

Book Review: *The Morals of the Market: Human Rights and the Rise of Neoliberalism*

DANIEL CULLEN*

Under Review:

Jessica Whyte

The Morals of the Market: Human Rights and the Rise of Neoliberalism

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Each January, at the time of the World Economic Forum in Davos, Oxfam publishes new statistics showing that the wealth of an absurdly small number of individuals is roughly equal to that of an absurdly large number of others. In 2019, these figures were 26 people and 3.8 billion people respectively.¹ In the years since the financial crisis of 2007-08, such absurdities have come to signify the economic inequalities which social movements worldwide have increasingly found common ground in opposing. In understanding the changes in governance that permitted

* LLM Qualifying Law Degree graduate, Birkbeck, University of London and outgoing member of the Birkbeck Law Review editorial team. The author would like to thank Edward Armston-Sheret, Eda Seyhan and Frederick Cowell for their comments on this review.

¹ Oxfam International, *Public Good or Private Wealth?* (2019) <<https://oxfamlibrary.openrepository.com/bitstream/handle/10546/620599/bp-public-good-or-private-wealth-210119-en.pdf>> accessed 27 July 2020, 28. For a critical evaluation of these statistics, see Dylan Matthews, 'Are 26 billionaires worth more than half the planet? The debate, explained' (*Vox*, 22 January 2019) <<https://www.vox.com/future-perfect/2019/1/22/18192774/oxfam-inequality-report-2019-davos-wealth>> accessed 27 July 2020.

these conditions to emerge, it is difficult to avoid the rise of neoliberal economic policies from the 1970s onwards. Meanwhile, in articulating opposition to inequalities and injustice, the language of rights, such as the right to healthcare, is commonly used. This is the result of the growing popularity of ideas of human rights, particularly during the second half of the twentieth century. Looking back over those decades, these patterns may appear paradoxical: why has the age of neoliberalism also been the age of human rights?

This question is the central one animating Jessica Whyte's *The Morals of the Market*, which explores the intertwined histories of the two concepts.² Rather than beginning in the 1970s, Whyte returns to the 1940s, seeking to uncover the origins of their entanglement. As such, the book stands as a contribution to the intellectual histories of both fields. Throughout, Whyte can be seen to be in dialogue with other recent scholarship, such as Samuel Moyn's *Not Enough: Human Rights in an Unequal World*.³ The book is primarily a historical work, based upon extensive archival research, with its themes set against the background of the major global intellectual currents of the mid-twentieth century. Its contents fall roughly into two parts: the first exploring the place of ideas of human rights in the intellectual history of neoliberalism, and the second taking this forward to examine the connections between neoliberal thought and mainstream human rights discourse.

Many words have previously been wasted on the claims that neoliberalism either does not exist⁴ or is an empty epithet.⁵ Whyte, however, takes it seriously as an object of study but avoids falling into a pejorative style. In this respect, her work follows an emerging body of scholarship from authors such as Philip Mirowski, Quinn Slobodian and Melinda Cooper, which has begun to establish a critical intellectual history of neoliberalism. At the heart of this story is the Mont Pèlerin Society (MPS), a private membership group founded in 1947 as a forum to debate

² Jessica Whyte, *The Morals of the Market: Human Rights and the Rise of Neoliberalism* (Verso 2019).

³ Samuel Moyn, *Not Enough: Human Rights in an Unequal World* (Belknap Press 2018).

⁴ Daniel Altman, 'Neoliberalism? It doesn't exist' (*New York Times*, 16 July 2005) <<https://www.nytimes.com/2005/07/16/business/worldbusiness/neoliberalism-it-doesnt-exist.html>> accessed 27 July 2020.

⁵ Jonathan Chait, 'How "neoliberalism" became the left's favourite insult of liberals' (*New York Magazine*, 16 July 2017) <<https://nymag.com/intelligencer/2017/07/how-neoliberalism-became-the-lefts-favorite-insult.html>> accessed 27 July 2020.

and develop a movement built on, but diverging from, classical liberalism.⁶ Among the MPS members who make up the starring cast in the book are its founder Friedrich Hayek and Ludwig von Mises, both of the Austrian School of economics, and the German ordoliberal Wilhelm Röpke and Alexander Rüstow. Similarly to Mirowski, who refers to the MPS and its wider network as ‘the neoliberal thought collective’,⁷ Whyte’s work benefits from her diligence in setting out areas of broad agreement among the theorists while delineating differences between individual views or schools of thought.

