Review

The morals of the market: Human rights and the rise of neoliberalism

Jessica Whyte

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Jessica Whyte's excellent new book, *The Morals of the Market*, is one of those intellectually ambitious works that set itself not one but several very high scholarly bars to clear at the same time. *The Morals of the Market* seeks to address (at least) two fields of study in which there has been, to put it mildly, rather a lot of critical ink spilt over the last three to four decades: human rights, on the one hand, and neoliberalism, on the other. In fields like political theory and political science, but also in history and philosophy and in law (all disciplines on and in which Whyte draws and intervenes), there has been much debate both over the politics or the morality of human rights and, in turn, over the intersection of these concerns with neoliberalism (and *its* politics, and *its* morality). Much, as we will see shortly, has turned on questions of their historical relation and emergence. In this context, saying something new about neoliberalism (let alone human rights) is challenging enough, but making original contributions about both phenomena in the space of a single monograph would deter many authors. And yet Whyte is clearly one of those authors who say to themselves, on embarking upon a book project like this one: 'Why bother simply intervening into one debate when I can intervene into, and reframe, two or more? And, moreover, why bother intervening into debates that are recent or epiphenomenal when I can take on a longstanding scholarly question and try to say something original?' And Whyte does not just contribute to *any* debates, it bears repeating. *The Morals of the Market* intervenes assuredly into very contested conceptual terrain, populated by the seminal writings of Wendy Brown, Susan Marks, Sam Moyn, Quinn Slobodian, Melinda Cooper, and many more besides.

I am not one for narrative suspense when it comes to book reviews (The third word of the present review rather gives the game away, I fear.). So let me simply say, then, that in my view, *The Morals of the Market* succeeds on every count. This fascinating book has a lot of new and surprising things to teach us about human rights and neoliberalism, those longstanding and cherished objects of left critical theorization. And the lessons it teaches us about them both are essential if we are to

properly understand their historical trajectories (and hence to perform the necessary political work of contesting, reframing, or refusing them in the present). In what follows, I will reflect on both *what* the book says and *how* the book (or, rather, its author) says it. In the eyes of this reviewer, both are deserving of much praise, but let me start with the *what* question.

Whyte's book is an 'investigation of the historical and conceptual relations between human rights and neoliberalism' (p. 4). The initial historical setting for this investigation is a decade made famous in recent human rights revisionist historiography: the so-called 'breakthrough' decade of the 1970s. According to Samuel Moyn, whose book *The Last Utopia* catalysed this debate and reframed the genealogy of human rights, human rights emerge in the latter half of the 1970s as a minimalist reinvention of liberalism, at least in the Euro-Atlantic world, in response to the discrediting of communist revolution and state socialism. Its partisans are Soviet and Eastern European dissidents and transnational activist NGOs like Amnesty International, the latter winning the Nobel Peace prize in 1977. Of course, as many scholars have observed, it is no accident that a different Nobel Prize (the perhaps more consequential one awarded for economics, not for peace) was given the year previously to the neoliberal Chicago economist, Milton Friedman. How are we to understand this convergence? Having laid the groundwork for this debate in *The Last Utopia*, Moyn curiously suggests in his 2018 book, *Not Enough*, that claims of complicity between human rights and neoliberalism were overdrawn. Nothing to see here, in effect, says the historian whose pioneering work on human rights raised the question so clearly for us several years ago. Well, perhaps he was looking in the wrong place? As Whyte says, her book 'seeks to explain why these two revivals and reinventions of liberalism took place at the same time, and why their trajectories have been so intertwined ever since' (p. 4). But to do so, she does not stay in the much commented upon 1970s.

Rather, Whyte returns to the 1940s and an earlier, parallel history. It is in the late 1940s, simultaneous with the drafting of the Universal Declaration of Human Rights, that the 'neoliberal thought collective' of the Mont Pelerin Society forms and begins its work. Whyte tells the story of how this group of neoliberal thinkers 'viewed the rise of human rights, and then mobilised and developed the language associated with them for their own ends' (p. 5). Key to her account is an emphasis, as the title of her book suggests, on the moral, civilizational, and racialized dimensions of the neoliberal project. Revising Wendy Brown's assessment in *Undoing the Demos*, which Brown herself has now had cause to revise in *In the Ruins of Neoliberalism*, Whyte insists that neoliberalism was a moral project from its very inception, and that it was precisely this moral dimension that allowed its interpenetration with human rights. A competitive capitalist economy required what Friedrich Hayek called 'the morals of the market' – a set of dispositions favouring the pursuit of self-interest (over collectively determined ends), individual and familial responsibility, and a willingness to submit oneself 'to the impersonal

results of the market process', as Whyte puts it (p. 12). In a series of tightly argued chapters, Whyte convincingly shows how neoliberal thinkers managed to enlist human rights concepts in 'mid-century efforts to challenge socialism, social democracy, and state planning' (p. 19) through later efforts in Pinochet's Chile to 'depoliticise Chilean society and secure submissive subjects' (p. 32), abetted by human rights NGOs. In short, she traces the genealogy of how human rights became the 'moral language of the competitive market' (p. 28).

Now, just briefly, as to the *how* question, I want to finish by saying a few things about Whyte's authorial style and about how this question of style relates to the politics of critique. *The Morals of the Market* is one of those books that is such a pleasure to read that one can be forgiven for thinking it might also have been a pleasure to write. But under the surface of these finely polished pages, whose arguments build upon and fit together and carry us noddingly along in their wake (by 'noddingly', I mean assentingly not soporifically – this is an intellectual pot-boiler that will keep its reader up at night), are years of hard grind. We see traces of it in the footnotes, but they keep modestly to their place. Beneath and behind them are deep learning, scrupulous research, and long and painful struggle with the seminal texts of Hayek, von Mises, and Friedman. Many academic books, too many, make a show of this learning and berate their readers with it. They are haughty and disdainful texts that either do not try to speak to a public or that imagine that public as in need of their instruction. This one isn't. It is vibrant and engaging and inviting – and wears its incredible erudition lightly.

Finally, *The Morals of the Market* is a work of human rights critique but unlike many famous (or infamous) instances of the genre, its default rhetorical mode is neither bombast nor overreach. There is no headline, epigrammatic, irascible, claim here that will have to be walked back in second editions or explained generously away by acolytes once all the fuss has died down. There is no apocalyptic or absolutist claim about the end times of human rights. Just a very remarkable delivery – often in unnervingly calm and pellucid prose, sometimes deliciously hanging the neoliberals with their own horrifying words – of a trenchant and incisive critique. The stylistic modesty of this critique augments its force. Whyte skewers the neoliberals that much more effectively through telling understatement, flat description, wry humour, and direct citation. This is, I think, a book that will get under many peoples' skins (rather than up their noses) and stay there for some time.

The Morals of the Market, like any good historical work, concerns itself with contemporary questions of the utmost political importance. Whyte's conceptual history of the intersection of human rights and neoliberalism dwells in the late 1940s but speaks directly (and, for many, doubtless, uncomfortably) to our own time. Her analysis is bookended with a discussion of the disastrous Grenfell fire of 2017 and the contemporary work of Philip Alston, UN Special Rapporteur on Extreme Poverty and Human Rights. *The Morals of the Market* does not try to answer the questions of our time on behalf of its readers – it just isn't that kind of

finger wagging or dot-joining book. But any attempt to begin to provide those answers, as indeed we must, will have to reckon with its arguments. It is an utterly indispensable reference point for thinking about our contemporary political juncture.

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