberalism actually wants a state and government, but only one whose main function is to maintain markets. Put another way, what distinguishes neoliberalism

is "the problem of how to identify the factors indispensable to the maintenance of functioning markets, since the option of simply leaving them to themselves is no longer on the table" (Biebriecher, 2018: 26; see also Slobodaian, 2018). This definition emphasizes the interventionist, actively political nature of neoliberalism, and it gives lie to the prejudice that neoliberals necessarily aim to shrink the state. Our limited critical ambition is also an analytically useful starting point; in that it allows for the wide variety of conceptions of what kind of institutions best ensure the functioning of markets that we find in the neoliberal theoretical tradition (Biebriecher, 2018: 26). Hence, our precise rejection of market imperialism allows problem-solvers to take seriously the neoliberal theoretical tradition's insight about the proper maintenance of markets. In other words, our critique does not extend to the neoliberal idea that markets are constructed rather than a "natural" self-sustaining phenomena. When the application of the market form is a recommendable response to a societal problem, the contributions from neoliberal theories concerning how a competitive market should be institutionally maintained by the national state or by international regulation are relevant to consider. We might recapitulate this useful insight from the neoliberal tradition as follows:

• Markets are not inherently self-sustaining phenomena, but must be actively developed and maintained by government (*market constructivism*).

Second, our sole focus on rejecting market imperialism also leaves important theoretical debates about neoliberalism aside. Most fundamentally, we do not provide theoretical assistance for determining when marketization is justified, and when it is problematic. This task is obviously crucial, but our aim is to help effect a preliminary step; namely, to snap us all out of the tunnel vision of market imperialism and to begin to reassess problems and possible solutions in all their complexity. How we should be guided in this more open-minded reassessment leads into an extensive theoretical discussion about the *legitimate domain of marketization* that goes far beyond the scope of our book. This more expansive question might be spelled out as follows:

• When is it justified to respond to a societal problem by installing, maintaining or advancing markets (*legitimate domain of marketization*)?

2.1.3 The Neoliberal Conception of the State

As we emphasized in the Introduction, we think that this openminded approach to problem-solving is both urgent and long overdue. The devastating consequences of more than a generation of dominance by market imperialism is becoming ever more obvious. The attempt to subject all spheres of society to market solutions has accelerated to a point where we need to be actively reminded that traditionally, many forms of social interaction were neither understood as, nor structured by, markets. The Hippocratic oath, the oath that doctors have taken at the start of their career since antiquity, commits medical professionals to assist those in need, regardless of wealth. This means that doctors have long conceived of a realm of obligation and human interaction that is not modelled on the paid exchange of services between solely self-interested producers and consumers. Likewise, education, marriage, poverty alleviation, friendship, employee motivation, punishment, burial, the election of leaders, and many other things that make up the normal fabric of our lives, have typically been very distinct in their conception and operation from that of the marketplace, with its individual selfish actors and its focus on profit. The neoliberals have argued that the job of the government is to marketize these aspects of societal life. Even practices initially foreign to market forces should be molded to become a market for competition among free self-interested consumers and producers.

According to neoliberals, in furthering the cause of the marketization of new societal domains the state plays a decisive role. In fact, according to one account, the prefix "neo" was added by some of the founders of neoliberalism to signal the need for reconceiving the state and its role "differently, and more clearly" than had been the case with liberalism (Willgerodt, 2006: 54–55; see Slobodaian, 2018: 6). Their attempt to redefine the role of the state rather than to do away with it puts neoliberalists at odds with libertarians (Mirowski, 2009: 436). Libertarians argue that the state, understood as the societal institutions that are government-owned and funded by taxes, should be reduced to the military, police, and courts whose job is to protect the citizens from theft, breach of contract, and fraud (Nozick, 1974). In this tradition the state is conceived in a minimal way as a "night watchman." The neoliberal state, however, must be able to do more than this; its

purpose is to govern decisively and to regulate in detail to allow for market competition and, thereby, produce and guarantee a stable market society with comprehensive marketization (Olsen, 2019: 7). Since the state is conceived as responsible for creating, maintaining, and nurturing the so-called *competitive order*, the neoliberal state can be understood as a *competition state* (Cerny, 1997) rather than merely a minimal, night-watchman state. Indeed, the common theoretical point of departure for most neoliberals is that the state has "positive functions to perform, and they are neither confined to guaranteeing private contracts, or, more generally, enforcing the law" (Biebricher, 2018: 34).

When advocating interventionist politics, neoliberals typically do so in order to further strengthen and sustain the popular acceptance of the competition state. A paradigmatic example is the so-called interventions for adjustment proposed by Wilhelm Röpke and Alexander Rüstow. Röpke and Rüstow advocate interventions by the state if they acceptably combine security with flexibility. Interventions should on this view be designed to "ameliorate the hardship of prolonged unemployment at the individual level, but assume the ability and willingness of individuals to retrain their entire career in order to replace devalued human capital through a more profitable stock" (Biebricher, 2018: 41, cf. 36). In this view, people become a sort of human capital traded on a labor market. Moreover, people-as-human capital are expected to completely change their life course and re-train for different careers and professions should the labor market demand it. What distinguishes neoliberal social policy is thus its individualist character and that it is indeed employed in order to "responsibilize" citizens to become economically self-sufficient.

This approach to unemployment has been influential in Western Europe, not least in the "flexicurity" models developed in the Nordic countries (Pedersen, 2006). They can be termed *competitive interventions* in so far as they help to reproduce the necessary conditions for sustaining and intensifying market competition in society. On a general level, neoliberals have agreed that the superior social policy is economic growth, and that inequality is "not only the natural state of market economies, but it is actually one of its strongest motor forces for progress" (Mirowski, 2009: 438; see also Piketty 2020: 705–716). Put another way, material inequality (some

quantum of human misery) between citizens is an important, necessary feature of social life because it motivates people to compete in market settings.

As for the state institutions and public organizations themselves, neoliberals have with considerable success argued that they should be subjected to practices and principles drawn from the market sphere "so that even core functions of the state are either subcontracted out to private providers or run (as the saying has it) "like a business"" (Ferguson, 2009: 172). The subcontracting or outsourcing of public services to for-profit organizations is often euphemistically labeled public-private partnerships. In a typical case, this simply means that a private company is contracted by the state for a number of years to design, build, finance, and operate a public service that would otherwise have been provided by public sector institutions. Finally, in order to ensure "accountability" within the reformed state institutions, the neoliberals have sought to restructure them with "technomanagerial governance", such as numerous audit devices and market metrics (Mirowski, 2009: 436). In this way, governing for the market tends to create a lot of state action and often demands extensive bureaucratization.

One example of this phenomenon from the academic world is the application of the so-called Research Excellence Framework to public universities in England. This framework judges "every academic endeavor by its uptake in non-academic venues (commerce, state agencies, NGOs)" (Brown, 2015: 196). Subordinating academic work to instrumental demands inevitably draws the focus of universities away from their traditional core tasks of cultivating humanistic and critical values and pursuing basic research.

The differences between the libertarian and neoliberal conception of the liberal state can be summarized as follows:

Different starting premises:

- The state should be reduced to the military, police and courts whose role is to protect the citizens from theft, breach of contract and fraud, as well as secure property rights (the libertarian night watchman state); and
- The role of the state also and most importantly includes governing decisively and in detail to create, sustain and protect market competition (the neoliberal competition state):

Implications of the neoliberal starting premise:

- Interventions in the market should be made only in so far as they
 help to reproduce the necessary conditions for sustaining and intensifying market competition in society (competitive interventions);
 and that
- 2) State institutions and public organizations should be subjected to outsourcing, subcontracting and market metrics (*market governance*).