In her account of neoliberalism, Whyte takes an approach which emphasises the doctrine’s moralism. In doing so, she distinguishes her account from those that present neoliberalism as strictly economic, characterised by the dominance of economic rationality over all other values. Instead she views the neoliberals as breaking with prior forms of liberalism by foregrounding support for a moral and legal framework to facilitate the operation of the competitive market. The ‘morals of the market’ which Hayek and other members of the MPS sought to institute through such a framework were, in Whyte’s words, “a set of individualistic, commercial values that prioritised the pursuit of self-interest above the development of common purposes.”⁸ The virtue of this approach is that it makes visible the core element of neoliberal thought focused around moralism,⁹ which may otherwise be obscured by more narrowly economic accounts.

The book’s first three chapters detail the development of ideas of human rights within this framework. From the outset, the desire for the reassertion of a certain moral order arose in response to perceived threats.

⁶ Philip Mirowski, ‘The political movement that dared not speak its own name: The Neoliberal Thought Collective under erasure’ (2014) Institute for New Economic Thinking Working Paper Series No. 23 <<https://www.ineteconomics.org/uploads/papers/WP23-Mirowski.pdf>> accessed 27 July 2020, 15.

⁷ *ibid.*

⁸ Whyte (n 2) 10.

⁹ Whyte is not alone in emphasising the moral aspect of neoliberalism. Adam Kotsko, for example, writes that it “... is above all a remarkably cohesive moral order, deploying the same logic of constrained agency (demonization) consumption (in which there must be both winners and losers), and conformity (‘best practices’) at every level: from the individual to the household to the racial grouping to the region to the country to the world.” See Adam Kotsko, *Neoliberalism’s Demons: On the Political Theology of Late Capital* (Stanford University Press 2018) 95.

The first of these arose during the 1940s, when the neoliberals were greatly concerned by the rise of socialism, social democracy and state planning. They saw increasing demands around the welfare of the working classes as a challenge to the market economy. This had wider implications: in their worldview, the unhindered operation of the competitive market was a necessary condition for the protection of individual rights, and for the survival of civilization itself. This was stated in clear terms in the founding statement of the MPS, which declared that “the central values of civilization are in danger.”¹⁰ This notion of civilization was one which was construed along narrow, often racialised, lines. For Hayek, for example, any move towards egalitarianism or to restrict trade constituted a regression to “tribal morality”,¹¹ while Mises wrote that the “destiny of modern civilization as developed by white peoples in the last two hundred years is inseparably linked with the fate of economic science.”¹²

Despite variations in the theorists’ interpretations of the precise nature of this threat, there was a consensus that action, including at the state level, was required. The response would involve the promotion of the kind of moral order which would sustain a competitive market economy. In Röpke’s view, for example, the market economy belonged “essentially to a liberal social structure and one which respects individual rights”¹³ – as contrasted with the coercion of non-market forms of coordination. The members of the MPS saw the need for a ‘widely accepted moral code’ to facilitate such an order. In practice, this meant the development and promotion of moral and legal standards which would encourage the uptake and maintenance of the competitive market. In Whyte’s retelling, the creation of novel forms of human rights became one of the central elements of this endeavour.

One field on which this aspect of the fight to establish the morals of the market played out was in debates over the international recognition of economic and social rights. At the time of the drafting of the Universal Declaration of Human Rights in the late 1940s, these debates came to the fore at the United Nations. For the delegates promoting these rights – rights to work, leisure, social security and a decent standard of living, among others – their recognition would stand as a marker of the success

¹⁰ Whyte (n 2) 35.

¹¹ *ibid* 54.

¹² *ibid* 56-57.

¹³ *ibid* 62.

of labour movements. But for the neoliberals, they posed a threat to the freedom of the market. In Hayek's view, efforts to organise society around the provision of economic welfare would lead to the destruction of the market economy and would necessarily involve the conversion of society into a single, totalitarian entity. For others like Röpke, welfarism undermined the conservative social order and its organising values of self-reliance and independence, along with its foundations in the nuclear family and the reproduction of racial and gender hierarchies.

