

Exploitation: A Dialectical Anarchist Perspective

In his 1985 paper, “Should Marxists Be Interested in Exploitation?,” John Roemer¹ suggests that contemporary Marxists should be less interested in exploitation than has been the case historically. Taking my cue from Roemer, in this paper I shall ask: should *libertarians* be interested in exploitation? It seems to me that, as a matter of fact, many contemporary libertarians are either relatively uninterested in or suspicious of the concept of exploitation—though the same is not true of 19th and early 20th century libertarians. Of course, it will readily be admitted that the state exploits its citizens, but this will be understood primarily in terms of the apparently more basic concepts of coercion, oppression, and theft. Thus, it might be said, the claim of exploitation adds nothing substantive to the libertarian critique of the state. In addition, it could be argued, there are reasons to be suspicious of claims of exploitation. For, in broader public discourse, the term too often seems to be a stand-in for mere disapproval. And when the term *is* given more definite content, it often involves assumptions about politics and economics that are unacceptable from a libertarian point of view. Despite these considerations, I will answer the question in the affirmative—libertarians *should* be interested in exploitation. Furthermore, I will argue that an appropriately comprehensive libertarianism should recognize, 1) that there are both coercive and non-coercive forms of exploitation, 2) that state capitalist societies are pervasively exploitative, and 3) that exploitation deserves an appropriately, though not exclusively, *political* response.

This is a tall order and I will not attempt to give a comprehensive defense of these claims here. Rather, my aim is to lend initial support to them—from a thick, dialectical libertarian perspective—with an eye to showing that libertarians should be more interested in and less suspicious of the idea of exploitation as tool for analysis and evaluation and as a focus of political action.

Thick, Dialectical Libertarianism

Let me begin with some terminology. At the level of ethics, I will take libertarianism to be based on the non-aggression principle. It is morally impermissible to *initiate* coercion or fraud against others. At the political level, following Roderick Long, I will take libertarianism to essentially involve advocacy of the “radical redistribution of power from the coercive state to voluntary associations of free individuals.”² This definition is broad enough to include a wide range of views—from paleolibertarianism to anarcho-communism—but I will focus on those forms of libertarianism that endorse both private property rights and market exchange.³

Now a libertarian commitment to noncoercion and voluntarism is logically compatible with and indeed has been combined with a very broad range of other moral, political, and cultural concerns, from religious fundamentalism, to radical feminism, to transhumanism. And this raises the question of how “thick” or “thin” libertarianism ought to be—that is, whether and how libertarianism should be integrated with some broader or deeper bundle of values, commitments, practices, and projects.

Charles Johnson has identified five levels on which one could argue that libertarianism should in some way be thicker.⁴ First, there is *entailment* thickness. In this

case we have those commitments that are logically entailed by basic libertarian principles. Second, there is *application* thickness. Here one draws on values or commitments other than the non-aggression principle in order to facilitate its application. Third, we have *instrumental* thickness. Here the concern is with the causal preconditions of the application of the non-aggression principle in the real world. Fourth, there is what Johnson calls *grounds* thickness. Here certain commitments ought to be accepted because they are based on the same grounds that justify one's commitment to libertarianism in the first place. Fifth, and finally, we have *conjunction* thickness. This simply involves a commitment that should be conjoined with libertarianism because it is independently right.

With regard to the question at hand, then, I want to argue for version of thick libertarianism that gives a central place to identifying and opposing exploitation in its various forms, even in cases that do not involve direct violations of the non-aggression principle. Hence I will return to these five types of thickness after having sketched a libertarian account of exploitation.

In addition, an adequate libertarian account of exploitation must pay attention both to the social and historical contexts in which relationships and transactions occur and to their various dimensions—ethical, economic, psychological, and so on. In other words, the account must be *dialectical*, in Chris Matthew Sciabarra's sense. As Sciabarra characterizes it:

Dialectics is the art of context-keeping. It is a thinking style that emphasizes the centrality of context in the analysis of systems across time. As applied to libertarian social theory, it counsels us not to disconnect politics from economics, culture, social psychology, ethics, epistemology, and other factors. It views these seemingly disparate aspects as interrelated within a wider totality. Hence, any attempt to understand—or

change—society must entail an analysis of its interrelations from the vantage point of any single aspect. This brings forth an enriched portrait of society, and underscores the indivisible connection between theory and practice.⁵

Thus, if one's thick libertarianism is not to be merely *dense*, it must also be dialectical.

