

(How to) Do the Right Thing



Photo by Mike Lovett

Michael Sandel

It's course-hunting season at Harvard, when undergrads toting laptops stalk the campus for big intellectual game to fill their spring schedules. For these young trophy hunters, a seminar with political philosopher Michael Sandel '75 is the ultimate kill. His famed "Justice" lectures attract more than a thousand students a year to Sanders Theatre, and millions more visit www.justiceharvard.org, where the lectures can be viewed for free. Sandel's last book, "[Justice: What's the Right Thing to Do?](#)" was an international best-seller, and a new book, "[What Money Can't Buy: The Moral Limits of Markets](#)," is due out in April. But it's the dialectical rush of his teaching that students crave most.

At the first meeting of his undergraduate seminar in Knafel Hall, Sandel squeezes his way through the bottleneck at the door and finds himself crowded by more than 50 hungry students competing for 16 spots. The seminar is intended for government majors who have already taken "Justice." But a show of hands reveals that only half the students meet this criterion. Sandel politely suggests that the others "might want to use the next two hours shopping for another course." No one budes. Students continue to gather in the corridor outside the room.

"Can we sell the right to be in this class?" quips one junior, bringing the first smile to Sandel's face. The seminar, called "Markets and Morals," asks whether there are some things — the right to pollute, for example — that should not be bought and sold. In the end, Sandel, the Anne T. and Robert M. Bass Professor of Government, doesn't want to deny anyone a chance to participate in the introductory meeting. So he leads them to a larger room in a building across the street.

There are no chairs, so students sit cross-legged at the professor's feet. Sandel is not as flashy as some star lecturers — he favors conservative suits and ties, and his delivery is quietly persistent. But anyone who has seen him in action knows just how riveting he can be. Today, he begins with a mind-bending question of reproductive technology and global economics: the outsourcing of pregnancy. "Western couples seeking surrogate mothers to carry their embryos to term can now hire young women in India to do it for about one-third of what they'd pay in the United States," Sandel explains. "The women are typically paid around \$7,000 per pregnancy, which is more than some of them could make in a lifetime of hard work."

He polls the students to see how many find the practice morally objectionable. About half do. Then he invites them to hold their moral instincts up to the light of reason.

Shalini Rao, a senior from Nova Scotia, bristles at "the idea that an Indian woman surrogate is cheaper than women here," and says, "You're taking advantage of their poverty, putting them in a situation where they have to make money off of their body."

Chelsea Link, a senior from Illinois, disagrees. "You say it's not right for them to have to make money off of their body. But everybody does that."

"Give an example," says Sandel.

"You!" Link practically shouts at him. "You make money off your brain, and your brain is part of your body!"

Sandel encourages her to come up with a closer analogy. "What about an athlete?" he suggests, and soon the students are busily comparing the Indian surrogates to American football players.

Hyatt Mustefa, a junior from New York, agrees, in principle, that “a woman should be free to sell her body for sex, or to give birth for someone else,” but adds, “In reality, these choices are hardly ever made freely. Economic need is a form of coercion.”

Objection on the grounds of coercion is a familiar way station on Sandel’s moral expeditions. Now, he presses his students for deeper reasons, using the time-honored tactic of a thought experiment: “Let’s imagine a world in which there are no severe inequalities in income. So the element of coercion is removed. How many, in that kind of society, would still find paid pregnancy objectionable?”

A Story About You

There’s an element of suspense in Sandel’s classes. “Moral philosophy is a story, and you don’t know where it will lead,” he explains. “What you do know is that the story is about you.” During the first several meetings, he’s scrupulous about keeping his own views out of the discussion, choosing instead to guide students in an exploration of their own moral intuitions. Only toward the end of the semester, when students are well equipped to argue with him, does he begin to offer his perspective.

Says Chelsea Link, “‘Justice’ was the only class at Harvard where I felt comfortable changing my mind, not just once, but a lot of times. I really, really, really liked having to live in the uncomfortable space of not knowing.” Sandel was so concerned about preserving this dramatic uncertainty that he waited many years to write the book “Justice,” based on the course. “I didn’t want students to read the book and spoil the suspense in class,” explains Sandel. “Even now I don’t assign it.”