In her narrative of these debates, Whyte seeks to highlight the neoliberals' development of their own version of economic and social rights. During the late 1950s and early 1960s, a key point of contention, especially with regard to the right to a decent standard of living, was to what extent the fulfilment of these rights should rest on state duties. While the neoliberals did not entirely reject the role of state provision, they focused on establishing *market-friendly* forms of rights. As such, they supported the provision of minimum standards which would not impede the function of the market (and so would remain within the scope of their moral framework). This meant that any state provision should be no more than necessary to prevent destitution and targeted through strict means-testing. In developing these ideas, Whyte sees the neoliberals as primarily fearing the equalising effects of broader state welfare, ahead of any other concerns over paternalism.

A second perceived threat to the neoliberals' agenda arose from efforts to reform international economic relations. With the burgeoning decolonisation movements of the 1950s and 1960s, the concept of 'neo-colonialism' was formulated by Kwame Nkrumah, the first post-independence President of Ghana, to refer to the marked persistence of colonial dynamics of economic power beyond formal independence. "The change in the economic relationship between the new sovereign states and their erstwhile masters is only one of form", he wrote. "Colonialism has achieved a new guise."¹⁴ For the neoliberal theorists, this narrative was seen as a danger to the global economy, due to its 'politicisation' of the economic order. They made a clear distinction between the political and the economic, viewing imperialism itself as a result of the corruption of the free economy, rooted in politics and nationalism. This theory of

¹⁴ *ibid* 148.

imperialism was the exact opposite of that of Vladimir Lenin, who in 1917 had described imperialism as “the highest stage of capitalism.”¹⁵

In viewing the political and the economic as entirely dichotomous in this way, Whyte sees the return of a historic line of thought known as the ‘sweetness of commerce’ thesis. In his 1977 book *The Passions and the Interests*, Albert O. Hirschman argued that during the eighteenth century, the notion that commerce was a pacifying force had reached widespread acceptance.¹⁶ Whyte writes that the neoliberals took on this thesis in order to establish their view of the market as the site of voluntary, mutually beneficial exchange, and politics as inherently violent and coercive. This is a key point, which becomes a foundation of her later analysis. The sweetness of commerce thesis enabled the framing of the politicisation of the economy as a distinct threat: the pernicious introduction of conflict into otherwise free and harmonious social relations.¹⁷ From this starting point, the morals of the market could be applied to pathologize postcolonial political struggles, such as opposition to neo-colonialism.

During the 1950s, these arguments had played out in debates over ‘resource sovereignty’ at the United Nations. At the time of the drafting of the International Covenant on Economic, Social and Cultural Rights, representatives of newly independent nations advocated for their states’ permanent sovereignty over their natural resources.¹⁸ This advocacy culminated in the inclusion of the Covenant’s Article 1(2), which states that “all peoples may, for their own ends, freely dispose of their natural wealth and resources.”¹⁹ The neoliberals conversely argued that natural

¹⁵ *ibid* 130.

¹⁶ Albert O. Hirschman, *The Passions and the Interests: Political Arguments for Capitalism before its Triumph* (first published 1977, Princeton University Press 2013) 56.

¹⁷ This element of Whyte’s account is shared with others such as Will Davies, who defines neoliberalism as “the disenchantment of politics by economics.” See Will Davies, ‘Essay: Populism and the limits of neoliberalism’ (*LSE European Politics and Policy*, 30 April 2017) <<https://blogs.lse.ac.uk/euoppblog/2017/04/30/essay-populism-and-the-limits-of-neoliberalism-by-william-davies/>> accessed 27 July 2020.

¹⁸ For details of the surrounding context of demands for the Permanent Sovereignty over Natural Resources (PSNR), an initiative pursued by a number of Latin American, African and Asian states from the early 1950s onwards, see Sundhya Pahuja, *Decolonising International Law: Development, Economic Growth and the Politics of Universality* (CUP 2011) 95-171.

