

# **Consumers' Responsibility for Global Labour Injustice**

Forbrukernes Ansvar ovenfor Global Arbeidsrettferdighet

by

**J.K. van der Vlist**

University of Bergen  
Department of Philosophy  
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Supervisor: Jesse Tomalty

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## Abstract

An individual from a relatively affluent country is presumably hardly surprised by hearing about stories that depict global labour injustices. We are aware of the fact that there are people in other countries who work under abhorrent ‘sweatshop’ conditions and we know that these circumstances are still more pervasive than we would like them to be. In this way, global labour injustices amount to a morally unacceptable state of affairs for which there is an urgent need for remedy. What role should an individual play in providing this remedy?

In this thesis, I argue that individuals incur remedial responsibility for global labour injustices by virtue of being connected as consumers. I attempt to answer the question whether consumers should consume ethically in order to discharge these responsibilities. First, I discuss accounts of responsibility as put forward by Iris Marion Young and David Miller. Due to dissatisfaction with Young’s account of political responsibility, I adopt Miller’s framework of the connection theory of remedial responsibility. As a result of the application of the connection theory, it appears that corporations are most strongly connected to these injustices. However, given their objectionable inaction as well as their sensitivity to consumer preferences, I argue that a considerable share of remedial responsibility falls on consumers. I then go on to consider whether consumers should discharge their remedial responsibilities through ethical consumerism. Upon first consideration, it seems that consumers should not discharge their remedial responsibility as consumers by attempting to consume ethically in order to affect demand. I conclude that this would be an excessively burdensome as well as inefficacious task. Subsequently, I argue that this reasoning nevertheless presupposes that the only impact consumption choices will have, is by directly affecting consumer demand. This reasoning thereby neglects the normative expressive value of consumption choices. Furthermore, I argue that individual consumers ought to take steps towards collectivisation. Among the steps an individual ought to take is signalling a willingness to come together and act collectively. Ultimately, I conclude that one of the ways individuals can engage in signalling, is by employing the normative expressive function of their consumption choices.

## Abstract in Norwegian

Rapporter og fortellinger om global arbeidsrettferdighet har sluttet å overraske individer fra relativt velstående land. Vi er klare over at det er folk i andre land som arbeider under forferdelige forhold (såkalte ‘sweatshop conditions’) og vi vet at disse forholdene er mer utbredt enn det de burde være. Global arbeidsrettferdighet utgjør en moralsk uakseptabel situasjon med et sårt behov for godtgjørelse. Spørsmålet er hvilken rolle individet skal spille i en slik godtgjørelse?

I denne tesen argumenterer jeg for at individer pådrar seg et godtgjørelsesansvar (‘remedial responsibility’) i kraft av å være en forbruker tilknyttet til global arbeidsrettferdighet. Jeg forsøker å svare på spørsmålet om forbrukere er forpliktet til å handle etisk for å avbøte dette godtgjørelsesansvaret. Jeg skal derfor drøfte Iris Marion Young og David Millers utredning av ansvar. Jeg adopterer Millers tilknytningsteori for godtgjørelsesansvar som en modell for ansvar, ettersom jeg finner Youngs utredning av politisk ansvar utilfredsstillende. Et resultat av å anvende Millers tilknytningsteori er at bedrifter og selskaper, i motsetning til forbrukere og individer, virker sterkest tilknyttet global arbeidsrettferdighet. Gitt deres klanderverdige uvirksomhet og deres sensitivitet til forbrukeres preferanser, argumenterer jeg for at en betraktelig andel av godtgjørelsesansvar faller på forbrukere. Videre skal jeg betrakte etisk konsumerisme som botemiddel for forbrukeres godtgjørelsesansvar. Det kan virke som om å praktisere etisk konsumerisme for å dermed senke etterspørsel ikke er et attraktivt botemiddel for godtgjørelsesansvar, ettersom det ville være både krevende og ineffektivt. Videre, argumenterer jeg for at et slikt resonnement likevel forutsetter at den eneste effekten etisk konsumerisme vil ha er å direkte påvirke forbrukerens etterspørsel. Resonnementet overser nemlig den normative verdien uttrykket ved forbrukerens valg. Jeg argumenterer for at den individuelle forbrukeren bør ta steg mot kollektivisering, som blant annet å signalisere en villighet til å komme sammen å handle kollektivt. Avslutningsvis konkluderer jeg med at en av måtene et individ kan signalisere en slik villighet er i funksjon av det normative uttrykket av forbrukerens valg.

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## Contents

Abstracts.....	iii
Acknowledgements.....	v
<b>Introduction.....</b>	<b>1</b>
<b>Chapter 1 Responsibility.....</b>	<b>6</b>
1.1 Young.....	6
1.2 Miller.....	12
1.3 The Connection Theory of Remedial Responsibility.....	17
1.4 Global Labour Injustice and the Connection Theory.....	23
<b>Chapter 2 Discharging Remedial Responsibility as Consumers.....</b>	<b>35</b>
2.1 Ethical Consumerism.....	36
2.2 Circumventing Democracy.....	40
2.3 Complexity and Demandingness.....	46
2.4 Causal Inefficacy.....	53
2.5 Concluding Remarks.....	62
<b>Chapter 3 Successfully Discharging Remedial Responsibility.....</b>	<b>64</b>
3.1 Political Action.....	64
3.2 Collectivisation.....	67
3.3 Efficacy and Demandingness.....	77
<b>Conclusion.....</b>	<b>80</b>
Bibliography.....	84

