

Klotzes and Glotzes, Semiotics and Embodying Normative Stances

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A RESPONSE TO Daniel Layman (2016), “Expressive Objections to Markets: Normative, Not Symbolic,” *Bus Ethics J Rev* 4(1): 1–6, <http://doi.org/10.12747/bejr2016.04.01>

ABSTRACT

Daniel Layman attempts to critique our recent paper debunking semiotic objections to commodification. Semiotic objections hold that commodifying certain goods and services is wrong because doing so expresses disrespect for the things in question. Layman claims instead that the problem is that such markets “embody” the “wrong norms” or the “wrong deliberative stance.” Given the length-requirements, we, at the moment, need to hear a lot more about the difference between “embodying” a norm, and expressing it. As far as we can tell at the moment, we’re suspicious that he might be begging the question, or just re-describing semiotic objections in a more obscure way.

IN “HOW TO Tell a Klotz from a Glotz,” Dr. Seuss (1979) writes:

Well, the Glotz, you will notice, has lots of black spots.
The Klotz is quite different with lots of black dots.

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But the big problem is that the spots on a Glotz are about the same size as the dots on a Klotz. So you first have to spot who the one with the dots is. Then it's easy to tell who the Klotz or the Glotz is.

Seuss helpfully includes an illustration of two apparently identical spotted goat-like creatures. Seuss assures us the animals are distinct species, but, as Jason's four-year-old son Keaton remarks, "Dad, these are the same!" If Keaton had a PhD in Philosophy, he might phrase his objection as follows: This is a distinction without a difference. Without further information, there's no way to tell the Klotz from the Glotz, and we cannot be sure they are even distinct. Of course, that's the joke.

As far as we can tell, Keaton's objection applies to Daniel Layman's (2016) "Expressive Objections to Markets: Normative, Not Symbolic." In his Commentary, Layman intends to critique our critique of semiotic objections to commodification. He claims to have a new interpretation of what semiotic objections are, but the distinction he makes is, so far, unclear to us, and although we've tried, we cannot tell how his new account is all that different from the versions of the semiotic argument we have already criticized.

We say "as far as we can tell" and "so far" because there's a pretty good chance that we've missed something or overlooked something. We need to have the distinction explained to us in greater length, so that we can be sure of Layman's precise claims. We understand that the nature of *Business Ethics Journal Review* does not permit Layman to offer a full-length treatment of his views. We hope one is forthcoming, and that's an important caveat to what we have to say in response.

Semiotic objections to commodification hold that buying and selling certain things symbolizes, signals, or expresses wrongful attitudes, disrespect, or irreverence toward certain things that ought to be respected or revered. Semiotic objections are the most common form of objection to commodification, and they are the objections anti-commodification theorists rely upon when their other objections to commodification don't apply.

In "Markets without Symbolic Limits" (Brennan and Jaworski 2015a) we identify three major semiotic objections. The *Mere Commodity Objection* holds that buying and selling certain goods or

services shows that one fails to recognize their non-instrumental value. But of course it's possible, for example, for someone to buy a dog at a pet store and still love it like a member of their family. We say more about this objection, but that's our response in a nutshell. The *Wrong Signal Objection* holds that independently of whatever attitudes the buyer or sellers might actually have, buying and selling certain goods and services communicates disrespect for the objects in question. We respond, in short, by explaining that what signals mean is a matter of cultural convention, and demonstrate by appealing to the work of anthropologists and sociologists that there are many cases where the very same action signals disrespect in one culture, but respect in another. The *Wrong Currency Objection* holds that inserting markets and money into certain kinds of relationships communicates estrangement and distance, is objectionably impersonal, and/or violates the meaning of that relationship. But just as with the Wrong Signal Objection, so with this one too: What money means isn't an objective fact written into the fabric of the universe, but is a culturally contingent fact that can change. We then argue that since certain markets are beneficial, we should modify the socially-constructed "meaning" of the markets rather than forbid them.

Layman (2016: 2–3) thinks there is a fourth kind of semiotic objection which 1) we didn't consider, 2) is a better interpretation of anti-commodification theorists like Michael Sandel but also others like Elizabeth Anderson, and 3) escapes our critique of the other semiotic objections. According to Layman, the problem is that to buy and sell certain things would be to "embody . . . a practical stance" that "is at odds with the norms we ought to apply to it"; a practical stance that is a "poor fit" with the commodified object's proper moral standing.

Perhaps due to space limitations, Layman (2016: 4) spends only a short time explaining the idea, giving us two examples that we had trouble getting clear on:

In order to understand what it is for an action to embody a norm, it will be useful to consider a homely example. Suppose that my father bakes me a pie. It is now up to me how to incorporate the pie into my deliberation. Most likely, I will incorporate it into my practical deliberation as a gift. This means that I will apply certain norms to it. For instance, I will take myself to have reason to thank my father for it. If thanking my father does not register with me as an appropriate thing to do vis-a-vis the pie, I have not incorporated the pie into the structure of my action as a gift, for I do

not take myself to have a reason that would flow directly from seeing it as a gift. When I put the pie in a cool, clean place and thank my father for it because I have incorporated it into the structure of my action as a gift, we may say that my action embodies my valuation of the pie as a gift. This does not mean that I *symbolize* the pie as a gift. For this embodiment is nothing more or less than the outward manifestation in action of the practical deliberative stance I have taken toward the pie. Symbolism has nothing to do with it.

To be frank, we're not sure what claims are being made here—it is difficult for us to understand how this explanation amounts to saying something different from “if I get a pie as a gift, then I should probably express gratitude, and there are symbolic ways for me to do that, like saying ‘thank you’ or by putting it in a cool, clean place.” Unless there is a metaphysical connection between putting pies in cool, clean places, or saying “thank you” for pies one receives and gratitude, then symbolism, not “embodiment,” has everything to do with it.