¹⁹ International Covenant on Economic, Social and Cultural Rights (adopted 16 December 1966, entered into force 3 January 1976) 993 UNTS 3 (ICESCR), art 1(2).

resources were not owned by the state on whose territory they were found, but by the private parties who purchased them. The prospect of the nationalisation of foreign-owned companies caused particular concern.²⁰ “Today’s ‘human rights’ as formulated by the United Nations,” Röpke wrote, “include the sacred right of a state to expropriate a power plant.”²¹

For the neoliberals, what was at stake was the potential blurring of sovereignty and ownership in the global economic order. In his 2018 book *Globalists*,²² which recounts the rise of neoliberalism amid the end of empire, Quinn Slobodian articulated this as the division between *imperium* (the realm of states and sovereignty) and *dominium* (the realm of property and ownership).²³ Slobodian writes that in the neoliberal worldview, these realms should be entirely distinct, such that “nobody would mistake the lines on the map for meaningful marks in the world of dominium.”²⁴ Ultimately, this narrative rested on opposition to the prospect of postcolonial states pursuing policies which were seen as inimical to the competitive market order. Hayek argued that following on from the “taming of the savage”, the “taming of the state” was also required. To achieve this, he believed, what was needed was “a set of rules which define what a state may do, and an authority capable of enforcing these rules.”²⁵

To develop these rules, the neoliberals once more turned to their own conceptions of human rights. In opposition to the decolonisation movements, they advanced a new human rights project, one centred on the right to trade, with the ability to trade across state borders on non-discriminatory terms forming its cornerstone. This project, which would go on to influence the creation of the World Trade Organization, entailed “the creation of a legal and moral framework to restrain postcolonial sovereignty, protect private property and investments, and secure the

²⁰ Whyte notes however that even during the high point of decolonisation from 1960-1976, less than five per cent of foreign-owned firms were in fact nationalised.

²¹ Whyte (n 2) 147.

²² Quinn Slobodian, *Globalists: The End of Empire and the Birth of Neoliberalism* (Harvard University Press 2018).

²³ Quinn Slobodian, ‘Human rights against dominium’ (*Humanity*, 4 October 2019) <<http://humanityjournal.org/blog/human-rights-against-dominium/>> accessed 27 July 2020.

²⁴ Slobodian (n 22) 117.

²⁵ Whyte (n 2) 136.

existing international division of labour.”²⁶ Whyte argues that in the language of human rights, the neoliberals found a method to seek to impose their universal standards. In aiming to restrain the power of the postcolonial state over the market – holding back *imperium* from *dominium* – the project was one of depoliticization of social relations. As in their vision of economic and social rights, the human rights which the neoliberals conceived in order to advance the morals of the market were focused less on the protection of the individual than they were on the protection of the market order.

In the book’s fourth and fifth chapters, these insights are carried forward and applied to the analysis of the work of human rights organizations from the 1970s. Here, Whyte searches for the influence of the neoliberals’ human rights discourse – based on the violent politics/pacifying markets dichotomy and aimed at instilling the morals of the markets – in the activities of the organizations she surveys. Whyte states that she is concerned with a hegemonic discourse of human rights, as advanced by major organizations such as Human Rights Watch, Amnesty International and Médecins Sans Frontières. She acknowledges however that rights claims are articulated by various actors outside of this, including from marginalised or subaltern perspectives, and references the history of the use of human rights language by socialists, social democrats and anti-colonialists for ends which were directly opposed to those of the neoliberals.

The first of the two main case studies in this section examines Amnesty International’s investigations in Chile in the late 1970s, when the country was under the dictatorship of General Augusto Pinochet. In 1973, Pinochet had assumed power in a military coup over the democratically elected President, Salvador Allende. In the course of the organization’s research in this period, it documented extensive arbitrary detention, torture, executions and disappearances at the hands of the Pinochet regime. On visiting the country, one of the researchers recalled that there was “no rule of law whatsoever – it was just a façade.”²⁷ Whyte writes that Amnesty’s 1977 report on the disappearance of political prisoners in the country was among the first examples of a new style of human rights reporting, combining individual stories with legal analysis, a style which such organizations have since become renowned for. Due to this legalistic

²⁶ *ibid* 120.

²⁷ *ibid* 179.

approach, however, Whyte highlights what she sees as the report's avoidance of politics, with the military coup itself described in the report as the result of "an atmosphere of bitter social tension, after months of increased polarization between pro-Allende and anti-Allende factions."²⁸

As Whyte makes clear, the events underway in Chile at this time were inseparable from the regime's explicitly neoliberal policy agenda. Hayek himself visited Chile and stated that Pinochet's administration was "an example at the global level."²⁹ In a newspaper interview, he explained that he was not in favour of permanent dictatorship, but saw the regime as "means of establishing a stable democracy and liberty, clean of impurities."³⁰ American economist Milton Friedman, who became one of the most high-profile members of the MPS, expressed his backing, describing the country as a 'miracle' in economic and political terms.³¹ And this relationship between the regime and the neoliberals went further than abstract moral support: both Hayek and Friedman provided policy advice to Pinochet as he implemented a programme of political transformation and economic 'shock therapy', with support from economists trained with Friedman's department at the University of Chicago. Through this programme, Pinochet hoped, in his words, "not to make Chile a nation of proletarians, but a nation of entrepreneurs"³² – or, put differently, to inculcate the morals of the market.