Exploitation

As I mentioned above, one may understandably be suspicious of the concept of exploitation; the word is often employed as no more than a term of abuse, and when it is given more substantive content, it is often within the context of a theory or set of assumptions that ought to be rejected in any case. In addition, in a statist social context in which the mere identification of a possible social problem seems to be taken as strong *prima facie* warrant for state intervention, it is understandable that libertarians will look askance at certain claims of exploitation. Turning to the academic literature on the subject may not improve things very much. What is needed is a working definition of exploitation that is both theoretically suggestive—it is not too vague to do theoretical work—and avoids begging crucial questions.⁶ In my view, these two desiderata are best met by Alan Wertheimer's work on exploitation, both in terms of his conceptual framework for thinking about different accounts of exploitation and his own particular account. Hence in what follows I will integrate Wertheimer's liberal theory of exploitation into a libertarian framework.

At the most general level, according to Wertheimer, one party (A) exploits another party (B) when A takes unfair advantage of B.⁷ This definition seems to me to capture widely held intuitions about exploitation, though even here, not everyone will

agree. In any case, I will take this as a working definition. Within this broad conception of exploitation, Wertheimer makes two further distinctions. First, he distinguishes between *harmful* and *mutually advantageous* forms of exploitation. Second, he distinguishes between *nonconsensual* and *consensual* forms of exploitation. Notice also that each of these types of exploitation will have three elements: benefit to the exploiter, an effect on the exploited, and a defect in the process by which the exploitative outcome is achieved.⁸

Harmful exploitation occurs when A takes unfair advantage of B in a way that is harmful to B. Harm here is, of course, *net* harm for B. Now it might seem that the impermissibility of harmful exploitation is entailed by the non-aggression principle and that B has an enforceable right⁹ not to be harmfully exploited. However, this will depend on the baseline against which the alleged harm is measured. One could measure against a no-transaction baseline and therefore say that B is harmed only if B is made worse off than she would have been if no transaction had taken place. Or one could measure against some other standard, such as a fairness baseline. In that case, even if B benefits relative to a no-transaction baseline, if the benefit to B falls short of the fairness baseline, B is harmed. I am confident that libertarians will agree with Wertheimer that in general the appropriate baseline for measuring harm is the no-transaction baseline.¹⁰

Mutually advantageous exploitation occurs when A takes unfair advantage of B, but there is still a net benefit to B. This category might include cases of mutual exploitation, but the central point is that there is mutual *advantage*. In addition, this category includes nonconsensual, but mutually beneficial transactions. For instance, B might be defrauded into transacting with A and yet gain a net benefit.

Nonconsensual exploitation occurs when “the exploited party does not give voluntary (or valid) consent.”¹¹ This can occur through coercion or fraud or possibly some other defect in consent. Consensual exploitation occurs when “the exploited party has given voluntary and appropriately informed consent to the transaction.”¹² One may wonder whether it makes sense to call a transaction exploitative if it is both consensual and mutually beneficial, and I will be giving more attention to this alleged form of exploitation in what follows. For the moment consider the case in which B is in a life-threatening situation and A is the only one who is in a position to rescue him. A offers to rescue B, but only if B agrees to sign over all of his current wealth as well as 50% of all future earnings. B, valuing his life, agrees. He benefits relative to the no-transaction baseline, which is *death*, but I think most would agree that he is not treated fairly. The broader point here is that parties to a mutually beneficial transaction are not indifferent to the distribution of costs and benefits between the two parties. And I see no reason to rule out from the start the idea that some distributions within the zone of mutual advantage could be exploitative. The question for libertarianism, it seems to me, is not whether such cases are forms of exploitation, but rather whether libertarianism does or should have anything to say about them.

And this brings me to the issue of what Wertheimer calls the *moral weight* and the *moral force* of various types of exploitation. Moral weight concerns the intensity of wrongness or the moral seriousness of some action, intention, or other morally assessable item. Moral force concerns “the various moral upshots or reasons for action that [some action, etc.] might or might not involve for parties to the transaction or for society.”¹³ For example, two people may agree that a racist film is utterly morally repugnant, thereby

agreeing on the moral weight of the film. Yet they may still disagree on the question of moral force—for instance, on whether the film ought to be censored by the government, or whether it is morally permissible to pay to see the film. The connections between moral weight and moral force are complex and any adequate account of exploitation must keep the distinction clearly in mind. We cannot simply assume that because some type or instance of exploitation is seriously morally wrong, the moral upshot of this is that it should be illegal. Nor can we assume that because certain forms of exploitation should be legal, they are not seriously morally wrong.

