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# **The Non-Coercive Road to Serfdom: Friedrich Hayek's Theory of Distributive Justice in the Context of Causal Determinism**

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Determinism

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**Declaration**

I, Henning Berg Schmidt, declare that this thesis is a result of my research investigations and findings. Sources of information other than my own have been acknowledged and a reference list has been appended. This work has not been previously submitted to any other university for award of any type of academic degree.

Signature.....

Date.....



## **Abstract**

With so many conflicting conceptions of ‘development’, it seems important to find objective criteria to judge them by. The thesis proposes that it should be their alignment with normative ethics, where the question of free will holds great implications. This thesis is interested in how neoliberal political philosopher Friedrich Hayek’s normative stances on distributive justice remain their validity if causal determinism is true. By demonstrating why free will seems impossible and constructing a framework of distributive justice and normative ethics compatible with causal determinism, the thesis explores Hayek’s following normative stances compared to the framework developed in the thesis: 1) That the state ought to be nomocratic, 2) that the market due to its superior information processing and discovery-capacity contra the state, must be tasked with determining distributive patterns, 3) that the market distribution is exempt from claims of injustice, and 4) that the Hayekian order realizes a “philosophy of freedom”. The conclusion of the thesis is that none of the above seem valid without free will. The implications of such a finding is that determining distributive patterns ought to be enacted by a particular teleocratic state, and that causal determinism necessitates a significantly more intergenerational and egalitarian approach than is current practice.





## **Abstrakt**

Med så mange uforenlige visjoner av 'utvikling' virker det viktig å identifisere objektive kriterier å bedømme dem på. Oppgaven foreslår at dette bør være hvor rett de har angående normativ etikk, hvor spørsmålet om fri vilje er sentralt. Oppgaven spør i hvilken grad Friedrich Hayeks teori angående sosial omfordeling holder vann om fri vilje er umulig. Ved å demonstrere hvorfor fri vilje virker umulig og konstruere et rammeverk for sosial omfordeling og normativ etikk basert på kausal determinisme, undersøker oppgaven følgende av Hayek normative posisjoner med utgangspunkt i rammeverket konstruert i oppgaven: 1) At staten skal være nomokratisk, 2) at markedet grunnet dets overlegne informasjonsprosesserings- og oppdagelseskapasitet sammenlignet med staten bør få i oppgave å bestemme fordelingsmønstre, 3) at markedsfordelingen er immun mot kritikk angående dens urettferdighet, og 4) om Hayeks samfunn realiserer en frihetens filosofi. Oppgaven konkluderer at ingen av disse virker overbevisende uten fri vilje. Implikasjonene for et slikt funn er at sosial omfordeling bør overlates til en bestemt teleokratisk stat, og at kausal determinisme nødvendiggjør en langt mer egalitær tilnærming enn i dag, som inkluderer fremtidige generasjoner.



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# 1. Introduction

Asking what ‘development’ constitutes and how it ought to be achieved has yielded a plurality of very different answers, necessitating a basis on which to judge the differing – and often conflicting – theories. The general consensus is that the answers for telling right from wrong, and good from bad, ultimately lie within the field of moral philosophy. If there is indeed an objective moral landscape, as this paper argues, it follows that this has to be the basis of – and steer – any theory of development, not vice versa. According to the same logic, normative ethics *are* the very core of development, and all attempts to design the nature and shape of ‘development’ failing to recognize certain moral truths will be theoretically *wrong*, most likely translating to the practical sense as well. Whereas there is a large body of literature theorizing about the means and ends of development (e.g. Rostow 1990[1960]; Bauer 1971; Sen 1999; Chang 2005; Easterly 2006; Nussbaum 2006; Pogge 2008; Moyo 2010), penetrating debate on free will seems largely absent in development literature, despite significant implications for normative ethics, with the possible exception of the post-structural literature’s insights on governmentality, subjections and subjectifications (e.g. Foucault 2008; Dean 2010; Bröckling 2016; Bloom 2017). Often free will is merely assumed, without being backed up by further logical and scientific evidence (e.g. Sen 1999:284; Crocker 2008:78-79). It therefore seems appropriate to further introduce this debate into the field of development, as the answer to the question of free will holds significant moral implications.

This thesis will briefly explore the major positions in the debate on free will, before justifying the *hard incompatibilist* position, which is the core assumption of the thesis. This position holds that neither in a deterministic, nor indeterministic universe can an agent have free will in the relevant conceptualization as ‘free choice’, implying that free will is an illusion generated by our cognitive architecture. Every thought, action, belief and aspect of every being is thus down to biology, environment, and potentially quantum randomness, all outside of human control, with implications for moral responsibility, and ultimately justice. More importantly, the thesis seeks to assemble a rough theory of distributive justice and normative ethics compatible with hard incompatibilism, before comparing this to one of the major neoliberal theories of distributive justice, namely that of Austrian neoliberal political philosopher Friedrich August von Hayek (1899-1992). Due to length restrictions, the thesis focuses on 1) whether the state ought to be teleocratic (where it puts forward an end or social goal, such as distributive end-state justice, as a collective aim it is tasked with achieving) or

nomocratic (having no particular goals aside from upholding the rule of value-neutral law, as people are left free to pursue their own preferred form of happiness), 2) whether human epistemic shortages necessitate spontaneous orders like the neoliberal market society, 3) if the market is exempt from claims of injustice, 4) the moral validity of Hayek's underlying principles of distribution, and 5) to what extent we may speak of the Hayekian order as a "philosophy of freedom" (Hayek 2006[1960]:3). These are all central questions of development, focusing on the relationship between state and market, and impacted by humanity's capacity for free will.

While there is a need to carry out similar explorations of the other schools of development, who are all based on some degree of free will, the particular weight given to personal freedom and responsibility – although not as much in Hayek as in other neoliberal theorists, the advocacy of nomocracy and spontaneous orders, and the high acceptance of inequality in the neoliberal tradition, provides perhaps the clearest contrast to the implications of hard incompatibilism. Furthermore, the near-hegemonic position neoliberalism holds as the global orthodoxy (Plewhe et al 2006; Plewhe 2016) makes it important to critically examine by default, where Hayek – by capacity of being referred to as 'The Godfather' of the rise of the neoliberal movement (Mirowski 2009:107) and widely considered one of the most influential political thinkers of the 20<sup>th</sup> century – presents a relevant case. Examples of Hayek's lasting impact is how he founded the neoliberal *Mont Pelerin Society* 'thought collective', which was essential for spreading the neoliberal philosophy (Mirowski & Plewhe 2015), "helped seal the intellectual turn toward neoliberalism among corporate-backed policy groups" (Dreiling & Darves 2016:143), in addition to intellectually impacting Margaret Thatcher, Ronald Reagan, The Washington Consensus, and according to Werner Bonefeld (2017:64) the "interstate federalism of a system of imposed liberty" which became the European Economic Community.<sup>1</sup> There have been few attempts at constructing theories of distributive justice based on or compatible with hard incompatibilism, which is also something the thesis seeks to do, given almost equal importance to exploring Hayek. The theory constructed in the thesis – while not pretending to be neither the first, nor last word on the topic – attempts to unify certain implications of causal determinism on the central questions a theory of distributive justice must answer, making the comparison to Hayek's normative prescriptions easier, more lucid and more concise.

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<sup>1</sup> For the source of the latter, see Hayek 2009[1948]: chap. 12).

## 2. Methodology

The objectives of the thesis are thus:

1. To examine the link between determinism and central assumptions of Friedrich Hayek's theory on distributive justice.
2. To explore the different positions of the free will debate, before justifying the hard incompatibilist position that free will is impossible.
3. To outline a theory of normative ethics encapsulating both development and distributive justice, which is compatible with the hard incompatibilist position on free will.

The approach towards answering objective 1 is to first answer objective 2 and 3 (in that order), before applying the theory of normative ethics to Hayek's stances to contrast and compare them. The main aim of the thesis is therefore to assemble a framework of distributive justice and normative development, compatible with hard incompatibilism (objective 3) and compare it to a neoliberal theory of distributive justice (objective 1). As the hard incompatibilist position is a minority position, the thesis will extrapolate on the free will landscape, and defend the central assumption of the thesis (objective 2). Due to the topic's theoretical nature, the research questions are discussed and answered by applying logic and analyzing primary and secondary literature, thereby exploring conflicts and coherencies in Hayek's neoliberal approach to distributive justice in the light of the hard incompatibilist position on free will. The thesis is thus composed of three somewhat different discussions (firstly, why free will seems impossible; secondly, sketching out which implications this holds for distributive justice and normative ethics; and thirdly, to explore Hayek's normative stances on central questions of distributive justice), where remembering why the first two discussions must take place can help maintaining focus throughout.

In the Hayekian spirit, the thesis seeks to explore particular pressing social questions by drawing from literature and insights of more than one discipline (Hayek 2006[1960]:3). It is Hayek's multi-disciplinary background which makes him stand out from many of the current neoliberal proponents, and makes scholars perceive him as more sophisticated than the more purely economic Chicago school of neoliberalism, associated with Milton Friedman and Gary Becker (e.g. Mirowski 2015:434). Whereas the latter have been widely accused by other academic disciplines of 'economic imperialism' – economists "lording over other social

sciences with methodological individualism, utility maximization, equilibrium and efficiency as their lodestars” (Fine & Milonakis 2009:145) in the belief that economics (neoclassical in particular) can answer increasingly more aspects of the universe, Hayek made it clear that “the economist can *not* claim special knowledge which qualifies him to co-ordinate the efforts of all other specialists” (2006[1960]:3). This thesis will therefore not commit to one or two fields in particular, but rather draw on a larger multidisciplinary body of insights and argumentation. In the end, the thesis will have provided specific criteria on which to assess any theory of development and distributive justice granted the truth of hard incompatibilism, and discussed these central questions of distributive justice and development from two rather contrasting views.

A methodological weakness is that the theory constructed has limited literature to draw from, as there are not many current theories founded on hard incompatibilism. The framework represents the author’s best understanding of the normative implications of hard incompatibilism – even if I am far from qualified to speak with authority on the topic – and the validity of its assumptions are central to the findings of the thesis. As is later explained (4.1.3), there are certain details of the framework falling outside the scope of the thesis, but they do not hinder the framework from serving an important purpose. Perhaps the thesis’ most significant restriction is how it tries to cover so many different aspects, but it was deemed necessary in order to explore the relationship in Hayek’s theory between the state and market as regards distributive justice, where the final sub-chapter (5.5) was included as it holds particular relevance without free will.

As the debate on free will has a long history accessible elsewhere (e.g. Kane 2011; Miles 2015; Timpe et al 2017), this thesis sums up the literature and positions fairly briefly, as its main aim is exploring how Hayek’s theory of distributive justice stands up to the hard incompatibilist theory developed in the conceptual framework. Due to the core assumption of this thesis (hard incompatibilism) being a controversial minority position, the thesis justifies such an assumption in part 3.1 and 3.2 (objective 2). With the libertarian (free will exists), compatibilist (free will is compatible with causal determinism) and determinist (free will does not exist) positions mainly occupying the academic debate on free will, and the illusionist position (free will must remain an illusion) posing the greatest challenge to the position of the thesis, these will be dealt with in slightly more detail than the remaining minor positions. The thesis follows that discussion up in part 4.1 by assembling *Theory X* – the theory of normative development and distributive justice compatible with hard incompatibilism (objective 3),

followed up by a very brief literature assessment of the distribution and moral consequences of the neoliberal era (4.2), relevant for discussion in part 5. Finally, the thesis gives an overview of Hayek's framework of distributive justice (5.1), before discussing his assigned role of the state in affecting distribution (5.2), his advocacy for the free market as determining distributive patterning (5.3), his claim that the market distribution is exempt from claims of injustice as well as his own distributive principles (5.4), and his assumption that freedom is a superior value to fairness, and characteristic of the Hayekian order (5.5).

The theoretical presentation of Hayek's work is mainly based on his writings on distributive justice in *The Constitution of Liberty* (1960) and *Law, Legislation & Liberty* (1982), but also *The Road to Serfdom* (1944) and *The Use of Knowledge in Society* (1945), in addition to selected secondary literature. Hayek belonged to the Austrian school of neoliberalism, and so the thesis will not grapple with neoclassical economics (the economic foundation of the influential Chicago school of neoliberalism and a central assumption of most actually existing neoliberalism), as the Austrian tradition was highly critical of the human capacity for knowledge. Due to the limited constraints of this thesis, the Hayekian rationales and arguments considered strongest, most important, and of relevance to causal determinism are those extrapolated, with other aspects kept to a minimum. The choice was nonetheless made to include more than one aspect of his theory, as these concepts must be seen holistically, something Hayek would probably have agreed on. Due to disagreements being of higher importance than agreement in the field of political philosophy, the decision has been to focus on the aspects of Hayek's theory of the highest relevance, and those where the two theories seem to differ the most. Whereas Hayek's intellectual voyage changed significantly over the years (Mirowski 2007), the thesis will focus mainly on his prescriptions in his later years, as they were more dedicated to political philosophy. Despite Hayek's work demanding a Hayekian scholar to do it justice, the thesis will nonetheless do its best to represent his views and resonance on distributive justice accurately, without claiming to speak on his behalf. Due to length restrictions, both a biography on Hayek and any historicizing of neoliberalism will be left out.<sup>2</sup>

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<sup>2</sup> For the former, see Ebenstein 2003; Caldwell 2004. For the latter, see Mirowski & Plewhe 2015; Eagleton-Pierce 2016b. For a bibliographic review of neoliberalism, see Davies 2014, and for a meta-analysis on the employment of the term and etymological history, see Boas & Gans-Morse 2009.



### 3. Exploring the free will landscape

This chapter starts off by exploring the free will landscape, before justifying the central assumption of the thesis, namely hard incompatibilism (3.1-3.2).

#### 3.1 Free will

Before exploring the free will landscape and justifying the hard incompatibilist position, it is necessary to define free will, and give a brief account of its relation to causality.

##### 3.1.1 Definition

As Peter van Inwagen (1975:188) among others have noted, "...almost all philosophers agree that a necessary condition for holding an agent responsible for an act is believing that that agent *could* have refrained from performing that act". As this thesis is interested in the role of agency, desert and responsibility, it will employ this orthodox definition of free will as *free choice*. While there are dissenting voices to such a definition (e.g. Dennett 1984; Vonasch & Baumeister 2013) – in particular by compatibilist scholars – it is the only relevant and meaningful conceptualization, as other definitions would simply change the topic in question. In order to possess "free choice", argues Gary Watson (1987:145), two criteria must be met: **1) Self-determination (autonomy)**, and **2) Availability of alternative possibilities**. The first refers to the determination of one's actions by one's own will, and the second to the ability to make several *different* choices at any moment. The second criteria must not be confused with the ability to imagine several different choices and making one; it holds that the agent could have *actually* made other choices in *this* universe. If Watson's two criteria are met, we may speak of a free will, with such a concept echoed by the folk conception of free will (Shepherd 2015).

A couple of helpful distinctions regarding free will are made by Arthur Schopenhauer (2005[1839]). The first is between *freedom from restrictions* and *freedom of choice*, where the former describes external restrictions to a subject pursuing his will or acting out his preferred choice, and the latter indicating *free will*. The fact that Pierre wants to buy a crepe but is tied down by bullies until the crepe shop closes does not affect his capacity for free will, only restricting his ability to carry out his preferences. Unless he can will those preferences in

accordance with Watson's two criteria, he does not have free will. The second distinction is between a wish and the will: one can have several wishes at any time, but only *will* at most one of them. Wishes are simply desires, whereas the will is the causally necessitated action resulting from our being at a given time (2005[1839]:17).<sup>3</sup> This is why Schopenhauer writes that we can be free to do what we want, but not to want what we want (2005[1839]:24), adding that the will cannot be known to the self-consciousness a priori, only a posteriori (2005[1839]:17). According to Schopenhauer, asking even the most ingenious but philosophically untrained man if he is free to *will*, one will be met with great resistance and sincere argumentation supporting being able to do *as one will*, which confuses 'freedom from' with 'free choice'. By claiming that "if I had wanted to, I could have done so", one is therefore committing a logical fallacy which has been compared to saying that a dog could have a curly tail *if* it was a pig (Miles 2015:96). Schopenhauer argued that the self-consciousness cannot be trusted itself to answer the question of the origins of its will by introspection, as it confuses freedom from restrictions and free will, by "replying" that it can do as it will (Schopenhauer 2005[1839]:16). The answer has to be derived by observing the external world and the laws of causation. Thus, despite the sense the vast majority of people have of free will, such instincts and intuitions might need to be controlled and enlightened by a higher reason, which is why it is necessary to give a brief overview of causality.

### 3.1.2 Free will and causality

In order to discuss the different positions of the free will debate in part 3.2, it is necessary to briefly examine the relationship between causes and effects in relation to free will, as its nature holds the answer to Watson's two criteria.

#### Causal determinism

On a causal level, free will holds that the human mind exists *outside* of the scientifically established *deterministic* causal laws of the Newtonian classical mechanistic universe, where **1) identical causes necessitate** identical effects (e.g.  $A+B \rightarrow C$  every time), and **2) no effect can occur 'spontaneously'** without an antecedent cause ( $\rightarrow C$ ). According to deterministic causation, every event is thus an inevitable outcome of its past conditions and the causal laws of the universe. Such a view is perhaps best postulated by one of its earliest known

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<sup>3</sup> If causal determinism is true, wishes are just as causally determined as the 'will', but they might never lead to 'action' or physical realization, whereas the will *is* the action we end up doing.



proponents and founder of Atomism, Leucippus: “Nothing occurs at random, but everything for a reason and by necessity”. From the assumption of causal determinism – that effects are *determined* by antecedent causes and effects due to their causal chains of necessity – French scholar Pierre-Simon Marquis de Laplace postulated the theory commonly referred to as *Laplace’s demon* in his *Théorie analytique des probabilités*. According to Laplace:

We ought then to regard the present state of the universe as the effect of its anterior state and as the cause of the one which is to follow. Given for one instant an intelligence which could comprehend all the forces by which nature is animated and the respective situation of the beings who compose it –an intelligence sufficiently vast to submit these data to analysis – it would embrace in the same formula the movements of the greatest bodies of the universe and those of the lightest atom; for it, nothing would be uncertain and the future, as the past, would be present in its eyes. (Laplace 2015[1814]:12)

The implications of such a view is that the universe would look identical in the current coordinates in time and space if rewound back to any previous state in time and space, such as the Big Bang. All events and actions are pre-determined by the causal conditions at the beginning of the universe; necessitated and inescapable. Given the same data and processing power as the ‘demon’ in Laplace’s thought experiment, one would hold intellectual access to all the universe’s past, present, and future, as causal determinism makes all future causal developments inevitable. Every thought and action are thus necessitated by the previous state of the universe, again determined by its previous state, and so on back to the Big Bang.

### **Causa sui**

Commonly referred to by philosophers as the *causa sui* – the ‘self-caused’ ( $\rightarrow C$ ), this common defense of free will holds that human choices and actions (effects) are *not* necessitated by antecedent events and states of the universe, but rather generated (or authored) spontaneously in the human mind, independent of the necessitated causal chains of the classical mechanistic universe. By the logic of the *causa sui*, the external world *may* be causally determined, but somehow, there is an exception in the workings of the human brain or ‘soul’. Whereas its proponents differ in the degrees of freedom granted due to biological and environmental considerations, there is a belief that humans are able to author their own lives freely to varying degrees. As to the question of “could X have acted differently?”, the answer is frequently “yes”. After centuries of debate amongst philosophers, the concept still remains highly controversial, with many strong objections to the logic of such a phenomenon, commonly exemplified by Nietzsche’s oft-quoted objection to the *causa sui* as “...the best self-contradiction hitherto imagined, a kind of logical rape and unnaturalness...to pull oneself

into existence out of the swamp of nothingness by one's own hair" (Nietzsche 1973[1886]:50-51). The causality of creating oneself out of nothing will be further discussed in part 3.2.1, but for now, its main importance is as perhaps the most popular causal defence of the notion of free will.

### **Causal indeterminism**

Other scholars (e.g. Anscombe 1971; Lewis 1973; Hume 2000[1748]; Anjum & Mumford 2010) have taken the position that the universe is not one of causal *necessity*, but rather causal *probability*. Causality is not considered deterministic; it is *indeterministic*. According to such a view, *identical* causes do not produce identical effects each and every time, but rather a certain percentage of the time, dictated by probability (e.g.  $A+B \rightarrow C$  60% of the time, and  $A+B \rightarrow D$  40% of the time). A common example is that of a coin toss; after enough coin flips, the result will yield close to 50% heads and 50% tails, leading us to believe that the probability of a coin toss is 50% heads and 50% tails. However, such an example is built on a human semantic construction, as the term 'coin toss' encompasses an almost infinite amount of *different* causal scenarios. Unless the power of the flick, the position of the coin on the thumb, the movement of the person flipping the coin, air resistance, gravity, landing surface, the size and weight of the coin, the angle of the flip etc. are *identical*, the *total cause* is not identical. As a result, coin flipping devices ensuring identical conditions achieve the same side 100% of the time (e.g. Vulović & Prange 1986; Strzałko et al 2008), supporting the mechanism of causal determinism at macro-level. When considering the relationship between cause and effect, such a microscopically detailed perspective is necessary, as most daily language is too imprecise to explain the world at such a complex level.

### **Quasi-determinism**

While the degree to which they affect the macro universe is currently questioned, a potential obstacle to Laplace's demon is that events at the quantum level are by many believed to be indeterministic – that is, determined by chance, not causal necessity (most theorists seem fairly evenly divided between the Copenhagen Interpretation where it is indeterministic, and the Many Worlds Interpretation where it is technically deterministic).<sup>4</sup> Some theorists on free will (e.g. Hameroff & Penrose 1996; Searle 2000; Hagan et al 2002; Kane 2007; Hameroff 2012) have therefore argued that indeterministic quantum events in the brain could grant free will, however, not uncontested. Max Tegmark (2000) has contended that any causal

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<sup>4</sup> Despite notable quantum theorists such as Nobel laureate Gerardus 't Hooft (2002) pondering whether "beneath quantum mechanics there may be a deterministic theory with (local) information loss".

indeterminism (randomness) at quantum level in the brain would occur at too small a scale to affect the brain's functioning, as macroscopic quantum coherence in the brain would be destroyed in the order of  $10^{-13} - 10^{-20}$  seconds due to the wet and hot nature of neurons. The fastest neurons tend to operate at a time scale of  $10^{-3}$  seconds, leading Tegmark to conclude that whatever the quantum nature of the brain, any random events would occur too rapidly for the neurons to take advantage of. If Tegmark's orthodox view is correct, the human brain works from a classical mechanistic model of causation (deterministic), where identical total causes yield identical effects in a necessitated relationship. This does not affect the potential indeterminism of 'external' quantum randomness, such as in photons from light, which *could* still hypothetically affect Laplace's demon in some way, however, not affecting free will, as it does not grant autonomous agency or self-creation. Tegmark's finding implies the truth of epiphenomenalism,<sup>5</sup> and so the brain and body seem to be just as much the pure results of cause and effect as are the branches of a pine, an earthquake, or the planet Neptune. It must also be emphasized that the extent to which a human life is affected by subatomic particles *hypothetically* firing at random in the outside world is *a lot* smaller than by the classical external (outside of human control) factors of biology and environment. The causal stance that all macro-events are deterministic, while some quantum events are indeterministic, has been named *quasi-deterministic*. A phenomenon referred to as *quantum decoherence* seems to suggest that quantum randomness does not translate into macro-events in the universe (e.g. Tegmark 2001; Zurek 2002; Zurek 2003; Mazzola et al 2010), despite some of the claims that have been raised in defence of free will.

