

Symposium: James Stacey Taylor's *Markets with Limits: How the Commodification of Academia Derails Debate*

Woozles: Who Is to Blame and What Can Be Done? Reflections on Taylor's Prescriptive Project

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1. Confessions of a Could've Been Woozle-Propagator

R&B artist Usher began one of his most popular songs with the lyric: "these are my confessions."¹ I begin this paper with mine. When I was a graduate student, I started thinking about the limits of markets. My interest in the issue was in no small part due to the work of Jason Brennan and Peter Jaworski who published an article entitled "Markets without Symbolic Limits" and a book *Markets Without Limits*.² After reading them, I began reading some, but nowhere near all, of the work of the anti-commodification theorists (or at least those who I *thought* were anti-commodification theorists at the time) to whom Brennan and Jaworski were responding. Eventually, I wrote a paper on semiotic objections and the limits of markets. At the first journal I sent it to, the reviewer outlined a series of exegetical errors. The comments were decisive and helpful. Thankfully, this paper never made it to print, and I avoided getting egg on my face.

My first foray into the semiotic objections to markets literature could easily be in James Stacey Taylor's *Markets with Limits* as a case

¹ Usher. "Confessions Part II." *Confessions*, Arista, 2004.

² Jason Brennan and Peter Jaworski, "Markets without Symbolic Limits," *Ethics* 125, no. 4 (2015): 1053–77; Jason Brennan and Peter Jaworski, *Markets without Limits: Moral Virtues and Commercial Interests* (New York: Routledge, 2016).

study of what not to do.³ I relied on the characterization of views provided by critics rather than check the author's actual work and failed to thoroughly vet the citations. In short, I (nearly) propagated a "woozle" which is the term Taylor gives to "a false claim that becomes widely accepted" as a result of scholarly negligence.⁴ So let me begin with a *mea culpa*.

The majority of Taylor's book concerns the ethics of exegesis with a special focus on what he takes to be the exegetical errors made by Brennan and Jaworski. I call this Taylor's *corrective project*. The aim of which is to rerail the debate about the limits of markets that was derailed by a confused focus on semiotic objections. In Section 2, I briefly restate the core claims of the corrective project. However, this essay takes no considered stance on the exegetical "beef", as Mike Munger calls it, between Taylor, on the one hand, and Brennan and Jaworski, on the other.⁵ Rather, it straightforwardly proceeds from the *assumption* that Taylor is right about how to interpret the work of the scholars Brennan and Jaworski label anti-commodification theorists, such as Michael Sandel, Elizabeth Anderson, Debra Satz, and others.⁶ The reason for doing so is not because I think Taylor is right (which, in fact, I do), but because it allows us to focus on and evaluate the upshot of his argument that is explored in the final third of the book.

The final third comprises what I take to be the second main project of the book which we can call the *prescriptive project*. The aim of which is to advocate for academic work to be governed by the norms of the academy rather than the norms of the market. I proceed to raise a

³ James Stacey Taylor, *Markets with Limits: How the Commodification of Academia Derails Debate* (New York: Routledge, 2022).

⁴ Taylor, 146–48.

⁵ Mike Munger, "Review of *Markets Without Limits: How the Commodification of Academia Derails Debate*," *Independent Review*, 27, 1 (2022).

⁶ Michael J. Sandel, *What Money Can't Buy: The Moral Limits of Markets* (New York: Farrar, Straus and Giroux, 2012); Elizabeth S. Anderson, "Is Women's Labor a Commodity?," *Philosophy & Public Affairs* 19, no. 1 (1990): 71–92; Elizabeth Anderson, *Value in Ethics and Economics* (Cambridge, Mass.: Harvard University Press, 1995); Debra Satz, "The Moral Limits of Markets: The Case of Human Kidneys," *Proceedings of the Aristotelian Society* 108, no. 1pt3 (2008): 269–88; Debra Satz, *Why Some Things Should Not Be for Sale: The Moral Limits of Markets* (New York: Oxford University Press, 2010).

series of questions for the prescriptive project. In Section 3, I consider the extent to which Brennan and Jaworski would be at fault for the undue attention on the Asymmetry Thesis and semiotic objections. My view is that they are less blameworthy than might be initially thought. In Section 4, I propose an alternative division of academic labor that (i) embraces the primacy of the academic norm of understanding, (ii) achieves additional normative aspirations, while (iii) abstains from condemning someone like Brennan for his expeditious (if occasionally erroneous) output. Supposing academic work should be primarily concerned with understanding, in Section 5, I advocate for a formatting change that would make it easier to suss out woozles before they reproduce. Finally, Section 6 offers a brief conclusion.