Fairness

Wertheimer's work provides a basic conceptual framework for thinking about exploitation, but this framework does not yet constitute a substantive account of exploitation.¹⁴ This is because the relevant conception of fairness has so far been left unanalyzed. Hence, while a liberal egalitarian, a Marxian socialist, and a libertarian might agree on Wertheimer's basic framework—at least as a starting point for discussion—they may come to sharply divergent substantive accounts of exploitation based on their differing accounts of fairness. For instance, a liberal egalitarian might argue that certain inequalities in wealth, however they came about, are unfair and that certain types of transactions that take place against the background of this unfairness would count as exploitative.¹⁵ Or a Marxian might appeal to the alleged unfairness of certain property relations within a society in order to frame her substantive account of exploitation. A properly libertarian account of exploitation, then, will need a workable account of fairness.

In the broadest sense, fairness, like justice, is a matter of what people are due.¹⁶ Indeed, as I'll use the term, fairness includes but is not limited to justice. Justice, in the narrow libertarian sense, is concerned with the legitimate use of *force*; in particular which moral (or political, etc.) claims are legitimately enforceable. Thus, on the libertarian view, human beings have a standing enforceable claim—that is, a *right*—not to have force initiated against them. To be aggressed against in this way is to be treated unjustly, and so unfairly, but one can also be treated unfairly without being treated unjustly. Human beings may have a standing claim to be treated fairly, but this claim will not in all cases be an enforceable one. It may be unfair for my employer to treat me poorly—I am due a certain general level of respect and consideration—even if, in treating me unfairly, she has not violated my rights.

Furthermore, considerations of fairness can be divided into two distinct but intertwined categories.¹⁷ First, there are *transaction specific* considerations of fairness. Here the focus is on features of the transaction itself in relative abstraction from the larger social or historical context. For instance, if A employs fraud in order to take advantage of B, the unfairness here is a direct defect of the transaction itself. Also, cases of transient monopoly, such as standard rescue examples, may simply involve forms of transaction specific unfairness. Second, there are *background* considerations of fairness. These considerations deal with the larger social context within which the transaction occurs. For instance, if A has a legal monopoly on the production of widgets, this fact may be relevant to whether A's sale of widgets to B will count as an exploitative transaction. Obviously, these two types of considerations are interdependent. Background unfairness emerges from patterns of individual actions and these systemic forms of

unfairness can make possible or facilitate cases of transaction specific unfairness. Moreover, background injustice—those forms of unfairness that constitute rights violations—can make possible or facilitate forms of unfairness that are not themselves unjust.

Now there are clearly forms of transaction specific unfairness that should be of concern to any form of libertarianism, thick or thin. These will be cases that involve serious defects in the consent of the allegedly exploited party, such as those cases involving coercion or fraud. Here, however, I will focus on questions of background fairness from the perspective of dialectical libertarian social theory. The key idea is that, once we take account of the larger social context within which certain transactions (or types of transactions) occur, a wide range of transactions—including some voluntary, mutually beneficial ones—are, from a libertarian perspective, exploitative. So, in order better to get a grip on the issue of background fairness, I want briefly to turn to libertarian class analysis.

Libertarian class analysis has its roots in the classical liberal critique of state power, mercantilism, and imperialism, as well as the individualist anarchist critique of state capitalism. However, it finds perhaps its fullest development in the work of Murray Rothbard. Here is Rothbard on the state:

[The state] lives coercively off the production of the citizenry. To be successful to its practitioners, the fruits of parasitic exploitation must be confined to a relative minority, otherwise a meaningless plunder of all by all would result in no gains for anyone. Nowhere has the coercive and parasitic nature of the State been more clearly limned than by the great late nineteenth-century German sociologist, Franz Oppenheimer. Oppenheimer pointed out that there are two and only two mutually exclusive means for man to obtain wealth. One, the method of production and voluntary exchange, the method of the free market, Oppenheimer termed the "economic means"; the other, the method of robbery by the use

of violence, he called the "political means." The political means is clearly parasitic, for it requires previous production for the exploiters to confiscate, and it subtracts from instead of adding to the total production in society. Oppenheimer then proceeded to define the State as the "organization of the political means"—the systematization of the predatory process over a given territorial area.¹⁸