“What Money Can’t Buy” takes its readers on a similar journey, with Sandel’s own view emerging by accretion. In case after alarming case, we read how money and markets reach into every aspect of our social lives. “I think the excesses of markets have disfigured civic life,” says Sandel. “For example, without any public debate, we outsourced the wars in Iraq and Afghanistan to paid military contractors — mercenaries, in effect. In the end, there were more contractors in those wars than U.S. troops. That’s an astounding shift from previous wars.”

Sandel’s interest in the political process can be traced back to his teenage years in Los Angeles. As president of the predominantly left-wing student body of Palisades High School (now Palisades Charter High School), he invited Governor Ronald Reagan to speak. His letter to Reagan went unanswered. “But then my mother read in a magazine that he loved jelly beans,” he says. “So I got a 6-pound bag of jelly beans, put them in a box with a ribbon and an invitation, and took them to his house.” A few days later, Reagan called the school and said he’d come. Sandel, a high school debater, did his best to challenge the governor, but says that “Reagan was so genial, I didn’t lay a glove on him.”

Sandel enrolled at Brandeis in 1971 and by his sophomore year was the news director at [WBRS](#), the campus radio station. He immediately took advantage of his college press card to cover the 1972 Democratic primaries firsthand, traipsing through the snows of New Hampshire with George McGovern and Ed Muskie. Over winter break, he interviewed Reagan for WBRS, and, when it was over, persuaded the former actor to record a station identification — “This is Governor Ronald Reagan, and you’re listening to WBRS Waltham” — that ran throughout the spring term.

After Richard Nixon’s reelection, many students, disillusioned by the growing Watergate scandal, focused their energies on preparing for jobs in medicine or the law. Not Sandel. “I felt things had swung too far away from the activism of the ’60s,” he recalls. Larry Kanarek ’76, a director at global management consulting firm McKinsey & Co., remembers Sandel corralling people into his dorm room after dinner to watch Walter Cronkite on the “CBS Evening News” and debate politics. “Most of us back then were living in our own world. Michael was way ahead of us in understanding that there was a bigger, more interesting world out there,” says Kanarek, who serves with Sandel on the Brandeis Board of Trustees.

Even then, Sandel’s passion for politics had a philosophical bent. Kanarek, the future business consultant, recalls defending the worldview taught in Professor Barney Schwalberg’s economics class against Sandel’s relentless questions about social justice. “I remember being up late one night and Michael was asking, ‘Why don’t garbage men earn the same amount of money as baseball players?’ I gave the textbook answer, you know, ‘Supply and demand: Lots of people can pick up the garbage, but not as many people can hit a baseball well.’ Michael said, ‘But why does that mean that they get paid differently? Why shouldn’t everybody get paid the same?’”

During the tumultuous summer of 1974, when the Watergate hearings culminated in the resignation of President Nixon, Sandel was an intern in the Washington bureau of the *Houston Chronicle*. “For a political junkie, it was a dream come true,” he recalls. That summer, Sandel’s byline appeared on dozens of stories for the *Chronicle*, many of them front-page. It could have been the start of a brilliant

career in journalism. But Sandel wasn't ready to commit.

In his last term at Brandeis, Sandel, still not sure what to do with his life, was handed what he now calls “a golden opportunity to postpone the decision” — a Rhodes scholarship to study political philosophy at Oxford. His future looked bright, but his valedictory address at the Brandeis commencement in 1975, quoted in *The New York Times*, captured the disillusionment of graduating seniors everywhere: “We sense an emptiness in our age. The issues have changed; the moral and ideological debates are missing. ... Our attention has shifted from the shortage of good in the world to the shortage of *goods*.”

Thirty-five years later, Sandel is sounding the same themes in an America that has become, in his view, even emptier from a moral standpoint. Liberals, intent on remaining “value-neutral,” have ceded questions of morality to the Christian right, and the results, says Sandel, have been disastrous. “It's left a moral vacuum that has been filled by the most intolerant voices,” he notes.

A Market in Refugees?