One of the points that we make is that there is tremendous cultural and temporal variation in how people have thought about the meaning of money, and even of gifts. Here we're inclined to believe that the norms about how to react to a gift are largely a social construct. It's easy to imagine, and even easy to *find*, cultures or situations in which, upon receiving a gift, one is *not* expected to say “thank you,” or saying “thank you” would be seen as impersonal and disrespectful, and would thus be *inappropriate*. In some cultures, saying “thank you” communicates impersonal estrangement—you say “thank you” to strangers who help you because it is unexpected or supererogatory, but not to your father because that's precisely what is expected within a father–son relationship. So, it's not written into the fabric of the universe that to fail to apply the norm of saying “thank you” to your father for baking you a pie is to fail to register the thing as a gift.

What does that have to do with buying and selling kidneys or adoption auctions? (Is there some reason to think that they must be given as gifts?) Layman (2016: 4) writes,

Now recall to mind Sandel's remarks about adoption auctions. If we read his critique of these auctions through the lens of normative embodiment rather than through the lens of normative symbolism, his point is not that

buying custodial rights is wrong because it symbolizes disrespect. Rather, his point is that buying custodial rights is wrong because it constitutes disrespect insofar as it embodies in action the judgment that a norm of sale and price is an appropriate one to apply to children. So understood, this moral point might be true or not; nothing I have said here provides evidence either way. However, whether it is true must be settled by engaging with the substantive moral claim about appropriate valuation that it involves. It will not suffice to dismiss it by pointing out that contingent facts about symbolism carry little moral weight.

Again, we need to hear more, but insofar as we understand the claims being made, it appears to us that Michael Sandel, in the example, would be begging the question. Imagine a possible world where the norms of sale and price are regarded as perfectly appropriate and respectful when it comes to custodial rights. In this world, buying custodial rights would constitute respect insofar as it embodies in action the judgment that a norm of sale and price is an appropriate one to apply to children. Why should we prefer this world to the possible one? And that's precisely the issue in dispute. Again, this Sandel would need a plausible and clear explanation for why this possible world would be wrong for us to prefer. The paragraph above doesn't say.

Elizabeth Anderson and our Michael Sandel do say. Anderson (2000: 19–20) says that buying and selling these things means that one must regard them as “mere commodities,” having no intrinsic worth. Sandel (2012: 10) offers a more sophisticated argument, and thinks that one expresses that they are mere commodities even if one doesn't actually think that they are. But we already have responses to both of those arguments in our paper and book. But even supposing that where we see spots, Layman sees dots, we need to know why the norms of the market are bad (and not just the norms that happen to obtain just now in Western cultures, but the wide variety of norms that have obtained and could obtain with market exchanges in any culture).

Layman (2016: 4–5) then writes,

The same analysis is applicable to objections to the proposed PAM [policy analysis market] betting market. One way to read the claim that it is morally ugly to purchase (or to facilitate others' purchasing) stakes in people's deaths is that doing so symbolizes moral ugliness. If we follow Brennan and Jaworski in reading it this way, it falls prey to the same

dilemma that afflicts the symbolic version of Sandel's adoption auction complaint; either it relies on an odd, essentialist theory of moral symbolism, or else it invests symbolic social constructs with implausible moral significance. But it is much more charitable, and indeed more plausible, to understand the claim that PAM is morally ugly as the claim that taking part in or facilitating a market like PAM constitutes an improper valuation of others' lives insofar as it involves incorporating those lives into practical deliberation under the norms of betting. True or not, symbolism is irrelevant to this claim, so Brennan and Jaworski's critique of symbolism-based arguments fails to make contact with it.

More than one interpretation is possible here, and we're not sure which Layman has in mind. Is he claiming that betting on death causes us to value others' lives less? If so, that's what we call a corruption objection to the PAM, and we don't address that in our semiotics article (we deal with it in mini-chapter 13 of our book). Is Layman instead claiming that someone who places such bets must have the wrong attitude? (The claim that it "incorporat[es] lives into practical deliberation" the wrong way suggests that.) If so, then this is just a version of what we call the Mere Commodity Objection, which we think we've already dealt with. Is Layman claiming that the meaning of bets must express something negative? In that case, he's making a version of the Wrong Signal Objection, which we've already dealt with. Does it embody wrongful behavior because it causes harm? Then it's not a semiotic objection at all, and so our objection to semiotic objections won't apply.

But why can't we respond by saying that people betting in the PAM embody the norm of beneficence, because they are trying to save lives? Why not hold that *refusal* to participate in the PAM, or that writing a short article criticizing the PAM, embody maleficence or callousness, because it shows the agent fails to incorporate the value of saving lives into his practical deliberation?

In the end, perhaps a Klotz is different than a Glotz. And perhaps Layman has identified a crucial reason why commodification might be wrongful, a reason that we didn't cover in *Markets without Limits* (Brennan and Jaworski 2015b) or our paper "Markets without Symbolic Limits" (Brennan and Jaworski 2015b). But, just now, we don't see a difference.

To “*embody* a norm” seems to us one and the same
as “*expressing* a norm” under a different name.
But maybe more important than all of this still
Is the thought that markets embody, or signal, some ill

So say Layman, and Anderson, Walzer, Sandel.
But why think this *must* be? We really can’t tell!
They offer their arguments in various forms,
But they’re just reifying contingent symbolic norms!

Whether betting on PAM, saying thank you to your dad
Is a good thing or not comes from what will be had:
Many more happy people with lives much improved
Or just boons to some few, from some others removed?

But betting on PAM *needn’t* be bad
And it could even be mean to say thanks to your dad!
New codes of meaning and manners seem strange,
But when markets save lives, then the meanings must change!

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