## Summary

The four aforementioned scenarios of causality are the only one's conceivable of in such a universe as ours (or as will be demonstrated, only three of them), as summed up in Table 1. Whereas causal determinism grants none of Watson's two criteria, indeterminism (and to an uncertain extent quasi-determinism) grants only availability of alternative possibilities without granting self-determination, leaving the *causa sui* the only explanation compatible with free will. All philosophical positions on free will must take a stance on whether the universe is deterministic or not, and whether free will is compatible with a deterministic universe. Theories holding that free will is incompatible with causal determinism are

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<sup>5</sup> That every *conscious* state is determined by a simultaneous *brain* state and that every brain state evolves *solely* in accordance with *physical law* (Bacrac 2010). Perhaps best exemplified by Spinoza's "In the Mind there is no absolute, or free, will, but the Mind is determined to will this or that by a cause which is also determined by another, and this again by another, and so to infinity" (1996[1677]:62).

commonly labelled *incompatibilist*, while those who still see a possibility for free will in a deterministic universe are labelled *compatibilist*.

	<b>Classical mechanistic</b>	<b>Probabilistic</b>	<b>Quasi- deterministic</b>	<b>Causa sui</b>
<b>Causality</b>	Deterministic	Indeterministic	Macro- deterministic, micro- indeterministic	Humans able to originate uncaused causes and effects
<b>Agent authorship</b>	Biology + Environment	Randomness/Chance	Biology + Environment + Quantum Randomness	Varying degrees of the individual's free will

*Table 1: The causal stances.*  
*'Causality' refers to the relationship between causes and their effects.*  
*'Agent authorship' refers to the different components causing humans to be the way they are.*

### 3.2 Why hard incompatibilism

In order to justify the central assumption and theoretical tool of the thesis – namely that free will is impossible, the different intellectual schools of the free will debate will be briefly visited, and it will be explained why the hard compatibilist position seems to be the only viable one. The illusionist position will be further discussed than the others, as it seemingly poses the greatest threat to Theory X, by implying that development necessitates keeping the impossibility of free will a secret – not making it the centerpiece of development policy.

#### 3.2.1 Libertarianism

Despite being the most commonly-held position among lay people (Nahmias et al 2005; Sarkissian et al 2010), the libertarian position resonates with only 13.7% of philosophers, according to the most extensive study on what philosophers believe, conducted by David Bourget and David Chalmers (2014:476). Free will libertarianism (unrelated to political libertarianism) is thought to systematically originate with Aristotle, and holds that free will is

possible, as causal determinism is perceived to be untrue, supposedly leaving room for the *causa sui*. This makes libertarianism the only position believing in *free choice*, based on different accounts of causality. While some libertarians (e.g. van Inwagen 1983:223) hold the position that they would become compatibilists if causal determinism is indeed true, libertarianism is generally an incompatibilist position – that is, seeing causal determinism and free will as incompatible. Free will libertarian Isaiah Berlin represents this view by stating that “determinism and responsibility are mutually exclusive, where both may be groundless, but both cannot be true” (Berlin 2002:6). Similarly, libertarian Immanuel Kant famously referred to the idea that causal determinism and moral responsibility were compatible as a ‘wretched subterfuge’. The libertarian quest has been, and continues to be, largely one of providing evidence of the *causa sui*.

### **Quantum gaps, Quantum swerve, and Libertarian causality**

In order to avoid the causal determinism which seemingly makes free will impossible, several libertarian theorists have looked for solutions at the quantum level. John Searle (2000) has famously argued that there are “gaps” in human consciousness between deliberation and decision which could potentially grant free will, however, failing to explain how these are causally composed in a way supporting such a claim, as neither causal determinism, nor indeterminism could make such gaps support ‘free will’. Robert Kane (2007) has argued that faced with a choice between two decisions we identify with, where due to “chaos” (which he assumes to be indeterminism) in the brain at the time of decision-making, the choice is considered non-deterministic, and we may speak of a free and non-determined decision. This too, fails to account for how any combination of determinism and randomness grants free will, as it is insufficient to *identify* with a choice as long as this identification was causally determined or *randomly* occurred. The referral to quantum randomness is far from new, as Epicurus (341 B.C.-ca.271 B.C.) supposedly postulated an explanation of how the classical mechanistic universe still allowed for free will, by referring to a random swerve in atoms, which he saw as breaking from necessity and providing liberty (e.g. Lucretius 1910:17). The many attempts at refusing the impossibility of free will implied by the causal determinism of the classical mechanistic universe, the indeterminism of randomness, as well as the quasi-determinism implied by macro-determinism and micro-randomness has led scholars such as P. F. Strawson to critique libertarianism for its “panicky metaphysics” (2013:351).

### **Why not libertarianism**

The idea of a *causa sui* is insufficient for granting free will, as such a hypothetical cause or effect without antecedent causal chains would not be authored by the ‘self’ if not the result of any previous causal history, and so not ‘his’ or ‘hers’ any more than if produced by randomness. If it is instead the subject which is authoring them, they would be the product of a current state of self which was ‘authored’ by a previous state of self (and this self’s preferences, experiences, genetics, molecular makeup etc.), this self the result of an antecedent state of self, and so on until birth, as remarked by Spinoza more than 300 years ago, and implied by Leucippus approximately 2500 years ago. Even if one were able to choose or design one’s own genetics in the womb, the question of *why* these choices were made as opposed to any other combination would have to be answered by pointing to the nature of a previous state of self (the current entity’s ‘author’) and its preferences, as self-authorship is causally impossible. No kind of randomness – neither quantum nor macro – makes free choice possible; it merely adds the element of causal randomness to the cocktail of external factors shaping the self. The referral to quantum physics to support one’s claims and cast doubt on well-established laws of the macro world when quantum physics are not relevant – particularly as evidence for God or free will – has been referred to as committing the quantum physics fallacy (Bennett 2017:239), which seems frequently committed by libertarians.

### **3.2.2 Compatibilism**

Being the most popular position among philosophers at 59.1% (Bourget & Chalmers 2014:476) – despite such a position seemingly resonating poorly with the lay intuition (Sarkissian et al 2010), the compatibilist flora will be explored a little further in-depth (including reactive attitudism and semi-compatibilism). As implied by the name, this position holds that causal determinism and free will are *compatible*, a position which can be traced as far back as the Greek Stoics (O’Keefe 2017:236). As it is hard to give an explanation of how never being able to do otherwise is compatible with free choice, most compatibilist theories have resorted to redefining ‘free will’. Philosopher Daniel Dennett – a heavyweight in the free will debate – is satisfied with the compatibilist understanding that any type of free will “worth wanting”, such as freedom from coercion, compulsion, and political oppression, is unthreatened by scientific findings (Dennett 2003). From this position, ‘free will’ is suddenly given a plurality of widely different meanings, including such unhelpful ones as ‘freedom

from political oppression'. To Dennett, those conceptualizing 'free will' as free choice are handed the burden to "show why free will defined *that* way is of any interest to anyone but underemployed theologians and philosophers" (2012:27). As to the contention that without free will, "luck swallows everything" (Strawson 1998)<sup>6</sup>, he responds: "Is [the system] fair enough not to be worth worrying about? Of course. After all, luck averages out in the long run." (1984:95). This trivializing of the implications of causal determinism seems to provide a clear contrast to Theory X, but won't be discussed here.<sup>7</sup>

Other redefinitions of free will include Susan Wolf's *free will as sanity or reason* (Wolf 2013) and Harry Frankfurt's *freedom as acting in harmony with one's own causally determined personality* (1971). These re-conceptualizations fail to define free will as free choice, and so, at best act to highlight that there are important 'freedoms' worth wanting regardless of our capacity of free will, and at worst, give away the impression that there exists convincing evidence for free will. Gary Watson (2004) has presented an *essentialist* compatibilist theory, where it is assumed that there is something in him by virtue of which he would not have become a vicious person given the exact same causal circumstances as someone who did become a vicious person. This supposedly holds open the possibility that it is not merely moral luck which prevented him from becoming such a person, but rather that it is a matter of who they *essentially* are, in turn supposing that it could be to his own credit that he is not that vicious person (Watson 2004:248). However, if the "essential" component in Watson that prevents him from becoming such a vicious criminal is either causally determined or has occurred randomly, it seems hard to hold him causally responsible for such a being any more or less than the vicious person.

### **Reactive attitudism**

The reactive attitudist position acknowledges that free will might be impossible, but argues that we need retribution and blame to maintain 'reactive attitudes', such as the instinct for revenge. The truth of determinism neither would nor should change our reactive attitudes, its proponents claim (Strawson 2013). According to such a view, it matters not that revenge is unjust, as long as it maintains natural human relations. "It would be *useless* to ask whether it would be rational for us to do what is not in our nature" (Strawson 2013:348). This theory

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<sup>6</sup> As everything is down to external factors the subject has no control over, and thus 'luck'.

<sup>7</sup> For a hard incompatibilist response to Dennett's theories, see Miles 2015.

was first postulated by P.F. Strawson in his essay *Freedom and Resentment* (1962), and has gained some traction in philosophical circles.

### **Semi-compatibilism**

Largely indistinguishable from compatibilism, semi-compatibilism has been championed most vocally by John Martin Fischer and Mark Ravizza, where Fischer has argued that free will might be impossible, but that it is moral to blame and punish on the basis that semi-compatibilism sees moral responsibility as removed from the capacity of having free choice (Fischer 2017). While Fischer's work seems to be constantly evolving, he has argued that a particular type of experiments labelled 'Frankfurt-type examples' disprove the notion that moral responsibility demands available alternative possibilities. These examples involve an external agent manipulating someone's will, and in one of Fischer's examples; a neuroscientist seeking to manipulate someone's brain to vote for Obama as opposed to McCain (Fischer 2011:244). *If* the voter is thinking of voting for Obama, the neuroscientist will simply remain passive and abstain from manipulation, but if he considers voting for McCain, a chip in the voter's brain will make him change his mind. According to Fischer's reasoning, the subject is morally responsible as long as it already wanted to vote for Obama (as there is no need for interference), despite such a conclusion's validity resting on the voter already having free will to begin with. As long as causal determinism is true, it matters nothing if our actions are authored by a scientist or by other external factors; moral responsibility seems equally impossible.

### **Why not compatibilism, semi-compatibilism and reactive attitudism**

What is clear from this school of thought is that it fails to provide convincing evidence that not being able to do otherwise is compatible with moral responsibility, as none of the redefinitions suffice to capture the relationship between causality and moral responsibility, or a good reason *why* the latter does not depend on the former. Semi-compatibilism fails to justify its divorce of free choice and responsibility, and reactive attitudism scores very low in Theory X' conception of justice, and most likely also counterfactually poorly compared to a more just society in utilitarian terms (see 4.1.3-4). Particularly relevant for the thesis is Frankfurt's redefinition (acting in accordance with one's causally determined personality), as it argues along the lines of neoliberal justifications for the relative unimportance of positive freedom (agency) as opposed to negative freedom (non-coercion).<sup>8</sup> Martin Seligman's

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<sup>8</sup> See 5.1.and 5.5.



experiments on ‘Learned helplessness’ have been used as ammunition against such claims by determinist scholars (e.g. Waller 2011; Miles 2015). These experiments (see Seligman & Maier 1967; Overmier & Seligman 1967) on dogs highlighted an interesting relationship between causal history and ability to pursue what is in one’s best interest, which will be revisited later in the thesis. In summary, a group of dogs were physically restrained while given repeated painful electroshocks, initially resisting fiercely and trying to escape. This procedure was repeated several times, before the same dogs were placed on the electrified side of a shuttle box, where a low barrier separated them from the safe side. Dogs placed in the shuttle box who had not experienced the painful shock treatment before immediately jumped across the barrier to the other side, whereas the dogs who had previously been repeatedly subjected to inescapable shocks cowered on the floor in pain, but made no attempt to escape.

While it was clear in the initial shock experiments that the dogs wanted to escape the electrocution (that escaping it was their will, but that this will was *coercively* restricted), and that they were suffering in the second experiment (leading us to believe that their will was to end the suffering), escaping was not what they decided to do, seemingly due to their previous causal experiences with attempting to escape electroshock. What this highlights is that being able to act in harmony with one’s causally determined personality *by itself* does not necessarily lead to neither any meaningful ‘freedom’, nor wellbeing. According to Frankfurt’s definition of free will, the dogs did not have free will in the first experiment, but did in the second one, as they were not coercively restricted against their causally determined will. The phenomenon of learned helplessness applies to human beings as well (e.g. Abrahamson et al 1978), where our causal history is what authors our lives, and particularly unfortunate experiences often spawn resilient patterns of making bad counterfactual choices<sup>9</sup>. Some have therefore referred to compatibilism as arguing that “the puppet is free as long as it loves its strings” (Harris 2012:20), not affecting free will to any extent, nor necessarily amounting to any meaningful freedom by the account of Theory X (see 4.1.3-4).

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<sup>9</sup> With common examples including victims of spousal abuse or religious fanatics, but without free will also applying to *any* unfortunate experiences we have that negatively affect our choices, with moral consequences.

### **3.2.3 Fatalism**

The fatalist position is arguing for a causally determined universe, where free will is considered impossible. It shares with this thesis the position that “The past determines a unique future”, as given the past and the laws of the universe, the future is determined in every detail (van Inwagen 1999:342). While this position is incompatibilist, it is distinct in holding the normative stance that with destiny set in stone, one might as well stop any attempt at forcing a desirable outcome, and just wait until destiny inevitably strikes. While very few identify themselves as fatalists, it is an important position nonetheless, by providing a useful comparison and contrast with determinism. While such a position seems to be most common when lay-libertarians try to imagine the consequences of not having free will, it was expressed in discussions in the ancient Indian Mahabharata (Chakrabarti 2017:391-392) and has been a recurring interpretation of causal determinism since the time of Origen of Alexandria (Miles 2015:33). A helpful metaphor to represent fatalism is Sophocles’ story of King Oedipus, where upon being told by the blind prophet Tiresias (holding powers similar to Laplace’s demon) that he will end up killing his father and marrying his mother, Oedipus escapes his family in order to break with his destiny. After a series of events, however, he *does* end up unknowingly killing his father and marrying his mother. Due to destiny being set, it made no sense to resist it, and the normative conclusion some derive from this is that no current actions matter; as the future is set in stone. While this example involves a hypothetical insight about the future, the fatalist position also covers cases where pre-knowledge is not the case.

#### **Why not fatalism**

On a causal level, the normative fatalist position therefore implies a disconnection between current actions and future effects, which is a significant misinterpretation of causality. If *pure* indeterminism on all causal levels – acting at all times incoherently with our previous experiences as a subject – occurred, this would arguably make fatalism the most reasonable conclusion, as coherent identities and selves would become impossible, and so nothing could be learned or remembered. However, as determinism holds, the normative stance of the fatalist position is confused about causality, as current actions, regardless of their causal authorship, matter, as widely different causes seldom produce similar effects.

### 3.2.4 Determinism

According to Bourget and Chalmers' study, 12.2% of the responding philosophers associated themselves with the position 'no free will' (2014:476). Whereas the determinist position shares the descriptive stance of the universe of fatalism,<sup>10</sup> it differs in that it does *not* reach the normative conclusion that it doesn't matter what choices people make. If human beings are parts of a causally necessitated chain of causes and effects, we can still obtain the understanding of the universe (through our causal history of experience, learning, exposure to the right external factors, and motivations caused by our current insight) that certain conceivable futures are better in terms of wellbeing and desirability than others, and that in order to reach such a future, certain causes must occur. By identifying components to such a total cause, it is possible to work towards this desirable future, and act ethically, despite not having free will. As Derek Parfit put it: "Although our decisions will be causally inevitable, we often don't know in advance, and could not possibly always know, what we shall later decide to do. And if we make better decisions, and act upon them, things will be likely to go better", facts he believed were enough to give us reasons to try to make good decisions (2011:262). After all, this *is* still 'our' life,<sup>11</sup> and how it unfolds matters tremendously to us and others, thus making the fatalist's normative conclusion morally wrong.

### Hard incompatibilism

With attempts such as the libertarian quantum theories at discrediting determinism on the account that the universe is possibly not deterministic in the sense of Laplace's demon, but rather quasi-deterministic, Derk Pereboom (2001: xix) re-baptized determinism '*hard incompatibilism*'. What is meant by such a term is that the position is 'hard' in the sense that it denies the sort of free will required for moral responsibility, and that free will is incompatible with both a deterministic universe and any indeterministic explanation such as that of quantum randomness or macro-indeterminism. Everything is therefore down to heredity and previous experiences, *some* which *might* hold a component of causal randomness. The central thesis derived from the hard incompatibilist position is therefore that "Luck swallows everything" (Strawson 1998), perhaps the most essential observation for any theory of distributive justice and development, should free will be impossible.

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<sup>10</sup> i.e. causal determinism or quasi-determinism, and that destiny *is* therefore set in stone or only prevented from being so by quantum randomness.

<sup>11</sup> In the sense that we are constantly experiencing this particular life in first-person, and that our feelings and thoughts are real to us.

### 3.2.5 Illusionism

With roots dating back *at least* as far as Renaissance theologian and social critic Erasmus (1466-1536), free will illusionism is a relatively old tradition, despite only being a recognized position in the scholarly free will debate since the recent writings of Saul Smilansky. While it poses perhaps the greatest challenge to the normative position of the thesis, it does in no way threaten hard incompatibilism's descriptive ontological stance on free will. As implicit by its name, the position argues on consequential grounds that while free will is impossible, this fact must not be made public – but rather kept as a public illusion. Erasmus believed that some truths were not for common ears, and that *if* Martin Luther's theological argument against free choice was right, such truths might only be treated in discourse by the educated, as lay folk were too “weak”, “ignorant”, and “wicked” to handle such an understanding (Erasmus 1999[1524]:11-12). Recently, Daniel Dennett wrote an essay sharing Erasmus' concerns about the doctrine of free will being exposed as an illusion having profoundly unfortunate social consequences (2012:11), exemplifying its current relevance. James B. Miles (2015:125) divides free will illusionism into two normative positions, namely *positive* and *negative* illusionism. The former holds that one ought to deliberately deceive the public on the matter of free will, while the latter holds that theorists ought to stay silent in the face of what can be regarded as public misperception. While Smilansky has distanced himself from the more active positive position taken by for instance Daniel Wegner (2002:336), it seems unclear how morally significant such a divide really is in regard to the moral landscape.

#### **Illusionist ammunition**

It seems like two categories of arguments have been particularly frequent in defending the illusionist position, namely those arguing that determinists are more unethical (hurting others), and those arguing that determinism strips life of its meaning (hurting the subject himself). A series of studies have supposedly helped strengthen the first position, by for example concluding that: belief in free will predicts better career attitudes and actual job performance (Stillman et al 2010), is associated with greater empathy towards the working poor, support for social mobility, greater desire for socio-economic equality and less belief that poor people are fated to live in poverty (Vonasch & Baumeister 2012), and that beliefs in determinism promote anti-social behavior such as cheating and stealing (Vohs & Schooler 2008), as well as aggression and reduced helpfulness (Baumeister et al 2009). The second fear, shared among others by neoliberal political philosopher and free will libertarian Robert Nozick, is that “Without free will, we seem diminished, merely the playthings of external

forces”. “How, then”, he asks, “can we maintain an exalted view of ourselves? Determinism seems to undercut human dignity, it seems to undermine our value” (Nozick 1981:291). In addition to Nozick’s loss of human dignity, Heine et al (2006) have argued that agency and responsibility are tied to meaning, and that without agency, one is similarly robbed of meaning. These types of arguments have been supported by research among Chinese adolescents finding that belief in free will increases life satisfaction (Li et al 2017), as well as studies finding that determinists fail to learn from negative emotions (Stillman & Baumeister 2010).

One could write a whole thesis contending the methodological approaches, samples, and possible biases of many of these studies, but with such a discussion falling outside the boundaries of the thesis, it must do to remark that there is either a lot of appalling confusion among the determinist population (which, despite its dispersed geography, lack of organization and miniscule numbers – even among philosophers, proved almost incomprehensively easy to locate and gather for samples), or the quality of the research conducted must be questioned. Finding that a deterministic world view (not a *fatalistic* one) causes less empathy, reduced helpfulness, and a lesser desire for socio-economic equality, seems similar to finding that pacifists are society’s most blood-thirsty killers, or vegans the greatest opponents of animal welfare, which ought to at least spur caution when reading these studies. That *not* believing that someone could have done differently makes one less concerned about equality than someone believing the opposite seems paradoxical, and accordingly, such findings will not weigh against the normative positions of this thesis. This skepticism is supported by the fact that only 36% of experimental studies in top psychological journals proved reproducible, according to a collaborative study in *Science* (Open Science Collaboration 2015). For a methodological criticism of some of the aforementioned studies, see papers by James B. Miles (2013a and 2013b), and for examples of failure of reproducibility see Looijen (2017) and Zwaan (2013).<sup>12</sup> If it *is* true that a belief in determinism causes massive utilitarian losses outweighing the injustice free will illusionism upholds, then the framework of normative ethics assembled in 4.1 would advocate the illusionist stance.

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<sup>12</sup> Zwaan was for instance noticed on e-mail by the authors of Vohs & Schooler 2008 that more than half of their sample was made up by devout Mormons, something which seems relevant to disclose in such a study, but was not.

## **Determinist rebuttal**

If anything, granted that free will is impossible, determinism as a theory seemingly holds a more empathic understanding than any other school of the free will debate, by recognizing that there is a reason why everyone is the way they are, and that everyone else given their identical external factors would have ended up completely identical. While *not* taking an amoral stance, as the fatalist position seemingly does, the determinist stance argues that it is still highly important with ethical theories, measures, and human actions. All it holds is that one must understand that what happened was inevitable under identical conditions, and that instead of punishing for the sake of retribution, the aim must be to adjust the causal landscape, in order not to have such problems repeat themselves. The point of a penal system, for instance, would be to protect society from danger and suffering (protective), rid the offenders of the likelihood of re-offending (rehabilitative), as well as impacting other peoples' cost-benefit analysis' by introducing a 'con' to doing something unethical (preventative), removing any *retributive* motives for punishment.<sup>13</sup>

The argument that determinism diminishes us and makes life meaningless also seems an unfounded fear, as the determinist position does not see human wellbeing, justice, knowledge or love as less important than would a libertarian world-view. Whereas some have referred to determinism as taking refuge when freedom weighs upon us and we need an excuse (Sartre 1943:78-79), determinism is merely a descriptive claim about causation and responsibility, advocating acting morally no less than any other position on free will. Even subjects holding the determinist world-view cannot help but make decisions regarding their own life as if they had free will (asking themselves what they want to do or ought to do, as opposed to what their destiny is today); the difference seems to be an improved measure of empathy for others, a greater advocacy for fairer institutions to account for luck, and the ability to escape self-loathing by forgiving oneself for previous mistakes, while still advocating the importance of acting responsibly and trying to avoid making negative mistakes, and learn from previous missteps.

While Smilansky (2001:90) has argued that the public are “fragile plants that need to be defended from the chill” of the truth of human agency in the “hothouse of illusion”, a similar metaphor can seemingly just as easily portray that many treated unjustly by the current system are left to ‘freeze’ (some to death) in the cold streets of collective ignorance, whereas a more

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<sup>13</sup> For similar views, see for example Greene & Cohen 2004, Miles 2015, and Oerton 2016.

just system would grant them a safer and warmer home to insulate from the potential ‘chill’ this planet houses. While it certainly matters *how* the public is informed in order to produce a desirable outcome (distinguishing determinism from fatalism for a starter), which might also involve *some* risk, it seems impossible to escape ‘winner’s justice’ by maintaining the current system, and thus perform poorly in moral terms (see 4.1.3-4).

### 3.2.6 Summary

From the above exploration of the free will landscape, it can be summarized in table 2.