Back in the “Markets and Morals” seminar, Sandel raises his next case: a market solution to the plight of the millions of refugees who flee every year from their own country due to persecution, famine or civil war. Peter Schuck, a Yale law professor, recently proposed that the United Nations assign each member nation a yearly quota for incoming refugees, based on gross domestic product, and then let countries buy and sell these obligations among themselves. “So, for example, if Japan doesn't want to take in its full quota of refugees, it could pay Russia or Uganda to take them instead,” explains Sandel. “According to market logic, everybody benefits. Japan doesn't have to take the immigrants, Russia or Uganda gets a new source of income, and — most important — more refugees find asylum than would have under the current system. Who finds this proposal morally objectionable?”

A dozen students raise their hand. One of them is Callum Williams, a graduate of Cambridge University who applied for a one-year fellowship to Harvard after watching the entire “Justice” course online. (His mother sent him the link.) Williams strongly objects to the idea of tradable refugee quotas. “It basically reduces all refugees to a problem,” he argues. “They're, like, totally pathologized. You're never paying for more of them; you're only trying to get rid of them.”

But Duc Luu, a senior from Texas, finds his classmate's disdain for a market approach impractical, even dangerous. At the age of 4, Luu fled with his parents from persecution in Vietnam. “Sometimes we have to make moral judgments in less than ideal circumstances, and this is one of those times,” he argues. “Under the current system, innocent people are getting killed. If countries will agree to these quotas, even if they're able to buy and sell them, it's a good first step.” It's this collision of the real world with the perfect world of philosophers that makes Sandel's classes so gripping.

During his first term at Oxford, Sandel was still toying with a career in journalism or economics. But everything changed on a trip to southern Spain during his first winter break. He packed four books, including “Critique of Pure Reason” by Immanuel Kant and “A Theory of Justice” by the 20th-century philosopher John Rawls. “That was a decisive moment for me, because I found those books riveting,” he says. “Before I knew it, I was hooked on political philosophy.” He stayed four years at Oxford and completed a Ph.D. dissertation that became his first book, “Liberalism and the Limits of Justice.”

To Marion Smiley, J.P. Morgan Chase Professor of Ethics, a political philosopher at Brandeis, the publication of Sandel's first book was a pivotal moment in the history of political thought. “It was a powerful statement about the importance of community versus the individual, and it started a debate that's still going on today,” she says. In the book, Sandel offered a critique of Rawls' theory of justice, which had dominated the field for nearly a decade.

In Rawls' view, the role of government is to provide a neutral framework of individual rights, one that allows citizens to choose their own values. To create that framework, we're asked to give ourselves a kind of temporary amnesia, which Rawls calls the “veil of ignorance,” about our family, community and religious beliefs. Sandel countered that it's impossible to consider an individual apart from these social ties and commitments. He challenged Rawls' “veil of ignorance” construct, and with it, the idea of politics as a morally neutral zone. In reasoning about justice, Sandel argued, we can't avoid plunging into controversial debates about virtue, civic duty and the meaning of the good life.

The Big Questions

WHAT MONEY CAN'T BUY

*The Moral Limits
of Markets*

MICHAEL J.
SANDEL

Author of the New York Times
bestseller *Justice*



Audiobook excerpt from
Macmillan Audio

Sandel began teaching “Justice” at Harvard in 1980, just as he was putting the finishing touches on “Liberalism and the Limits of Justice.” He decided to use controversial cases, straight from the headlines, as a springboard to explore classic philosophical texts. “What I wanted students to see is that just beneath the surface of these debates lurk the Big Questions that have preoccupied great philosophers from Aristotle to Kant to Rawls,” explains Sandel. Since then, more than 15,000 students have taken the course, making it one of the most popular classes in Harvard’s 376-year history.

In 2005, Boston’s WGBH filmed all 24 “Justice” lectures in Sanders Theatre, editing them into a 12-hour series that skillfully captured the chemistry between Sandel and his students. The series aired on PBS in 2009 and was made available for free on a companion website, www.justiceharvard.org. Then, the unthinkable happened.