2. Taylor's Corrective Project

There are many ways of objecting to commodification and marketization. In *Markets without Limits*, Brennan and Jaworski identify seven.⁷ The last of which they call *semiotic objections*. According to this type of objection, “buying and selling certain goods and services is wrong because of what market exchange communicates or because it violates the meaning of certain goods, services, and relationships.”⁸ This class of objections is particularly important because, according to Brennan and Jaworski, it is “the *most common* class of objections against commodifying certain goods and services.”⁹ If such an objection can be successfully made, then what Taylor labels the *Asymmetry Thesis* can be vindicated. The Asymmetry Thesis holds that “there are certain goods or services that persons can legitimately both possess (occupy, perform, etc.) and give away but which it would necessarily be wrongful for them to buy or sell.”¹⁰ So, what the Asymmetry Thesis amounts to is the rejection of Brennan and Jaworski's *Markets without Limits* thesis that holds that “if it's permissible to do something for free, then it's permissible to do it for money.”¹¹

The two core contentions of Taylor's corrective project are that (i) no one actually endorses the Asymmetry Thesis and (ii) (almost) no

⁷ Brennan and Jaworski, *Markets without Limits*, 19–22, 46–47.

⁸ Brennan and Jaworski, “Markets without Symbolic Limits,” 1053.

⁹ Brennan and Jaworski, *Markets without Limits*, 49.

¹⁰ Taylor, *Markets With Limits*, 11.

¹¹ Jason Brennan and Peter M. Jaworski, “If You Can Reply for Money, You Can Reply for Free,” *The Journal of Value Inquiry* 51, no. 4 (2017): 655.

one makes a semiotic objection to commodification.¹² No one actually endorses the Asymmetry Thesis, according to Taylor, because it is a deeply implausible view. To endorse it, one must believe in “a magical view” in which “the mere performance of a particular set of actions alone will (independently of anything apart from their performance) generate wrongness where none was before.”¹³ And Taylor proceeds to show that none of those labeled anti-commodification theorists believe in such magical transformations.

Second, according to Taylor, (almost) no one makes a semiotic objection to commodification. Semiotic objections take one of two general forms. An *essentialist* semiotic objection involves embracing a view of meaning called semiotic essentialism in which “certain actions or utterances necessarily communicate particular meanings, and which meanings they communicate can be known *a priori*.”¹⁴ However, semiotic essentialism has been widely rejected in philosophy. Though it is possible that those charged with making a semiotic objection could, in fact, embrace semiotic essentialism, Taylor persuasively shows that none actually do. By contrast, a *contingent* semiotic objection “holds that a particular transaction would be wrongful because of what it would communicate in the particular cultural milieu in which it took place.”¹⁵ This is the type of semiotic objection on which Brennan and Jaworski are focused. While more plausible than essentialist semiotic objections, contingent semiotic objections are less distinctive. The difference, says Taylor, between Brennan and Jaworski and the contingent semiotic objector is reduced to a debate “about where the contingent limits of markets should lie.”¹⁶ The upshot is that the action in the debate over the scope of markets and commodification is neither about the veracity of the Asymmetry Thesis, nor about semiotic objections.

3. Assigning Fault

How should we parse out fault or blame for the creation of a woozle? A not unreasonable view would be that the bulk or entirety of

¹² The “almost” refers to Jacob Sparks's work which, according to Taylor, actually does make a semiotic objection. See Sparks “Can’t Buy Me Love,” *Journal of Philosophical Research* 42 (2017): 341–52 and “You Give Love A Bad Name,” *Business Ethics Journal Review* 7, no. 2 (2019): 7–13.

¹³ Taylor, *Markets With Limits*, 11.

¹⁴ Taylor, 36.

¹⁵ Taylor, 40–41.

¹⁶ Taylor, 41.

the fault falls on the author or authors that misinterpreted a text or generated a false claim. On this view, Brennan and Jaworski would be entirely or almost entirely blameworthy for derailing the debate over the limits of markets.