In addressing the histories of neoliberalism and human rights in Chile during this period, Whyte is stepping into contested historiographic territory. In Naomi Klein's acclaimed 2007 book *The Shock Doctrine*, the author criticised Amnesty International for allegedly obscuring the relationship between the Pinochet regime's violence and its neoliberal economic policies. For her, the organization's stance of impartiality meant that its reporting did not make clear the drivers behind the violence, to the extent that it was complicit in allowing neoliberalism to continue its rise while escaping scrutiny. This argument was criticised by Samuel Moyn, however, as "exaggerated and implausible."³³ Whyte takes a different view, writing that "In challenging the junta's torturous means, human

²⁸ *ibid.*

²⁹ *ibid* 157.

³⁰ *ibid* 174.

³¹ *ibid* 171.

³² *ibid* 174.

³³ *Ibid* 158.

rights NGOs arguably helped to restrain the worst of its violence, but they did so at the cost of abandoning both the political conflict over ends and the economy as a site of political struggle.”³⁴

Building on her arguments from the earlier chapters, this critique rests on Whyte’s belief in the organization’s *implicit* endorsement of the neoliberal human rights discourse. For her, in separating political violence and economic transformation, Amnesty International’s approach “bolstered the neoliberal dichotomy between violent politics and free civil society.”³⁵ She sees this human rights discourse as contrasting starkly with that advanced by the decolonisation movements of the same era. She furthermore argues that over this period, human rights discourse served to displace other modes of political struggle in Chile,³⁶ a phenomenon which later combined with the institutionalisation of a conservative form of human rights in the country’s constitution to leave Chilean society effectively depoliticised.

The second main case study in the section looks to an organization’s *explicit* adoption of a neoliberal human rights discourse. The organization in question is Liberté Sans Frontières (LSF), a foundation set up in 1984 by the leadership of Médecins Sans Frontières in France.³⁷ LSF was established in direct response to postcolonial demands for sovereignty and economic self-determination. As part of a movement labelled at the time as *tiers-mondisme* or Third Worldism, activists and scholars sought to link the economic underdevelopment of formerly colonised nations with the enrichment of the West, along with extreme imbalances in international economic relations and the terms of trade. Among those who most forcefully articulated this relationship was Frantz Fanon, who wrote of

³⁴ *ibid* 160.

³⁵ *ibid* 181.

³⁶ This line of argument is one which Paul O’Connell has termed the ‘displacement thesis’. O’Connell identifies this thesis as present in the work of Wendy Brown and other critical scholars, and summarises it as: “... the apprehension that the language of human rights tends to undermine movements for radical social change by tempering their ambitions and limiting their horizons to a narrow set of legal demands, eliding broader causes of injustices and foreclosing other emancipatory languages.” See Paul O’Connell, ‘Human rights: Contesting the displacement thesis’ (2018) 69 *NILQ* 19, 20.

³⁷ Frédéric Thomas, ‘The borders of idealism? From third-worldism to “sans-frontiérisme”’ (*Alternatives Humanitaires*, 10 March 2017) <<http://alternatives-humanitaires.org/en/2017/03/10/the-borders-of-idealism-from-third-worldism-to-sans-frontierisme/>> accessed 27 July 2020.

Europe that “the wealth which smothers her was stolen from the underdeveloped peoples.”³⁸

From the outset, LSF operated as a vocally anti-Third Worldist institution. The organization’s publications attacked the movement for deploying ‘simplistic’ explanations for differences in economic development, describing it as a “Western guilt complex over colonialism.”³⁹ Thanks to this motivation, the founders of LSF believed, Third Worldism functioned as a cover for the conduct of repression and abuses by the postcolonial state. LSF combined the framing of this threat together with neoliberal modes of economic analysis, influenced by the work of neoliberal development economist Peter Bauer. In doing so, the organization presented a counter-narrative against calls for redistribution. LSF encouraged a shift away from structural analysis of economic relations and denied that there was any common interest binding a collective of nations to which the label of ‘Third World’ could be applied.