2.1.4 The Neoliberal Conception of Civil Society

The notion of civil society is inherited by neoliberalism from the larger liberal tradition. At its most basic, "civil society" refers to social relations between groups and individuals in so far as they have historically developed to take a different form than the relations within state institutions or markets. As members of for example NGO's, social movements, religions, or families, individuals or groups are not directly acting within the framework of state institutions or governing bodies, but also are not merely agents involved in the exchange of goods or services. Rather, they are part of, the "third sphere," of civil society. For neoliberals, civil society is full of promises, possibilities, and dangers. It is first and foremost an inexhaustible reservoir for further colonization by market forces. In this sense, the neoliberals do not accept that civil society should be fenced off, as it were, from the sphere of the market: "Everything is fair game for marketization" (Mirowski, 2009: 437). It is the responsibility of state government to facilitate this process. The role of the competition state is to govern the social relations within civil society so as to cultivate groups and individuals for participation in the market, thereby expanding and intensifying the sphere of market competition within society. At the same time, civil society is assumed to be the domain from where forms of resistance to the state can grow that can be potentially useful for neoliberal aims. Social movements, for example, can mobilize pressure on the state "from below" in order to intensify the competition state, discipline its politicians and help protect the interest of corporations.

Yet, civil society is also a potentially dangerous breeding ground for social movements that seek to disrupt and change the neoliberal form of state government, or who turn their political energy directly against corporations and market activity. Groups within civil society must therefore be constantly monitored, contained, and modulated by an often subtle and indirect government. Despite attempts to change and colonize it, civil society is never completely subsumed. Fundamentally, civil society is a continuously present *horizon* for neoliberal political interventions, partly due to the constantly changing nature of the forms of non-marketized social interactions we engage in as human beings. In this sense, the fundamental neoliberal task of governing for market competition is never fully realized. There are always more social relations and processes to be domesticated by market forces, but also an ever-present potential for challenges and set-backs from recalcitrant groups and social movements. The social bonds in civil society both provide potential support for economic processes and economic bonds between people, while at the same time "overflowing them and being irreducible to them" (Foucault, 2008: 301).²

The ambiguous nature of civil society to neoliberal thinkers can be summed as follows:

- Civil society is an inexhaustible social resource for expanding, and a social precondition for sustaining a competitive market society (*civil society as a promise*).
- Civil society is a dangerous reservoir for resistance and potential disruption of market structures and corporate power (*civil society as a threat*).

2.1.5 The Role of International Institutions and Governance in Safeguarding the Market Order

As recent scholarship has investigated, the adherence to a strong competition state is in neoliberalism combined with the idea that nation-states themselves have to be disciplined "from above" (Biebriecher 2018; Slobodian 2018). The international dimension of neoliberalism has been most forcefully expressed as a *philosophy of global ordering*, developed in particular at the University of Geneva by Ludvig von Mises, Friedrich Hayek and Lionel Robbins and many

² Foucault is here interpreting the eighteenth-century philosopher Adam Ferguson. We use the ambiguous description of civil society he claims to excavate from this philosophy to characterize the phenomenon as it appears from the point of view of neoliberalism.

others throughout the twentieth century. This group of neoliberals not only coined ideas, but also helped to translate them "into policy or institutional design through partnerships with politicians, bureaucrats, or businesspeople" (Slobodian, 2018: 24). The neoliberal philosophy of global ordering has been extremely influential, not primarily because of its contributions to economic theory, but in particular as an inspiration for statecraft and institution-building. Its most significant achievement has perhaps been the establishment of the World Trade Organization (WTO) in 1995, but the ideas of the Geneva "globalist" school have also shaped the institutional development of the European Economic Community (EEC) and the European Union (EU) to a significant extent (Sloboidian, 2018: 182–262; see also Streeck, 2017: 154).

The first neoliberal argument for international governance should be understood in light of their understanding of the nature of competition. For Hayek, and other neoliberals following his line of thought, competition is an endless process of discovery and learning where the outcome cannot be determined in advance (Havek 1968; Slobodian, 2018: 206, 213). When states compete against each other in order to provide the most favorable policies for investment and enterprise it facilitates such open-ended competition (Biebricher, 2018: 63; Slobodian, 2018: 267). However, in order to ensure that states compete to provide ever better frameworks for competition, they must be committed to secure the free flow of goods, services, capital, and labor. In this perspective, nation states appear in an ambiguous light: The creative and openended game of market competition is facilitated by nation states that compete for international investments, but at the same time capital must be able to follow opportunities across borders. Therefore, the neoliberal form of globalism does not envision a world without borders but attempts to erect a "worldwide institutional grid that offers transnational capital multiple exit options" (Brenner, Peck and Theodore, 2014: 129; see Slobodian, 2018: 266–267).

The removal of capital controls, that is, allowing wealth to roam a borderless world, plays a significant role in the worldview of the neoliberals because it induces countries that have successfully drawn investors to establish conditions sufficiently favorable for foreign capital to remain. The neoliberal endeavor hence includes the formulation and enforcement of "international investment law designed to protect foreign investors from diverse forms of expropriation" (Slobodian,

2018: 4). In a sustained effort the neoliberals have sought to build institutions that could force state governments to limit their own sovereign prerogatives (say to tax) in order to protect capital. In simple terms, the principle they seek to enforce is that governing a territory does not entail owning the property within it (Slobodian, 2018: 139). Thinkers in this globalist strain of neoliberalism have even attempted to appropriate the language of human rights to make this argument. By focusing less on the condition of the stateless person, but rather on the rights of the investor, they effectively proposed the right to capital flight already in the mid-twentieth century, and more recently neoliberals have criticized the UN human rights covenants for failing to offer effective protection for property rights and economic freedoms (Slobodian, 2018: 135, 279).

The guiding and immensely influential idea of the Geneva School of neoliberalism is thus to encase market structures and property rights in a framework of codified norms and rules that supersede national laws. The competition laws developed in the European Economic Community and European Union are an example. In fact, in their attempt to shape the transformation from the General Agreement on Tariffs and Trade (GATT) to the World Trade Organization (again, WTO), the economic market order as it was realized in the EEC played a guiding role for the neoliberals (Slobodian, 2018: 256). The principle that common European law overrides the national law of member states, and the fact that individual citizens as well as corporations could appeal to European law in their domestic courts, made the EEC a useful paradigm of an appropriate market order on a global level (ibid.).

Finally, many neoliberals are convinced that the world market needs the institutional support of international law and political norms to be maintained and, not least, protected from misconceived perceptions of popular sovereignty. Democracy is a threat to the functioning of the market order, because democratic majorities inevitably will demand redistribution of wealth (Slobodian, 2018: 272). In 1978, the economist and president of the neoliberal Mount Pelerin Society, George Stigler reflected on the nature of neoliberalism as a "minority view", and asked the following rhetorical question: "If in fact we seek what many do not wish, will we not be more successful if we take this into account and seek political institutions and policies that allow us to pursue our own goals?" (Stigler, 1979; quoted in Slobodian 2018: 237).

The second neoliberal argument for international institution-building is therefore that the will of people must be put on a leash by insulating markets from their potentially harmful interventions. Whereas the first argument emphasized how international law and multi-level governance can function to intensify competition, the second argument focuses on how rules formulated, maintained, and enforced by international institutions may serve to constrain what the neoliberals consider the dangerous egalitarian tendencies of democracy. With imagery that invokes a famous scene from Homer's *Odyssey*, the aim of international institutions and governance is to tie, with hands bound and wax in his ears, the Ulysses of the democratic state to the mast of the world economy (Slobodian, 2018: 273). Thus bound, the state is unable to listen to or follow to the democratic majorities that presumably legitimate it.