	<b>Libertarian</b>	<b>Compatibilist</b>	<b>Fatalist</b>	<b>Determinist</b>	<b>Illusionist</b>
<b>Causal Determinism</b>	No	Yes	Yes	Yes	Yes
<b>Free Choice</b>	Yes	No	No	No	No
<b>Responsibility</b>	Yes	Yes	No	No	No
<b>Choices Matter</b>	Yes	Yes	No	Yes	Yes
<b>Impossibility of Free Choice must be kept a secret</b>				No	Yes

*Table 2: The ‘free will’ landscape.*

Our discussion on causality left us the following factual statements of the different causal scenarios:

- 1) **Classical mechanistic universe:** free will is impossible due to everything being the result of causal determinism.
- 2) **Causally indeterministic universe:** free will is impossible due to everything being random.
- 3) **Quasi-deterministic universe:** Macro-determinism and micro-randomness does not grant free will, as both determinism and indeterminism are incompatible with free will.
- 4) **Causa Sui:** Impossible, as this causal ‘phenomenon’ must either hold a deterministic or indeterministic nature.

On this basis, the thesis concludes that free will is impossible. According to Theory X, this must impact our distribution of desirable goods, as free will illusionism seems an obstacle to realizing the moral good as conceptualized in 4.1.



## 4. Assembling a hard incompatibilist framework

In order to discuss and address the main question of how Hayek's normative stances on distributive justice seem valid without free will, the thesis develops a framework of normative development and distributive justice, referred to as *Theory X* (4.1), acting as the analytical tool for exploring Hayek's theory. This chapter constructs Theory X around the topics relevant for discussing Hayek, while justifying every decision to the reader. It also gives a brief outline of what is meant by neoliberalism, and the actual outcomes of neoliberal distributive justice (4.2), the latter necessary for sketching out some of the implications such a distributive system has on the utilitarian component of Theory X, as well as the fairness of distribution (both relevant for later discussion). Due to Theory X being the main contribution of the thesis, it demands such extended space and attention as it has been given.

### 4.1 Theory X

After justifying the hard incompatibilist foundation, it is time to assemble the framework of normative ethics, which is argued to encompass both the entirety of development and distributive justice. While the latter is commonly centered around economic resources, Theory X argues that such a conception misses out on additional and essential moral facets of distributive justice.

#### 4.1.1 Development as normative ethics

Despite several schools of development downplaying its importance, the field of distributive justice constitutes part of the bedrock of the field of development through its indivisibility from normative ethics, which must be *the* criterion on which development is judged, if it is to be morally desirable (if the aim is not making the world a better place for its inhabitants, there seems no justification for committing resources to conducting 'development'). The conceptualization of development in the thesis will therefore be more basic, echoing Gunnar Myrdal's development as *upward movement of the entire social system* (1974:729), but substituting "the entire social system" with "the moral landscape" (the framework developed in 4.1.3). The reason for such a broad and unspecific conceptualization is to avoid the assumption that there are such things as 'developed' countries, implying a state of perfection without room for further improvement. *All* countries are developing countries, however, to varying degrees. The current state of development and "upwards movement" is thus judged

by its coordinate in the moral landscape. If a country modernizes and increase their consumption significantly, this is only considered ‘development’ by such a definition if this causal development constitutes progress in the moral landscape, and so, if this development fails to be just and contribute superior wellbeing (the values of the moral landscape), it constitutes *maldevelopment*, or regression.

#### **4.1.2 Moral realism**

Affecting the discussions and conclusions of the thesis is the meta-ethical assumption of moral realism, holding that ethical sentences express propositions referring to objective features of the world, some of which may be true or false. Taking such a stance allows for normative positions on ethics, and subsequently the possibility of falsification of moral sentences. As a result of this position, moral relativism is implied false, and similarly, the ethical subjectivist claims that saying something is right or wrong is simply referring to how someone *feels* about something, is considered false. There is an objective moral reality, where Scenario A might yield a superior moral outcome to Scenario B. While some assume determinism to imply subjectivism, this is a significant misunderstanding, as the illusion of free will does not make wellbeing, justice, or suffering any less real or important. While Theory X’ moral realist component might lead to certain politically incorrect conclusions, this does not seem sufficient to discard moral realism.

#### **4.1.3 The moral landscape**

In order to identify the ends of development if understood as the alignment of the causal landscape so as to meet moral normative demands, it is important to establish a conception of the moral good.

#### **Constructing the basic framework**

The thesis’ moral realist component is best expressed through an extension of Sam Harris’ teleological (outcome-based)<sup>14</sup> framework referred to as *the moral landscape* (2010). This framework refers to:

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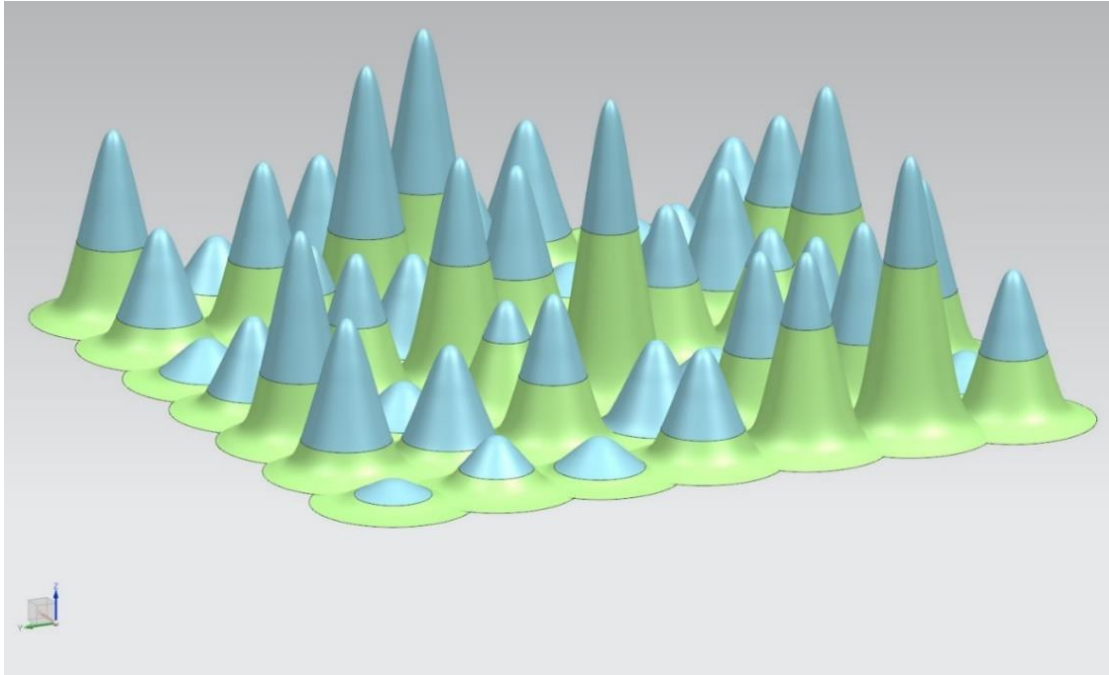
<sup>14</sup> Whereas there are several different conceptions of ‘teleology’ (Vallentyne 1987), the general conception of ‘maximizing the moral good’ is the one employed by John Rawls (1971:24-25), and also what is meant in the thesis. It is commonly contrasted with ‘deontology’, which, while also encompassing a plurality of conceptions

“a hypothetical space...of real and potential outcomes whose peaks correspond to the heights of potential well-being and whose valleys represent the deepest possible suffering. Different ways of thinking and behaving – cultural practices, ethical codes, modes of government, etc. – will translate into movements across this landscape and, therefore, into different degrees of human flourishing” (Harris 2010:18-19).

Whereas Harris’ framework seeks to visualize the different counterfactual choices and causal developments from a given scenario by a utilitarian-based measurement, the thesis employs a landscape embedded in value pluralism, however, measuring only one more value, namely *justice* (defined in 4.1.4). Here, each *hypothetical* causal development (as causal determinism necessitates *one* particular future and quasi-determinism making different futures the result of quantum randomness outside of human control) from the given scenario is indicated in terms of composites of utility and justice in the respective outcomes; by peaks of a certain height in the most desirable scenarios, and valleys of depth in scenarios of low utility and justice (see Figure 1 and 2). This is a tool intended to visualize a moral realist account of the world, and act as an instrument for achieving development. By adding up the net utility and the net performance of the demands of justice, each peak or valley derives its height. Most things’ value (systems, institutions, acts, etc.) derive their desirability from their sum of these two, where due to its pluralist assumptions, neither utility nor justice by themselves are *all that matters*; however, *the two* encapsulate all that matters. Utility is the value of distribution, and justice the fairness of its allocation, considered a separate value in itself.

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(Vallentyne 1987) is generally meant to hold that there are certain rights (e.g. Nozick 1974), demands of universalizability (e.g. Hayek 2013[1982]) or other considerations of higher priority to maximizing the good. Some define deontological theories as merely those who are *not* teleological (e.g. Rawls 1971:30).



*Figure 1: Hypothetical visualization of a moral landscape. Green constitutes aggregate justice, and blue aggregate utility. Each peak or valley represent different decisions, institutions, etc. depending on the case, where the highest ones are the most morally desirable.*

### **Addressing weaknesses**

Before elaborating on such a framework, it seems appropriate to get some of its immediate weaknesses out of the way. There seems to be a need for weighing shallow hedonistic wellbeing from a deeper, more complex and meaningful sense of happiness or purpose, where this discussion falls outside the scope of the thesis. Similarly, weighing justice and utility differently might be necessary to align with the moral reality, but for the thesis, it is more important to highlight that these are the *only* two values, where they will arbitrarily be weighed equally. Whether to weigh justice heavier than utility seemingly rests on whether one accepts the *disperse additional burdens view* or not. This view holds that:

“In general, if additional burdens are dispersed among different people, it is better for a given total burden to be dispersed among a vastly larger number of people, so that the additional burden any single person has to bear within her life is “relatively small”, than for a smaller burden to fall on just a few, such that their burden is substantial.” (Temkin 2012:67-68).

One example highlighting this principle is given by Thomas Scanlon (1998:235), who supposes that Jones has suffered an accident in the transmitter room of a TV station, with electric equipment falling on his arm, which can only be removed by turning off the transmitter for fifteen minutes. There is currently a World Cup match going on, and the

broadcast would have to be interrupted in order to save Jones, who is in excruciating pain, but will not suffer long-term damages if he is not immediately helped. Scanlon asks if it should matter how many are watching as to whether we help Jones or not, as 100 million viewers' total utility loss would certainly outweigh Jones'. While it is clearly unjust towards Jones to not help him (which Scanlon believes we ought to do), the question is whether the aggregate loss of utility is outweighed by aggregate injustice on Jones' behalf, and if injustices ought to be weighed heavier. Weighing is not conducted in the thesis, which highlights how Theory X is both far from the first, and last word on normative ethics. Should justice be weighed heavier, by Theory X' definition (4.1.4), the demands of equality would be even greater than in this thesis.

### **Why not other values**

Other normative theorists have argued that ideals such as freedom, equality, knowledge, dignity, security etc. in addition to utility must also be measured, weighed, and added to the overall score of morality, but Theory X argues that values such as freedom, security, and knowledge derive their moral value from their utilitarian consequences; being *means*, not ends in themselves. If not for such an interpretation, it would seem equally prohibited to pick flowers or eat lentils as coercing conscious beings, which is both important for highlighting how Theory X does not perceive negative freedom (non-coercion) as an inviolable deontological consideration, while also implying that not all negative freedom is morally desirable. As opposed to the neoliberal elevation of negative freedom as the highest virtue, Theory X considers it a morally valuable and desirable *luxury*. 'Freedom' to be left to do as one wants without interference is therefore always secondary to ensuring the moral good, where the negative impact on wellbeing derived from overriding someone's interest also counts towards determining what is morally right to do. As to why justice is regarded as a separate value not encapsulated by utility, this is because it describes the *distribution* of the good, thereby taking into consideration interpersonal differentiation. All morally desirable outcomes are thus in some way derived from their composition of these two factors.

What the moral landscape aims to capture is how there might be *different* 'roads' towards the same level of utility and justice (see Figure 2), but even more importantly, that there are vast differences in utility and justice between *desirable* and *undesirable* scenarios; that there are moral 'rights' and moral 'wrongs'. As to the question of whether there is *one* or *several* developmental pathways, the moral landscape holds that due to heterogeneous causal contexts, there might be different ways of achieving 'development' (i.e. equally desirable

states in the moral landscape), but that the ends and means must nonetheless be in accordance with the objective moral landscape, as it measures moral outcomes. Moral desirability is therefore objective, not subjective. However, due to people constituting heterogeneous *causal cocktails* (their causal history of interaction between their life’s exact biological and environmental factors, and potentially quantum randomness), what is the most morally desirable thing for one person might be something else for another, and different depending on the particular context.

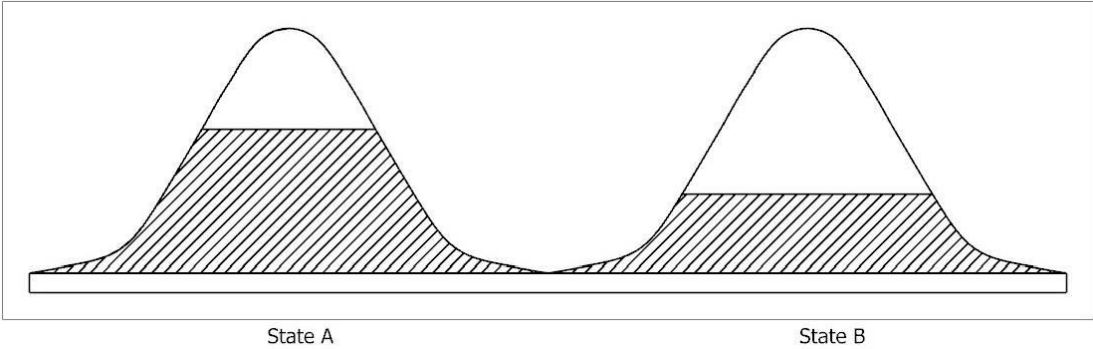


Figure 2: Heterogeneous composites of equal moral desirability. There might be different causal paths reaching the same heights, despite heterogeneous composites. Hatched represents aggregate justice, whereas white represents aggregate utility.

**Why justice matters**

Neoliberal theorists largely disregard end-state justice as holding importance, necessitating a justification of why such a value is not merely *not* being encapsulated by utility, but actually holds *moral importance*. As both political ends of the liberal spectrum have argued, most famously by John Rawls (social liberal) and Robert Nozick (neoliberal/libertarian minarchist); strictly utilitarian accounts of the moral good often disregard the aspect of justice, exemplified by Nozick’s “utility monsters”<sup>15</sup> to discredit *classic* utilitarianism (concerned with *aggregate* utility), and his attack on *average* utilitarianism (concerned with the *per capita* utility) by pointing out how a scenario where one kills everyone but oneself is justified if it makes the remaining person happier than the average was before the slaughter (1974:41).<sup>16</sup> Utility by

<sup>15</sup> Hypothetical beings who inherently derive way more utility by possessing or consuming *any* good or service in the world than normal people, and so, according to a strictly utilitarian account, would demand that the distribution of resources in the world be completely handed to the monster, as this would *far* maximize total utility, even if everyone else was left to suffer. The monster would presumably decline the Rawlsian plea to consider switching places with the worst off, making such a distribution unjust by his account as well (Rawls 1971:136-142).

<sup>16</sup> Particularly in a hypothetical scenario where they were killed by the press of a hypothetical button ensuring immediate death without any pain, stress or pre-knowledge that could register as utilitarian suffering.

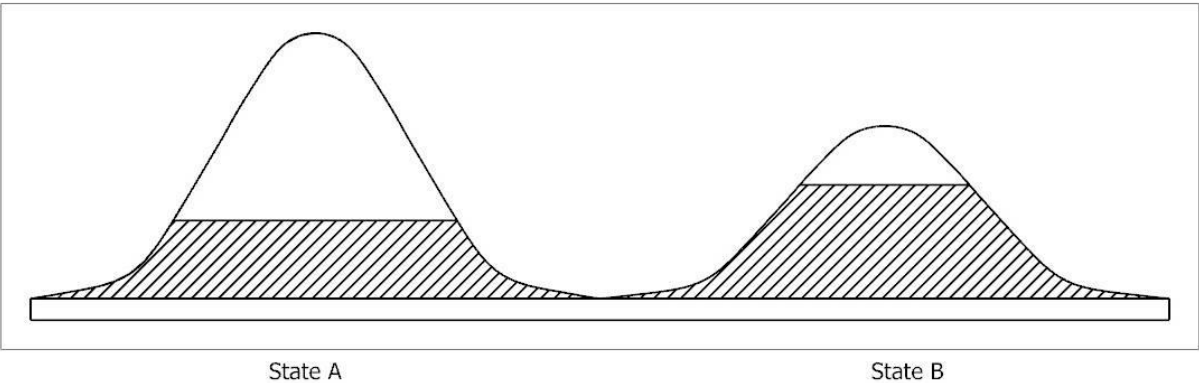
itself only measures *total* or *average* desires and interests, and ignores *interpersonal* differentiation and distribution. While some accounts of utilitarianism regard principles of justice as the most basic moral principles, as the utility of adherence to them is especially great (e.g. Mill 2001[1861]), there is a clear distinction to be made between justice and utility, even if injustice often bears a negative impact on wellbeing, and justice a positive one. After all, without a relation to wellbeing, justice would lose its moral importance, as it matters little that one rock starts life on a yacht and another in a pit of fire. Despite justice and consequentialism often being two separate concepts and values, they are not mutually exclusive, and Michael Sandel (1998: xi) separates between two distinctive teleological ways of connecting justice to the 'good'. The first holds that "principles of justice derive their moral worth from values commonly espoused or widely shared in a particular community or tradition", while the second holds that "principles of justice depend for their justification on the moral worth or intrinsic good of the ends they serve" (Sandel 1998: xi). This makes Sandel's second conception the only one compatible with Theory X, as it matters little what a majority happens to believe, but rather that what they believe is in line with the truths of the moral landscape (and its moral realist foundation).

For those not valuing justice in the sense of fair allocation of desirable goods particularly high, in order to evaluate a society or distribution impartially, Rawls echoed John Harsanyi (1953), by encouraging them to see society from an Archimedean point of view, where they do not know which person in society they will be (1971:136-142). If they do not like their chances of a good life in such a society, Rawls assumed, it cannot not be just. Such an encouragement seemingly resonates with a determinist understanding, as the worst off in society could not have ended up differently given their exact cocktail of biological and environmental factors (of which societal, political, economic, structural, and educational belong to the latter), and that they are no more or less deserving of such a destiny than are the best off, as no one is responsible for their being if every aspect of one's life is authored outside the subject's control. As Rawls' thought experiment allows for risk-takers and those with epistemic blinders preventing empathy with the worst off to justify unjust distributions, the trustworthiness of such a normative position would be better ensured if the procedure asked those relegating its importance to *actually* switch places with the people worst off by the press of a button. Making the assumption that those who were arbitrarily lucky today would *not* want to switch places with the worst off to live an objectively *worse* life, given

perfect information of how such a life is,<sup>17</sup> the thesis assumes that justice matters significantly. As has often been remarked about the tricky nature of justice, “the only time most people think about injustice is when it happens to them” (Bukowski 1984:198).

**Moral responsibility and luck in relation to justice**

Responsibility is primarily a concept for placing blame and praise; of identifying the author of a cause or an effect – which does not make sense without free will. Despite the impossibility of responsibility without free will, this does not imply that a person’s character cannot have profound moral flaws, only that he cannot be held responsible for such a character as opposed to any other character. As Bruce Waller (2011:105) among others have noted, we can still hold the ideal of *taking responsibility* in high regard, and perhaps more importantly, *acting responsibly*. Derek Parfit correctly noted that “We can deserve many things, such as gratitude, praise, and the kind of blame that is merely moral dispraise”, and that “When people treat us or others wrongly, we can justifiably be indignant” (2011:272), but that we can never be morally responsible for our behavior. In relation to the moral landscape, it is important to stress that rewarding certain behavior and punishing other behavior to *some* extent is still morally justified, in order to incentivize or prevent them on a *utilitarian* basis, but that doing so is still *unfair* to those we treat this way, and can only be defended on a contrafactual basis founded in the moral landscape (see Figure 3). A penal system derives its justification from the overall utility society derives from it acting as an environmental factor affecting people’s decisions, even if it is unfair to deprive someone of their freedom to do what they want.



*Figure 3: How utility may outweigh justice. Despite being a state of lower aggregate justice than State B, State A performs superiorly in the moral landscape due to its much higher level of wellbeing. Hatched represents aggregate justice, whereas white represents aggregate utility.*

<sup>17</sup> Where one is not *oneself* in their physical place or body, but *actually* them.



A central topic in the literature on distributive justice has been how society ought to treat differences in luck. While some have argued that we ought to compensate the unlucky (e.g. Cohen 1989), others have gone as far as regarding *all* talents as common goods, as their bearers have merely been lucky to be given them (Rawls 1971). In a causally determined universe, “luck swallows everything” (Strawson 1998), and so it seems important to account for bad luck in some way, and something any theory on distributive justice must take a stance on. Neil Levy (2011) has referred to first being born into a life of poor developmental luck and *then* being blamed and punished for this as a *double dose of unfairness*, pointing out how the current system amplifies the already unjust distribution of luck. If we are also to construct a social order which *further* favours the arbitrarily lucky, such as through unfair distributive systems, we may speak of a *third* dose of injustice.

### **Those who register in the moral landscape**

It is important to note that there exist separate moral landscapes for each individual and for society as a whole, where what is utility-maximizing and just treatment of a single individual might yield injustice and suffering for the greater society and future generations, as the individual does not exist in a vacuum or simulation where its actions are causally isolated from other conscious beings. The moral *macro-landscape*, which is an aggregate of all micro-landscapes which will ever exist,<sup>18</sup> is therefore highly sensitive to suffering and injustices imposed on future generations, as it is composed of all those who will live on the planet and have a life someday registering in that contemporary moral landscape. After all, the future is causally determined by current actions (again determined by past states of the universe and so on) if the assumptions of the thesis are valid, and so acting responsibly and taking responsibility for furthering morality is important in order to realize the moral good, which is highly tied up to future moral states as they constitute such a massive share of the *total population*. To exemplify, it seems safe to assert that the moral landscape considers any path of society not both severely mitigating as well as adapting to the impacts of climate change as deep valleys, no matter how much wellbeing the current inhabitants of earth derive from not having to pursue these measures.

Assuming that what is best for each individual micro-landscape is also best for ascending the moral macro-landscape therefore constitutes a ‘fallacy of composition’. Development is thus defined as *any* ascension of the moral macro-landscape, where development is a process – a

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<sup>18</sup> Introducing the morality of animals would seem highly relevant here, but they unfortunately fall outside the scope of the thesis.

necessary means to the ends of sustainable human prosperity and alignment with the moral good, and never fully achieved, as it is necessary to constantly guard against and readjust cases of maldevelopment. This implies that merely abstaining from conducting unsustainable conduct is a greater contribution towards development than economic development externalizing suffering to the future. The moral landscape is therefore not merely cosmopolitan; it has an embedded *intergenerational cosmopolitanism* weighing every life equally as regards justice and includes *everyone's* utility, thus making it egalitarian in nature.

This is not to say that the highest states of the moral landscape demands treating current human lives as slaves to future generations, both due to the injustice this would involve, and the fact that future desirable states in the moral landscape must be achieved through long-term sustainable means in order to have any chance of causally occurring. As has been argued elsewhere (Kagan 1989:7-8), moral extremism is likely to lead to exhaustion and unsustainable patterns of morality. In a causally determined world, desirable outcomes or 'states' of the moral macro-landscape can only be achieved by causal chains sufficient for producing these. If a stable macro-state of desirability is to occur and be sustained, it seems uncontroversial that society must through institutions such as government, norms, everyday micro-politics and through human interactions, build and maintain an intellectual environment where a biota of the necessary ideas and values for such an ascension can thrive and flourish sustainably. After all, people are 100% the results of their external factors, and the causal reality will thus only produce moral outcomes if these necessitate it. This adds an important aspect of development, where not only is the environment in the wider sense (nature and ecosystems) of utmost importance, but also the *causal environment*. If the external factors of society are bad, people will act immorally, and maldevelopment occurs.