The state, as the organization of the political means, is the main mechanism and facilitator of systemic economic exploitation. In all modern societies, the economic means and the political means are thoroughly intertwined, allowing political and economic elites to maintain and entrench their dominance. According to the 19th century individualist anarchist, Benjamin Tucker, systemic economic exploitation does not arise from free exchange, but rather derives, whether directly or indirectly, from the use of state power. Tucker identified four main forms of legal privilege and subsidy by which the state makes possible systemic economic exploitation: landlordism, the money monopoly, the patent system, and tariffs. Each of these forms of state intervention privileges existing elites at the expense of workers, consumers, small businesses, and entrepreneurs. As contemporary Tuckerite, Kevin Carson sums up the case:

From the outset of the industrial revolution, what is nostalgically called "laissez-faire" was in fact a system of continuing state intervention to subsidize accumulation, guarantee privilege, and maintain work discipline.

Coercive state measures at every step have denied workers access to capital, forced them to sell their labor in a buyer's market, and protected the centers of economic power from the dangers of the free market.¹⁹

Capitalism—or what I have been calling “state capitalism”—was, for the individualist anarchists, not the free market, but rather a system of state intervention on behalf of the owners of capital at the expense of workers and others. Turning now from

the 19th century libertarian left to the 20th century libertarian “right,” we find an extension of this type of class analysis. As Joseph Stromberg writes:

A considerable body of literature now exists which points towards an analysis of the American political economy as a system of liberal (as opposed to fascist) corporatism dominated by a tripartite syndicalist oligarchy: Big Business, Big Labor and Big Government. In this system, the State functions to balance the interests of large economic power blocs while maintaining their common ascendancy in the face of potential threats from below. In the radical and libertarian analyses of this phenomenon, the American policy, seen by the Left as a "warfare State" and by the Right as a "creeping socialist welfare State," is shown to be a composite of both, resting on the foundation of an artificially cartellized economy.

The cartellized and monopolistic character of broad sectors of our economy can only be explained on the ground of large-scale State intervention, intervention demanded by and benefiting powerful Big Business interests.

Beginning in the last decades of the nineteenth century, the "class conscious" corporate liberals of Big Business sought and achieved "progressive," neo-mercantilist regulation of the economy by the federal government in the interest of restriction of competition and cartellization of the domestic market.²⁰

Moreover, from an anarchist perspective, it is not just that the state creates and maintains exploitative monopolies or cartelized markets in labor or finance—*the state itself* is an illegitimate coercive monopoly. Insofar as the state maintains its coercive monopoly on legal services and security, the legal environment of a society will be tainted with injustice.

The picture, then, is this: the state directly exploits its citizens *and* intervenes in the market on behalf of privileged economic elites (often under the guise of progressive, public interest regulation) creating a distorted, cartelized economy. The rents gained by the beneficiaries of state intervention constitute the extraction of social surplus from the

exploited—workers, consumers, entrepreneurs, etc. Further, this pervasive exploitation is compatible with the continued improvement in the condition of the exploited through economic exchange. Relative to a no-transaction baseline, market exchange is mutually beneficial, even in a cartelized market economy. However, the beneficiaries of cartelization are able to capture more of the surplus of social cooperation than they would be able to in a more just and competitive economy.

Now, let me be clear. My claim is *not* that *every* transaction that takes place in an unfair social context is itself unfair or exploitative. We must keep in mind the distinction between *taking advantage (in conditions) of unfairness* and *taking unfair advantage*, even if there are many borderline cases where we are not certain which is which. Rather, my claim is that, in the unfair background conditions of state capitalism, even some transactions that are voluntary and mutually beneficial are exploitative. So, for instance, rent-seeking firms do not simply exploit taxpayers by getting handouts from the state. Firms can also capture rents through the regulatory cartelization of markets. In these cases, firms may be taking unfair advantage not just of the competition, but also those with whom it engages in mutually beneficial transactions. The unfair background conditions facilitate the unfair terms of the transaction. What then counts as unfair terms?

Suppose that A is an employer and B is a potential employee. The labor market is an artificially maintained buyer's market. B will not work for less than \$6.00 per hour and A will not pay more than \$12.00 per hour. Any wage within this range will be mutually beneficial. A, being relatively insulated from competition, is well placed to drive a hard bargain. Eventually they agree on a wage of \$6.50 per hour. Is this a fair deal?