The first neoliberal argument for international institutions and governance can be summarized as follows:

• Market competition can be stimulated by the competition between states. Therefore, states must be committed and incentivized by international institutions and governance to offer the most attractive climate for the conduct of enterprise and for investment of capital (*stimulating competition*).

The second neoliberal argument for international institutions and governance can be summarized as follows:

Democracy is constantly liable to result in government failures
where special interests or popular majorities pursue egalitarian policies to the detriment of property rights and the market order.
Therefore, democracy must be constrained by international institutions and governance in order to safeguard the market order and
property rights (constraining popular sovereignty).

The two lines of argument require the same response: International institutions and governance must provide and enforce rules, norms, and laws that strengthen and protect the market order and commit nations to full participation in the world economy. The international rules must be able to override national laws or even be integrated in the national constitution and, thereby, commit the states to secure the free flow of goods, services, capital, and (to some extent) labor. International rules must provide individual capital owners and

corporations with exits, and in case they perceive their property rights or right to trade to be infringed upon by the government of the nation state, they should be able to appeal to international courts whose rulings take priority over the courts of the nation states.

2.1.6 Neoliberalism and the Problem of Inequality

The primary challenge which neoliberalism faces from a democratic government is the inherent tendency of the majority to favor some form of wealth distribution in the face of sufficient inequality. It is a common neoliberal idea that pursuing egalitarian policies beyond equality before the law is dangerous to the social order and human wellfare. Inequality is not a phenomenon to be combatted, let alone overcome, but a force of progress that works to the benefit of all members of society (no matter how wretched some may be). To many neoliberals the protection of private property rights is seen as the primary political priority at any level of governance. While we initially presented neoliberalism as the marriage of minimal liberalism and the idea of the expansion of the market, it is well-established that for central neoliberal thinkers the idea of liberalism gradually narrowed into the mere idea of property rights with little respect for the further liberal values and freedoms that modern democracies are typically built to ensure. Friedman and in particular Hayek's justification of (semi)authoritarian forms of government, and in particular their willingness to admit the suspension of democratic rule and accept a transitional dictatorship under certain circumstances is well documented (Mirowsky, 2009: 446; Biebriecher, 2018: 103-106; 142-149).

While Friedman and Hayek are no doubt extreme compared to the many more moderate neoliberals in contemporary governments, who do respect the typical broader notions of liberties, it should be kept in mind that this inherent tension remains embedded in neoliberalism. Whenever the markets created by neoliberal policies are challenged by democratic demands for equality or obstructed by the respect for further non-property related civil liberties, then the neoliberal needs to evaluate what takes priority, marketization and property rights or minimal liberalism. Despite how this internal discussion pans out within the specific neoliberal debate, one thing is certain: neoliberal thought idealizes a form of inequality typically created by market structures and politically defends this by the questionable claim that

even the poor are better off by allowing such rampant inequality (For an extensive empirical criticism of this claim, see Piketty 2014).

The Neoliberal view on inequality can be summarized as follows:

• Everyone will be better off by accepting inequality of outcomes, even if inequality levels remain significant or grow larger (*positive effects of inequality*)

2.1.7 The Neoliberal Conception of the Citizen

After more than three decades of dominance, neoliberalism has according to some of its critics shown its potential to change how democratic citizens understand who they are (e.g. Brown, 2015; 2019). When competition is installed as the fundamental principle of social dynamics, inequality, rather than equality, gradually becomes more legitimate, if not idealized, in every sphere of society (Brown, 2015: 64). Perpetually involved in the game of competition, all actors are conceived as capital and the human capital theory propounded by neoliberal economists (Becker, 1993) increasingly expresses the implicit anthropology of society. The consequence is that the selfconceptions of members of society are increasingly shaped according to the ideal of the individual entrepreneur: "As capital, every subject is entrepreneurial, no matter how small, impoverished, or without resources, and every aspect of human existence is produced as an entrepreneurial one" (Brown, 2015: 63). Each individual subject is cultivated to govern himself as "an entrepreneur of himself", "being for himself his own capital, being for himself his own producer, being for himself the source of [his] earnings" (Foucault, 2008: 226; Slobodian and Plewhe, 2020: 14). Individual decisions are evaluated in terms of market metrics that focus on the return of investment, and state institutions and policies seek to multiply and differentiate the enterprise form throughout the social body.

Think about this idea once more. How many of our choices in life should be thought of as entrepreneurial investments? Often it would probably be better if we decided to do something because it was kind, created something of lasting importance or, simply, because it was the right thing to do. The more our ways of thinking are dominated by an entrepreneurial self-conception, the more such reasons for action are forgotten and exchanged with a concern about what one personally

profits from a course of action. Rather than lamenting this narrowing of our reasons for action, neoliberals either applaud the change, or even more sinisterly claim that no change has occurred because deep down, despite the pretty words, we were always already only looking out for our own profits.

As market, competition, and entrepreneurship become the formative powers of society, education in general, and higher education specifically, is prioritized for purposes of capital enhancement and maximizing competitiveness, rather than for "developing the capacities of citizens, sustaining culture, knowing the world, or envisioning and crafting different ways of life in common" (Brown, 2015: 177-178). This conquest of education by economic concerns threatens democracy. When public secondary and higher education in Western countries focus on developing human capital, rather than on providing citizens with the capacity to understand the powers and problems that surround them, their ability to take part in self-government is steadily undermined. What is eroding in this process is ultimately our selfconception as equal citizens, and our ideas of "society" and "the social" as a space where "citizens of vastly unequal backgrounds and resources are potentially brought together in common action. It is where we are politically enfranchised and gathered (not merely cared for) through provision of public goods and where historically produced inequalities are made manifest as differentiated political access, voice, and treatment, as well as where these inequalities may be partially redressed" (Brown, 2019: 27). As this idea of the social increasingly vanishes from our thoughts, speech, and experience, it also threatens to disappear from our visions of the future, our political imagination (Brown, 2019: 52).

The neoliberal view of the individual can be summarized as follows:

- The self-conception of the citizen should be that of an entrepreneur in a double sense:
 - 1) The ideal form of work and citizenship is supplying a good or service to the market for profit, i.e. to start one's own business (*idealization of entrepreneurship*); and
 - 2) Each individual should commit to being an "entrepreneur of oneself", perpetually attempting to maximize the returns on investments in his or her human capital (*entrepreneurial anthropology*).

Although our book does not deal with how neoliberalism challenges our conceptions of democracy and a flourishing society, the cases you are about to read depict alternative political responses and non-market based social practices, which go beyond neoliberal dogmas in a variety of different directions. Our hope is that an exploration of these existing alternatives to the current neoliberal market orthodoxy may critically complement the bleak picture painted by some of neoliberalism's critics. Thereby, we in this anthology hope to not only criticize neoliberalism's market imperialism, but also hope to contribute to a refueling of our political imagination, as well as inspire future theories that seeks to limit and restrict the times and places where the applications of market solutions are justified.

2.2 The Problematic Theoretical Underpinning of Market Imperialism

When reading the first part of this chapter, you may have wondered: Given that the problems that face societies are of so many different kinds, why would anyone *ever* have come to accept that a single approach to problem-solving is the default correct option. In other words, how can market imperialism ever appear convincing? In this section, we want to present a series of assumptions about human motivation, political organization, and knowledge, which the major developers of neoliberalist thought have used to justify their myopic praise of market forces as the solution to all human problems. We think that the contemporary prevalence of market imperialism is underpinned by the implicit or explicit adoption of these assumptions, or due to a blindness toward what alternative solutions may exist. Part of the process of removing the blinders, so that we can appreciate other approaches to problem-solving, consists in dismantling the arguments that were instrumental in blinding us in the first place.