While assuming that the moral landscape involves thresholds for individuals on how much they ought to contribute to making the world better before such current demands make the state of the moral macro-landscape worse (as they get burnt out or suffer too much injustice), it is important to note that the status quo is guaranteed to be far from the 'Goldilocks zone' or limits of moral demands justifiably placed on the current generation. Particularly with the consequences of climate change making such a catastrophic impact on the moral macro-landscape, it seemingly demands more of us than in a stable state of higher wellbeing. The impending challenge of controlling artificial general intelligence (e.g. Bostrom 2014, Müller & Bostrom 2014) also seems like a central development question getting insufficient attention, but for this thesis, the mitigation of climate change will be used as the main

development challenge any system must solve to justify its further existence, thus also the Hayekian one. In regards to the causes of direct human-induced climate emissions, the thesis identifies three factors who must seemingly all go down: Population, Consumption average, and Co2 equivalence of the average consumption. This is a modification of the famous IPAT-formula (Ehrlich & Holdren 1971), where total global population multiplied by the average global consumption, again multiplied by the Co2e of the average consumption (counting its life-cycle analysis) yields the direct anthropocentric greenhouse gas emissions. The thesis will thus consider how well-suited an order is by its ability to reduce these factors. Considering the externalized suffering by contemporary consumption and population levels, it would seem that development's initial task is to construct a society where most people do not affect the macro-landscape negatively solely by being alive (as the world would currently be a better place without them due to their cocktail of biology and environment necessitating a moral net loss due to externalized suffering from carbon footprint and other impacts on fellow current and future beings).

In some similarity to Thomas Pogge's advocacy for everyone holding a cosmopolitan *negative* duty not to impose unjust political institutions or cause suffering (2002), so in a practical and more feasible sense, it seems like an effective starting point for ascending such a landscape (the criterion for 'development') would be for institutions and individuals to focus more heavily on not externalizing and imposing suffering and injustices, than to *constantly* feel obligated to maximize the wellbeing of others. Both preventing suffering and increasing wellbeing and justice must occur significantly more frequently than today, but this primary focus on the former seems the most efficient, particularly in the context of climatic and environmental catastrophe.

### **Epistemology and the moral good**

If everything is causally determined, the fact that someone did X (morally undesirable) as opposed to Y (morally desirable) is due to current necessitated preferences, leading to the Socratic position that failure to do the right thing is the necessitated outcome of not knowing sufficiently better. This thesis argues that if we truly *internalized* and were able to process the different hypothetical moral macro-outcomes (by holding perfect information of the first-person experiences of *all* those impacted in each counterfactual), we would both know what the right thing to do was, as well as doing it, as it would be in the interest of a perfectly enlightened being. This is due to the fact that currently, one's particular experience is only a tiny fraction of the whole of moral reality, where external and externalized suffering or

injustice often does not affect the subject (it is not internalized), as his epistemic faculty fails to comprehend and internalize the objective information (an empathy deficit). Selfishness or doing the morally wrong thing is thus the result of imperfect knowledge and information, where a central task of development seems to be to improve the subject's capacity for internalizing the external, so as to *become* a more moral person. This must thus be achieved by altering the causal landscape so as to necessitate a morally superior outcome.

The importance of this is that increased moral education and comprehension of the external reality and the right thing to do is likely to act as highly impactful causal factors in making the right thing to do more common *and* more *pleasant* for the current generations of humanity, as it becomes increasingly in their interest to do so (as larger shares of the externalized suffering becomes internalized). To relate this to Theory X, it indicates that *if* a sole being was able to internalize the entirety of moral reality (both present and future), it would prefer the distribution and normative prescriptions of Theory X (was it weighed properly). One of the central criteria on which to assess the Hayekian prescriptions thus becomes how they incentivize prevention of externalizing suffering and injustice.

### **The holism of development**

Ensuring sustainable and resilient *moral order* seems to be the overarching moral demand according to Theory X, and therefore what *development* must seek to do. In contrast to much contemporary development theory, even a system yielding massive increases in utility and justice for the next 10 generations is not considered 'development' if it leads to suffering for the plenty generations after that. This seemingly contrasts it with modernization theories such as Rostow's (1990[1960]), and other capitalist theories presupposing ever-lasting economic growth and consumption on a planet with objective limitations (e.g. O'Neill et al 2018). With a defined conception of the good, it also follows that society must be *ordered* in a way capable of ensuring such a moral state; a way of ensuring moral *order*. Identifying and composing such a total cause therefore seems to be the role of development.

A central, but commonly overlooked aspect of development in a causally determined universe is whether society's environment of external factors which will shape and author the subject necessitate morally desirable co-citizens and human beings, or if they make life more miserable for their fellow beings and those in the future. Constructing a society of desirable *co-beings* is thus an aspect of development, by contributing in a significant way to both current and future wellbeing and justice (as there is a difference between virtuous and vicious

behaviour). This does not indicate that society ought to be completely homogenous, but if the moral landscape is true, there *are* moral rights and moral wrongs, where diversity within a morally restricted range is deemed desirable.

Development therefore includes more than simply accumulation of economic resources (growth) and advanced technology (modernization); it also involves developing the population's ability to make morally desirable choices for themselves and others, as outcomes are measured by their ability of lifting overall morality, not technological or economic level. The latter are merely tools which in the right contexts can be the desirable causal component to add to a life in order to improve the moral state of the moral macro-landscape, where in other causal contexts they might contribute negatively, and constitute maldevelopment. A society of morally unbearable human beings (spreading injustice and contributing negatively to current and future others' lives) equipped with the newest technology and plenty of money cannot be said to constitute a highly developed society, as it scores poorly in the moral landscape. Nor can a currently wealthy state of *happy* citizens who contribute towards suffering and injustice towards future generations. The point here is that development is *not* something occurring independent of the rest of society, but a holistic process *everyone* participates in daily. It is the alignment of the causal means necessitating the ends of the moral macro-landscape, involving institutions, systems and human beings, etc., where no one is exempt from being identified as 'part of the problem' (a current driver of maldevelopment), and no one is to blame in the deeper sense (implying free will) when being so.

### **Law and moral order**

If not for a utilitarian or justice-based grounding, the moral landscape sees no more justification for a right against enslavement (or human rights) than a right to defecate in the middle of the streets uninterrupted, or for giving rights to humans but not ferns. A constitution, legally embedded human rights, and rule of law might be necessary and desirable according to the moral landscape, despite occasional tensions between procedural and end-state justice. These derive their moral justifications by ascending the moral macro-landscape or preventing moral decline. As long as it contributes better towards achieving and ensuring the good than a state of nature or anarchy, the existence of a state is justified. Whereas most law merely imposes negative duties (abstaining from particular activity) on citizens, an important question of development and law falling outside the scope of the thesis is whether it ought also to impose more *positive* duties (where people are legally obliged to

commit particular activities), such as social service to partake in development (ascending the moral landscape).

### **Nomocratic or teleocratic state**

The question of whether the state ought to be *teleocratic* (where the state puts forward a specific collective aim it is tasked with realizing) or *nomocratic* (where the state does not aim at any particular end, commonly on the basis of value pluralism, solely ensuring the rule of law) will be further explored in part 5.2, but a brief prelude without considering Hayek is given here. As liberalism generally does not pass judgement (Sandel 1998: xi), it initially seems in tension with directing society in the moral landscape, as there is an objective moral reality. If free will is impossible, the environmental factors people are exposed to determine much of who they are, become, and how their life unfolds. Therefore, *laissez faire* in terms of external factors within the scope of the law seems to yield a low likelihood of achieving the desirable states in the moral landscape, as only particular total causes are able to produce the desired effects, which seems more reliably achieved through order and direction than perceived semi-chaos.

Theory X is based on two assumptions, seemingly necessitating some version of a teleocratic state: 1) Moral Realism, and 2) Hard Incompatibilism. The first tells us that there *is* a moral reality, and thus an objective moral good, and the second that without free will, subjects are solely empty canvases to external factors. The task of having these canvases painted to reflect the morally desirable is thus a central task of development. By perceiving lack of order as chaos, Theory X thus seems to advocate a teleocratic state. If free will is impossible, and there is a causal ‘destination’ we ought to reach, it follows that implementation of a causal mechanism ensuring a causal ‘production’ of subjects capable of reaching it is central for society. It is important to note that Theory X would only advocate very *particular* teleocratic states, with *particular* tasks, as a selfish tyrant seems incapable of ascending the moral macro-landscape, and likely to cause considerable maldevelopment. This teleocratic causal ordering would most likely have to be achieved by strong legal mechanisms preventing tyranny and the ends pursued by the state representing the selfish or ignorant interests of a few, as its entire justification rests on realizing and making resilient to potential moral hazards the ascent of the moral landscape. The state is the means to an end, not an end in itself.

Different conceptions of teleocratic states vary from the recently popularized ‘nudging’ of individuals to act in certain ways with as little awareness of the manipulation as possible (e.g.

Thaler & Sunstein 2008) also referred to as paternalistic libertarianism (Thaler & Sunstein 2003), to stricter rules, regulations and comprehensive reformation of the educational system, to inscribe subjects causally superior external factors (where ‘nudging’ tools and stricter measures are not mutually exclusive).<sup>19</sup> Carving out such specific details falls outside the scope of this thesis (even if nudging seems to contribute nothing towards internalization of external suffering and injustices, and thus insufficient *by itself*), where the main importance is the state’s teleocratic designation for achieving development. Ensuring that such teleocratic measures are in accordance with the moral macro-landscape is thus of the highest moral importance, as immoral measures can descent the moral landscape rapidly.

As the future is causally determined by the present (again determined by the past), the state does not merely represent the current human beings inside its jurisdiction, but also those who will live there in the future. Democracy, which is founded on the principle of one vote per person, is thus exposed according to Theory X, for only giving a tiny fraction of those who will be affected by current policy decisions a vote (each vote causally necessitated by the subject’s particular cocktail of external factors). As the issue of climate change will significantly affect the lives of future generations, and so, register in the moral macro-landscape, not only does *unregulated* democracy seem to be grossly unrepresentative, it also fails to ensure the good and prevent moral disaster. Whether achieved through a regulated democracy where each party is demanded to operate within a restricted moral sphere or other means lies outside the scope of the thesis, as the point of relevance is to highlight its position regarding tensions between current ‘freedom’ and future consequences. Behind the Rawlsian veil of ignorance, one must assume that most current human beings would not, given accurate information, be keen on switching places with those who will have their lives in decades and centuries negatively impacted by climate change. If satisfying current desires is irreconcilable with maintaining or ascending the moral macro-landscape, *someone* or *something* must necessarily ensure that the latter is given priority according to Theory X, which could seemingly be a teleocratic state and law. The teleocratic state’s mandate is thus justified by being the guardian of the moral macro-landscape according to Theory X.

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<sup>19</sup> On the heavier side, China is currently implementing a ‘social credit’ rating system, where behavior considered desirable is incentivized by rewards, and undesirable behaviour discouraged through restriction of access to goods (e.g. Hatton 2015).

**Theory X n practice**

Whereas epistemic shortcomings make the moral landscape inaccurate in practice, they do not affect its legitimacy in principle. The suffering in its valleys and wellbeing in its peaks are no less real if we have accurately identified them or not, and due to these differences holding the highest importance for all conscious beings, even reaching 50% of the highest peaks compared to 12% holds *massive* moral implications, which according to Theory X are all that matters. Just like a computer program will fail to launch if there are certain errors in its code, so desirable coordinates in the moral landscape will not be realized if the ‘string’ of causal history anteceding it is insufficient or erroneous. How these look and how best to ensure that these corrections come about is the underlying question of exploration in this thesis, and the task of development. The above discussion is visualized in Table 3.

	<b>Theory X</b>
<b>Teleological or deontological</b>	Teleological
<b>Moral realism or moral relativism</b>	Moral realism
<b>Considerations of time and space</b>	All who will ever register in the moral landscape (Intergenerational)
<b>Achieved by teleocratic or nomocratic state</b>	Teleocratic
<b>Conception of the good</b>	Aggregate of justice and utility

*Table 3: Theory X on central questions of normative ethics.*

**4.1.4 Distributive Justice**

Before rounding up Theory X, it is necessary to define its justice component, where *distributive* justice is the field of interest for the thesis.

**Concepts**

‘Justice’ is usually employed to answer questions of retribution or distribution, such as the just punishment for a crime, or the just distribution of resources in a society. Despite libertarian and neoliberal objections (Olsaretti 2003:2)<sup>20</sup>, the orthodox view is that justice

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<sup>20</sup> E.g. Nozick 1974.



means “getting what one deserves”, and this link between moral desert and justice is also the one embedded in Theory X. Questions of justice belong to one of two categories, namely *meta-ethical* and *normative*, where the latter are of relevance for Theory X, being concerned with what people and social institutions *ought* to do. A final distinction is that between *absolute* and *comparative* justice. Absolute notions of justice hold that there is an objective, absolute standard to justice, independent of the treatment of other people, whereas the comparative notion holds that justice is in proportion to the distribution of resources, treatment, or punishment of others. Under the comparative notion of justice, the *formal principle* is the most fundamental (Buchanan & Mathieu 1986:15), articulated by Aristotle (2004[349 B.C.]:119): “equals are to be treated equally, and unequals unequally – but in proportion to their relevant similarities and differences”. This principle is solely concerned with what justice means in a more mathematical sense, not *which* criteria are relevant to compare for justice to be met. Buchanan & Mathieu (1986:19) note that the formal principle demands *impartiality*, *consistency*, and *proportionality*. This holds that there should be no discrimination between equals – or *arbitrary* inequality, while allowing inequality in those cases where it is perceived as just due to inequalities in the relevant criteria for the distribution of something.

The demand for *consistency* exists on two levels: That of the *principle* of distribution (ex: one cannot distribute welfare benefits to *some* purely based on need, and others purely based on the colour of their car), and that of the *actual* distribution (one cannot distribute food stamps on the basis of a minimum income, but then exclude all people of colour who qualify). Proportionality holds that a distribution among ‘unequals’ must still be in proportion to the relevant differences. It is not just, according to the proportionality requirement, if the members of a family of four are to be distributed limited food resources based on the criteria of age, and the oldest members (the parents, both the same age) get 40% each, the child of 18 gets 12% and the ten-year-old 8%. The proportion between equals of a higher qualification or entitlement to the good to be distributed and equals of a lower level must still be in proportion to each other. Lastly, the principle prohibits taking irrelevant factors into account, as well as excluding relevant ones. While it does not tell us what ought to be distributed, how, why, or if at all, the formal principle is central to maintain that ‘equals’ are consistently treated as ‘equals’ according to the relevant criteria, in a consistent and non-arbitrary way.

**The framework of the thesis**

Larry Temkin (2014:56) and Neil Levy (2011:195) have both argued that only the comparative notion of justice is relevant if free will is impossible, as they share the position of the thesis that justice is based on *moral desert*, which is connected to *moral responsibility*. Without free will, responsibility is impossible, and so, desert is identical for all people. Whereas there is a case for an absolute notion of justice based on Derek Parfit’s observation that without free will no one can deserve to suffer or be less happy (2011:264), implying that even at the greatest state of wellbeing comprehensible no one can deserve a level of utility less than the current one (in effect making this the level of perfect absolute justice), this notion still holds that *everyone* is *equally* deserving of happiness and other meaningful benefits. In the current universe, reaching a stable state of absolute justice of this level seems causally impossible, and given limited resources to address injustice, no matter how highly prioritized and striven for, the comparative notion of *distributive* justice must be employed, where the proportionality aspect demands *equality*, due to the relevant criteria of comparison being moral desert.<sup>21</sup> If moral desert is identical, distinctions between the ‘deserving’ and ‘undeserving’ poor make no sense, as everyone hold *identical* moral desert of being endowed in the value of desirability. Theory X’s conception of justice is visualized in table 4.

	<b>Nature of</b>	<b>Relevant</b>	<b>Just distribution</b>	<b>Priority</b>
		<b>criteria</b>		
<b>Justice</b>	Comparative	Moral Desert	Equality	Need + Long-Term Moral Effect

*Table 4: Theory X’ stance on distributive justice.*

As to whether Theory X is prioritarian in the common sense (e.g. Parfit 1997), this is less clear and not necessarily so by principle, but rather on a case-to-case basis. In Table 5 below, there is a dilemma between Scenario 1 and Scenario 2, where Person A will be left better off in Scenario 2 by a difference of 5 units of wellbeing, whereas Person B is left better off in Scenario 1, but only by 1 unit. As Person B is already worst off, prioritarianism would seemingly advocate Scenario B, as helping those in most need is deemed more important than

<sup>21</sup> A conclusion shared by Brian Barry (2005:139).

a larger gain for the already better-off. Due to the pluralist egalitarianism of Theory X, it seems like each case must be judged by adding up the net utility and net justice in Scenario 1 and the same in Scenario 2, before deciding. However, due to growing injustices produced by both performing *better* than the average, as well as worse than the average, Theory will seemingly reach the same stance as prioritarianism quite frequently.

	Utility Person A	Utility Person B
<b>Scenario 1</b>	20	10
<b>Scenario 2</b>	25	9

Table 5: Prioritarianism and Theory X.

However, due to Theory X also weighing *long-term* utility and justice, prioritizing cases that will best ensure long-term moral desirability or prevent long-term moral collapse are also given moral priority. The justification for helping those most in need is that this will perform best in term of aggregate justice and utility. If in a hypothetical scenario, contemporary population A is in the direst need of increased utility, but spending our limited resources on project B is the only way to prevent moral disaster in the future, Theory X will compare the two hypothetical scenarios of committing to each one, before prioritizing the highest long-term aggregate.

**Equality of opportunity or equality of outcome**

The relationship between equality of opportunity and equality of outcome has commonly been visualized by the metaphor of a track-and-field race, where the former has been compared to placing everyone at the same starting line, and the latter as placing everyone similarly on the finish line. The political right has typically portrayed the latter as inferior to the former, where the political left has typically advocated a *greater* level of equality of the latter in addition to advocating the former. Neoliberal Nobel laureate Milton Friedman claimed that the latter was incompatible with liberty, as it restricts the freedom of some to provide greater benefits to others (Taylor 2011). Exploring such a relationship in causal terms shines some light on this debate.

Equality of opportunity is often connected to meritocracy and equality before the law, but other unorthodox conceptualizations add the element of a deeper fairness (e.g. Rawls 1971). It is commonly linked with social mobility in a stratified society with roles of differing

desirability, and is most commonly measured by The Great Gatsby Curve (e.g. Corak 2013). The higher the equality of opportunity, the fairer such a selection process is considered. The concept generally implies that it is unfair if external factors to the person's control significantly affects what his or her outcome becomes, making relevant the implications of determinism. Despite the equality of opportunity literature generally considering individual achievements the result of morally arbitrary circumstances (such as inherited endowments and social background) and individual variables such as effort and other variables of personal responsibility (Fleurbaey & Peragine 2013:118), it also holds that inequalities due to "circumstances" are unfair and should be eliminated as much as possible, whereas those due to individual efforts are acceptable (Fleurbaey & Peragine 2013:118).

The thesis will distinguish between three conceptualizations of equality of opportunity: the *formal*, the *substantive*, and the *fair*. The formal is occasionally referred to as *the non-discrimination principle*, or *equality of access*. This is often characterized by two demands: *open call* and *fair judging*. The first demand holds that positions bringing superior advantages should be open to all applicants, that their openings are publicized in advance, and that all applications should be accepted. The second demand holds that the basis for an application ought to be merit, with sufficient procedures for identifying the most qualified applicant. This conceptualization is the one advocated by neoliberals such as Friedman (Friedman & Friedman 1990:132) and Hayek (2013[1982]:247), commonly referred to in the classical liberal tradition as "a career open to the talents", where talent is the only acceptable discriminatory factor.<sup>22</sup> The *substantive* conceptualization holds that *society* ought to be fair and meritocratic, additionally making it interested in *indirect* discrimination. This position holds that the formal principle is too weak, as it fails to account for inequalities in economic background, education etc. contributing to their opportunity of qualification for the desirable roles and positions in the formal conception. It does not, however, go as far in redress on neither the opportunity, nor outcome side as the *fair* conception.

The fair equality of opportunity is in the way employed in the thesis a modification of John Rawls' theory of justice as fairness (1971:73), whose principle is that *unfair inequalities call for redress* (1971:100). Here, justice is elevated in relation to the other two conceptions, as compensation and redress is due in unfair systems. "Free market arrangements must be set within a framework of political and legal institutions which regulates the overall trends of

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<sup>22</sup> Making such a conception solely concerned about *direct* discrimination. Without free will, this conception also discriminates based on luck, as "luck swallows everything".

economic events and preserves the social conditions necessary for fair equality of opportunity” (Rawls 1971:73). It also seeks to “[prevent] excessive accumulations of property and wealth” and “[maintain] equal opportunities of education for all” (Rawls 1971:73). Theory X is additionally concerned with utility, and is willing to trade justice in for utility in those cases where this is morally desirable (judging by their peaks in the moral macro-landscape), where many jobs and roles would most desirably be conducted by the most competent, but where systems not dedicated to justly equip people for desirable lives calls for a more just system due to limited equality of opportunity.

Without equal opportunity one cannot speak of the subsequent outcome as just, and in a causally determined universe where identical causes necessitate identical effects, we can *positively* know that unless the outcome was equal, nor was the opportunity. It therefore matters only that outcomes are equal in terms of the desirable goods distributed, but where what is often called ‘the opportunity’ seems highly important as well, as education, etc. are essential for causally produce morally desirable effects for the subject. As Hayek (2013[1982]:247) among others have correctly pointed out, an attempt to ensure *identical* opportunities or outcomes would seem to be morally undesirable, due to the utilitarian impacts of pursuing such impossible ends. Theory X, however, holds that the ideal distribution is the one maximizing the aggregate of justice *and* utility in the long run. It holds that injustice ought to be minimized where doing so is not shrinking the aggregate of macro-justice and utility, and that institutions must therefore be capable of causally ensuring these demands, making their just nature of high importance. The compatibility of Theory X and the three conceptions of equality of opportunity are visualized in table 6.

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	<b>Formal</b>	<b>Substantive</b>	<b>Fair</b>
<b>Compatible with determinism</b>	No	No	Yes
<b>Compatible with equality of outcome*</b>	No	No	Yes

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*Table 6: Equality of opportunity and determinism.  
\*with the utilitarian considerations made by Theory X.*

## Equal distribution of what

The last question is *what* ought to be equally distributed, even if this has been hinted at earlier. The universality of the comparative notion of justice so far postulated demands equality, and when connected to utility, *equality of well-being*. As will be shown in the next chapter, material inequality and competition seem to be negatively correlated with wellbeing, leading us to believe that the moral landscape demands a largely egalitarian society, and as mentioned, taking all future generations into consideration. *Everyone* deserves to be equally well-off, and as *everyone* who has failed were *never* given a chance not to do so, achieving such a distribution seems best achieved through external factors building solidarity. This stance on distributive justice is visualized in table 7.

<b>Justice</b>	
<b>Absolute or Comparative</b>	Comparative
<b>Relevant criteria</b>	Moral desert
<b>Just distribution</b>	Equality
<b>Equality of what</b>	Wellbeing
<b>Temporality</b>	Macro-landscape
<b>Prioritarian considerations</b>	Need + Macro-effect in the moral landscape

Table 7: Theory X' stances on justice.

## One way to approach such a distribution

It is not the aim of the thesis to propose actual policy, but *one* policy proposal will be highlighted to show how making significant *progress* according to Theory X is not as utopian as it might sound. If sustainable *equality* is considered maximizing the aspect of justice, it could be argued in the case of economic resources that an equal distribution accepting only deviations of a certain restricted scale (in order to allow for incentives justified by their increased utility's necessity for achieving superior ends in the moral landscape) would seem to constitute a substantial improvement of the current distribution, and so be morally demanded. Such a distribution seems like it could practically be ensured by something like a political tool implementing a minimum and maximum wealth and income cap, where due to the egalitarian nature of Theory X, such deviations would be fairly modest.