I think this is mistaken. I suspect I find Brennan and Jaworski much less culpable than Taylor.¹⁷ To argue for this, consider the following case. Suppose I am selling my house. When I decide to sell, I am responsible for honestly disclosing any issues with the house that I know of. Yet, if there are issues unknown to me, the burden is not on me to go find them out before listing the property. Once the property is listed, prospective *buyers* can and should inspect it before making an offer. But often buyers lack the requisite knowledge to adequately inspect the property themselves. Fortunately, there are specialists that homebuyers pay to do precisely this. The home inspection specialists thoroughly vet the property and provide the potential buyer with a report on the state of the property. Said buyer can read through the report and decide if the property is what they want. We cannot forget that even if the buyer reads the report, the report *may* be less than perfectly accurate as home inspection specialists are fallible. In some cases, they may miss a problem with the house. If the problem missed is minor like a leaky showerhead, then the error can probably be disregarded. However, if the problem overlooked is serious, like an issue with the foundation, then ignoring the error may not be an option. Supposing the inspector was properly licensed, the recourse for the buyer would be to take action against, perhaps suing, the negligent or incompetent inspector.

The upshot of this case is that the onus is ultimately on the buyer. This is not unlike, I submit, where the onus belongs in the evaluation of academic work. The buyer is the journal editor(s), the inspection specialist is the reviewer(s), and the seller is the writer(s) of the article or book. The writer has a product they are “selling” to the editor. Ultimately it is up to the editor whether to “buy” the product. Often, the editor will rely on reviewers to help determine whether the product is worth buying. If the editor buys a defective product, it is hard for me to see how it is the fault of the seller. This is not to say that the buyer (editor) is at fault either. The grievance may be against the reviewer for negligence or incompetence.

¹⁷ This is not to say that Taylor believes that Brennan and Jaworski are entirely or almost entirely at fault for the woozle. But the sense I get is that, on his view, more of the burden falls on them than on mine.

One may respond that the house selling case is relevantly different. A more apt analogy would be to a car salesman knowingly selling a “lemon” to an unaware buyer. The car salesman is malicious and selling the faulty car intentionally. The transaction is premised on deceit. While the buyer is at liberty to have a mechanic inspect the car, the salesman is expected to only be selling vehicles that exceed a certain quality and safety threshold. Any that don’t simply shouldn’t be on the lot for sale (they could be sold in, say, a salvage auction). Perhaps the buyer even took the lemon to be inspected by a mechanic, but the mechanic happened to be in cahoots with the seller.

To make the parallel explicit, the idea would be that Brennan and Jaworski were selling a lemon. They were, on this view, intentionally misinterpreting the views of Sandel, Anderson, Satz and others because it was financially and professionally beneficial for them to do so. Editors did not inspect the work sufficiently because it was not beneficial for them to put in the time and effort do so. When reviewers were sought, they were (somehow) in cahoots with Brennan and Jaworski and offered a soft revise-and-resubmit. This enabled them to “sell” their product which they knew to be defective.

I am in no position to know Brennan and Jaworski’s intentions, but I find the Brennan and Jaworski *qua* lemon-peddlers story unlikely, in no small part due to the demanding standards of *Ethics*. It would be helpful to hear more from Taylor about whether he is, in fact, charging Brennan and Jaworski with being lemon-peddlers. There are places, such as the discussion of bonuses, in which he gets quite close to such an accusation.¹⁸ But my suspicion is that he is not. In a sense, they were being rational and responding to professional incentives. The problem is just that the professional incentives can sometimes engender the production of “scholarshit” that is lazily, confusedly, and, at its worst, incompetently produced. But I don’t think that Taylor’s claim is that Brennan and Jaworski willfully and purposefully produced deceitful and misleading work. The claim is that they were bad, not wicked, scholars.¹⁹ And, if they were bad, not wicked, scholars, then I fail to see why the bulk of (perhaps any of?) the blame would fall on them. It should fall on the reviewers that failed to flag the relevant problems (like the blame

¹⁸ Taylor, *Markets With Limits*, 142.