Importantly, our critical discussion below assumes the good faith of neoliberal arguments. In other words, we grant that the neoliberals advance a default application of the market form to every kind of societal problem, that they propagate an economization of all social relations, because they actually think this is the best, or perhaps only way, to solve such problems. It is important to emphasize that this charitable approach to neoliberalism is not at all shared by all of its critics, nor even all of our authors. One of the largest, longest running

traditions in the study of capitalism, Marxism and Marxist thought, would not extend this sort of courtesy to neoliberal thinking. For example, one recent Marxist interpretation views neoliberalism as a movement that grew out of the attempt of the ruling class in capitalist society to undermine the power of labor in light of the falling rate of profit in the early 1970s (Harvey, 2007). In line with Marx original interpretation of bourgeois liberalism (Marx and Engels 1993), this contemporary Marxist interpretation sees the neoliberal appeal to defending and expanding individual liberty as a dishonest or at least self-delusional pretense to class-based exploitation. It identifies the real motivation behind neoliberal arguments for marketization as the attempt to secure the interests and resources of private property owners, businesses, multinational corporations, and financial capital (Harvey, 2007: 7). This may well be true. And, again, it's likely that many of our contributors are persuaded of this line of reasoning. A summary of the different levels of charity one could have to neoliberal theorizing follows:

- Arguments for market imperialism should be interpreted as part of an attempt of the ruling class in capitalist society to undermine the power of labor, or more generally as an attempt to secure, maintain or increase the power of the ruling class (*uncharitable interpretation*);
- Arguments for market imperialism are motivated by the conviction of neoliberals that this approach is the best or only way to address societal problems (*charitable interpretation*).

If you are already committed to an uncharitable interpretation, you have no reason to take market imperialism seriously in the first place. You should therefore not be under the influence of default market boosterism. To you, the cases we provide, should provide for further empirical evidence for your extant suspicion of neoliberal thinking.

That said, the premise of our book is that even if you are personally persuaded of the shortcomings of neoliberalism, you or your colleagues may be propounding market imperialism in your teaching, or you may be subject to this approach as a student, based on the tacit or explicit assumption that market solutions are truly the best or even only to way to address certain societal problems. If this is the case, you will be encountering market imperialism in an academic environment in which reason and evidence are supposed to carry the day. Based on

this charitable interpretation, that is, based on the possibility of deliberation and persuasion as a form of political action, we aim to provide two means to break free from market-first neoliberal thinking. First, what remains of this chapter aims to show that there is no viable theoretical underpinning for market imperialism. Secondly, our cases aim to counter the last-ditch defense of neoliberalism, the idea, first made infamous by Margaret Thatcher, that "there is no alternative." The range of cases in our book shows that this idea is, at best, a cynical product of empirical laziness. Alternatives exist, and the way problemsolving is taught in higher education should therefore be more openminded than is currently the case.

In the following we will evaluate three lines of argument that have all flourished in the major theoretical defenses of market imperialism. They can be called:

- 1) The "Human nature is self-interested" argument;
- 2) The "Tyranny is the only alternative" argument, and;
- 3) The "The market knows best" argument.

To put some philosophical terms on the arguments: the first is metaphysical (it concerns what we *are* as humans), the second is moral (it concerns what we *ought* to do as humans), the third is epistemic (it concerns what we can *know* as humans). All the arguments are typically employed to great polemic effect. Yet, when scrutinized more closely, they all fall apart. In the following we will discuss each argument in turn and present their faults. To assist in this, we will present the premises and conclusions of the arguments explicitly. Though these arguments naturally surface in many slightly different variations throughout the literature, we take our renderings to be faithful to the major line of thought in the various versions.

The three principled arguments for market imperialism can be summarized as follows:

- 1. The subject is assumed to act as a *Homo Economicus* in all societal contexts: a rational utility maximizer with stable preferences. Explicitly setting up market structures only acknowledges this reality (*The "human nature is self-interested" argument*);
- 2. The only ways of coordinating human cooperative problem-solving are through coercion or market mechanisms, and coercion is wrong (*The "tyranny is the only alternative" argument*);

- 3.A. Humans can never grasp the complexities of a social problem and will thus only solve it by pure luck. The market will at least produce a viable solution to a problem, if not always the best (*The "humans are dumb" argument*); and
- 3.B. Whereas humans will only sometimes find the best solution to a social problem, markets will always do so (*The "markets are incredibly smart" argument*).

2.2.1 The "Human Nature is Self-interested" Argument

The first argument runs as follows:

- **Premise 1:** The use of free market forces is the best way of organizing cooperation among exclusively self-interested, well-informed, rational individuals with stable preferences.
- Premise 2: Humans are inherently, and exclusively, self-interested, well-informed, rational individuals with stable preferences.
- **Conclusion:** All cooperative problems solving is best organized by the use of free market forces.

Famously, Adam Smith (1776, bk 1, chap. 2) pointed out that when people go to the market to acquire groceries, we do not expect them to act out of altruism when they chose which goods to buy. Rather, he identified that the efficient solution to the cooperation problem of how much to produce of each retail good in a society, and at what quality, could be adequately solved by relying on the self-interested behavior of those freely buying at a market. When it came to buying day to day household provisions, people were primarily motivated by self-interest and, in light of that, a free market was an efficient way of handling the issues of social cooperation related to the production and consumption of household goods. For other social organization issues, such as care for the family and societal governance, Smith (1759) thought we needed to rely on other forms of human motivation, such as our sense of justice and piety.

The key to the "Human nature is self-interested" argument is the claim that Smith and likeminded theorists were naïve in thinking that humans are ever motivated by anything beyond the rational self-interested pursuit of a set of stable personal preferences. The form of human motivation that Smith identified at the marketplace is in fact the

only form of human motivation there is. It is simply a harsh anthropological fact that beneath our veneers of morality and loyalty, we are really only acting based on the enlightened pursuit of self-interest. We are essentially and always maximizers of our own personal utility. Hence, in a sense, every social interaction is already a form of a marketplace. Only what we trade isn't solely provisions and drygoods, but also the satisfaction of more subtle needs, such as our craving for recognition or safety, our intellectual curiosity, the proliferation of a religion we prefer, and many other of our more abstract personal preferences. And if, as the argument goes, we are always and only motivated by self-interest, then the quid pro quo of the marketplace is the best way of getting everyone to cooperate.

The pressing question is why anyone would ever dream of acknowledging that the second premise is true. Scrutiny of the human activities around us seems to immediately display its obvious falsity. Altruistic action abounds, from the care families give to needy children and elderly, to volunteer work, or the loyalty shown to friends, social groups, and even to places of work or the environment as such – even when, and perhaps especially so, these people, places or things don't love you back. Indeed, many of the successful alternative solutions to real empirical problems that you will read in the following chapters function precisely by relying upon the fact that people can be motivated by other factors than self-interest. This is where the neo-liberal argumentation turns insidious. The first step taken in convincing people of our essentially self-interested nature is to move from the idea of the marketplace, where we are interested in money and physical goods, to the idea that we are also self-interestedly maximizing our acquisition of further more ethereal goods, such as confirmations of our self-conceptions, the implementation of our personal sense of justice, and our pursuit of public recognition.