Now suppose that, in freer, more competitive market, B would probably be able to get \$11.00 per hour. Wertheimer's proposal for these types of case is that the fairness baseline should be "a hypothetical market price—the price that would be generated by a competitive market."²¹ If A had agreed to pay approximately \$11.00 per hour—the competitive market wage—the transaction would not be exploitative even though it took place in the context of background unfairness. As it stands, though, A takes unfair advantage of B.

Of course, as Wertheimer recognizes, "some hypothetical markets are more hypothetical than others, as it were."²² Thus, the "more hypothetical" a market price is, the more indeterminate will be its application. In addition, Wertheimer notes that while "a hypothetical market price abstracts from some features of an actual market, such as defects in information and noncompetitiveness, it does not abstract from other background characteristics of the buyers and sellers, such as risk."²³

It should also be noted that it is very unlikely that there is a single principle of fairness that can be applied in all contexts. Moreover, there may be multiple dimensions of fairness that apply to a specific case. The upshot of the above considerations, though, is that, given the basic framework of libertarian social theory, we can see that state capitalism is pervasively exploitative and that this exploitation extends to some significant range of voluntary and mutually beneficial transactions. Further, when it comes to voluntary market exchange, the appropriate libertarian principle of fairness is not—heaven forbid—a notion of an objective price²⁴ or a notion of equal exchange²⁵, but rather a notion of the (hypothetical) competitive market price. The fair market price is the (hypothetical) free market price.

Opposition to Exploitation

So far I have argued for my first two initial claims: 1) that a comprehensive libertarianism should recognize that there are both coercive and non-coercive forms of exploitation and 2) that state capitalism is pervasively exploitative. Let me now turn to my third claim, namely, that exploitation deserves an appropriately, though not exclusively, *political* response.

Recall the distinction between moral weight and moral force. Is exploitation always seriously morally wrong? And what is to be done about exploitation? With regard to moral weight, while there may be cases of voluntary exploitation that are not seriously wrong²⁶, it seems to me that cumulative effect of exploitation, both coercive and non-coercive, is very serious indeed.²⁷ But here I want to focus on the question of moral force. On my view, those forms of exploitation that involve rights violations should be illegal, and so long as the government maintains its monopoly, these forms of exploitation should be addressed by it. On the other hand, no form of libertarianism should support state interference in activities that do not violate the non-aggression principle, even if they are exploitative. First, freedom of association and exchange are fundamental rights and to interfere with them is unjust. Second, as is often pointed out, in cases of voluntary exploitation, prohibiting the transaction can actually make the exploited party worse off by taking away that person's least bad option. Third, it is unlikely that the state will have either the knowledge or the incentive to properly mitigate voluntary exploitation. Indeed, since statist interventionism is at the heart of the problem, *more* state intervention is not what is needed. So what, then, of a *political* response?

Notice that my primary claim here is not that exploitation deserves a *governmental* response. I reject what Johnson and Long term “the authoritarian theory of politics,” which, they go on to say, “amounts to the premise that any political question is a question resolved by *violence*; many 20th century libertarians simply grant the premise and then, because they hold that *no* question is worth resolving by (initiatory) violence, they call for the death of politics in human affairs.”²⁸

But government action is only one type of political action and I am advocating a version of thick libertarianism that gives a central place to the political opposition to exploitation in general and not just those forms that violate the non-aggression principle. Political action here means actions that attempt, “to address a question of *social coordination* through *conscious* action, and [that] work by calling on people to make choices with the *intent* of addressing the social issue—as opposed to actions in which the *intent* is some more narrowly economic form of satisfaction, and any effects on social coordination (for good or for ill) are *unintended consequences*.”²⁹ This means, at the very least, working to identify and roll back those forms of state intervention that make exploitation possible and doing so in part because they facilitate exploitation. The effect will be to increase competition and growth, thereby making exploitation significantly more difficult. It also means developing specifically libertarian critiques of exploitation, both coercive and non-coercive (and the connections between them), in order to help develop and maintain anti-exploitative cultural norms, values, and practices. Finally, it means supporting efforts to challenge and develop alternatives to exploitative institutions and social relations. Ideally these forms of political action would be extended and

reinforced by a genuine liberalization of the economy, but relying solely on the market is not enough.