¹⁹ ‘Bad’ here refers to being bad at academic scholarship, not morally bad. One may be bad, in this sense, by propagating incorrect views. And one can certainly be a bad scholar by being lackadaisical in researching and articulating the views of those with whom they disagree.

falls on the home inspector for failing to flag the problem with foundation). Or, if the reviewers did flag said problems, fault can be assigned to the editor(s) that overlooked them.

If fault belongs on the reviewers, then attention should be directed towards how to reform the review process such that it does not keep happening. Taylor thinks we need to incentivize more thorough evaluation of academic work, such as by offering monetary incentives to reviewers that successfully hunt and catch woozles.²⁰ I am on Taylor's side in thinking that it is important to reflect on the incentives of academic practice and consider ways of modifying the incentives to better realize the aims (like understanding) of academic norms. In this spirit, I offer a more systemic reconceptualization of how academic labor could be divided in the next section.

4. An Alternative Division of Academic Labor

Regardless of where fault for woozle-creation should be assigned, there may be a better, even if unlikely, way of dividing the academic labor altogether. Not all academics need to be in the business of generating new ideas. Indeed, given that some academics check out from the research dimension after securing tenure, the following proposal would be a means of retaining or reintroducing those interested in research but not motivated or interested in writing papers or books. In this respect, the proposal aims to be more accommodating of the various dispositions and preferences of those in the academy. Finally, of note, as I lay out the proposal, I will do so via *ideal types*. Of course, real scholars rarely fit neatly into such types. But I opt for this approach for ease and clarity of exposition. There is no problem as far as I can tell with having scholars occupy more than one role; indeed, it may be both necessary and value-enhancing.

Consider two possible roles one could have in the production of ideas: *Innovators* and *Regulators*. An innovator is in the business of producing new ideas. Innovators probe the conceptual space and seek to expand knowledge by saying something that has not been said. The overarching objective of innovators is *creation*. By contrast, a regulator is responsible for vetting ideas for rigor, clarity, consistency, originality, and whatever other methodological desiderata are appropriate. The overarching objective of regulators is *refinement*.

²⁰ Taylor, 186–88.

There are two general ways of being an innovator. The first is as a *high-volume* innovator. A high-volume innovator is focused primarily on the quantity of research produced. The goal is for a high output. By contrast, a *high-percentage* innovator focuses on making sure that any research they do produce is of great importance. Whereas a high-volume innovator is interested in publishing as much as they possibly can (even if it means that not all of it is sufficiently refined or novel to end up in top-journals), a high-percentage innovator is interested in publishing “must read” work that appears in the highest prestige journals and those places with the largest readership (even if it means that they fail to publish as widely as some of their peers).

The difference here is like the difference between Kobe Bryant and Shaquille O’Neal on shot selection. While both were great basketball players, they had radically different approaches to scoring. For Kobe, the strategy was to put up as many shots as possible. Obviously, there will be many misses. Indeed, Kobe missed the most shots in NBA history. But there will also be more makes. The objective in basketball is not to have the best make-to-miss ratio, but to score the most points. And the way to score the most points is to take the most shots. By contrast, Shaq only took shots within a close range and with a high probability of going in. There is only one non-active player with a higher field goal percentage than Shaq.²¹ Taking higher probability shots means more shots are likely to go in. And, if more shots go in, then there is a greater likelihood of scoring more points than your opponent who, suppose, takes lower probability shots.

So, a research-active academic could attempt to be like Kobe and produce as much as possible to increase the probability that they have an extensive publication record, or they could attempt to be like Shaq and only take high-quality “shots” by devoting their time to perfecting pieces with the aim of getting them into the very top-journals.²² When deciding which model to emulate, one should be cognizant of the different advantages each offers. Being like Shaq makes one more likely to get a job at high-prestige research institution. But it also makes one more likely to strike out on publishing entirely and end up without a job altogether. Being like Kobe increases the likelihood of securing a position, though that position may not be a high-status one.

²¹ There are eight active players with higher field goal percentages than Shaq.

²² Again, one can aspire, without fault, for a variety of approaches in between these two extremes.

Not only are there two general ways of being an innovator, there are two general ways of being a regulator. The first way is as an *evaluator*. Evaluators are responsible for assessing the merits of the argument itself. Is the argument valid or invalid, sound or unsound, cogent or not cogent, strong or weak? Is the argument sufficiently original? Is it interesting? The second way is as a *tracker*. Trackers would not be involved in the assessment of the argument itself. Rather, trackers would be responsible for making sure the citations were correct and faithful. Are the citations to articles that actually exist? Do the cited to authors actually believe the view that has been attributed to them? Is there some other exegetical problem with the piece?