This expansion of our egotistical goals from solely pecuniary and material to include anything one can conceivably strive for is perfected in the work of economist Gary Becker. Smith (1759) famously excluded family life from the arena of human cooperation governed by self-interest. In his major work *A treatise on the family*, Becker's (1981) aim is precisely to expand Smith's conception of our self-interested market motivation beyond those confines. He writes: "This volume uses the assumptions of maximizing behavior, stable preferences, and equilibrium in implicit or explicit markets to provide a

systematic analysis of the family" (Becker 1981: x). Becker accomplishes this expansion precisely by assuming that, whatever goals you may have, what you strive for can be understood as some relatively stable preference that you rationally maximize your personal utility by satisfying.

Thus, by a stroke of definition, you are now a maximizing self-interested individual, even when you donate to charities and do volunteer work. For what you are really doing is not motivated by the needs of others. Deep down you are simply pursuing your self-interest by maximizing the utility you get from supporting your self-conception as someone who donates or helps those in need. Moreover, and this is important, according to the neoliberal theory such seemingly altruistic behavior is ultimately substitutable by a sufficient increase in the satisfaction of *any* of your other preferences. There is no amount of commitment to altruism or loyalty that cannot be trumped by enough cookies, fast cars, or money. Every noble goal you pursue, every principle you adhere to, will according to economic maxims be trumped by the promise of sufficient satisfaction of your other desires (Becker 1981; Jensen 1994: 7). Put another way, everyone has their price.

Once we have expanded the notion of self-interested maximizers from the pursuit of pecuniary and material interests to the pursuit of personal utility, then there is obviously no behavior that cannot be analyzed as motivated by the maximization of self-interest. If someone explains that they do something because they owe it to their neighbor, or because they think it is right, then it can be explained as their unacknowledged pursuit of the personal utility they derive from living according to those ideals. And if someone consistently upholds a given principle in their actions, seemingly unwilling to compromise for any substitute, then the answer will always be that this is simply because they haven't been lured with sufficient amounts of alternative utility. None of us are actually ever motivated by ideals or principles, only by self-interest. We may think we are, but we are at best insufficiently rewarded for abandoning our previous higher ground, and that explains seeming cases of moral fortitude against personal temptation.

When the idea that we are self-interested maximizers of wealth and goods is expanded into the idea that we are self-interested maximizers of personal utility, and when enough alternative explanations and theoretical bells and whistles are added to the theory, this theory of human nature becomes impossible to empirically falsify. It becomes

axiomatic. However, what is overlooked in the neoliberal argument is that it also becomes impossible to employ in the defense of market imperialism. Consider the following: if we are indeed self-interested maximizers of personal utility, but sufficiently many of us acquire great personal utility by, say, being loyal toward our group and acting in its best interest, or acquire personal utility by behaving altruistically and doing our duties, then why do we need market forces to best organize our cooperation? It seems that our personal preference for loyalty, duty, compassion, and the like, should be sufficient and possibly even superior in the organization of our cooperation than the quid pro quo approach of the market transaction.

In effect the neo-liberal argument above acquires its seeming effectiveness through equivocation. Let us grant that it is true that *if* we were indeed self-interested in the narrow sense of pursuing only wealth and material goods, *then* market forces would be the best way of organizing cooperation. However, as we have emphasized, it flies in the face of all common sense and experience that we are essentially only motivated by the personal pursuit of wealth and material goods. People pursue all kinds of aims, not only wealth and material goods. In other words, a narrow reading of premise 2 is obviously false.

Alternatively, lets follow Becker's flight forward and expand the notion of maximization to the goal of personal utility, such that premise 2 becomes even remotely defensible³. That is, let us expand the notion of our self-interested pursuits, such that we are maximizers of personal utility in the sense that we sometimes also pursue further values, such as altruism and loyalty and duty, though only as a means for self-gratification and never as an end in itself. *In that case, premise 1 is false.* Because then it will no longer be the case that the quid pro quo of the marketplace is always the best way to organize our collaborative problem-solving. Sometimes it may be more efficient and preferable to rely on our natural preferences for social cohesion and

³ We still take this theory of human motivation to be false due to its accompanying assumptions about the substitutability of ends, the rationality of agents, and its self-focused conception of all practical deliberation. Though these points are important, we must for simplicity's sake leave them aside for now. Our chapter on healthcare (Chapter 17 in this volume) challenges the neoliberal conception that agents are rational and well-informed in their pursuit of self-interest, and shows how better problem-solving can be performed by rejecting this assumption. Our chapter on water supply (Chapter 4), challenges the idea that our preferences should be conceived as stable.

feelings of obligation. In fact, a series of the cases in the rest of the book present real empirical examples, where relying on non-economic motivation was more efficient in our problem-solving. Hence, there is no reading of the "human nature is self-interested" argument where both its premises are true. It relies on subtle equivocation in its claims to justify the market imperialism championed by neoliberalism.

2.2.2 The "Tyranny is the Only Alternative" Argument

The next argument is probably best introduced in the voice of the economist Milton Friedman, who was both its most famous defender and a major formative influence at the Chicago School of Economics which was, and continues to be, one the main centers of neoliberal thought:

Fundamentally, there are only two ways of coordinating the economic activities of millions. One is central direction involving the use of coercion, the technique of the army and of the modern totalitarian state. The other is voluntary co-operation of individuals, the technique of the marketplace. The possibility of co-ordination through voluntary co-operation rests on the elementary yet frequently denied proposition that both parties to an economic transaction benefit from it, provided the transaction is bi-laterally voluntary and informed (Friedman 1982: 19).

Friedman here provides an argument from exhaustion, which is echoed in the writings of Hayek (1944).

Premise 1: The only ways of coordinating human cooperative problem-solving are through coercion or market mechanisms.

Premise 2: Coercion is wrong.

Conclusion: All cooperative problem-solving is best organized by the use of free market forces.

The problem with the argument is so obvious that it almost merits no explanation. Clearly the first exhaustive premise that we can only coordinate human cooperation through coercion or market mechanisms is false. As just established in the discussion of the former argument, humans can be motivated by many different factors. Each of these motivations can form the basis for human coordination, not just our economic interests or the brute force of tyranny. Maybe I value the

social cohesion in our group and so does the rest of the people in our group. This motivational factor can then be used to coordinate our efforts, and this amounts to neither the economic quid pro quo of the marketplace, nor to the coercive techniques of tyranny.

Friedman also employs an individualistic conception of humans which overlooks that in many cases we might need no motivation to coordinate. We might already be adequately coordinated by shared cultural features, such as shared language, shared traditions, or other shared systems of meaning. The typical failure of exhaustive arguments is to overlook viable alternative options, and this argument is no different.

Despite its simplistic nature, this argument is well-known from politics, especially in the USA, where it seems that any mention of democratic socialist reforms, such as universal healthcare and free education, are immediately associated with the repressive tyranny of some vaguely-conceived communist dictatorship. That democratic socialist policy, which relies not on market transactions but on a communal feeling of responsibility for each other, cannot be separated from coercive and oppressive tyranny shows that despite its obvious flaws, the "Tyranny is the only alternative" argument still has widespread political influence.

But wait, you might think, aren't you misreading Freidman? After all, he merely writes that our *economic* activities can only be coordinated by coercion or the free market. Whereas you interpret him as saying that *all human cooperative problem-solving* can only be coordinated by coercion or the free market. It is true that we extend his argument beyond the quote, but there are reasons for doing so. First of all, Friedman himself typically interprets his own statement as having practically universal scope, such that for example the provision of healthcare, the building of societal infrastructure, and education are also trivially and without argument included as activities that are economic in some sense. Secondly, unless the argument is read as including all cooperative activities, it cannot support the market imperialism that neoliberals use it to justify.