Moral philosophy went viral. The popularity of Sandel’s online lectures and his book “Justice: What’s the Right Thing to Do?” led to speaking invitations around the globe, a TED talk (a prestigious forum for discussing ideas), and TV appearances on “Charlie Rose” and “The Colbert Report” (where comedian Stephen Colbert defined “the right thing to do” as “the thing that never falls off your list, but is always at the bottom of your list”). All over the world, but especially in Asia, Sandel’s teaching style seemed to satisfy a desperate need to openly discuss questions of morality and politics. In China, where YouTube, like

everything Google, is banned, student volunteers translated and subtitled the whole PBS series, then posted it on a popular site for video sharing. Within a few months, one episode racked up more than 3 million viewers.

One of those viewers was Junjie Jiang, then a sophomore at Fudan University in Shanghai. “The first time I watched ‘Justice’ online, I felt so strongly that I burst into tears,” she wrote in an email interview. “There are very few Chinese teachers who encourage students to be independent thinkers. ... I wanted to sit in that classroom with him.” Jiang got her wish a few weeks later when Sandel came to lecture at Fudan. “The auditorium was so packed,” she recalls, “that many students had to watch a video feed in the lobby or live stream in their dorm rooms.” Sandel has also lectured at Tsinghua University in Beijing, which now offers its own “Justice” course modeled on Harvard’s.

Sandel’s recent work on the destructive effects of “market thinking” is especially relevant in China, where explosive economic growth has brought social upheaval and jarring inequalities in its wake. “There’s a widespread sense that they have paid a heavy price for unfettered markets,” he says. “Like us, they now have to worry about a growing gap between rich and poor and its corrosive effects on traditional family and community structures.” According to Sandel, Chinese students have a passion for debating these issues. “They seem to be searching for values beyond GDP.”

In Japan, where the nation’s public broadcasting corporation, NHK, aired a dubbed version of “Justice” in 2010, Sandel became an overnight sensation. “Few philosophers are compared to rock stars or TV celebrities,” gushed *The Japan Times*, “but that’s the kind of popularity Michael Sandel enjoys in Japan.” The article reports that when he lectured in Tokyo, “tickets, which were free and assigned by lottery in advance, were in such demand that one was reportedly offered for sale on the Web for \$500.”

Sandel, who found out about the \$500 ticket on his way up to the podium, kicked off the lecture by asking, “Is there anything wrong with that — scalping tickets to a lecture?” Sandel returns to Japan in May on a book tour for “What Money Can’t Buy.” This time, the event organizers aren’t taking any chances. They’ve booked the 5,000-seat Tokyo International Forum, a venue typically reserved for rock concerts.

Sandel’s growing fan base in Asia has allowed him to realize a lifelong dream of a “global classroom experiment” in which students in different countries, linked by video, “think through these hard moral questions and see what they can learn from one another.” Last June, Sandel led a soul-searching discussion of the 2011 Japanese earthquake and nuclear disaster, using satellite technology to link students in Boston, Tokyo and Shanghai. Broadcast on NHK, it spawned a series of “global classroom” programs.

Much as Sandel owes his popularity to the Internet, he has mixed feelings about it as a medium for civic debate. In “What Money Can’t Buy,” he uses the quaint phrase “public square” as shorthand for any place where people from all walks of life can exchange views on topics of communal import. Most people under 30 would say that place is the Internet. But Sandel disagrees. “Left to its own devices,” he says, “the Internet encourages rude and unreflective comments. Public discourse requires structure and a certain shared understanding. You don’t get that by just putting up a blog and making a provocative statement, any more than you get it on talk radio. It takes a lot of work.” Sandel’s “Justice” website, with its videos, research guides and moderated forums where people can continue to debate the cases explored in his lectures, is in many ways a model of online discourse, just as his class is a model of respectful, face-to-face debate on controversial topics.



The sanctity of nature is a widely held belief that makes many of us queasy about market solutions like black rhino ranches or tradable pollution permits. It's the kind of spiritual idea that Sandel says liberals are too quick to shy away from.