At the international level, the focal point of debates over economic redistribution in the years leading up to the founding of LSF was the Non-Aligned Movement’s New International Economic Order (NIEO) agenda. In 1974, the United Nations General Assembly had adopted the Declaration on the Establishment of an NIEO, aimed at instituting a global process of economic decolonisation, which stood as a victory for those states demanding the right to economic self-determination. Its provisions included the “right of all States, territories and peoples under foreign occupation, alien and colonial domination or apartheid to restitution and full compensation for the exploitation and depletion of, and damages to” natural resources and other resources.⁴⁰ Emphasising the uncompromising political economic worldview of the NIEO, Whyte views the Declaration as a further example of a human rights discourse which was distinctly more radical than that advanced by major human rights organizations at the time. Despite the initial success of the NIEO agenda, by the 1980s many Latin American and African states had become embroiled in debt crises, and a counternarrative of global trade

³⁸ Whyte (n 2) 207.

³⁹ *ibid* 200.

⁴⁰ Declaration on the Establishment of a New International Economic Order, UNGA Res 3201 (S-VI) (1 May 1974) <<https://investmentpolicy.unctad.org/international-investment-agreements/treaty-files/2775/download>> accessed 27 July 2020, para 4(f).

liberalisation – described by historian Mark Mazower as constituting “the real new international economic order”⁴¹ – took hold.

Whyte situates the activities of LSF firmly amid the emerging neoliberal arguments which were responsible for ‘crushing’ this agenda of economic redistribution. She argues that these ostensible humanitarians played a vital part in efforts to turn attention away from the structures of the global economy and the legacies of colonialism, and towards the role of the postcolonial state. Instead of the utopian ideals of the NIEO, she writes that the neoliberals sought to “bind postcolonial states to the interests of private capital.”⁴² She sees LSF’s particular role in this as to promote the idea of the market order as the sole provider of justice and liberty. In making this argument, Whyte is once more in dialogue with Samuel Moyn. In a 2014 article Moyn contended that the human rights movement was merely a ‘powerless companion’ during the time of the rise of neoliberalism.⁴³ Whyte, however, presents her case study on LSF as evidence of a human rights organization operating as the “active, enthusiastic and influential fellow-travellers” of the neoliberals.⁴⁴

The mobilisation of the language of human rights is at the core of Whyte’s description of LSF’s role as fellow-travellers. In pushing back against the Third Worldist movement, LSF developed an overtly neoliberal human rights discourse. In place of economic redistribution, this discourse advocated for the combination of civil and political rights with the institutional structures required to facilitate the operations of the competitive market. At a colloquium organised by the organisation in 1985, participants distinguished between the ‘categorical imperatives’ of civil and political rights, and the “less fundamental, universal and timelessly important” economic and social rights.⁴⁵ This type of discourse, Whyte states, “aimed to bolster the institutional and moral foundations of a competitive market economy and to shape entrepreneurial subjects.”⁴⁶ Once more, she identifies an effort to advance the morals of the market. And although Whyte sees this discourse as having been deployed most

⁴¹ Whyte (n 2) 223.

⁴² *ibid* 50, 226.

⁴³ Samuel Moyn, ‘A powerless companion: Human rights in the age of neoliberalism’ (2014) 4 LCP 147.

⁴⁴ Whyte (n 2) 233.

⁴⁵ *ibid* 204.

⁴⁶ *ibid* 227.

openly by LSF, she writes that it is one which “would increasingly be adopted by human rights NGOs from the 1970s.”⁴⁷

Running throughout *The Morals of the Market* is Whyte’s drive to unravel the relationship between neoliberalism and human rights – resulting in some potentially uncomfortable reflections on the part of human rights organizations. She concludes that the neoliberal human rights discourse “has been far more widely influential than most contemporary human rights defenders would like to admit.”⁴⁸ In the case of LSF, given the organization’s explicit adoption of this discourse, the neoliberal influence is patent. The argument that this discourse was adopted implicitly by major human rights organizations is made much more tentatively, however. Whyte appears surprisingly willing to extrapolate this point on the basis of her case study of Amnesty International’s 1977 report on Chile. Even in this case, it is not necessarily established that the apparent embrace of the violent politics/pacifying markets dichotomy was one influenced by neoliberal thought, rather than simply reflecting its lineage in older forms of liberalism. This is not to say that the ‘implicit adoption’ argument is incorrect, but further case studies – something which would clearly be beyond the scope of this book alone – could assist in establishing this more definitively.