If we acknowledge that only our problem-solving concerning specific *economic issues* is limited to either coercion or the market, then one might agree that we should prefer free market solutions to our *economic problems*, which is indeed what we, the authors of this chapter, think. However, the pressing question then becomes which types of

problems should be construed as economic, and which problems should be construed as, say, political, educational, moral, or ethical. The essence of market imperialism is precisely the claim that all problems should be solved with market solutions; and the universality of that claim cannot be supported if we acknowledge both that non-economic problems may have other alternative forms of coordination that are viable and accept that not all problems are economic. Hence, on the strong reading of Friedman's argument we presented first, its first exhaustive premise is obviously false. On the second weaker reading, where it only concerns economic coordination, it cannot support the universal application of market solutions that is the very essence of the neoliberal approach to problem-solving.

2.2.3 The "The Market Knows Best" Argument

The final argumentation in favor of neo-liberalism's market imperialism that we want to consider is humbler than the two arguments we've already evaluated. It neither claims that we are inherently and implicitly engaged in self-interested market calculations whenever we interact. Nor does it argue that every non-market approach to cooperative problem-solving is morally reprehensible. It simply claims that though there may be many commendable ways of approaching coordinated problem-solving, as a matter of fact, better solutions are always found by employing free market mechanisms. The argument is epistemic; we always discover the best solutions by letting decisions of what to do be determined by market forces. This type of argument comes in two forms, one that underestimates our human capabilities for discovering solutions and one that overestimates the ability of free market outcomes to find the optimal solution to our practical problems. We can call them the "humans are too dumb, and the "the market is incredibly smart" arguments.

2.2.4 The "Humans Are Too Dumb" Argument

The argument runs as follows:

Premise 1: To adequately solve the problems we face, our solutions need to be responsive to the relevant complexities of the problems they address.

- **Premise 2:** The societal problems we face are too complex for human cognition to adequately grasp.
- **Minor Conclusion 1:** We cannot through active human reasoning and planning provide adequate solutions to our societal problems.
- Premise 3: Market mechanisms are automatically responsive to the relevant complexities of the societal systems we marketize.
- **Minor Conclusion 2:** Market mechanisms can provide adequate solutions to our societal problems.
- **Conclusion:** All cooperative problem-solving is best organized by the use of free market forces.

Argumentation along these lines is famously championed by Hayek (1945), when he argues that the automatic price regulation of the market functions is our only available option for handling problems that are too complex for individual human cognition to grasp. Notice though, that the core of neo-liberalism is its market imperialism, which claims that all problem-solving should be left to market forces. In order to defend that conclusion, the critical issues are 1) if *all* our problems are too complex for human conscious cognition to adequately evaluate, and 2) whether it really is true that the market *always* adequately responds to the relevant features of those problems. The contentious premises of the argument are thus premise 2 and premise 3. However, those premises are both obviously false in the strong universal reading required to justify market imperialism.

Clearly, there are certain problems which humans can easily grasp the complexities of and thus consciously plan an effective solution to. Mundane problems such as who should take the kids to school or where to buy milk spring to mind. More importantly, as many of the coming papers will show, even for quite complex problems such as handling water supplies (Randle, Chapter 5) and organizing parking in major cities (Souleles, Chapter 10), conscious human prediction and problemsolving can outperform market-based mechanisms. Hence, the scope of problems for which premise 2 is true is certainly less than the universal scope required to support the conclusion of market imperialism.

Likewise, there are obviously societal problems where free markets are irresponsive to features we know to be relevant to adequate problem-solving. In particular, problems with easily foreseeable long-term effects are poorly reflected in market prices despite being well-known to human deliberators. This is because the long-term consequences of various market decisions are screened off from immediate economic relevance by the interim fluctuations of the market. In economic terminology, the "externalities," the things outside a market aren't properly internalized in the market. We certainly know that undermining the education system or destroying our ecosystems have long term detrimental effects, both economically, but even more so socially and morally. However, these negative effects aren't, and often cannot be, reflected in contemporary price mechanisms as there is often adequate profit to be made until the widespread negative consequences set in and destroy a given market's larger societal context. Hence, the universality of premise 3 is also obviously false in the strong reading required by the neoliberal argument.

Once again, the remaining question is why anyone would ever believe this argument. It seems to get its motivation from a form of slippery slope fallacy. In their writings, both Friedman (1982) and Hayek (1944) primarily compare the attempts to centrally plan production and consumption of material goods in the Soviet Union with the alternative of letting the gradual rise and fall of prices on a freemarket signal which resources are in scarcity and abundance, relevant to human needs. They are both certainly right that when we consider the production and consumption of fairly ordinary goods, then this is surely both too complex a system to grasp in human cognition and also a system fairly adequately reflected in the price mechanism of the market. However, the fallacy in play is when we start to think that because a free market is the most effective method available for solving the problem of national or global production and consumption of ordinary goods, then it must also be the best approach to solving either issues of less complexity or issues of equal or greater complexity which do not deal exclusively with ordinary goods. It is suddenly assumed without argument that the comparatively more complex issue of motivating a specific group of employees, or the organization of consumption of esoteric "goods" such as CO2, crime, and education, are also problems best solved by relying on market mechanisms. However, this issue requires empirical investigation of the specific problem one faces. It may be that human conscious deliberation can indeed grasp the complexities of the relevant issue and find a better solution than that orchestrated by blind market forces. Or it may be that the market is in this specific case insensitive to the features relevant to adequate problem-solving, features which human deliberation would immediately take into account.

In other words, the tacit presumption that a market solution must be the way forward can only be justified if we accept premise 2 and premise 3 above in their universal interpretations, and those are obviously and undeniably false. What we should accept are the weaker reasonable premises that *sometimes* we cannot grasp the complexities of a problem, and *sometimes* a market of some sort is indeed responsive the relevant complexities that we cannot grasp. But these premises only allow us to conclude that for any problem we face, we need independent argumentation and justification that shows why this case is indeed one of those where blind and passive market forces provide better solutions than conscious human deliberation and orchestration.

2.2.5 The "The Market is Incredibly Smart" Argument

This argument in favor of market imperialism doesn't take its grounding in the deficiencies of human cognition, but rather in the presumed perfections of the market. It goes as follows:

- **Premise 1:** Conscious human deliberation sometimes discovers the optimal solution to a problem.
- **Premise 2:** The market always selects the optimal solution to a problem.
- **Conclusion:** All cooperative problem-solving is best organized by the use of free market forces.

This argument typically relies on drawing analogies between market forces and evolutionary forces, yet, in doing so, fundamentally misunderstands both. The comparison of market forces to evolution has a long tradition. It is exemplified in influential work by Alchian (1950) and Hayek (1988). The rough idea is that a free market will allow for myriad potential solutions to our problems to emerge. Blind market forces will then function by passively selecting the optimal solution, whereas the rest will automatically dissipate. The slogan is captured in Herbert Spencer's (1865) misunderstanding of evolution as a process

of natural selection that ensures the survival of the *fittest* – a slogan he used to justify an early form of racist, social Darwinism of precisely the type that underwrites this second epistemic argument in favor of neoliberalist problem-solving. However, the slogan is false, evolution isn't a directional process of survival of the *fittest*. It is process of survival of those who *accidentally happen to survive*.