There are different potential models for the evaluation of academic work with different costs and benefits. One option would be to have editors explicitly assign one evaluator and one tracker to each article that makes it past the desk. Evaluators would review articles as most reviewers currently do. But evaluators need not be deeply emerged in the literature. They just need to be able to evaluate the argumentative merits of the work.²³ This expands the pool of potential reviewers. This is, in part, made possible by having a tracker also review the submission. Trackers do need to know the relevant literature quite intimately in order to be able to do part of their job. While almost any reviewer is capable of checking the citations and seeing whether they match up (journals can – and often do – have a non-academic perform this type of task), the ability to know whether the view being attributed to another scholar does require familiarity with the literature. As Taylor notes, this is not the most enjoyable form of academic work and it may require financially compensating trackers. Perhaps trackers get paid a small flat rate to track and receive a modest additional reward for each woozle found. Or, maybe it is more like a bounty hunter model in which the work begins purely voluntarily, but then if the woozle is caught, there is a larger, more lucrative reward on the back-end.²⁴ However, the compensation scale is structured, there is reason to think that this will increase the size of the reviewer pool which not only would improve wait-times at journals, but allow more people (including those who may feel

²³ If an article is written in such a way that it requires deep familiarity with a literature and the evaluator decides it is too “in the weeds” to comprehend, so much the worse for the article. A rewrite after the rejection may be necessary and desirable.

²⁴ Taylor, *Markets With Limits*, 186–88.

disenfranchised or alienated from the mainstream research process) to be involved with the assessment and production of academic research.

On Taylor's point about incentivizing better reviewing practices, I submit an additional, non-monetary proposal. Currently, some journals annually recognize scholars who have done a certain amount of referee work. This is a fine thing to do, but it says nothing about the *quality* of these referees. If we are interested in incentivizing better reviewing, then journals should give out awards for, say, the Most Valuable Evaluator (MVE) and the Most Valuable Tracker (MVT) each year. One may receive the MVE, say, for identifying a logical mistake in the argument of a prominent scholar, while one may receive the MVT for spotting a long perpetuated woozle. Winners of an MVE or MVT could include it on their CVs and perhaps a norm could develop in which hiring committees come to recognize such awards as being a sign of status.

What is gained by dividing academic labor in this way? First, it contains ways of improving the review process for academic work. It does so by giving explicit roles to reviewers, thereby, enabling them to have a more exact understanding of their responsibilities and to fulfill those responsibilities more completely. It also considers ways of employing both monetary and social incentives to motivate better performance from reviewers. On the innovation side, it makes clear there are different ways of being an innovator. One may innovate in as expeditious a fashion as possible to contribute as much as possible to the collective understanding (even if it means sometimes making errors that are antithetical to it). Or one may innovate in a more deliberate manner that results in more careful contributions to understanding, but prevents the innovator from having the time to offer such careful contributions in as many areas as they might like.

Of course, most academics are some mix of innovator and regulator. They both produce work and review it. But this does create potential problems like *quid-pro-quo* reviewing in which an author A somehow signals in the text their identity to the reviewer B who advocates for the publication of the article at least partially on that basis in anticipation of A reciprocating with a favorable review when they receive B's paper to review. In all likelihood, the fact that academics are some mix is not only not a problem, but good, on net, since it allows for those that can do both well to, in fact, do both well. But this does not mean that it is not worth considering ways of circumventing this problem.

An interesting and radical proposal would mandate that a scholar could only be either an innovator or a regulator. One is allowed to be in either the idea creation business, or the idea refinement business, but not both (for fear of conflicts of interest). It would not be unlike the NFL in which there are distinct players for offense and defense.²⁵ Job ads could even start specifying whether the position was for an innovator or regulator. Of course, the looming objection is that departments will all want innovators. But this is not obviously the case. It is not absurd to think that top departments will want the top regulators, especially since they will be the ones guarding the gates at the top journals. Moreover, there may be reason to think that regulators will be more careful (better?) teachers, given that they spend their research hours refining the work of their peers. Much more would need to be said to flesh out this (likely unrealistic) proposal, but, at minimum, it is an interesting one, perhaps worthy of further consideration. And, perhaps more importantly, it has the potential to help improve the norms of the academy that Taylor worries are being corrupted.