## 4.2 Neoliberalism and distributive justice in practice

This chapter aims to briefly define ‘neoliberalism’, before giving a contour of the justness of neoliberal distributive patterns, as well as their estimated impacts on utility. This is important for discussion in part 5. While it is important not to confuse current neoliberalism with the Hayekian order, they share particular elements as regards deregulation and low levels of redistribution, where Hayek inspired both Thatcher and Reagan. The central questions the thesis seeks estimates on are:

- 1) How neoliberalism in practice has affected patterns of distributive justice.
- 2) How inequality affects utility in the moral landscape.
- 3) How efficiently resources are allocated in utilitarian terms.

### 4.2.1 Defining neoliberalism

Neoliberalism has been *very* broadly described as the age we live in (Saad-Filho et al 2005:1), and the distinct capitalist system employed since Margaret Thatcher and Ronald Reagan enforced it in the early 1980’s. According to the most extensive literature on the topic, most scholars agree that neoliberalism is broadly defined as “the extensions of competitive markets into all areas of life, including the economy, politics, and society” (Springer et al 2016:2). The concept is controversial and problematic (e.g. Nonini 2008; Gans-Morse 2009; Flew 2014), often due to its inaccurate and asymmetrical employment. However, the label was initially coined by its proponents, with its originator considered Alexander Rüstow at the Colloque Walter Lippmann conference in Paris in 1938 (Bonefeld 2017:14). It was used by neoliberal Nobel laureate Milton Friedman as late as the early 1950’s (Friedman 1951), but during the late 50’s, many ‘neoliberals’ ceased using the term, as they did not see a need for a disruption of the classical liberal doctrines (Mirowski 2015:427), instead perceiving themselves as revisionists of Adam Smith. It is, however, commonly employed today, and will be so in the thesis.

Whereas the Keynesian welfare state preceding neoliberal hegemony was founded on a soft version of Karl Marx’ maxim “From each according to his ability, to each according to his need”, the neoliberal state’s maxim seems better represented by Milton Friedman’s “To each according to what he and the instruments he owns produces” (2002[1962]:161). David Harvey has described the neoliberal state as exhibiting an “institutional framework characterized by private property rights, individual liberty, unencumbered markets, and free

trade” (2007:22), where justice commonly plays second-fiddle to ‘freedom’. In brief, the neoliberal state has sought to diminish the public sector and the state’s role in both welfare provision and distribution of resources (Eagleton-Pierce 2016a), through privatization of welfare services and implementation of market rationality into government institutions through New Public Management principles (see Christensen & Læg Reid 2013; Gunter et al 2016). Whereas neoliberalism is a plural set of ideas, not a *pensée unique* (Plewhe et al 2006:2), the several different versions of neoliberalism are all argued to share the assumptions that market mechanisms are the optimal way of organizing all exchanges of goods and services (Larner 2000).<sup>23</sup> The firm neoliberal trust in the market has led skeptics to refer to it as “market fundamentalism” (e.g. Block & Somers 2014), where this transfer of tasks and responsibilities from the state to the market and the private sector is one of the central characteristics of the neoliberal era.

#### **4.2.2 Neoliberal distributive patterns in practice (performance of justice)**

It has been remarked that not too long ago, the issue of the state’s *positive* role in shaping income distribution was at the center of political debate (Wright 2006), a stark contrast to the neoliberal perspective on redistribution. Whereas neoliberal theory rationalizes inequality as both necessary for economic growth and offset by a trickle-down to lower income groups (Greenwood & Holt 2010), research into these assumptions have failed to find support for the trickling down (e.g. Arndt 1983; Greenwood & Holt 2010) and concluded that as long as the growth was concentrated, well-being for the general public went down (Greenwood & Holt 2010). The significant increase of inequality, both on a national level in the economically developed countries (e.g. Piketty & Saez 2017; Alvaredo et al 2018) and globally (Hickel 2017; Alvaredo et al 2018) since the start of neoliberal hegemony in the early 1980’s has led some to describe neoliberalism as a class ideology seeking to restore class power for the upper classes (Duménil & Lévy 2004; Harvey 2005; Navarro 2007; Duménil & Lévy 2016). With its disregard for the Keynesian welfare state and different neoliberal trains of thought concluding that market outcomes are superior or preferable to redistribution by the state, neoliberalism has seemingly enforced the so-called ‘*Matthew effect*’, based on Matthew 25:29 in the Bible: “For to all those who have, more will be given, and they will have an abundance;

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<sup>23</sup> Some have argued that there are four main branches of neoliberalism: Chicago school, Austrian, Ordoliberal and Libertarian (Plewhe et al 2006:2).



but from those who have nothing, even what they have will be taken away”. Economist Thomas Piketty has recently provided support for one aspect of such an effect, demonstrating how capital return on wealth is currently growing faster than per capita income (Piketty 2014).

Looking further at the data compiled regarding inequalities in the neoliberal era, The World Inequality Lab found a very clear trend. Since 1980, the top 0.1% of income earners have captured as much income growth as the bottom half of the global adult population (Alvaredo et al 2018:40), while those between the bottom 50% and the top 1% have experienced sluggish or no growth in their incomes (Alvaredo et al 2018:40), “shaped by a variety of national institutional and political contexts” (Alvaredo et al 2018:40). On a national level, almost all countries have reversed the historical trends of declining inequality from the 1920s to the 1970s (Alvaredo et al 2018:67), and among industrialized nations, the Anglo-Saxon in particular (not coincidentally the firmest neoliberal believers) have experienced a sharp rise in inequality since the 1980s, with the bottom 50% “collapsing” in the United States, and the top share “booming” (Alvaredo et al 2018:67). The top decile of climate change contributors (measured by CO2 equivalence) are estimated to contribute 45% of global emissions (Chancel & Piketty 2015), where the utility from such consumption might increase current wellbeing for that particular decile, but both distributes a limited resource of desirability highly unequally (thus unjustly) and negatively affects the moral macro-landscape. These inequality trends are highly undesirable by the *justice* criteria of Theory X, and impact the discussion of the desirability of market distribution in part 5.3-4.

#### **4.2.3 The importance of these patterns for wellbeing (performance of utility)**

Recent studies have found that higher income in the United States was positively correlated with longevity (Chetty et al 2016), and while the results from meta-analysis are mixed (Kondo et al 2009; Ngamaba et al 2017),<sup>24</sup> inequality is generally understood to negatively affect wellbeing (e.g. Easterlin 1974; Easterlin 1995; Greenwood & Holt 2010; Wilkinson & Pickett 2010; Payne 2017), as well as the environment (Boyce 1994), health (Pickett & Wilkinson 2015) and increase the prevalence of violent crime (Kelly 2000). Historical evidence has indicated that the lust for revolt in a society is highest when inequalities are large (MacCulloch 2005), and even primates have been found to react with fury to distributive

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<sup>24</sup> Suffering from heterogeneous quality of research and regional differences according to the authors themselves.

injustice (Brosnan & de Waal 2014), further indicating a negative impact on wellbeing. When it comes to the effect of wellbeing on high income earners, there is evidence suggesting that their high incomes mostly increase their evaluation of life, as opposed to emotional wellbeing (Kahneman & Deaton 2010), an important effect to map properly (see also Kahneman et al 2006), as it impacts the utilitarian effects of redistribution on the moral landscape. Kahneman & Deaton's finding implies that the net utilitarian gain of being less poor is generally greater than the net loss of being proportionally less wealthy, provided one is still above a certain level of wealth.<sup>25</sup> In economics jargon, the marginal utility per unit of income is thus higher for the poorest than for the wealthiest, indicating that its most efficient utility allocation is not concentrated in the hands of the wealthy, but dispersed to the worst off. This holds importance for judging the market's distributive capability in part 5.4.

The thesis will also assume what it calls *the constancy effect*, which is the assumption that a condition of insecurity is something felt almost constantly, whereas security is mostly felt and valued when lost or in the face of societal hazard. This means that the utilitarian consequences of being poor, unemployed, uninsured, and unsure of what one's future holds in terms of employment and economic security registers *significantly* heavier in the moral landscape than does the wellbeing derived from feeling secure in all these matters, pointing to how prioritizing those in most need, even if some of us must be left worse off in economic or other terms, is demanded by the moral landscape. Due to the limits of the thesis, it must therefore suffice to extract from these studies that inequalities seem to negatively affect well-being, where macro-utility is significantly lower in a situation with high concentrations of wealth than in a more equal distribution.

### **Distributing more than economic resources**

As remarked by Marx, capitalism not only produces economic inequalities, but also inequality of power (Galbraith 1991:133). This topic will be further explored in part 5.5, but for now, it highlights the fact that not only material resources are distributed within distributional paradigms. Other goods allocated from distributive patterns are wellbeing, justice, knowledge, and political rights and duties, highlighting the importance of such patterns. Whereas it has become increasingly privatized and commodified in the neoliberal era (for a template, see Friedman 2002[1962]: chap. 6), education is a resource affecting wellbeing and justice to a significant extent, and as has been argued, might be *the* most important social resource that is

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<sup>25</sup> A fairly intuitive effect, as \$600 dollars can surely achieve more happiness and wellbeing if allocated away from the hands of a billionaire to those who need it most.

distributed (Schumacher 1973: chap. 6). In order to achieve equality of wellbeing in life, it seems that ensuring a uniform high level of education which money cannot buy would be the natural conclusion drawn from Theory X' conception of development (*similar* to Rawls' conclusion for fair equality of opportunity (1971:73)).



## 5. Hayek on distributive justice

This chapter aims to compare and contrast Hayek's normative prescriptions and their rationales with those of Theory X on the central questions of distributive justice. Part 5.1 starts off by giving an overview of the Hayekian framework, which is relevant for discussing the particular aspects in parts 5.2-5. Part 5.2 discusses whether the state ought to be nomocratic or teleocratic, 5.3 what the market knows regarding distributive patterning, 5.4 explores to what degree market outcomes can be categorized as unjust, and summarizes the Hayekian account of which sort of justice is important, what weight is to be given to equality of opportunity and equality of outcome, and its relation to Theory X. Finally, 5.5 asks how much of a "philosophy of freedom" the Hayekian prescriptions constitute without free will.

### 5.1 The Hayekian framework

#### 5.1.1 Spontaneous orders and epistemic concerns

In order to explore most of Hayek's arguments in support of the free market and its distribution, it is important to understand his epistemological resonance, leading him to advocate what has been referred to as the key element in liberal consequentialism (Barry 1986:40), namely spontaneous orders. According to John Gray (1998), Hayek was inspired by a plethora of scholars critical of the human capacity to reason (e.g. Kant, Mach, Popper, M. Polanyi, Hume, Burke, von Mises, and his second-cousin Ludwig Wittgenstein), explaining his skepticism of neoclassical economics, as well as any form of teleocratic central planning. Of particular relevance to Hayek's core logic regarding the superiority of the market vis-à-vis the state was the inspiration he drew from friend and fellow Mont Pelerin Society member Michael Polanyi, and primarily his theory of ineffable *tacit knowledge* (Caldwell 2004:294). This held that there is much information our brains possess which is inaccessible and inarticulate to our conscious reasoning, and only present in our decision-making.<sup>26</sup> This knowledge is somewhat similar to Gilbert Ryle's *knowing how*, as opposed to his *knowing why* (Ryle 1949)<sup>27</sup>. In contrast to the rationalism of Socrates, Descartes, Hobbes, and Spinoza,<sup>28</sup> Hayek is therefore 'anti-rationalist' in the Humean tradition (Hayek

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<sup>26</sup> "I shall reconsider human knowledge by starting from the fact that we can know more than we can tell" (Polanyi 1966:4).

<sup>27</sup> What Michael Oakeshott called "traditional knowledge" (Oakeshott 1991[1962]).

<sup>28</sup> That reason is the chief source of knowledge, and ought to determine every action.

2013[1982]:29), by distrusting reason as superior in achieving knowledge, instead placing greater trust in processes of which the subject is unaware (2013[1982]:29). This type of knowledge inaccessible to the consciousness, according to Hayek, was abstract, and derived from the biological processes constituting the mind, as opposed to the mind itself (2013[1982]:30). Attempts at making everything the subject to rational control would therefore come to join hands with irrationalism (2013[1982]:33), as only a fraction of knowledge is concrete and articulate.

Hayek's view of spontaneous orders as superior to planned ones can be traced *at least* back to Scottish Enlightenment thinkers Adam Ferguson, Adam Smith, David Hume and Edmund Burke,<sup>29</sup> where the latter's key thought was a mistrust of "'rationalism' in politics, and a belief that the arrangements by which human beings live are those that long trial and experience have shown to work" (Adams & Dyson 2007:84). From this epistemic basis, Hayek separated between two distinct traditions in the social sciences and politics, namely *evolutionary* rationalism, and *constructivist* rationalism. The former believed that due to the epistemic shortcomings of human beings – and so central planners, the best approach towards bettering human existence was by *not* attempting to steer society firmly in any particular direction, but rather that the state served a nomocratic role and let society spontaneously develop without particular direction. The rationalist constructivist, on the contrary, believed a superior society could be achieved through conscious planning, reason and concerted efforts towards a seemingly more desirable state of society, designating the state a teleocratic role.

To Hayek, only the *true* liberals subscribed to the evolutionary account, a tradition he claimed was best demonstrated by their stance towards the French revolution. Those opposing it belonged to the *true* tradition of liberals, a tradition including Burke, Hume, Smith, Constant, Montesquieu, and de Tocqueville among others (Hayek 2006[1960]:50). According to Hayek, it is therefore their view on knowledge, rather than specific policy prescriptions which distinguish the true from the false liberals (Gamble 1996:35). This epistemic categorization made him distinguish between *taxis* – systems of order created from the rationalist constructivist account, and *kosmos* – systems of order spontaneously arising without any central planning. The former ones are ordered by "exogenous forces outside the system" (Hayek 2013[1982]:35), and so artificially constructed, whereas the latter are ordered to reach

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<sup>29</sup> Joseph Schumpeter traced the tradition of natural order back to the scholastics of the 14<sup>th</sup> and 15<sup>th</sup> century (1994[1954]:91-93), whereas Murray Rothbard traces it all the way back to Chuang-tzu (ca. 369-286 B.C.) (1990:46).

an equilibrium set up “endogenously”, or from within (2013[1982]:35), and so “self-generated” or “self-organized” (2013[1982]:36). All the kosmos needs is the rule of law of a strong nomocratic state to implement, maintain, protect, and occasionally correct, the market system; its own unplanned kosmos. The kosmos is perceived as a “more advanced” society than a planned one (Hayek 2006[1960]:41), as it is the more evolved order. Hayek favoured a kosmos resembling the liberal democracy, referred to as “the Great Society” (borrowed from Adam Smith), as *taxis*’ such as socialism were in addition to epistemologically inferior considered “destroying the basis of all morals, including personal freedom and moral responsibility”, values lying at the heart of the Great Society (Gamble 1996:26).

In the Humean and Burkean vein, Hayek considered traditions highly important, as they could store loads of information accumulated from trial-and-error over the years (commonly referred to as traditional knowledge in development literature), making it interesting to note that neoliberalism in practice has been portrayed as an enemy of traditions (e.g. Baumann 2000; Bradley 2015). Knowledge, according to Hayek, is both abstract and practical; the former processed unconsciously by the sensory perception of the subject, and the latter stored in traditions and institutions through many generations of endogenous spontaneous processes of trial-and-error (Gray 1996:34). Knowledge is also fragmented and dispersed among the greater population, and in order to build on as much knowledge as possible, superior information processing systems compared to central planners must be employed, as any single individual possesses only a minor fraction of all this dispersed knowledge – some of it inaccessible by consulting reason. Spontaneous orders – or kosmos’ – are perceived capable of utilizing the dispersed knowledge of billions of people, and runs counter to the Platonist and Christian traditions of seeing order imposed by reason (Gray 1996:30).

### **5.1.2 The market as superior information processor**

The kosmos is largely self-organized, and needs no overarching directing apart from the rule of law and the signals of the price system. The price system decentralizes knowledge contrary to a central planner, thus tapping into the dispersed and tacit knowledge. There is a plethora of events in the world impacting what the consumer *ought* to do, but of which he cannot know (Hayek 1945:525). However, whereas “the man on the spot” could not know much, the price system holds “all the information which might have been arrived at by one single mind possessing all the information which is in fact dispersed among all the people involved in the

process” (1945:526). If a good has become harder to produce, the harvest of a crop much reduced due to drought, or there are other resource scarcities on the supply side raising production costs or lowering supply, the consumer needs not know *why* the price has gone up, just that it *has* gone up. As the good is now more expensive, the consumer will perceive his money better spent at other goods or services, and the demand will conform to the new information signaled by the price system. The price system is thus considered a superior mechanism for the coordination of supply and demand (Hayek 1945), tending towards equilibrium, despite always having to re-adjust itself as the equilibrium is in constant change. This portrayal of the market as an information processor earned Hayek the 1974 Nobel memorial prize in economics, and is central to his normative stances on distribution.

### 5.1.3 The catallaxy and its discovery mechanism

Hayek perceived the free market as a particular kosmos, referred to as a *catallaxy* (acting as a contrast to an *economy*, as an economy implies planning), which through fierce competition allows for a system of trial-and-error. Here superior products are favoured and naturally selected by consumers, as inferior one’s are discarded, directing society endogenously and without conscious planning, by being able to tap into the dispersed knowledge of society through market preferences. Competition is therefore considered a *discovery procedure* (Hayek 2013[1982]:406-407) capable of ensuring goods and services superior to the epistemologically inferior central state, by uncovering goods and practices previously unbeknownst to society, and only attainable through a competitive process accessing tacit and dispersed knowledge. It is “a process in which people acquire and communicate knowledge” previously dispersed and unbeknownst to any one person at the outset (2013[1982]:407).

“It was men’s submission to the impersonal forces of the market that in the past has made possible the growth of a civilization which without this could not have developed; it is by this submitting that we are everyday helping to build something that is greater than anyone of us can fully comprehend” (Hayek 2001[1944]:210).

Competition superiorly co-ordinates and directs human efforts due to higher efficiency and non-coercion (2001[1944]:37-38), but as opposed to the *laissez faire* attitude Hayek considered dogmatic, it has to work inside a carefully thought-out legal framework (2001[1944]:37). The law should be negative (prohibitive), and constitutes the “rules of the game”, where the state should abstain from altering the game’s outcomes, and rules must conform to a Kantian test of universalizability (2013[1982]:194). This criterion holds that if a



rule or maxim is to be acceptable as just, its application must be endorsed by rational agents across *all* relevantly similar cases (Gray 1996:7), intended to make them neutral.

Hayek echoes Adam Smith in calling competition a game of “skill and luck”,<sup>30</sup> where the component of luck makes the game’s outcome non-meritocratic and non-need-based. Even sustained hard work is not necessarily rewarded by such a system, as the market rewards *successful* goods and services. Directing the economy constitutes planning, and so the only market regulations approved of are those not in an indirect way controlling prices and quantities of production (2001[1944]:38). Such examples include “To prohibit the usage of certain poisonous substances, or to require special precautions in their use, to limit working hours or to require certain sanitary arrangements” (2001[1944]:39). In the case of negative externalities such as “the harmful effects of deforestation, or of some methods of farming, or of the smoke and noise of factories”, the market must be regulated, but it is important that *only* in the name of making competition work is it justified (2001[1944]:40). The market best encourages the entrepreneurial spirit, speeding up the process of evolution of goods and services, as the role of the entrepreneur is participating in the discovery process of fierce competition intended to discover what consumers want before they know so themselves (Mirowski & Nik-Khah 2017:54).

#### **5.1.4 Cultural evolution**

More importantly, Hayek concluded that not only the evolution of goods and services, but also of *thoughts*, *cultural practices* and *ideas* was much more efficient through a kosmos capable of tapping into this dispersed and frequently inexpressible, but highly important information, whereas a *taxis* consciously directing society without the market’s fierce discovery process of entrepreneurial trial-and-error could not succeed in ensuring the selection of superior ideas and practices. Central planning ought therefore to abstain from market interference and directing of the economy to promote certain ideas or practices, as it cannot reliably know the direction better than the spontaneous discovery process of the market. By seeking patterns of just distributions, as through progressive taxation, the price system and its coordination of supply and demand will be altered in a way distorting and weakening the cultural evolution of the kosmos. It removes the incentives derived from

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<sup>30</sup> Echoed by many compatibilists, exemplified by Daniel Dennett’s: “There is elbow room for skill in between lucky success and unlucky failure” (1984:97). However, without free will, *everything* is luck, including skill and fruitful efforts.

unequal outcomes, thus rewarding failing and weakening the trial-and-error process of the spontaneous order. If inferior beliefs and practices are not left to fail, we cannot ensure a reliable cultural-evolutionary selection process, as the market signals must tell us who made it and who failed in uncovering superior unforeseeable goods, services, ideas, practices, and beliefs. This necessitates letting people of inferior practices and beliefs fare significantly worse than others in life, as doing so superiorly progresses cultural evolution. The selection process favours “imitation of successful institutions and habits” (Hayek 2006[1960]:53), and is thus argued to simulate Lamarckian evolution (Hayek 1988:25).

Wealthy elites are considered essential components of such a discovery process, by experimenting with new styles of living not yet accessible to the poor (Hayek 2006[1960]:41), where the satisfying goods and services will be selected by the market, then gradually made cheaper for the general public (Hayek 2006[1960]:40). Thus, those relatively poor today can thank past inequalities for their current material well-being (Hayek 2006[1960]:40). The Great Society is therefore one of *relative* poverty, as opposed to *absolute* poverty (Hayek 2006[1960]:41), whereas egalitarianism supposedly causes stagnation, thus affecting future citizens negatively. Whereas Thorstein Veblen referred to the institution of a ‘leisure class’ as a development of the higher stages of *barbarian* culture (2007[1899]:7) in the process of cultural evolution, Hayek perceived it as essential to its higher, more advanced stages. Due to the large differences between the ‘winners’ and ‘losers’ of such an order, all those who fail in the market will have an incentive to try harder next time to “exert himself to the full” (2013[1982]:407), as each is “anxious to achieve as good a place as he can”, thus “kept on tiptoe and...looking over his shoulder to see whether the second best is catching up with him” (2013[1982]:407). This has led critics to point out how the system provides no relief from the pressure to permanently self-mobilize (Bröckling 2016:58), and how it resembles a “cult of the winner” (Bourdieu 1998). Despite the central role of the catallaxy, the Great Society does not propose abolishing the state, rather seeing the maintenance of the free economy as a practice of government. “Planning and competition can be combined only by planning for competition, but not by planning against competition” (2001[1944]:43). Hayek assumed that all previous financial crises were the fault of government intervention, *not* capitalism (Hayek 1990:131), where the remedy was more free market.

### 5.1.5 The ethos of the Great Society

Hayek believed that selfishness at the individual level was a necessary virtue in the Great society, drawing inspiration from Bernhard Mandeville, who argued in *The Fable of the Bees: or Private Vices, Public Benefits* (1714) that vices such as vanity and greed at the individual level might occasionally translate to publicly beneficial results. Whereas the moralist tradition had argued in the contrary opinion that “What does not benefit the bee hive [cannot] benefit the bee either” (Aurelius 2006:54), Mandeville wrote that “Only fools strive to make an honest hive”, as in his poem, the hive collapses without the private vice portrayed as the source of economic activity. From a similar logic, Hayek advocated that society must adopt the *proper* ethics for the Great Society, which due to being a different system than the socialist one required a different ethos, and a different set of virtues (Hayek 2013[1982]:303). The process of cultural evolution has evolved civilization from the hunter-gather society to which the socialist ethos (the “instinctual morals”) were adapted, and into the Great Society, which by being a different society demands another code of conduct. The “socialist” virtues of altruism and solidarity were considered the two greatest threats to the Great Society, as they implied there could and should be a common purpose. The Great Society demands a *learned* moral code of individualism and selfishness (Hayek 2013[1982]:302-303), as more humane market actors were “quite likely to destroy the Great Society” and thus fail to sustain as great populations as today (Hayek 2013[1982]:304).