The fittest finch ever to exist probably died due to a lucky predator, a random lighting strike, or an uncommon draught. However, the odds of dying are slightly lower among animals better fitted to their environments, which means that if we repeat the process of survival of those who happened to survive an incredible number of times, then we will have a population which is on-average better suited to its environment compared to what random variation alone would have resulted in. Survival in this evolutionary sense is thus 1) due to random, nondirected variation, 2) context-specific, and 3) essentially a group or population-level phenomenon. Some elements of markets work sort of like this: There is great uncertainty as to what firms or solutions will prosper on the market; that is why it is fraught with risk. A lot of bad ideas get funding, and a lot of good ideas fail to prosper. Perhaps, on average, if we look at the companies that persist decade after decade, then they cannot be half bad. Yet very often, better companies have in fact been out there, but perished due to random accidents, such as a single bad CEO, a bankruptcy among subcontractors whose effects spilled over, starting up just prior to the outbreak of a pandemic, etc. Notably, deliberate human intervention can sometimes beat the blind selection of the evolution-like process of the market. Just like selective human breeding have created specialized farm animals at a faster pace and with different results than those that would have occurred by natural selection. For example, instead of blindly allowing market prices to determine which companies survive and how they alter after we internalize the cost of CO2 by introducing tariffs, we could probably just target specifically harmful industries by deliberate regulation and prohibition, just like we deliberately singled out certain highvolume milk-cows for further breeding.

A second issue of equal importance is the slow speed of development and the high casualty rate inherent to both evolution and market forces. Free-market forces function by allowing everyone to go on in their own way. Just like random mutation in the evolutionary analogy, this creates the required variety for the process to function. Without variety even evolution fails to provide well-fitted creatures, as cases of inbreeding attest to. Of this variety, those companies that are most ill-fitted to their surrounding environment have the greatest odds of perishing. However, just like in nature, where a poorly fitted type of finch may survive for several generations before perishing; likewise, a bad way of solving our problems may persist for a long time before some market mechanism actually kills it. This despite the fact that the most cursory deliberate evaluation would allow us to see that, from a societal perspective, this form of problem-solving was nowhere near optimal, and may in fact be harming lots of people, as in the case of, say, fossil fuel exploration or asbestos manufacturing.

The market isn't infinitely fast, nor infinitely well-informed, despite what economists, corporate strategists, and other market-thinkers like to presume for simplicities sake. Moreover, the problems that face us are sometimes too urgent, or the consequence of failure to great, to allow the market to naturally weed out the bad solutions and adequately increase the chances that good solutions flourish (Beresford's Chapter 20 on South African entrepreneurs deals with precisely this issue).

Think of a case where we let companies compete freely for the distribution of emergency care. Some of these companies are good players; they deliver on their promises and will be rehired. Some will be bad or inefficient players and ought to perish once we see how they perform. However, if we solely use market feedback to determine whom to trust and how to organize, then we also accept that in order to weed out the bad players, we need to allow all those served by them to die when their first aid fails to arrive.

Markets do indeed work somewhat like evolution. Only evolution doesn't work the way market thinkers suppose; it doesn't actively and directly select the fittest, rather it simply selects those who accidentally happened to survive in some given context. This means that after repeated cycles those species or solutions which are better aligned with the environment (which is always changing) or problem at hand have greater odds of still being around. However, neither the market nor evolution provides any guarantee that the best species or solutions haven't perished due to a random incident, a fate that active intervention might have saved them from. Nor is there any guarantee, nor even reason to think, that the market or evolution kills off excruciatingly ill-fitted specimens with any great haste.

Hence, very often we can by deliberate and active intervention pursue solutions that are better than those which accidentally happen to survive at the free market. We can also often sort out the poor solutions right from the get-go, rather than waiting for an extended series of failures to make the market sort this out. We are often in an epistemically superior position, where human deliberation can more quickly identify a better solution to our problems than what the free play of market forces would have provided. Sometimes, it is indeed tough to figure out how to approach a problem, and in those cases reliance on market forces might be of assistance, but that is an empirical question, different for every individual problem we face. Moreover, the burden of proof is surely on those who claim that a repeated game of odds for survival on the blind market is epistemically a better approach than conscious human deliberation about how to proceed. The market imperialism of neo-liberalism cannot be defended on the grounds that it is always epistemically superior compared to deliberate and targeted intervention. For it is quite clear that we are neither as dumb, nor the market as smart, as that would require.

2.2.6 A Final Neoliberal Rejoinder

After such a battering of philosophical argumentation against the universalist pretensions of market imperialism, a typical retreat strategy might seem tempting to the staunch neoliberalist; at least it has been the recourse of all those neoliberals with whom we have discussed these things. The defense goes something like this:

Well, you philosophers speak of ontological assumptions and universal pretentions. I, however, am a practical guy who has had considerable success with modelling and implementing market behavior and solutions. People seem to find *my* approach useful both for discussing topics in the academy and for governing in real life. I would never claim that the economic approach is a universal solution or make ahistorical assumptions about human nature - isn't that game also abandoned in philosophy, by the way? I do make some assumptions, useful for predicting behavior and thinking about policy solutions. But I would never assume that they fit in every case or that they reflect "reality," whatever that might mean. Interestingly, however, in all the cases you mention here in our discussion, I think it would be very interesting and useful to apply the economic approach. So let us take the issues, case by case, and see how the economic

approach might usefully illuminate them. In short, when you say, "How would people ever have come to believe that market solutions are universally valid?", I advise you: Get out of the ivory tower and away from the principled arguments of your unhelpful philosophy. Get into the real discussions about actual problem-solving. Then you will see that when real problems are encountered and discussed, theoretically and practically, the economic approach is actually often very useful.

To that reply we say two things: First, the rest of this book does nothing but get into real life, examine real cases, and these cases display how a neoliberal market solution often does more damage than good and is by no means the best way of problem-solving. Second, if that really is your position then recall that when you go into the world to solve problems and analyze situations then you can never justify a market approach until you have seriously considered what other options are available. This eagerness to proclaim the down-toearth practical and case-by-case nature of one's neoliberalism comes with the cost that, in order to justify a market solution, one must just as eagerly have scouted far and wide to see if there were better solutions available. The alternative is to claim that one, on principled grounds, know that market solutions will be the best way to approach a given problem, but such principled grounds required a theoretical defense of market imperialism. And as we have just shown, the theoretical arguments that are traditionally used in favor of market imperialism do not hold up to critical scrutiny.

2.3 Conclusion: Network of Thinkers and Art of Government

Contributions in philosophy, political theory, intellectual history and anthropology – among a number of other disciplines – have used a variety of methods to investigate neoliberalism. One of the most fruitful and cogent is the attempt by intellectual historians to describe how the development of neoliberal ideas as well as their societal influence has been furthered by a network of thinkers, "an organized group of individuals exchanging ideas within a common intellectual framework" (Dean, 2014: 151). Paradigmatic here are the historical accounts of the Mount Pelerin Society (MPS), the influential and still existing network of neoliberal intellectuals founded by Hayek in 1947 (Mirowski and Plewhe, 2009; Burgin, 2012; Slobodian, Plewhe and

Mirowski, 2020). By focusing on specific thinkers and the organizations and networks in which they collaborated, the intellectual historians are able to track ruptures, tensions and diversity of views, rather than assume that neoliberalism is a homogenous ideology (Dean, 2014: 151). This approach is in other words able to acknowledge both internal disagreements as well as continuous development within the neoliberal tradition.

In our sketch of neoliberalism in the first part of this chapter, we have drawn on the work of political theorists, but we have also made use of some of the contributions from intellectual historians. From the picture provided in the first part, together with our discussions of neoliberal arguments of Gary Becker, Milton Friedman and Friedrich Hayek for market imperialism in the second part, we have distilled a list of characteristics of the kind of neoliberal thought that we see showing up again and again.

