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A Modern Proposal

Sidney DeLong

The meteoric success of economic theory in legal analysis in the last two decades might suggest that the broad application of economic analysis to questions of policy and morality is a recent phenomenon. To the contrary, the approach has in fact long been understood and practiced by Western social critics. In *A Modest Proposal*,¹ Jonathan Swift used economic analysis to propose an efficient solution to a pressing social problem of the eighteenth century. Swift proposed that excess Irish Catholic children be sold for food. That his work has been persistently misread as “satire” for centuries is evidence of an unreasoning hostility to economic analysis, a hostility born no doubt in the selfish motives of those who have an interest in the maintenance of competing, inefficient value systems.² The revival of Swift’s analysis by Elisabeth Landes and Richard Posner in their now classic “The Economics of the Baby Shortage”³ demonstrates that Swift was not kidding: his modest proposal has engaged serious minds in our own age.

The authors have replicated Swift’s analysis in describing a similar economic problem, the disposition of surplus children through sale to infertile couples. First Swift and then Landes and Posner have recognized the allocative efficiencies and wealth gains that can be realized when property rights are created in noncommodities, such as people. Bearing in mind that Swift’s solution dealt with food shortages, one can discern that Landes and Posner have left gustatory textual clues to the debt they owe to Swift:

Students of adoption cite factors such as the declining proportion of illegitimate children being put up for adoption as the “causes” of the baby shortage. But such factors do not create a shortage, *any more than the scarcity of truffles creates a shortage* Were baby prices quoted *as prices of soybean futures* are quoted, a racial ranking of babies would be evident, with white baby prices higher than nonwhite baby prices.⁴

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1. Jonathan Swift, *A Modest Proposal for Preventing the Children of Ireland From Being a Burden to Their Parents or Country* (1729), *reprinted in* 5 *English Masterpieces: The Augustans*, ed. Maynard Mack, 82 (New York, 1950).
2. Current economic analysis suggests that the most likely promulgators of the canard that Swift was writing satire were those (such as cattle growers) with economic interests to be served in preventing a free market in baby meat. See Elisabeth M. Landes & Richard A. Posner, *The Economics of the Baby Shortage*, 7 *J. Legal Stud.* 323, 346–47 (1978) (opposition to a free market in babies comes chiefly from adoption agencies, which have a vested economic interest in preventing such competition).
3. Landes & Posner, *supra* note 2.
4. *Id.* at 325, 344 (emphasis added).

Juxtaposition of statements from the two works illustrates the modern flavor of Swift's reasoning (try to distinguish Swift's purported "satire" from contemporary economic analysis):

There is likewise another great advantage in my scheme, that it will prevent those voluntary abortions, and that horrid practice of women murdering their bastard children . . . more to avoid the expense than the shame . . . I calculate there may be about two hundred thousand couples whose wives are breeders . . .⁵

* * * * *

Given that the number of white marriages has averaged close to two million a year over the past decade, about 130,000 married couples might be potential "buyers" in the baby market every year.⁶

* * * * *

There only remain an hundred and twenty thousand children of poor parents annually born: The question therefore is, How this number shall be reared, and provided for?⁷

* * * * *

Were baby prices quoted . . . a racial ranking of babies would be evident, with white baby prices higher than nonwhite baby prices.⁸

* * * * *

[T]he constant breeders, besides the gain of eight shillings sterling per annum, by the sale of their children, will be rid of the charge of maintaining them after the first year.⁹

Seen through this lens Swift's analysis is thoroughly contemporary, from its sensitivity to the problems of efficiency to its refreshingly uninhibited moral sensibility. The time has come to correct the persistent misreadings of Swift and to give credit where it is due. Swift was writing economics and not satire. To argue otherwise would be tantamount to asserting that Landes and Posner were writing satire and not economics. That, of course, is unthinkable.

5. Swift, *supra* note 1, at 83.

6. Landes & Posner, *supra* note 2, at 336.

7. Swift, *supra* note 1, at 83.

8. Landes & Posner, *supra* note 2, at 344.

9. Swift, *supra* note 1, at 87.