Wrestling the Rhinoceros Dilemma

Back in the “Markets and Morals” seminar, Sandel’s final case involves a market scheme for saving the endangered black rhino from extinction. In 2004, the South African government passed a law allowing ranchers to raise black rhinos and to charge wealthy trophy hunters for the privilege of shooting a limited number of them. With hunters willing to pay as much as \$150,000 to kill one of these prized beasts, the ranches have prospered, and the black rhino population has begun to rebound. “So,” asks Sandel, “the market approach seems to be working, protecting black rhinos by, paradoxically, allowing some to be killed. How many find that system objectionable?”

Alice Wang, a senior from New York, objects to the market solution because, she says, it “loses sight of its original purpose, which is for these animals to live a life, and exist.”

Sandel: “But if the population really does go up as a result of this?”

Wang: “But the rhinos that would still be living are being kept for the purpose of being hunted, like chickens in a coop.”

Sandel: “So they wouldn’t be free-range black rhinos?”

As the laughter dies down, Ita Kettleborough, a senior from England, who’d been silent for the entire class, takes the discussion to a new level, finding a moral thread that connects all three cases. “I think it’s sad that the only way we can find to protect something valuable, such as the diversity of life on the planet, is to commodify it.”

Sandel: “And why is that sad?”

Kettleborough: “It says that we’ve degraded the way that we assign values, that we really can’t protect anything of value without making it someone’s personal property. What troubles me is that over time we may get to the point where we think the only way to solve anything is the market, and to forget that we have other ways.”

Sandel’s patient listening and insistent probing have led his students to a profound insight, which he now reformulates. “So markets may have a positive effect — more refugees have places, more black rhinos are saved — but in addition to these distributive effects, they also have what might be called an expressive effect. They change the meaning of the goods they trade.”

Sandel recalls Alice Wang’s argument that the remaining rhinos would not be truly wild. (His steel-trap memory for students’ names and opinions makes even a large lecture hall feel like a salon.) “So, your point is that the meaning of the black rhino is changed if it’s priced and saved under those conditions?”

Wang: “Right. We value the idea of the black rhino having life, we value what the black rhino is, and we’re compromising that by murdering even one rhino.”

“Liberals and progressives need to be reminded that there’s nothing intrinsically conservative about moral and spiritual themes,” he says. In the political arena, Sandel thinks liberals took a wrong turn in the late ’70s and ’80s when they abandoned the moral and religious discourse of such luminaries as Martin Luther King Jr. and Robert F. Kennedy, in favor of the more “technocratic” approach of Democrats like Michael Dukakis. He says the appeal of Barack Obama in 2008 was that “he brought moral and spiritual language back into liberal politics.”



Courtesy www.justiceharvard.org

More than 15,000 students have taken Sandel's famed "Justice" course at Sanders Theatre, where the political philosopher introduces cases drawn from headline news to explore moral questions.

An Aristotelian at Heart

At the end of the introductory "Markets and Morals" seminar, Sandel hands out what he calls "lottery forms," even though they leave room for students to give their reasons for wanting to take the course. Competitive juices flow as each student tries to write something that will make him or her stand out from the crowd. "I was shameless in my groveling," recalls Chelsea Link, who, as a history of science major, was a long shot.

In the end, Link made it into the class. John Rawls might have donned the veil of ignorance and run a true lottery. A believer in affirmative action might have shown preference to students who had never taken one of his classes. But Sandel is an Aristotelian at heart. A just society is one that gives people what they deserve and equips them to contribute to the common good. In Aristotle's famed example, the best flutes go to the best flute players. And so, Sandel picked 16 students with diverse backgrounds and a demonstrated ability to tackle the toughest moral dilemmas of the age.

The following week, they're back in the small seminar room in Knafel Hall, the nucleus of Sandel's global enterprise in moral philosophy. In a world where markets encroach daily on every aspect of human life, these students — along with their counterparts in South America, Europe, the Middle East and Asia — are modeling the kind of thoughtful debate that's largely missing from contemporary politics. As Fudan undergrad Junjie Jiang puts it, "In the midst of moral chaos, Professor Sandel is showing us a way out."

Billy Shebar is a writer and filmmaker in New York City.