In engaging with the contemporary politics of human rights, Whyte is also making a broader critique of major human rights organizations’ approach to the economic sphere. At various points in the text she comments directly on their strategies and working methods in this regard. She notes the choice to focus on civil and political rights ahead of economic and social rights, which held strong for many decades, and more recent, gradual attempts to redress this imbalance. Furthermore, she writes that reliance on an ‘investigate, expose and shame’ methodology has made the organizations “reluctant and unsuited to challenge the structural and impersonal effects of market processes.”⁴⁹ This form of critique might then be separated out from the implicit adoption argument and put in slightly different terms: that regardless of the extent to which the hegemonic human rights discourse has been influenced by neoliberalism, it has been insufficient in the face of the extreme economic

⁴⁷ *ibid* 217.

⁴⁸ *ibid* 33.

⁴⁹ *ibid* 30.

inequalities which neoliberal policies have engendered – with the two proving to be largely compatible.

Taking these varying critiques together helps to clarify Whyte's ultimate conclusion, in her final line, that "A break with neoliberalism requires a break with the morals of the market."⁵⁰ By this, she means that the hegemonic human rights discourse cannot substantively challenge neoliberalism. The corollary of this is that not only might such efforts prove fruitless, but that, given the intertwined histories of the two, the deployment of this discourse might even strengthen the grip of neoliberalism. This rests on the premise that human rights organizations should be opposed to neoliberalism per se. Even if the reader is convinced of this, it should not be taken for granted. The question of how such organizations might position themselves in relation to neoliberalism remains one of ongoing deliberation,⁵¹ with a range of factors including the value of impartiality, the risks of overt politicisation and positioning in relation to structural change among the competing strategic considerations.⁵²

Assuming that the reader does accept the premise of the conclusion, however, further questions arise. If one arrives at the end of the book with an expanded knowledge of the morals of the market, this knowledge alone does not necessarily generate the break with them.⁵³ Instead it is necessary to ask: how might such a break occur, and a more transformative conception of human rights be made mainstream? Drawing on the recent literature in this area, this question is one which

⁵⁰ *ibid* 242.

⁵¹ Amnesty International, for example, recently issued a strategy paper positioning itself against 'the politics of demonization', which considers the organisation's engagement with issues of economic inequality. See Amnesty International, 'Standing for humanity: Changing Amnesty to overcome the politics of "us vs them"' (2020) <<https://www.amnesty.org/download/Documents/POL5027622020ENGLISH.PDF>> accessed 31 August 2020, 17.

⁵² See e.g. Sonya Sceats, 'Who will defend the rule of law, if not Amnesty?' (*OpenGlobalRights*, 14 April 2020) <<https://www.openglobalrights.org/who-will-defend-the-rule-of-law-if-not-amnesty/>> accessed 27 July 2020.

⁵³ In her 2019 article 'Knowing neoliberalism', Jana Bacevic challenges the 'epistemically limited' assumption that critical knowledge of neoliberalism as an object – which she refers to as its 'gnossification' – automatically translates into political action against it. See Jana Bacevic, 'Knowing neoliberalism' (2019) 33 *Social Epistemology* 380.

other scholars, such as Amy Kapczynski,⁵⁴ are now seeking to address. For Whyte herself, the answer is to engage in “a political struggle against those institutions, governments and corporations that have promoted and benefited from the inequality and ‘economic powerlessness’ of the neoliberal age.”⁵⁵ Against the depoliticization of social relations, she calls for a renewed politicization. In making visible the morals of the market in so many forms, this book not only opens up the space for this question to be asked but will also undoubtedly enrich the reflections and responses of those who are willing to consider it.

⁵⁴ Amy Kapczynski, ‘The right to medicines in an age of neoliberalism’ (*Humanity*, 26 April 2019) <<http://humanityjournal.org/issue10-1/the-right-to-medicines-in-an-age-of-neoliberalism/>> accessed 27 July 2020.

⁵⁵ Whyte (n 2) 252.