Conclusion

Returning to Johnson's various types of thickness, it can now be asked which types of thickness I can appeal to support my case. Clearly, coercive forms of exploitation violate the non-aggression principle and are covered by entailment thickness.³⁰ Also, having an adequate libertarian account of exploitation may help one correctly to apply the non-aggression principle (application thickness). Forms of unfairness such as oppression, coercion, and exploitation often go together and intermix in complex ways. Without an adequate account of exploitation, one might be blind to certain instances of aggression.³¹ Indeed, insofar as coercion, oppression, and exploitation form an interlocking and mutually reinforcing system, it may be impossible adequately to address aggression without also taking on exploitation. Further, there are instrumental reasons for libertarianism to oppose all forms of exploitation. As Wertheimer points out, "the disposition not to take unfair advantage of others may be among the more important moral virtues and a necessary condition of civilized life, even if there are also good reasons for not penalizing the failure to display that virtue."³² Arguably, a general culture of fair dealing is a causal precondition of a free society. In addition, if libertarians are generally dismissive of claims of non-coercive exploitation, this may actually lend support to authoritarian "solutions" to problems of exploitation. We must avoid conflation of moral weight and moral force that lead to mistakenly denying that something is seriously morally wrong just because it should not be legally prohibited.

Finally, at the level of *grounds* thickness, it seems to me that, insofar as exploitation, especially systemic exploitation, thwarts human flourishing, it would be unreasonable not to thicken libertarianism to include opposition to it. If people deserve not to be coerced and oppressed, they deserve not to be exploited. An appropriately thick, dialectical libertarianism ought to be able to identify, explain, and oppose the forms of systemic coercion, oppression, and exploitation that people face.

1 *Philosophy & Public Affairs* (1985).

2 Roderick Long, "Toward a Libertarian Theory of Class," *Social Philosophy and Policy* (1998).

3 Even here, though, the category is broader than is often realized, as it includes the voluntary socialism of individualist anarchists such as Benjamin Tucker and Kevin Carson.

4 Charles Johnson, "Remarks on Jan Narveson's 'Libertarianism: the Thick and the Thin'," 2005.

5 Chris Matthew Sciabarra, *Total Freedom: Toward a Dialectical Libertarianism*, University Park: Penn State University Press (2000).

6 Alan Wertheimer, *Exploitation*, Princeton: Princeton University Press (1996), p. 13.

7 Wertheimer, p. 10.

8 Wertheimer, p. 16.

9 On a libertarian theory of rights, rights just are enforceable claims, so this phrasing is redundant. Hereafter, I will use 'right(s)' in this sense.

10 I am ignoring here questions about entitlements. There can be cases where B benefits relative to a no-transaction baseline, but less than she is entitled to. In such cases, one could argue that B has been harmed.

11 Wertheimer, p. 14.

-
- 12 Wertheimer, p. 14.
- 13 Wertheimer, p. 28.
- 14 Of course, Wertheimer's point was to develop a non-question-begging framework in order subsequently to develop his own more substantive liberal theory of exploitation.
- 15 Take, for instance, the case of a very poor woman deciding to become a surrogate mother for a wealthy couple. This type of transaction might be considered exploitative because it takes place within a society in which there is significant material inequality—the rich couple takes unfair advantage of the woman's poverty.
- 16 David Schmidtz, *Elements of Justice*, Cambridge: Cambridge University Press (2006), p. 7.
- 17 Wertheimer, p. 216.
- 18 Murray Rothbard, *For A New Liberty: The Libertarian Manifesto*, New York: Collier (1978).
- 19 Kevin Carson, "The Iron Fist Behind the Invisible Hand."
- 20 Joseph Stromberg, "The Political Economy of Liberal Corporatism," Center for Libertarian Studies (1977).
- 21 Wertheimer, p. 230.
- 22 Wertheimer, p. 231.
- 23 Wertheimer, p. 231.
- 24 That is a price that could be specified independently of human preferences.
- 25 That is, a 50/50 split of value between parties.
- 26 The tow-truck driver who overcharges the stranded motorist is a jerk, but not a monster.
- 27 Obviously, harm and injustice have great moral weight. One might also consider the effects of statist intervention on sustained economic growth or the negative effects of drug patents.
- 28 Long and Johnson, "Libertarian Feminism: Can This Marriage Be Saved?" (2004).
- 29 Ibid.
- 30 While I can't argue for it here, it seems to me that coercively exploiting can have greater moral weight than simply coercing.
- 31 Take, for instance, the complicated case of sweatshops.
- 32 Wertheimer, p. 32.