Whereas one would normally believe that egoism was at odds with utilitarianism and its moral attention outwards, Adam Smith’s *invisible hand* basically produces wellbeing for others as an externality in the Great Society.<sup>31</sup> Due to its counter-intuitive nature,<sup>32</sup> the learned moral code would take society education, maturation and adaptation to learn. Whereas *individual* selfishness is the fuel of the Great Society, *group* selfishness – particularly by trade unions applying pressure to governments to regulate the market in their interest – is considered the chief threat to, and irreconcilable with, the preservation of the free society (2013[1982]:426). This ethos did not prevent Hayek from advocating charity and mutual relationships, merely that market actors of most kinds have to adapt to a new set of selfish

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<sup>31</sup> Explicitly employed regarding domestic vs foreign trade in Smith’s *Wealth of Nations* (2008[1776]:292), but commonly assumed by Smith’s claim that in order to get others’ help, one is best served by attracting their self-love in one’s own favour, as “It is not from the benevolence of the butcher, the brewer, or the baker, that we expect our dinner, but from their regard to their own interest” (Smith 2008[1776]:22). Self-interest is thus the fuel of the invisible hand, and overall utility-maximization in comparison to benevolence its product.

<sup>32</sup> Commonly exemplified by the John Maynard Keynes-attributed phrasing: “Capitalism is the astounding belief that the nastiest of men for the nastiest of motives will somehow work for the benefit of all”.

utility-maximizing ethics, basically to be translated by the market system's 'invisible hand' into the most morally desirable ends, both in terms of upholding liberty and in utilitarian terms.

### 5.1.6 Moral justification of the Great Society

The market society is morally justified in *consequential* terms, by enabling a superior organization of society accomplished by uncovering new knowledge through trial-and-error, and subsequent long-term maximization of the good compared to other orders discovered. The invisible hand of reciprocal selfishness in the Great Society is accompanied by that of cultural evolution through trial-and-error. Without conscious directing of neither the economy, nor society as a whole, these unconscious 'invisible hands' organize society so as to ensure the most desirable outcomes. Such an order also maximizes the deontological consideration of *negative* liberty,<sup>33</sup> making it the only order capable of preserving 'free men'. The promotion of negative liberty is the chief aim of the Hayekian order, as "freedom for the individual is the only truly progressive policy" (2001[1944]:246), where liberty is defined as absence of restraint and constraint (Hayek 2006[1960]:16). Coercion in the Kantian tradition constitutes "such control of the environment or circumstances of a person by another that, in order to avoid greater evil, he is forced to act not according to a coherent plan of his own, but to serve the ends of another" (Hayek 2006[1960]:19). The prevention of treating others as means to ends seems clear, as Hayek stresses that being made to do things and prevented from doing things are equally important (Hayek 2006[1960]:16).

He is not as interested in the *positive* kind of liberty,<sup>34</sup> which involves the question of free will. The justification for the primacy of negative liberty is that it is not merely *a* value, but rather *the* source and condition of most moral values (Hayek 2006[1960]:6), furthering Christian Bay's claim that "Freedom is the soil required for the growth of other values" (Hayek 2006[1960]:364). The Hayekian order is one where justice must make way for negative freedom, as a state deciding that distributive justice is important is authoritatively imposing a belief and direction on all (2013[1982]:247), making them no longer free men (where the holy grail of negative liberty is implicitly treated as value-neutral). The prevailing

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<sup>33</sup> Similar to Schopenhauer's freedom *from*, answering the question: "What is the area within which the subject – a person or group of persons – is or should be left to do or what he is able to do or be, without interference by other persons?" (Berlin 2002:168).

<sup>34</sup> Answering the question of: "What, or who, is the source of control or interference that can determine someone to do, or be, this rather than that?" (Berlin 2002:168).

belief in social justice, Hayek argued, was probably the gravest threat to most other values of a free civilization (2013[1982]:230), primarily personal freedom (2013[1982]:231). He did not see the market order as necessarily rewarding the deserving, but if such a distribution could only be achieved by a government with totalitarian powers (2013[1982]:246), it was undesirable. Critics of this conceptualization, like Steven Lukes, have referred to the negative conception of freedom as the *minimal* view of freedom, of which the Hayekian is claimed to be probably the “most minimal of this minimalist view” (2005:160). This is due to freedom and power to ensure desirable outcomes being divorced, a relationship exemplified by learned helplessness, and discussed later (5.5).

### **5.1.7 Responsibility**

In *The Constitution of Liberty*, Hayek discusses the topic of responsibility in relation to causality, and reaches a somewhat compatibilist position (2006[1960]: chap. 5). He argues in the vein of David Hume (2000[1748]:73), R. E. Hobart (1934) and Philippa Foot (1957) that responsibility actually *requires* determinism, as disciplining has no effect in an indeterministic universe. “The aim of assigning responsibility is to make [someone] different from what he is or might be” according to Hayek (2006[1960]:66), and so, claiming someone is responsible for an action is “not a statement of fact or an assertion about causation” (2006[1960]:66). While Hobart, whom Hayek cites, reaches the conclusion that the root principle of determinism must be the Christian principle of “hating the sin because it is in fact noxious, but bearing good-will to the sinner and preferring his reformation with a minimum of suffering to his punishment” (Hobart 1934:27), Hayek adapts a significantly stricter approach, as demonstrated by his stance on cultural evolution. He argues that in the Great Society, we must be entrepreneurs of ourselves (Hayek 2006[1960]:72), where those who fail to do so in a way that the market values and rewards must accept being remunerated less than those who do. He correctly remarks that nature and nurture cannot give moral merit, as these are not freely chosen (Hayek 2006[1960]:78), but contrary to Theory X, this does not lead him to advocate equality, instead ignoring moral desert completely in his normative theory (breaking with the formal principle of comparative justice, where including irrelevant factors and excluding relevant ones is prohibited).

## 5.2 Teleocratic or nomocratic state

The dilemma between a nomocratic and teleocratic state is one of identifying capable means to achieve the ends of development, and one of the most important moral questions to ask. To Hayek, “the possibility of men living together in peace and to their mutual advantage without having to agree on common concrete aims, and bound only by abstract rules of conduct, was perhaps the greatest discovery mankind ever made” (2013[1982]:294). The nomocratic “rule-connected” (2013[1982]:204) society was considered the superiorly evolved product to the “tribal” teleocratic “end-connected” society (2013[1982]:204), since being connected by rules as opposed to common aims and social goals maintains a society of free men. There is a tension between the teleocratic nature of collectivism and the nomocratic nature of individualism, primarily due to the former imposing common aims such as general welfare or social justice which all ought to contribute towards, whereas the latter favours individual freedom where the ends of the individuals are supreme (Hayek 2001[1944]:60). Nomocratic orders were also considered epistemologically superior, due to relying more heavily on dispersed knowledge. Choosing between a teleocratic and nomocratic state ultimately hinges on whether or not Hayek’s spontaneous order can arrange the causal string of code to align with the ascension of the moral macro-landscape, as this is the only criterion for *any* social structure. If the ultimate heights of the moral landscape are reached by endogenous self-interested spontaneity as opposed to exogenous direction, such an approach would also be advocated by Theory X. This sub-chapter therefore discusses whether:

- 1) A nomocratic state can order society in accordance with the demands of the moral landscape.
- 2) Subjects carrying Hayek’s prescriptive ethos can be able to identify the moral good.
- 3) Hayek’s particular *approach* towards supposedly desirable ends is morally justifiable even *if* such ends are met.

### 5.2.1 Destination unknown

The immediate tension between Hayek’s normative prescriptions and Theory X is how no type of evolution favours morality, but rather what is most resilient and best suited to take advantage of a given environment. If voluntary practices in the marketplace (and subsequent cultural evolution) are the organizational substitution for centrally directing society, these must be capable of ascending the moral landscape. It is therefore problematic, as has also been remarked by Hayek’s supporters (e.g. Gray 1998:142; Sugden 1989; Rubin & Gick

2004), that culturally evolutionary orders *cannot* succeed in ensuring the *good*, as they lack moral guidance. Even Hayek himself did at times not want to claim that the outcomes of cultural evolution are any more “good” than other things that have long survived through the process of evolution – such as cockroaches (Hayek 1988:27). Theory X demands a system capable of morally ordering society and directing it towards the peaks of the moral landscape, and if the Hayekian nomocratic market order is incapable of doing so, this fact by itself seems sufficient to identify it as a causal component incapable of morally justifying its further existence, and must be substituted for or altered to one that can. If the causally necessitated status quo is immoral, a nomocratic state will seemingly fail to direct resources where they best ascend the moral landscape, as it is more interested in ensuring identical rules of the game than outcomes. To exemplify, it does not seem like the cultural evolution of fierce competition has done much for mitigating the contemporary crises of climate change, environmental degradation, nor massive biodiversity loss; instead contributing to their *acceleration*. The market order does not select products and practices on the basis of how well suited they are at ascending the macro-landscape, nor does it deal sufficiently with such time-constrained crises as climate change if the causally determined status quo necessitates an overwhelming ignorance of the moral good.

As to cultural evolution’s slow-and-steady approach, there is no way of reversing the climatic effects from overstepping thresholds such as the melting of the Siberian tundra and the massive subsequent release of Methane into the atmosphere, and allowing such a scenario to play out will guarantee a highly prohibited state in the moral landscape, where slow-and-steady does *not* win the race (e.g. Ackerman 2009). As to how the causal landscape will be aligned to necessitate the most moral outcomes in the face of such crises without planning and imposing certain duties and values on the whole of society seems unclear at best. When the capitalist system Hayek advocates necessitates indefinite economic growth (Magdoff & Foster 2011) to keep the discovery process alive, such a system also seems incompatible with limits to consumption, which is one of the three factors contributing to direct anthropocentric climate change (population, average consumption, and Co2e per average consumption). If there are environmental and climatic limits to growth (e.g. Meadows et al 1974; Asafu-Adjaye 2005; Jackson 2009; D’Alisa et al 2015; Latouche 2015; Fioramonti 2017) many believe are already overstepped (e.g. Wackernagel et al 2006; Jackson 2009; Mancini et al 2016), it also remains unclear how such cultural evolution would select patterns of reduced consumption and lower populations (which any cause potent for achieving desirable effects

must achieve), even if one could envision it selecting goods of less Co2e given sufficient market or non-market stimuli to do so.

In the lingua of Martin Wolf, contemporary capitalist proponents (including several neoliberals) advocating ‘sustainable growth’ or other solutions where population and consumption patterns are not significantly reduced, are climate change deniers *minor* – not denying its realness (which is “denial major”), but proposing policies and normative measures insufficient and causally incapable of producing the effect of solving the problems at hand (Wolf 2016). Unless the Hayekian spontaneous order can really drive these two highly important factors (population and consumption) down to sustainable levels – which the evidence so far has indicated that it cannot, as both have grown significantly in the capitalist era (despite not being identical as the order described by Hayek) – it constitutes a causal component which must be removed or transformed.

Whereas a more active teleocratic state could have adjusted, restricted, and directed the market as well as introduced consumption quotas in order to align current behavior with a sustainable and desirable outcome in the moral macro-landscape, the nomocratic state (and unregulated democracy) seems to contrast the role of a leader with that of a follower. Instead of telling people what the right thing to do is when necessary, it trusts the people with knowing best. By perceiving breaches of current freedom unless encapsulated by ‘neutral’ universalizable law as inviolable, the nomocratic state ignores the fact that everything is causally determined, and that any life except in complete isolation (which still alters reality from a counterfactual perspective) will affect how the future looks due to the Butterfly effect,<sup>35</sup> thus impacting the future with significant moral consequences. Being alive is thus accompanied by a moral responsibility towards the future, where the key question for Theory X is how to most ethically achieve morally responsible behavior from subjects incapable of moral responsibility, seemingly necessitating more directing.

## **5.2.2 Identifying ends and the invisible hand**

One of the most counter-intuitive assumptions embedded in Hayek’s ontology is the mechanism of the invisible hand, where widespread selfishness somehow ensures moral order. Marx called such an order anarchic (Hahn 1981:1), which would certainly make it unfit

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<sup>35</sup> A property of chaotic systems such as the universe, where small changes in initial conditions can lead to large-scale unpredictable variation in the future state of the system.



as a vessel from the status quo to the heights of the moral macro-landscape. For a catallaxy to be morally desirable by the criteria of Theory X, intuition would be that one must assume a highly optimistic Lockean or Rousseauan perspective of human nature and humanity's inherent ability of harmonizing their interests,<sup>36</sup> as opposed to the more pessimistic Hobbesian one. If "every man is the enemy of every man" (Hobbes 1996[1651]:84), a tool to amplify their desires without any corrections would presumably lead to poor, undesirable, and prohibited outcomes in the moral landscape.

Through the Socratic assumption of Theory X, where a lack of doing what is morally right is the necessitated result of a causal cocktail insufficient for understanding what *is* morally right (of failing to internalize the moral reality of the external world), the Hayekian ethos would seemingly place subjects even *further* from acknowledging what the right thing to do is, by becoming less aware and considerate of the moral reality of the external world, as an increasing amount of their energy and consideration focuses inwards. If one is mostly concerned with what it is oneself wants, it would seem logical to assume that one's ability of adding up the many moral micro-landscapes into the moral macro-landscape becomes weaker than in a more altruistic and considerate society, thus preventing development. Given humanity's natural irrationality (e.g. Kahneman & Tversky 1981; Ariely 2009; Kahneman 2012; Ariely 2013), adding the element of reciprocal selfishness seems more likely to constitute *maldevelopment* than development according to Theory X – unless, of course, there is an invisible hand at work. Its function would be to compensate for humanity's epistemic shortcomings regarding the internalization of externalized suffering, making it unnecessary to enlighten the subject on the moral reality.

So, are there any indications there exists such an invisible hand as Hayek claims? Beginning with the contemporary evidence *against* the Hayekian claim, allowing everyone to pull in their own selfish direction has acted as an important causal component of problems such as the tragedy of the commons (Hardin 1968), antibiotic resistance (e.g. Neu 1992), climate change, biodiversity loss (somewhat ironically including bees)<sup>37</sup> on a scale frequently referred to as *the sixth mass-extinction* (e.g. Ceballos et al 2015), unjust abuse of market power, massive growth in inequalities breaking with Theory X' conception of justice and utility (Alvaredo et al 2018), global financial crisis, as well as causal authoring of lives which might bear morally prohibited opportunity costs for the individual (see 5.5). If not for the invisible

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<sup>36</sup> Also in an intergenerational sense.

<sup>37</sup> E.g. Greenpeace International 2013; Hallmann et al 2017.

hand, such an ethos would also logically evoke a situation somewhat resembling a Hobbesian trap (similar to game theory's *prisoner's dilemmas*) between competitors on the supply side, where due to fear that competitors will gain an advantage by acting immorally, they are themselves incentivized to act immorally not to lose out in a relative sense, resulting in morally undesirable outcomes on a large scale. With such great causal power held by corporations (see 5.5) and the market as a particularly powerful causal component (see 5.4), this question seems to hold massive moral impacts, where there is plenty of evidence to suggest the Hobbesian trap to be the case.<sup>38</sup>

If extraordinary claims demand extraordinary evidence, it seems like proponents of such an order must prove how these negative developments were not the result of such a system and the selfish ethos, that the invisible hand mechanism even exists, or how the benefits outweigh the burdens with no alternative system able to perform better in moral terms. In questions of so significant moral implications, evidence for such claims must necessarily be overwhelming, where the opposite is currently the case for the invisible hand (e.g. Hahn 1984; Stiglitz 1991; Ackerman 2002; Harcourt 2011; Schlefer 2012), despite over a century of attempts by hopeful economists.<sup>39</sup> One such renowned general-equilibrium theorist was Frank Hahn, who concluding that “We have no good reason to suppose that there are forces which lead the economy to equilibrium” (1984:11). Assuming there is no invisible hand at work, the Hayekian order commits what is commonly referred to as a ‘fallacy of composition’ – the assumption that what is best for the individual component is also best for the greater society. The nomocratic liberal democracy’s lack of moral holism (ignoring the moral macro-landscape as long as society does) and moral leadership makes it inherently biased to serve the current generations of human beings, discriminating the vast majority of what Theory X considers the *total* population. The methodological individualism of neoliberal advocates such as Hayek also inherently favours the micro-landscape perspective on morality, providing yet another contrast to Theory X.

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<sup>38</sup> E.g. Artificial General Intelligence (Bostrom 2014), overfishing (Pacheco et al 2010), climate change inaction on national and international level (Gardiner 2006), economic activity by transnational corporations (Madeley 2008), tax avoidance (Pogge & Mehta 2016), and also related to development by Theory X’ conception: everyday activities such as women wearing make-up.

<sup>39</sup> Jonathan Schlefer writes that after a century of attempts (1870s-1970s) economists concluded that no mechanism can be shown to lead decentralized markets toward equilibrium, unless one makes assumptions they themselves regarded as utterly implausible (2012:9).

### 5.2.3 The victims of progress

The final moral tension in this sub-chapter is how such an evolutionary order is strikingly similar to Social Darwinism, in that the weak must make way for the strong on consequential grounds.<sup>40</sup> Despite Hayek's Kantian plead of humans being solely ends in themselves (Hayek 2006[1960]:19), his order seems to treat many a human being as means to a greater end; as necessary victims of 'progress'. Whereas Theory X is also willing to treat current lives as the means to the end of long-term utility and justice (while weighing their lives equally to each which will take place later), it advocates equality and weighs justice heavily, as opposed to Hayek, who does not have much time for claims of end-state justice due to its clash with negative liberty. It therefore seems like the Hayekian order, even *if* it was capable of transferring society towards a future state of unprecedented total utility, would treat so many current and future lives and the accompanying utility losses and injustices as the means to those ends, that the moral *macro-landscape* would be in a very low state *despite* the high state in this particular hypothetical coordinate in time. This principle goes the other way too, where unprecedented utility for a few more decades before the future is left much worse off for centuries scores terribly in the macro-landscape. A handful of generations merely constitute a tiny fraction of the total population, which does not mean that their lives do not matter, merely that they must be maximized in the moral landscape in a morally sustainable way. By Theory X' intergenerational considerations, as well as the Hayekian cultural laboratory's massive inequalities, it seems like the Hayekian process scores *very* low in terms of overall justice, and due to inefficient distribution of resources in terms of marginal utility, also impacting overall utility negatively despite certain hypothetical desirable coordinates along the way or at the end of the road.

#### Summary

The Hayekian subject thus seems less capable of envisioning the moral good, the nomocratic state cannot ensure it, nor respond timely, and even *if* it could achieve desirable states in the future, its means to these ends makes it an undesirable macro-state. As long as extraordinary claims demand extraordinary evidence, there seems no reason to assume an invisible hand either. Theory X thus seems to advocate a teleocratic state, mandated with protecting the moral macro-landscape from current immorality.

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<sup>40</sup> Whereas one must be very careful employing such labels, this interpretation is also shared by Bröckling (2016:55) and Mirowski & Nik-Khah (2017:68).

### 5.3 The market's epistemic superiority as justifying non-planning

The market's epistemic superiority is central to Hayek's advocacy against the (teleocratic) state trying to direct society or affect distributive patterns, raising the questions of what the market can really tell us, and if this is sufficient for being handed moral authority. Like the last sub-chapter, this one seeks to identify sufficient means to meet the ends of development, thus discussing whether:

- 1) Hayek is accurate in his critique of the state's epistemic shortcomings.
- 2) The extent of the market's epistemic capacity is sufficient to *know* the nature of the moral landscape.
- 3) The market seems better equipped at *leading* society towards superior states of the moral landscape than could a central state.
- 4) Willingness to pay best represents everyone's desires.

#### 5.3.1 On the scope and sources of the state's epistemic shortcomings

Hayek's portrayal of the government's *severe* epistemic shortcomings seems to have been cast some doubt on with the arrival of Big Data, as in the digital age 'datafication' has become ever more encompassing,<sup>41</sup> so that: "The Hayekian problem, of how legitimately to represent uncertain situations, receives new technical solutions that owe nothing to markets or economics, but from the mathematical analysis of Big Data that accumulates from companies such as Google" (Davies 2017:173). As Davies notes, The Bank of England has begun to draw on Google search data in constructing their forecast, by for example tracking the number of searches for terms like 'estate agent' (2017:173).<sup>42</sup> Whereas this data must be interpreted and still cannot suffice to tell us how many *utils* (units of wellbeing) each person has at a given time and how this will affect future distributions of utility – which ultimately is what ought to be *equal* according to Theory X in a distribution of *perfect* justice – it acts to nuance Hayek's portrayal of the epistemic capacity of a *taxis*. The point is merely to affirm the quite commonly-held belief that the state can hold sufficient knowledge to enact *superior* distributions to those occurring in a state of nature. Particularly given Theory X' definition of perfect justice as equality, the state can visualize a rather accurate picture of what distributive justice looks like. Government can also exist on several levels (local, regional, national,

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<sup>41</sup> E.g. Kosinski et al 2013.

<sup>42</sup> For a city based on Big Data governing, see O'Malley 2014.

international, etc.), where a dispersal of power and tasks on these different levels ensures a superior epistemic basis than a dictator with total power could access, as well as potential arenas where citizens can express satisfaction or dissatisfaction, giving *some* degree of a trial-and-error mechanism tapping into dispersed knowledge, which democracy could also be regarded as. It still seems like the government would be less efficient than the market in grasping and responding to immediate desires, but two important questions therefore seem to be what the market can actually know, and how this affects distributive justice. Before discussing those questions, it is important to note that the market also *conceals* information the state needs to enact distributive justice, and thus development.

As a result of what has been termed ‘tax competition’ or ‘tax war’ depending on one’s perception of the phenomenon, it is actually *the market* which has proven one of the greatest obstacles to the government obtaining important data for determining and realizing distributive patterning. Tax competition occurs when “jurisdictions – whether independent nations or states inside a federation – dangle tax incentives to tempt investment, hot money, financial activities, or even wealthy individuals away from other jurisdictions” (Shaxson & Christensen 2016:266). In order to attract these activities, countries are forced to engage in constant competition with other countries (among them tax havens for whom a large share of their economy depends on attracting tax ‘refugees’)<sup>43</sup> for their activity, which has most importantly been achieved through lowering tax rates and *transparency* in what has been called a race-to-the-bottom. In a globalized and liberalized economy, it seems, government competition over corporate and individual wealth and subsequent tax incentives for the wealthy has shifted power from the state and its *right* to tax, to wealthy individuals and corporations, whose taxation becomes a ‘privilege’. Instead of perceiving taxation as a “social license to operate” (O’Neill 2015:146), it is perceived as a “negative externality” to markets, and financial markets in particular (Wahl 2016:204). The market has thus supplied what is in demand. Thomas Piketty (2014: chap. 15) among others, has suggested a transparent international wealth register in order to make transparent who owns what and where their wealth is located, to better redistribute economic resources.<sup>44</sup> Such a proposal, however,

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<sup>43</sup> While no estimate can achieve anything close to certainty or accuracy due to the strict opaqueness of tax havens, recognized estimates of how much money is parked in tax havens vary between the more conservative \$7.8 trillion (Zucman 2015:35) and \$21-32 trillion (Henry 2012), which does not include real estate, yachts, gold or other possessions owned by tax avoiders (technically legal by exploiting unintended legal loopholes) and tax evaders (illegal).

<sup>44</sup> Which might hold additional epistemological relevance, as a study found that the American population underestimated the level of inequality in their own country substantially, indicating a significant empathy deficit as well (Norton & Ariely 2011).

seems highly unlikely to come to fruition in the current geopolitical landscape. Not only does this weaken the state's ability to distribute justly, it also scores very low in terms of the utility derived from the money parked in tax havens, as opposed to distributed where they could help ascend the moral landscape.