5. Making Citation Checking Easy

Finally, I'd like to flag one "serious" issue with Taylor's book. The book is unique in that it includes "Easter Eggs" – hidden academic jokes – in the citations that investigative and meticulous readers are to find. This approach has worked wonders for Marvel movies.²⁶ And, in general, I am a fan of it as a way to entice readers to pay attention to the citations.

However, if the ultimate aim is to get readers to pay attention to the citations, and, if the most practicable way of achieving this aim is through the inclusion of Easter Eggs, then we should reduce unnecessary obstacles for those gumshoes interested in finding them. To be clear, this is not to say that we should reduce all obstacles to finding them, say, by having Taylor include an appendix of his jokes. Doing that would eliminate the incentive for readers to pay attention to the rest of the citations which was the very point of including the Easter Eggs in the

²⁵ Of course, players *can* play both ways. It is just that almost none do. To make the analogy more exact, we could imagine the NFL mandating that a player must be registered as either an offensive or defensive player and that players may only play on the side in which they are registered.

²⁶ Here's hoping that Taylor's book receives a comparable audience as well as equally devoted fans who will make YouTube videos "breaking down" all the hidden Easter Eggs.

first place. So, what we want is to make finding the Easter Eggs as easy as possible while still keeping them embedded in the rest of the citations.

The type of unnecessary obstacle that could deter readers from searching for the Easter Eggs in the citations is by *formatting* the citations as chapter endnotes rather than footnotes.²⁷ Having to hold the book open in two places to go back and forth between the text and the citations is a nuisance. I suspect that this may deter some readers from attending to the citations as closely as they might if they were on the bottom of each page. While there may be good reasons for having the citations all in one location like at the end of the chapter, this does make citation-checking more difficult for those motivated to comply with Taylor's call to do so at the outset of the book.

Taylor is not to blame for this. But, in the spirit of how to reform academic work, I advocate this modification. An across-the-board move to footnotes would, I conjecture, improve the frequency at which citations are checked and the rate at which wozzles get detected by reducing the costs for readers to do the investigative work.

6. Conclusion

Taylor concludes that the success of an academic should be “judged by how well her work has contributed to the understanding of the issues that she addresses.”²⁸ By that standard, *Markets with Limits* should be judged a roaring success. Though I have not argued for it here, his corrective project helps us understand how scholars have actually objected to markets and commodification by making it clear that they have *not* done so on semiotic grounds and do *not* embrace the Asymmetry Thesis. My focus, instead, has been on pressing on parts of his prescriptive project. While I can imagine potentially preferable alternatives to his prescriptive project, the point is well taken that we need to carefully inspect what kind of norms should govern a given domain. Most domains have multiple sets of norms operating at once. In

²⁷ If the goal is to make them actual Easter Eggs, then they should not all be placed at the end of the chapter, but throughout the pages of the text. Placing them at the end of the chapter (or worse, at the end of the book) makes them less like Easter Eggs and more like the Post-Credit Scenes in Marvel movies. People do, in fact, stick around for the Post-Credit Scenes. But they do so for a different reason. The Post-Credit scenes do not get more people to pay attention to the actual movie which is what Easter Eggs do and which is the purpose in the citation's context.

²⁸ Taylor, *Markets With Limits*, 174.

the academic domain, the norms of the academy are regularly operating at the same time as the norms of the market. I don't see that as a bad thing. I don't think Taylor would disagree with this, but we may differ in the details about the appropriate level of responsive to each kind of norm.

In sum, *Markets with Limits* is a must-read for anyone interested in debates about the scope of markets and commodification. But, even for those not interested in the limits of markets or semiotic objections, I would highly recommend the book. This is because Taylor helped make me aware of how lazy a reader I can be and often am. When we read, especially for professional purposes, it is important to read carefully and to check the references. This book might not cure my laziness. But it has made me keenly aware of it and I will strive to do better. It is rare that a philosophy book prompts a shift in behavior. But this is precisely what *Markets with Limits* has done for me.