Nine characteristics of neoliberalism

- 1. The subject should be assumed to act as a *Homo Economicus*: a rational personal utility maximizer with stable preferences.
- The problem-solving capacity generated by the market should be assumed to exceed the problem-solving capacity of intentional political action.
- 3. The primary self-conception of the citizen should be that of an entrepreneur
- 4. The primary role of the state should be to govern for market competitiveness
- 5. The state should be run like a business, and/or its functions subcontracted to market actors
- 6. Market structures should be preserved by state and international regulatory frameworks that are protected from popular influence. Democracy should be constrained (or even eliminated) in this sense.
- 7. Economic inequality is inevitable, legitimate, and desirable.
- 8. Civil society is both an infinite resource for marketization and a perpetual threat to market structures and corporate power.
- 9. Change and variation is preferable to stability

Now, the analyses in the following case chapters will not, as in the approach of intellectual historians, focus on the historical connection between the academic development of neoliberal theory and the application of theory in political problem-solving. Rather the analytical approaches employed in the case chapters take an approach that is found in Foucault's investigation of neoliberalism. The key term of relevance to us is Foucault's description of neoliberalism as an "art of government" (Foucault, 2008: 1–2). The term art of government is to be understood broadly as a set of skills in governing or managing the lives of others. When analyzed empirically, an art of government appears as a set of interconnected and goal-oriented, reflective practices.

The Foucauldian approach to neoliberalism as an art of government "contains" three analytic dimensions or axes that are interconnected, but may not all be explicitly treated in a specific analysis. The neoliberal art of government can be analyzed as normative framework of behavior (Foucault, 2010: 3). These may be encapsulated in policies or codes of governance that intervene in the environment of a population and attempt to guide behavior and decision-making. All of our contrast cases contain examples of how problem-solving expresses neoliberal normative frameworks of behavior. Characteristic of neoliberal normative frameworks of behavior is that they seek to achieve their aim by relying on and taking into account the initiative, independent agency, and egotistic interests of the subjects governed. Rather than directly ordering or forcing individuals to take specific actions, these frameworks set up conditions for an "economic game" within which individuals are urged and cultivated to be creative, resourceful, and dynamic in their courses of actions.

An art of government can also be investigated as a set of theoretical practices that make neoliberal initiatives and solutions likely, if not certain. They are *forms of knowledge* (Foucault, 2010: 3) that decision-makers and policy developers assume in their reflections and which they refer to when justifying their proposed solutions. An example of a form of knowledge is rational choice theory with its particular assumptions about human motivation and rationality, as well as its methodological prioritization of individual decision-making processes. Although rational choice theory has many shapes and is not necessarily neoliberal, the assumptions of mainstream versions of this theory are eminently compatible with important strands of neoliberal thought. It is thus no coincidence that prominent neoliberal thinkers, among them Becker, articulate their ideas in the form of rational choice theory. Several of our contrast cases show how the assumptions of

neoliberal rational choice theory guides problem-solving, although it is far from certain that the decision-makers think of themselves as neoliberals or have been explicitly persuaded by theories propounded by the likes of Becker.

This brings us to the third analytic dimension of the neoliberal art of government, the practices of the self, through which individuals develop their implicit and explicit self-conception (Foucault, 2003; cf. Raffnsøe, Gudmand-Høyer and Thaning, 2016: 369-425). Political theorist Wendy Brown illustrates this level of analysis in her portrait of a current generation of young scholars, who are trained, not to become "teachers and thinkers, but treat themselves as human capitals who learn to attract investors by networking long before they "go on the market", who "workshop" their papers, "shop" their book manuscripts, game their Google Scholar counts and "impact factors," and above all, follow the money and the rankings. "Good investment" is the way departments speak of new hires, and "entrepreneurial" has become a favored term for describing exceptionally promising young researchers; it is deployed to capture both a researcher's capacity to parlay existing accomplishments into new ones and the more quotidian business of grant getting" (Brown, 2015: 195). Some of our cases focus on how neoliberal problem-solving involves this "micro"-dimension (Clotworthy Chapter 15; Elliot Chapter 18) by conceiving of and turning people into personal entrepreneurs of their own future.

An important consequence of Foucault's analytical approach is that it deliberately ignores whether a concrete influence from neoliberal theories to political practice can be traced. From this perspective, the "problem-solvers" who perpetrate neoliberalism need not be admirers of the ideas of neoliberal thinkers. They may not even conceive of themselves and their actions as having anything to do with neoliberalism, and a concrete influence from the intellectual network of thinkers on their way of reflecting may not be discernable. Still, analysis may convincingly show that the practices of government involved are recognizably neoliberal in the sense that they rely on, and express, neoliberal arguments and assumptions for their justification. The neoliberal art of government may in short be "anonymous" in a Foucauldian mode of analysis in the sense that none of the involved problem-solvers acknowledge themselves as neoliberals. It is this anonymity which constitutes the main difference to the analysis of the influences of neoliberalism made by intellectual historians.

By accepting the unacknowledged and sometimes highly elusive influence of neoliberalism, the Foucauldian analysis is able to take seriously that neoliberalism at times has political influence despite governments and decision-makers conceiving of their choices as apolitical and devoid of ideology. The decision-makers analyzed may well think of their governmental practice as simply a question of pursuing the most responsible, the most competent, or even the only possible course of action. In these cases, political decision-making is pictured as a matter of technical, often calculative, competence that can remain neutral regarding specific political aims and values, or at least avoids an explicit commitment to neoliberalism that is likely to be controversial.

It is important to add that we are not claiming that neoliberalism as an art of government is universally bad. Just as market solutions work in some areas in order to address a range of problems, the use of the neoliberal art of government can in some cases be the best, or least bad way forward. In relation to his work on social policy and anti-poverty politics in southern Africa, anthropologist James Ferguson has vividly illustrated this point (Ferguson 2009: 172–183). Ferguson shows that in contexts such as Southern Africa where full employment may be an implausible aim, and where the state lacks capacity, policies that directly target citizens such as direct cash transfers and basic income, which have been propounded by prominent neoliberals (Friedman and Friedman, 1980: 119–124), are responses that merit serious consideration.

His general point, however, is not to argue that these policies are unequivocally good measures for combatting poverty. Rather, he suggests that in societal problem-solving we can use or repurpose neoliberal techniques, ideas, and practices. Thereby, we can put them to work "in the service of political projects very different from those usually associated with [neoliberalism]" (Ferguson, 2009: 183). Both Ferguson's specific point about the possible use of basic income and cash transfers, as well as his general point about the possibilities in repurposing neoliberal practices, are valid and thought-provoking. The focus of our anthology, however, is neither to find cases where the pursuit of neoliberal practices may be worth considering, nor is it to assemble new arts of government by repurposing neoliberal practices to progressive political aims. The premise of our contribution is that neoliberalism, in the sense of "market imperialism" that we have

described above, is still *the* orthodox or *the* default approach to societal problem-solving, and that this orthodoxy often creates solutions that hurt people and our environment. We want to contrast cases where market imperialism has led to problematic consequences with alternative solutions that address the underlying problem more adequately.

All of our contrast cases analyze neoliberal normative frameworks of behavior created or sustained by the kind of problem-solving that we criticize. Our alternative cases, however, are chosen and analyzed because they in different ways and to various degrees challenge the idea of market imperialism. Over and beyond these two uniting features, some of the contrast cases involve other specific characteristics or arguments of neoliberalism as treated in this chapter. Likewise, some of the analyses focus more on neoliberal forms of knowledge or practices of the self. In order to emphasize these more specific connections with our portrait of neoliberalism in this chapter each of the case chapters will start with a brief framing remark. This remark will connect the contrast case in question back to relevant aspects of neoliberalism as portrayed in this chapter. Thereby we hope to show precisely what features of neoliberalism are at stake in each contrast case.

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