### **5.3.2 The type of information the market system processes and signals: Is or ought**

The most essential question, however, is if the market can say or know anything about what *ought* to be. From a causal standpoint, liberal nomocratic value pluralism in combination with the free market (especially if adapting its selfish ethos) seems nothing more than a tool helping people better achieve (while also shaping) their *current* desires (reflections of the causal status quo), with no inherent correctional mechanisms to align with the demands of the moral landscape. Whereas Hayek is right in noting that central planners cannot possibly hold pre-knowledge about all the consequences of most policies (as Laplace's demons don't exist), and that directing society might therefore fail to utilize epistemic insights which would be signaled by the market, this critique implies that what *is* society's current desires is also what they *ought* to be. The market order can therefore be interpreted as a system frequently committing the 'naturalistic fallacy', where one considers the fact that something *is* to imply that it *ought* to be, on the basis that it is 'natural'. Due to moral realism being true, statements and beliefs about morality can be false, and desires unjustifiable to realize. If causal determinism is true, it seems like the market's lack of educational and directing external factors prevents moral ordering while also failing to prevent maldevelopment.

Only the tyrant seems to argue that there is no room for combining directional processes with slower processes of building on experience and lessons learned from trial-and-error, as well as employing markets of some kind. However, descriptive information by itself is insufficient for Theory X, as it is more concerned with normative information due to its moral realist component. Instead, the market, by allowing people to act immorally as long as it is legal, composes an external factor arguably making people *less* capable of internalizing sufficient information to act morally. One of Theory X' central advocacies is that people must be prevented from acting immorally, while *also* being educated on what the right thing to do is. The market fails to educate the subject, and seems to trust the individual to make complex moral calculations before acting responsibly, which without free will and in such a causal climate as the capitalist order (see 5.5), seems beyond naïve. However, Hayek argued that the

market price's descriptive information was sufficient to convey moral information, begging the question of what the price can tell us.

### **5.3.3 The epistemic poverty of the market price**

As to what *descriptive* information the market conveys to the consumer, particularly that relevant by Theory X' account, a further weakness is exposed. Despite its status in Hayek's theory as a superior information processor, the market seems largely analphabetic in matters other than prices, particularly when corporations push down production costs by exploiting lower wages, regulations and taxes in poor countries, as changes in production costs will still not affect people in wealthier nations enough to convey any immoral inputs of the products, as they can still comfortably afford it. Human beings are also habitual animals, thus making them less aware of prices than the 'ideal' consumer Hayek describes. Most people remain highly unaware of the negative 'externalities' or consequences occurring for their consumption patterns to be maintained, as the market mainly processes and signals *one* type of information, namely prices. The market price fails to tell us much about anything other than the prices of goods, certain actors' economic valuations or desires, and for economists, signals regarding resource scarcity and production costs.

It seemingly fails to tell us whether the corporation producing our cell phone, banana, or rain coat takes corporate social responsibility by paying their due taxes and fair wages, what the carbon footprint of the product is 'from cradle to grave', the impact its production had on the local community where the factory is located, how it impacts smaller companies, how it affects what is left of certain resources for future generations, what HSE standards the producer enforces, etc. Failing to convey moral information – the information registering strongest in the moral landscape – the market seems highly unable to convey and process information ordering society in alignment with the demands of the moral landscape. If the Great Society cannot account for the epistemic poverty of the price system, it is necessary to hand the task of morally controlling markets to government agencies or revolutionize the market's information system to include all information on relevant criteria to enlighten the customer of the moral consequences of such a product, changing their desires through a better-informed cost-benefit analysis (or both). Hayek seems to support certain standards the government can implement (2001[1944]:38-39), where such standards must be made perfect according to Theory X, to ensure moral behaviour by corporations and consumers.

Corporations must be forced to raise prices due to very strict moral procedures in all levels of the value-chain, where consumers' demand for cheap goods cannot allow any corporation to act immorally to gain a relative advantage on their competitors. As the whole aim is to make the subject act morally in a universe without free will, measures must be implemented to best ensure moral order. However, due to Hayek's dislike for labour unions and a minimum wage (Hayek 2006[1960]:236), instead supporting the market wage (2013[1982]:238), it seems like his threshold for moral regulation falls way short of what is demanded by the moral landscape.

According to Theory X, if we knew sufficiently better, our desires would also be morally better, necessitating more than merely insights about prices. It is exactly *because of* the epistemic shortcomings of humanity Hayek points to that the free market is *undesirable* by Theory X' account. If our epistemic capacity contained the sufficient empathy to truly *know* all the consequences of our actions and consumption (from the first-person experiences of all those impacted), our desires would be radically different, as the negative impacts of such actions and consumption would be *internalized* as opposed to *externalized*. Even including information about where a product has been produced or its carbon footprint commonly fails to internalize the consequences of such a product on those impacted, as words and numbers are not sufficient for transmitting such massive amounts of complex and particular data. With such epistemic limitations in questions of high moral importance, the free market seems likely to *increase* society's tendency of externalizing suffering, breaking both with the demands for macro-utility and justice of Theory X, where the latter preaches strong regulation.

#### **5.3.4 Does willingness to pay best represent everyone's desires?**

In his seminal paper *The Use of Knowledge in Society* (1945), Hayek argues that willingness to pay represents our desires best, and so the market will respond to our wishes and wants better than central planners can. Due to its superiority as a knowledge processor able to tap into tacit and dispersed knowledge, the market is able to satisfy a heterogeneous population in a way a central government never could. Its distributional mechanism supposedly ensures efficient allocation, with willingness to pay representing how strong someone's desire is for a particular good or service, as well as being the value the market determines its distribution based on. This highlights an important distributive mechanism of the market and its particular knowledge, central for comparison with Theory X.



Beginning by challenging such a proposition, a potential obstacle to this claim is the fact that 40 USD from someone below the poverty line certainly seems like a stronger expression of desire than 40 USD from a Wall Street financier. The result of such a system in a state of inegalitarianism – inequality of *wealth* in particular – is that the market will turn to the desires of those with the most money, and so, it fails to account for unequal power relations.<sup>45</sup> When the market is neither egalitarian nor democratic, as market ‘votes’ are commonly amassed by ability to master the market rationality or inheritance, market prices cannot be regarded as superior in bringing about the wishes of the most unfortunate. Assuming there is a drought and that clean drinking water is hard to come by (raising its *market* price due to the drop in supply but increase in demand) – a scenario predicted to become more frequent due to climate change and the increasing privatization of water (NASA 2017; Chaisse & Polo 2015; Kapoor 2015) – one can imagine there being only 40 000 bottles of water left on the private market in a city of 10 000, where 2 500 are very poor, and 1000 disproportionately wealthy, as the latter work for a large foreign company. As the market system treats each dollar as a vote, the wealthy are handed disproportionately many votes compared to the poor, despite not morally deserving them any more or less than anyone else according to Theory X.

If there are 40 000 bottles of water, the *market* price of the last bottle will be the 40 000<sup>th</sup> highest bid, implying that the richest 10% in our example could be able to acquire close to every bottle. Believing that the desire of a wealthy citizen for his 60<sup>th</sup> bottle is several times as high as is the first one for a poor citizen would be absurd, and so, the market does not seem particularly good at comparatively weighing and processing desires either, at least as long as a society is inegalitarian. It seems clear from this example that each dollar from the poorest (as it expresses a much higher share of their wealth) represents a much stronger wish than each dollar from the wealthiest, but in the free market system, there is an innate *formal* equality of opportunity, whereby it is acceptable to discriminate only on the basis of purchasing power (further discussed in 5.4). This raises the question of how well suited ‘willingness to pay’ is as an indicator of desire or need in a system of large inequality, such as the neoliberal one, and thus how valid the market’s information processing capabilities are. By discriminating in cases of scarcity, as it treats humans better the more money they accumulate, the market’s prioritarianism is largely based on *purchasing power*, as opposed to need or moral outcomes

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<sup>45</sup> As wealth does not reflect *any* hard work or other opportunity cost to the extent income does, which could relate to incentives or alter prioritarian status taken into consideration by Theory X.

as in Theory X. The market system thus seems to lack essential knowledge necessary to enact distributive justice, which it seems a central government could know much *better*.

### **Summary**

The market may hold a higher *quantity* of information – while also *hiding* important information for enacting distributive justice – than does a central planner, but the nature of this information seems merely to cover certain descriptive aspects, where most information relevant for ascending the moral landscape is *not* conveyed. It is therefore of insufficient *quality* to hold information regarding distributive justice.

## **5.4 The mirage of social justice and distributive comparison**

After exploring what the market can know, it is necessary to further explore how it distributes resources. After all, if the market knows the morally desirable allocation better than the state and is able to achieve it, its patterns ought to override any pre-conceived patterns the state considers desirable. This question is highly relevant today, as the epistemic argument has become the neoliberal defence of the market distribution (Mirowski 2014:334). Finally, Hayek’s distributive principles are compared to those of Theory X. Before doing so, the thesis will explore one of Hayek’s most famous and controversial statements, namely that the market distribution is exempt from claims of injustice.

### **5.4.1 The mirage of social justice**

Hayek became famous for arguing that the concept of *social* justice was a *mirage*, as only actions directed by human will could be just (2006[1960]:87; 2013[1982]:199), whereas the market was considered impartial, by only reflecting spontaneous human behaviour (2013[1982]:232-3). If we cannot positively know how the resulting distribution will look, it is not the result of human design, and so “the question of whether the resulting distribution of incomes is just has no meaning” (2006[1960]:87). What Hayek’s argument implies is that we cannot blame the spontaneous order of *the market* (2013[1982]:199) for patterns of injustice, just as we cannot blame anyone for “the misfortune of being born and bred in a village where for most the only chance of making a living is fishing” (2006[1960]:254). As long as we cannot blame anyone for *artificially* altering our fate (such as a central planner), referring to an outcome as unjust makes no sense.

However, as several have noted (e.g. Polanyi 2001[1944]; Peck 2008), the market society is implemented, maintained, organized, and enacted consciously, as opposed to being ‘natural’ or representing the state of nature, which questions how exempt it is from critique even by the Hayekian standard. Such an observation raises the interlinked questions of 1) whether those implementing, supporting, and advocating the system are particularly accountable for all the injustice the system produces (where Hayek (2013[1982]:233) agreed that the market’s outcomes or patterns of distribution could not ensure end-state justice) as they are individuals deemed capable of injustice,<sup>46</sup> 2) how market participants differ from markets in applications of injustice, and 3) how, according to such a criterion, in a deterministic universe, *any* injustice can qualify as more than a ‘mirage’.

The first two questions are quickly shut down in a deterministic universe, as the people in question are merely the contemporary form and face of causal chains dating billions of years back, implying that all people, gusts of wind, specs of dust, Precambrian mating patterns, mammoth sneezes and every other causal detail involved in the causal chain are equally to blame if the criteria is causal authorship. In an ontological sense, ‘human beings’ are no more than temporal expressions of causally determined natural phenomena, questioning their moral difference from institutions and systems in regards to authorship of outcomes. If some causal component produces injustice, then altering, removing or substituting such a component, as it is a producer of injustice, seems equally relevant whether this component is constituent in the shape of human beings or political and economic tools and their mechanisms. By concluding that the market is no more or less exempt from judgments of justice or injustice, this leaves us the third question. In a causally determined universe, people or politicians are no more responsible for any outcome than are a system, and if systems are immune to judgements of justice, then so must human beings, and subsequently any *taxis* or tyrannical state. Such a strict employment of the descriptive quality of ‘just’ or ‘unjust’ means that it could never be used to label anything, as there is no possibility for these ‘qualified’ entities capable of breaking with causal necessity and potential indeterminism in this universe. Theory X holds that if something constitutes a ‘part of the problem’, then said entity must change in order to justify its further existence, disregarding the semantic inaccuracies leading Hayek to believe that spontaneous orders are more exempt from critique than planned ones. Thus, Hayek’s attempt at de-politicizing the market outcome ultimately fails.

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<sup>46</sup> Which would include Hayek himself.

Arguably, institutions (like the market) contribute the strongest to the causal cocktails of how people's lives turn out, much due to how they affect so many causally (also inscribing us particular values, see 5.5), and how many seem to take what society currently regards as 'normal' as self-evident,<sup>47</sup> in addition to humanity's tendency of holding a status quo bias (e.g. Samuelson & Zeckhauser 1988; Kahneman et al 1991). These institutions' causal nature can potentially equip people with causally desirable components necessary for achieving desirable ends, they might counteract components necessarily preventing such desirable effects, or they might necessitate undesirable effects if based on undesirable ends or failed means towards desirable ends. Due to their wide-ranging impacts, ensuring their just and morally desirable mechanisms seems to be of the highest importance for the outcomes in the moral landscape. There will always be an unjust 'predistribution', even in more regulated markets than proposed by Hayek, but here the government mandate and power to ensure a 'redistribution' has the ability to act like a sieve of justice, in order to ensure a way *superior* pattern of distribution than the 'predistribution', even if ensuring the *perfect* distribution according to the moral landscape might be practically impossible.

#### **5.4.2 The tyranny of the market distribution**

By establishing that the market is no different from conscious beings as regards liability and normative claims, it becomes relevant to question the impartiality status of the market. By acting as a link between so-called 'opportunity' and outcome, it discriminates on the basis of what market participants are willing to pay for one's services (determined by luck like everything else, as no being at *any time* could have been different). This means that the market may allocate resources largely unequally, as people desire things provided by some more than those supplied by others (where all failures, lack of entrepreneurial spirit, and differences in quality are causally necessitated and inescapable). If one was unlucky and became causally determined to fail in the market system, the market mechanism itself justifies discriminating these people, on the *formal* account that equal rules of the game is the only equality necessary to ensure. Non-market activities such as charity and community work, or other forms of work to ascend the moral landscape not economically valued by the collective

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<sup>47</sup> This is why the libertarian paternalism of the behavioral economists has advocated substituting *Opting-in* policies for *Opting-out* policies. An example of this is how Germany, operating with the former, has 12% of their inhabitants giving consent for their organs being donated if they die (as this system holds that one must sign up to *become* a donor), whereas Austria, operating with the latter, has a 99% rate (as this system works in a way where one must sign up to *stop* being a donor) (Thaler 2009).

marketplace of frequently self-interested and epistemologically limited subjects, are according to the market's embedded formal discrimination considered less deserving than anyone managing to successfully navigate the market game. As already covered, the market cares little about what *ought* to be, solely constituting a system coordinating supply and demand reflecting the causal status quo (where regulations might filter out superior behaviour), no matter how immoral. It cannot ensure outcomes in accordance with the moral landscape, it cannot tell who deserves what, it cannot claim to be a neutral distributor, and when unregulated, cannot tell morally right from morally wrong.

The central insight here is that without free will, the market is no different from conscious beings in terms of liability and descriptive claims, questioning its impartiality status contra a central planner as regards distribution. Judging by its distributive principles, it actually seems like the market through its inherent discriminatory mechanisms is morally similar to a *tyrant*, deciding to distribute wealth disproportionately to his supporters, where those opposing his vision of the good receive much less. Non-market rationalities are heavily disfavoured, even if they frequently contribute more to development by Theory X' account. Neither desert, nor effort is rewarded, only sharing a particular conception of the good and succeeding in the market game. The market distribution Hayek proposes rewards those sharing the particular values of his ideal society, which through the process of cultural evolution seemingly sieves out the 'tyrant's' opposition, by punishing dissent and incentivizing conformity to its central tenants. This arguably makes supporters of the market distribution supporters of a *particular* tyrant, not freedom fighters. Such a 'sieve' also acts to order the causal landscape, thus reinforcing its ideals by eliminating competition. Not only does it distribute on similar principles as a tyrant, but as will be shown in 5.5, it is also questionable how much meaningful freedom such an order yields. While Hayek *does* propose a minimum standard of living for everyone, his system's embedded distributive mechanism also adds several causal components to people's considerations about what to do with their life and how to get by, where the immediate question becomes if this causal inscription is morally desirable, explored in part 5.5.

While an argument in support of the market distribution by Theory X' account might be that those lacking the market rationality frequently value money less, whereas those causally inscribed by its rationality value money more – implying that the utilitarian and justice aspects of Theory X would have to distribute disproportionate amounts of wealth to the latter as they derive more wellbeing from money (whereas the former could be compensated by

other measures) – this is not the case. As has been already hinted at, and will be further elaborated in part 5.5, the market distributes more than merely income and wealth in a capitalist society; it also distributes *power*, where the nature of its distribution is central for the causal direction and path society takes. What allocation will make people the happiest and maintain the highest level of justice in the long-term is the ultimate moral question, and the first one must ask in the context of development (“Where is power most morally allocated”). Due to their significant tensions, Theory X and the market distribution seem incompatible, and their principal contrasts are illustrated in table 8.

	<b>Equality of opportunity</b>	<b>Equality of outcome</b>	<b>Prioritarianism</b>
<b>Market</b>	Formal	No	Purchasing power
<b>Theory X</b>	Fair	Yes*	Need + Moral effect

*Table 8: Theory X and the market on distributive principles.  
\*with utilitarian considerations.*

**5.4.3 Comparing Hayek and Theory X’ redistributive fundamentals**

To Hayek, distributive justice was incompatible with the preservation of a market order (2013[1982]:232), and as the market cannot produce results satisfying any principle of distributive justice (2013[1982]:233), it is incompatible with meeting such demands. He argued that equality before the law and equality of outcome are incompatible (2006[1960]:77), and favoured the former on the basis that it does not discriminate by treating people differently (2006[1960]:77). We may either have one or the other, but not both at the same time, where attempts at making people “more alike” (modifying outcomes) is perceived as coercion (2006[1960]:77). Social justice is considered “The Trojan Horse through which totalitarianism has entered” (2013[1982]:294), aligning with Hayek’s central thesis in *The Road to Serfdom (1944)* that *any* attempt at tasking government with ensuring particular outcomes must inevitably lead down a slippery-slope towards totalitarianism, as the state has to increase its own power in order to meet their task properly. Equality is not considered undesirable in itself; it just happens to be incompatible with freedom. As to whether the

desirability of equality justifies breaches in negative liberty, Hayek's answer is a clear no (2006[1960]:77). As central planners hold insufficient knowledge about *how* merit is distributed, distribution according to moral merit is impossible, making distribution according to market worth a superior approach (2006[1960]:83).

In terms of taxation, Hayek follows W. G. Sumner's resonation in his essay *The Forgotten Man* (1919[1883]:466)<sup>48</sup>, where taxation is fine as long as the majority (A and B) decides on taxing itself to assist a minority (X), but not if it decides what someone else (C) is paying to assist this minority (Hayek 2006[1960]:273). Progressive taxation is therefore seen as a clash with equality before the law, and in turn as discrimination of a minority by the majority (2006[1960]:273). It is important to note that proportional taxation is *not* redistribution, as it maintains the proportionality of the 'pre-distribution', merely collecting from all to maintain essential government services the market cannot sufficiently provide. Hayek *does* seem to propose a minimum basic income as long as it is considered in the interest of all (2013[1982]:249), without specifying whether or not it ought to be conditioned on workfare,<sup>49</sup> which has become relevant with impending full automation, driverless cars and lorries and artificial general intelligence (e.g. Bostrom 2014; Ford 2015; Susskind & Susskind 2015; Zarkadakis 2015).

As to Theory X, it seems to necessitate high levels of redistribution, with progressive taxation *one* such mean, certainly if a wealth and income cap is to be realized. Whereas Hayek criticizes the ability of the central planner of locating merit, Theory X considers it equally distributed, and so gives a much less murky picture of an ideal distribution. Theory X perceives the composite of utility and justice as superior to the level of negative freedom in a society, and if Hayek is right that the market order and redistribution are incompatible, the total intergenerational utility loss from moving to a different order must necessarily be high enough to outweigh the high level of injustice and suffering in the current order in the macro-landscape, if the Hayekian one is to be advocated. Hayek's critique that any other justice than procedural (such as distributive) is treating people unequally (and therefore unjustly)<sup>50</sup> is unaligned with the Aristotelian principle of treating equals equally and unequals unequally,

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<sup>48</sup> A rationale also echoed by Milton Friedman (Friedman & Friedman 1990:141) and Ayn Rand (1964:139).

<sup>49</sup> Whereas fellow neoliberal Milton Friedman (2002[1962] chap. 12) favoured a minimum income through a negative income tax.

<sup>50</sup> Echoed by Friedman (2002[1962]:162).

and thus in tension with Theory X. If nature has treated equals (in desert) unequally, it would seem like the purpose of redistribution is to ensure that equals are treated *more* equally.

The merely procedural stance resembles the formal conception of equality of opportunity best, and subsequently ignores any differences in causal background and conceptions of equality of outcome, discriminating based on luck. As noted by Rawls, imperfect procedural justice will result in unjust outcomes, as the only procedural justice capable of producing just outcomes is *perfect* procedural justice (1971:85). It has already been noted that identical opportunities would necessitate identical outcomes, and concluded that equality of outcome is the ends of development, whereas ‘opportunity’ is the causal string of code necessitating the outcome. From the Hayekian standpoint, it matters little where people are starting in the race, nor is it compensated in their rewards. What matters is that the “rules of the game” are equal for everyone. People should merely have the same legal rights, and be ensured a formal equality of opportunity, where inequalities derived from what is deemed ‘relevant’ differences are accepted. End-state justice matters little, as ensuring Kantian universalizability is of a higher concern (e.g. Hayek 2013[1982]:194), making such a society primarily concerned with procedural and commutative justice, in contrast to Theory X, where procedural justice merely holds value as a tool capable of maximizing macro end-state justice and utility. After all, *end-state* justice is the only kind of justice registering in the moral landscape.

Whereas Hayek’s compatibilist stance on free will leads him to propose a largely unequal order, Theory X’ hard incompatibilist foundations makes it egalitarian, and more concerned with end-state justice than Hayek. Another important conclusion derived from the hard incompatibilist position is that the state must be teleocratic, as without free will everyone is wholly the result of external factors, which is just as true in a nomocratic society, only that in such a society, causal power seems less desirably allocated (see 5.5). While Theory X agrees with Hayek that the rules of the game matter a lot, as they can act as a causal component which, when interacting with the subject, necessitates more moral behaviour, it does not perceive this by itself as sufficient for upholding justice, as due to equal desert but unequal moral luck, redistributive mechanisms are favoured to make society more just. Theory X makes no deontological considerations trumping the outcomes of utility and justice, thus valuing universalizability and negative liberty less highly, despite perceiving the latter as a valuable *luxury*. The contrast between Hayek and Theory X on essential principles of distributive justice are contrasted in table 9.



	<b>Normative Ethics</b>	<b>Equality of Opportunity</b>	<b>Equality of Outcome</b>	<b>Free will</b>	<b>Justice</b>	<b>State</b>
<b>Hayek</b>	Teleological + Deontological	Formal	No	Compatibilist	Procedural, Commutative	Nomocratic
<b>Theory X</b>	Teleological	Fair	Yes*	Hard incompatibilist	End-state, Equality of outcome	Teleocratic

Table 9: Summary of Hayek and Theory X on central aspects of distributive justice.

\*with utilitarian considerations.

#### 5.4.4 Good as the enemy of perfect, and Theory X' inaccuracy

Where Hayek perhaps comes across most unreasonable in moral terms, is in the implicit treatment of 'good' as the enemy of perfect in matters of inequalities and injustices. He perceives the fact that a nation of perfect distributive justice does not ensure cosmopolitan distributive justice (Hayek 2006[1960]:88) an implication that such an improvement does not matter much, and would come at the expense of 'freedom' through the expansion of government necessary to ensure such a task. According to such a line of reasoning, improvements in justice and equality are of relatively little use unless they can be made *perfect*, something perceived easier achieved with negative freedom. This treatment of good as the enemy of perfect commits what the thesis will refer to as "the perfectionist fallacy". It is interesting to note how selectively this principle is applied, as Hayek implies that the wealthy should not *have to* work to create wealth or jobs with their money, as activity not gaining an income can still be honorable, where the fact that only a few can have it does not make it less desirable that some should have it, nor does it justify redistributing more of their wealth (2006[1960]:111). Similarly, "The task of a policy of freedom must...be to minimize coercion or its harmful effects, even if we cannot eliminate it completely" (2006[1960]:12).

To contrast this with Theory X, the latter holds that *superior* states in the moral landscape are what society ought to strive for, and that superior outcomes are therefore morally mandated, as long as their realization causes a long-term, sustainably *improved* state in the moral landscape. The perfectionist fallacy would conclude that seatbelts are pointless as there are still people dying in car accidents, and seems to eliminate the pursuit of most moral

challenges, such as climate change mitigation or eliminating rape and theft. Whereas distributive justice according to Theory X would undeniably involve cosmopolitan considerations (additionally of an intergenerational sort), *any* improvement is advocated, and the perfectionist fallacy not only seems invalid; it seems a powerful causal component ensuring maldevelopment, by taking all the hard challenges off the table. Brushing away the distinction between good and perfect seems to matter less if one is already well off and would personally have nothing to gain from correctional measures, but generally, the worse off someone is, one would assume the higher their marginal utility per dollar.

Hayek's argument regarding the epistemic shortcomings of any central planner in terms of lacking knowledge about *how* a perfectly just distribution looks seems more convincing, and might have exposed Theory X' greatest weakness. As already covered, Theory X makes it clear what a *just* distribution looks like only in principle in terms of wellbeing, by perceiving it as perfect equality in the comparative sense. Due to the epistemic limitations of human beings and central planners, it is impossible to possess accurate knowledge of how the utility of each person is affected by a given size of material goods or government measures, or how great this utility is at any given time. If no human being or group of humans can know neither *when* a distribution is perfect, nor describe accurately the current distribution, then how can such a theory be anything but a failure in practice?

To Hayek, Theory X' utilitarianism makes it commit the futile rationalist constructivist fallacy (2013[1982]:184) of believing one can access sufficient information to conduct such calculations, and its distributive justice component makes it an "*atavism*, based on primordial emotions" (2013[1982]:497). By pointing to the epistemic weakness of humanity, Hayek's portrayal of distribution as an epistemological question as opposed to one of normative ethics poses perhaps the greatest threat to the *viability* of Theory X. In its defence, however, such an argument does not affect its *validity*, as these outcomes are no less real or important despite our epistemic shortcomings. In regards to its viability, Theory X still advocates *improvements*, even if achieving *the perfect* distribution is probably impossible. Just as one will be more likely to guess what number someone is thinking of by taking into account the valid but *imperfect* information granted, for example that it lies between 2025-2075, than to guess without taking into account any information, so insights derived from Theory X can act to restrict the area of search – where getting closer to the right answer constitutes qualitative improvements of wellbeing and justice.

## 5.5 The non-coercive road to serfdom

In contrast to the socialist “road to serfdom”, Hayek portrayed his own order as “a philosophy of freedom” (2006[1960]:3). By contrasting a teleocratic state and communitarian elements with freedom, as well as performing poorly in terms of macro-justice and utility, it must be asked to what extent the Hayekian order itself promotes freedom in a universe without free will.

### 5.5.1 What kind of freedom can the Great Society offer?

Whereas Hayek’s political philosophy is morally anchored in the belief that negative freedom is the highest virtue and its protection the main task of the state, the hard incompatibilist position holds that our whole manifestation as human beings is much like an empty canvas being covered exclusively by the causal history of our *external* factors, some of it covered from the start by our biological factors (e.g. Bloom 2013). If ‘freedom’ can never be Schopenhauer’s ‘freedom to want what we want’, the question becomes whether or not negative freedom in itself should qualify as ‘freedom’ in the *wider* sense (being referred to as a philosophy of *non-coercion* as opposed to a philosophy of *freedom*). As argued by David Harvey, the political ideals of human dignity and personal freedom are compelling and seductive to most people (2005:5), making it important to examine what sort of freedom is really being advertised by the Hayekian order, in the name of consumer awareness.

According to Theory X, what matters more than anything else is *what* causal input we are fed, as our futures and presents are highly causally sensitive to many of our environmental inputs through the Butterfly effect,<sup>51</sup> and our lives determined by external factors entirely. We are thus easily shaped by impressions produced by culture and the way society thinks about themselves or political questions, the latter derived largely from constellations of hegemonic discourses, and *seemingly* unimportant micro-politics of everyday life. It is a fact of life that one will be inscribed *something* at all times (although the impact power of different causes varies), and so the question is not *whether* one ought to be inscribed something, but rather *what* one ought to be inscribed, and how large the role of society should be in *consciously* and actively directing this process. Preference formation is causally necessitated, and so, the

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<sup>51</sup> For one famous example, see Derek Parfit’s ‘Non-identity problem’ (1984: chap. 16) on how the timing of one’s parents’ intercourse affects whether one is born or their baby is another person.

causal components involved are of utmost importance both for the individual and for society as a whole, as different causal cocktails necessitate different moral outcomes. If people are far from moral, enlightened, and acting in accordance with Socratic reason, it is because their external factors necessitated them to be so, and only by being exposed to external factors capable of producing greater insight and moral order can society hope to develop.

This is an important insight in relation to conceptions of the nomocratic state or the market society as *neutral* because the state is not propagating and making people be in a certain way, as such a society merely alters the power balance of different external factors (in the neoliberal case, to increase their concentration in the private sector, the media, and where wealth is located), not maintaining any equilibrium of self-authoring or rationally informed selves. As remarked by Michel Foucault, there are inherent in society *subjections* and their subsequent *subjectifications*. Whereas subjection is the “practical inscriptions of subjects to dominating and disciplining discourses”, subjectification is the subsequent knowledge or perspective of the self which emerges from the subjection (Bloom 2017:35). The neoliberal discourse and its embedded market logic is not at all neutral in its inscriptions (by ‘programming’ our brains and authoring our lives to significant extents like any other discourse), of which *one* such example also explicitly employed by Hayek (e.g. 2006[1960]:72) is “the entrepreneurial self” (Foucault 2008:226). This is a subjection and subjectification of being the entrepreneur of oneself, constantly inventing and re-inventing oneself to supply what will be in demand tomorrow, whose consequences are briefly summarized by Ulrich Bröckling:

“The entrepreneurial field of force may indeed tap unknown potential but it also leads to permanent over-challenging. It may strengthen self-confidence and what psychologists call self-efficacy but it also exacerbates the feeling of powerlessness. It may set free creativity but it also generates unbounded anger. Competition is driven by the promise that the most capable will reap the most success, but no amount of effort can remove the risk of failure. The individual has no choice but to balance out in her own subjective self the objective contradiction between the hope of rising and the fear of decline, between empowerment and despair, euphoria and dejection” (Bröckling 2016: vii).

As noted by Bröckling (2016:20), this normative conception of man is not found naturally, but ought according to its proponents be brought into existence. Hayek argues that in the Great Society, participating in market activities is voluntary, where each can determine for himself who to render his goods and services, and on what terms (2006[1960]:119), but one

may ask how voluntary market activities really become from a causal standpoint by the particular causal landscape necessitated by implementing such an order.

The Hayekian state is what Bröckling refers to as one where governing means promoting competition, while self-governing means promoting one's own competitiveness (2016:60). As competition is a dynamic process with new windows opening and closing, the entrepreneurial self is tasked with seeing them coming, and capitalizing on them. "For the entrepreneur of her own labour force, the line blurs between wage earning and leisure, work life and private life, and the pressure to economize seeps into all aspects of daily life" (2016:21). Not only does the entrepreneurial self implicitly enforce the *myth* of the 'self-made man' (as the *causa sui* is impossible), but it acts as a highly impactful causal component in authoring the subject's life, with a counterfactual opportunity cost registering in the moral landscape. A system both actively 'encouraging' a particular subjectification, as well as punishing those not conforming to it (by the discriminatory distributive mechanism of the market) hardly seems to encapsulate what most people imagine when they hear the word 'freedom'.

Louis Althusser referred to the process of encountering our culture's values and internalizing them – similar to Foucault's subjection – as "interpellation" (2001[1971]). Highlighting a further abundant manipulation amplified in the Hayekian order, the consumerist culture of modern-day capitalism has been characterized as one that "interpellates its members *primarily in their capacity of consumers*" (Baumann 2007:52). Here "the places gained or allocated on the axis of excellence/ineptitude in consumerist performance turn into the paramount stratifying factor and the principle criterion of inclusion and exclusion, as well as guiding the distribution of social esteem and stigma, and shares in public attention" (Baumann 2007:53). This embedded consumerism in Hayek's order does not seem entirely liberating in itself, by both placing constant expectations on the affected subject and steering one's life in a particular direction. There is no freedom to choose without free will, and while otherwise rational voices might object that if consumerism does not make someone happy, they should have stopped yielding to its pressure, this is causally impossible, as no one were ever given a chance to do otherwise. To avoid the effect repeating itself, one must sufficiently transform the cause, not blame the effect.

In order to maintain economic growth and the entrepreneurial competition fueling the Hayekian discovery process, society must constantly be tempted to consume more, where the capitalist system has an embedded quantity-bias so as to grow the economy, as consumption

would decline if people were contempt with what they have and bought quality products only substituted after extended periods of use. The Hayekian subject thus becomes one authored to opt for quantity in order to maintain the system. As remarked by Peter Bloom: “the market wins both ways: if capitalism leaves you dissatisfied and unwell it also produces the goods and services that can allow you to purchase happiness” (2017:16).

Erich Fromm put the consumerist inscription slightly differently, by arguing that: “modern man lives under the illusion that he knows what he wants, while he actually wants what he is *supposed* to want” (2001[1942]:218). Fromm argues that modern man generally evades asking himself: “Am I not running after some goal which is supposed to make me happy and which eludes me as soon as I have reached it?”, but that when he does, he quickly gets rid of these disturbing thoughts, as they are frightening and questions the very basis on which his whole activity is built, instead retreating to these ideas he believes to be his own (Fromm 2001[1942]:217). This inscription becomes a further obstacle to any meaningful ‘freedom’ when research shows that those able to delay gratification in order to achieve superior outcomes in the future are the most successful by a number of metrics – including self-perceived success and fulfilment (Mischel 2015). It is therefore interesting to observe that the subject promoted by the negative notion of freedom – while in some ways empowering – is also restrictive, by ignoring *internal* restraints to freedom (Fromm 2001[1942]:91) as valued by Theory X. This is due to its primary concern of ensuring freedom from external *overt* and physical threats, while ignoring the negative freedom from *covert* externally imposed beliefs etc. which will harm the subject down the road.

With planetary (e.g. Meadows et al 1974; Jackson 2009; Latouche 2015) and social (e.g. Hirsch 1978) limits to growth, it also seems like the Hayekian order performs poorly in terms of distributing the supposed good of ‘freedom’ to Theory X’ *total population*. One could even speculate that given a deeper moral education, the subject would not even feel a need or want to consume as much, thus benefitting the climate, environment, and thus the moral macro-landscape, but as long as norms are so prevalent and humanity a social animal, the consumerist interpellation not only prevents development, but *necessitates* maldevelopment and moral catastrophe from its impact on climate change. Whereas some have argued in the Marxian vein that the human mentality must change from a mode of *having* to one of *being*, where the ideal is not to *have* much, but to *be* much (Fromm 2017[1997]), such a transition seems unlikely in the capitalist causal landscape. Current maximization of negative liberty seems to come at a high cost to more meaningful forms of freedom for future generations by

Theory X' account, where the continual short-termism of markets and democracy discriminate across time, thus acting as institutional components in need of transformation or substitution in order to justify their further existence.

As remarked by R. H. Tawney: "Freedom for the pike is death to the minnows" (1931:182), indicating that freedom for some can both come on the behalf of any meaningful freedom for others, as well as impact them negatively. Karl Polanyi (2001[1944]:263) also noted that even *if* the wealthy would lose some freedom by redistribution, society on average would *gain* freedom. The Hayekian notion of negative freedom would counter that one cannot increase freedom of some by reducing that of others, as coercing some would not make others less coerced. However, as Hegel among others have objected (e.g. Polanyi 2001[1944]; Sandel 1998), the self also gains a vastly improved sense of meaningful 'freedom' by interacting with other people, and so 'discovering' himself through self-recognition (Fox 2005:122) in a way he could not do alone in nature. Here others are potential *enablers* of freedom, by *potentially* providing the subject cognitive tools which might act as causal components producing vastly more desirable effects for the self, as opposed to merely potential threats to it. Whereas Hayek recognized the benefits of positive freedom, the importance here is highlighting how narrow and weak this "minimalist" notion of freedom is, and the significant evidence *against* an order maximizing negative liberty constituting development by the account of Theory X.

Concentrating wealth, and thus causal power over current and future lives, in hands where they will necessitate an immoral future is prohibited by the moral macro-landscape, and thus an obstacle to development and a more meaningful freedom by Theory X' account. To have power is to have a mandate to use it responsibly, where by failing to use it to lift the moral macro-landscape, one ought not have all this power according to Theory X. This particular fact seemingly contrasts it with the Hayekian order, where selfishness, greed and competitiveness are encouraged and frequently rewarded with more power. By shifting power away from the state with its mandate to represent the general public (despite frequently not doing so – particularly not the *total* population of Theory X), causal power has become increasingly shifted to corporations only mandated with serving themselves and their shareholders – particularly in the short-termist neoliberal climate advocating *shareholder value maximization* (e.g. Lazonick & O'Sullivan 2000). The neoliberal era has through globalization, liberalization, privatization and austerity measures caused what some have

referred to as “corporatization” (Madeley 2008:26), where much government power became transferred to transnational corporations (Harvey 2005:38).

Today, the ten biggest corporations earn higher revenues than most countries in the world combined, with 12 corporations in the top 35 when ranking nations and corporations together by revenue (Global Justice Now 2016). Such a distribution of causal power seems incompatible with the ascension of the moral macro-landscape, where a new distribution seems to be morally obligated, allocated where it can be guaranteed to contribute to development in the intergenerational cosmopolitan sense. If there is a morally undesirable concentration of causal power over current and future peoples’ lives, democracy becomes a tool for *maldevelopment*, as each person, and thus each vote, is causally determined and necessitated from the current causal picture, where democracy merely amplifies the causal status quo. Is democracy and the freedom associated with it going to hold value for Theory X, the causal power over people’s environmental factors must be allocated where they can necessitate an empathically enlightened status quo, as the only time democratic decisions constitute development (and thus a *meaningful* freedom) is when the public makes morally desirable decisions (it is after all a means, not an end in itself, according to Theory X).

### **5.5.2 Serfdom in the Great Society**

To first acknowledge Hayek’s foresight, he seems to have been right in fearing that technology might manipulate and control us (2006[1960]:189), as a growing proportion of most modern human beings’ lives are spent in front of different screens, affecting our subjections, subjectifications, and decisions, some argue cynically exploited due to the fierce competition of the recent ‘attention economy’ (e.g. Lewis 2017; Wu 2017). *Any* path our life is authored to take has a counterfactual opportunity cost in the moral landscape, and the aim of development is to optimize these in society. The growing role of social media in human life might overstep thresholds, thus becoming maldevelopment, but persistently authoring our brains with no regards for this threshold. When there is such a battlefield for the subject’s attention, it also seems likely that there is less remaining to focus on morally important events and problems, where time for internalizing and processing external suffering and injustice becomes insufficient for necessitating change. Seeing development as something merely occurring on an institutional, economic and technological level is a great mistake from the position of Theory X, as *everything* acts as means to the end of long-term utility and justice,



where culture, norms and current beliefs in the population constitute perhaps *the most essential* causal components to ascend the moral landscape, as they can equip people with the ability to make better counterfactual choices and decisions.

Hayek believed that “we are probably only at the threshold of an age in which the technological possibilities of mind control are likely to grow rapidly and what may appear at first as innocuous or beneficial powers over the personality of the individual will be at the disposal of government” (Hayek 2006[1960]:189), as “The day may not be far off when authority, by adding appropriate drugs to our water supply or by some other similar device, will be able to elate or depress, stimulate or paralyze, the minds of whole populations for its own purposes” (2006[1960]:189-190). This portrayal of the state as the main threat to brain manipulation seems a highly one-sided fear, as market actors also manufacture public opinion and interest (e.g. Bernays 1923; Bernays 2005[1928]; Cialdini 2007[1984]; Oreskes & Conway 2011; Cialdini 2016). Such a description therefore seems equally applicable for the Great Society, where some would argue that many entrepreneurs are targeting attention heavily, as exemplified by the ‘attention economy’ and Silicon Valley companies (e.g. Wu 2017), where the allocation of attention in society bears a moral opportunity cost reflected in the moral landscape.

From the way media, advertising, lobbyists, and PR shapes wishes and desires, it seems clear that the difference between government interests (ends) and coercion and propaganda (means) on the one hand, and private sector interests (ends) and propaganda (means) on the other, is blurry. While there is an important utilitarian difference between making people act against their consent and manufacturing their consent, a weakness of Hayek’s normative position on negative liberty and the market order is that his proposed system clashes with its designated purpose: preventing manipulation, and the treatment of human beings as means to the selfish ends of others. If “mind control” holds any meaning, then such a phenomenon is highly prevalent in the capitalist order Hayek endorses. With constant competition for the attention and economic resources of society by market actors on the supply side, and subsequently a social order filled with actors competing for the subject’s desires to align with their own best interest (creating constantly changing norms and ideals forcing many to permanently having to self-mobilize), this can certainly be interpreted as a different ‘road to serfdom’, where manipulation constitutes *the opposite* of the process intended to realize one’s ‘potential’ which Theory X considers ‘development’ of the subject (as the latter ascends his or her micro-landscape *as well* as benefitting the macro-landscape). If particular brands successfully

create normative ideals, and subsequent dominant norms in society, their moral effects determine whether they constitute development or maldevelopment, as market actors can certainly constitute development and ‘parts of the solution’ as well, and there *are* such things as desirable norms.

Comparing the sustainability of current consumption and population patterns and their subsequent environmental degradation with historical evidence, the clear indication is of eventual societal collapse, unless radical measures are undertaken immediately (Diamond 2005). According to Theory X, it matters very little what the current population desires at the moment as regards normativity, as their opinions are merely a tiny fraction of the *proper* intergenerational voting population. How the tyranny of a tiny elite (current generations) treating the lives of future generations as voiceless ‘serfs’ constitutes “a philosophy of freedom” or belongs to the total cause intended to necessitate development by Theory X’ account seems equally perplexing.

A central contention of this thesis is that without free will, convincing someone to adopt desires aligning with one’s own desires is no different in any meaningful sense than if someone hacked one’s brain. One would not have opted to do so had one not been exposed to these particular environmental factors, and in a world where this persuasion had not occurred, one would have lived a different life with its actual opportunity cost. Whether life’s exclusively external factors benefit us or benefit others seems highly important, and freedom to have one’s brain manipulated towards a causal pathway with a major opportunity cost for the subject seems no more ‘freedom’ than being addicted to heroin or another substance non-coercively making one’s life worse does. If a ‘philosophy of freedom’ can even describe a society of causally necessitated universal (non-coerced) heroin addiction, this casts doubt on how such a value can claim supremacy of justice and utility. By being inscribed the ethos embedded in the Hayekian order, the subject is causally directed down a path where large-scale brain manipulation is *still* a staple (as in nomocratic states, one is still 100% the outcome of external factors), and one’s life will be authored (or the brain hacked) increasingly by profit-seeking individuals and corporations frequently playing to human weaknesses, without any mandate to serve neither the current people, nor the future. From the perspective of Theory X, the Hayekian order therefore seems less like a philosophy of freedom, and more like a *non-coercive* road to serfdom.

## 6. Conclusion

By exploring the different positions on causality and free will, the hard incompatibilist position has been justified, as neither in a scenario of causal determinism, indeterminism, nor quasi-determinism, is it possible to satisfy the criteria of autonomy and availability of different alternatives required for free will. In establishing a framework compatible with hard incompatibilism, Theory X' conception of the good as founded in an aggregate of wellbeing and justice has been justified, where of highest importance is the fact that causal determinism makes perfect equality of wellbeing the definition of perfect comparative justice. It has been argued that the task of development is identifying and enacting the causal means necessitating moral development, with an embedded long-term perspective. By applying this framework to the Hayekian plea for a nomocratic state, it seems clear that neither can its citizens given the Hayekian ethos properly identify the moral good, nor can a nomocratic order – particularly through cultural evolution – in any way ensure its realization. It has also been argued that even *if* the Hayekian cultural evolution could maximize utility for some future generation, its means to these ends by sacrificing the wellbeing of those failing in the market order constitutes a poor and morally undesirable state of the moral macro-landscape.

As to whether the market holds superior information processing power than the state, making it the superior distributive mechanism, it was argued that neither does it convey sufficient descriptive moral information, nor normative, and that even given superior information compared to today, humanity's capacity for internalizing the suffering and injustice externalized through a product's life-cycle analysis is insufficient, which would necessitate strict moral regulations on markets. The market might process a significant *quantity* of data, but unless conveying information leading to moral outcomes, the data is of insufficient quality. The market was argued to hold an embedded formal equality of opportunity, where it discriminates directly based on purchasing power, and indirectly based on luck. As to whether the market distribution is exempt from claims of injustice, the fact that causal determinism makes human lives natural phenomena equally determined as the wind over a field of barley, highlights that if the market distribution is exempt from critique, so is that of a tyrant or central planner.

Hayek's attempt at depoliticizing distributive justice by turning it into an epistemological question as opposed to one of normative ethics, ultimately seemed unconvincing, as his implicit treatment of good as the enemy of perfect commits the perfectionist fallacy, and forgets that every moral *improvement* by Theory X' account is a qualitative improvement of

the previous state in the *only* values that matter. As identical causes necessitate identical effects, equality of outcome was considered the most important equality, despite the Hayekian plead for equal rules of the game without further adjusting the outcomes' proportionality. Finally, the thesis argued that without free will, the Hayekian order merely manipulates the subject and inscribes him a *different* type of information than would for instance a socialist one, which, by Theory X' account, does not constitute much meaningful freedom. The observation that by expanding the meaning of freedom from the negative one proposed by Hayek, the Hayekian order is itself merely a different road to serfdom was made, in effect questioning the elevation of 'freedom' as the overarching value – particularly relevant when Hayek explicitly referred to freedom and end-state justice as incompatible. If Theory X is valid, it is not sufficient to wait for desirable effects for the macro-landscape to occur, as these must be necessitated by a sufficient cause, seemingly demanding a major overhaul of the economic, legal and political system to come to fruition. Development efforts must be active, institutional, collective, and universal, as *everyone* is an aspect of the causal reality, which in turn produces the moral reality.

Drawing on the discussion of Hayek, the framework provided by Theory X could contribute to, and expand on, much orthodox development thinking, by including among others: all future generations, an objective definition of perfect distributive justice, elevating the importance of where to allocate causal power most morally, perceiving development as something every person partakes in every day just by making people around him or her today and in the future happier and treated more justly, and most importantly attempting to remove the notion of free will from development theory. Theory X advocates a teleocratic state deriving its justification from guarding the moral macro-landscape from potential moral hazards, where it was argued that democracy and market activity should be morally regulated, as current wants do not outweigh future destinies. Without going into detail, Theory X identified both 'nudge' measures and more active efforts at emotionally and morally educating the subject as necessary, as moral outcomes are of higher importance than current 'freedom' to be inscribed and remain inscribed immoral human traits. One of the central tools of distributive justice and policy proposals identified as compatible with Theory X was a minimum and maximum wealth and income cap of an egalitarian nature, where the deviations from perfect equality are due to incentives of a utilitarian justification. While superior systems will almost certainly be identified, such a measure seems to constitute a major moral improvement in the moral landscape.

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