## Introduction

As a citizen from a relatively affluent Western country, one is often confronted—perhaps not often enough—with stories about the dire situation of poor and exploited workers from all across the globe. Sadly, there are countless examples of news stories that illustrate these workers’ situations. There are news articles that report on how the garment factory workers of Gap, Zara and H&M earns less than one fifth of what is considered to be a living wage.<sup>1</sup>

There are female workers of garment factories who describe that physical and sexual abuse is part of their daily reality.<sup>2</sup> In addition, there are people who work in garment factories who are exposed to toxic chemicals on a daily basis. Such exposure to the toxins used in garment production can lead to heart disease, birth defects, skin conditions and cancers.<sup>3</sup> Moreover, there are also many stories of workers dying due to unsafe working conditions. The collapse of the Rana Plaza in Bangladesh is perhaps the most known example of this.<sup>4</sup> A day after the walls of the garment factory began to show cracks, thousands of workers came back to work fearing they would lose their jobs if they did not return. The Rana Plaza eventually collapsed and more than 1100 people died. The victims in such stories are not limited to adults. There are stories that report on how the coffee beans of Starbucks and Nestlé’s Nespresso are picked by children as young as eight years old.<sup>5</sup> Despite the fact that these companies claim to have a zero tolerance policy with regard to child labour, some children do this demanding

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1. Michael Safi, “Bangladesh garment factories sack hundreds after pay protests,” *The Guardian*, December 27, 2016, <https://www.theguardian.com/world/2016/dec/27/bangladesh-garment-factories-sack-hundreds-after-pay-protests>.

2. Kate Hodal, “Abuse is daily reality for female garment workers for Gap and H&M, says report,” *The Guardian*, June 5, 2018, <https://www.theguardian.com/global-development/2018/jun/05/female-garment-workers-gap-hm-south-asia>.

3. Tansy Hoskins, “H&M, Zara and Marks & Spencer linked to polluting viscose factories in Asia,” *The Guardian*, June 13, 2017, <https://www.theguardian.com/sustainable-business/2017/jun/13/hm-zara-marks-spencer-linked-polluting-viscose-factories-asia-fashion>.

4. “Bangladesh factory collapse blamed on swampy ground and heavy machinery,” *The Guardian*, May 23, 2013, <https://www.theguardian.com/world/2013/may/23/bangladesh-factory-collapse-rana-plaza>.

5. Jamie Doward, “Children as young as eight picked coffee beans on farms supplying Starbucks,” *The Guardian*, March 1, 2020, <https://www.theguardian.com/business/2020/mar/01/children-work-for-pittance-to-pick-coffee-beans-used-by-starbucks-and-nespresso>.

work eight hours a day for six days a week.<sup>6</sup> Another story involves a company named Foxconn, a Chinese firm that produces Apple's iPhones. Workers committed suicide by throwing themselves from the factory buildings at such a frequent rate that Foxconn decided to erect suicide nets around the outsides of their factory buildings.<sup>7</sup> When confronted with similar stories and visual imagery depicting these workers' realities, it becomes very hard to deny that these people's stories amount to severe injustices.

The work of the previously discussed electronics and garment workers is often referred to as 'sweatshop labour'. Sweatshops are generally characterised by physically demanding labour, strict rules, long working hours, forced overtime, dangerous working conditions and an absence of job security as well as health benefits.<sup>8</sup> Sweatshop labour is a large scale and complex problem that might very well seem insolvable in the eyes of a relatively affluent individual taken in isolation. This can partly be ascribed to the fact that a complex global issue is neither caused nor solved by a single acting agent. Complex global problems such as sweatshops are often the result of historical processes and power relations that took years, decades or sometimes even centuries to come into being. Nevertheless, an individual, when confronted with a complex global problem such as sweatshop labour, might ask him- or herself: What should I do in the face of the complex problem at hand?

One way in which it seems as if individuals bear some responsibilities for complex global issues such as sweatshop labour, is through the fact that they are bombarded with messages about ethical consumerism. In this way, consumers are often confronted with ethical considerations. For example, these considerations concern the way consumers shop, what they eat, what clothes they wear as well as how they travel from one place to another. Should one boycott a brand that has been linked to a scandal? Should one stop eating meat? Can one still wear clothes from sweatshop brands? Should one go on holiday by train? For the consumer who wants to be more ethically conscious about their consumption, consuming poses a challenge. Products and services are being advertised for their sustainability and brands use their Corporate Social Responsibility programmes for marketing purposes.

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6. Doward, "Children."

7. Jamie Fullerton, "Suicide at Chinese iPhone factory reignites concern over working conditions," *The Telegraph*, January 7, 2018, <https://www.telegraph.co.uk/news/2018/01/07/suicide-chinese-iphone-factory-reignites-concern-working-conditions/>.

8. Iris Marion Young, "Responsibility and Global Labor Justice," *Journal of Political Philosophy* 12, no. 4 (2004): 366-67.



Consider two examples by way of illustration. Firstly, for many of the fast-moving consumer goods, it seems to be the case that the responsibility to consume harm-free products partly falls on the consumer. For example, one and the same brand could offer regular eggs and free-range eggs; regular chocolate and fair-trade chocolate; regular oat milk and organic oat milk; fast-fashion and conscious-fashion. Taking this into account, it does not seem as if the companies that produce these goods take up all the responsibility towards reaching certain ethical standards. Instead, to some extent this choice is left for the consumer to make. The second illustrative case revolves around an oil company's corporate social responsibility program. Wrapped in a competition show format, Shell recently launched a miniseries promoting cleaner ways of traveling. Shell named it 'The Great Travel Hack'.<sup>9</sup> This is an oil company that is responsible for having dug up huge amounts of fossil fuels. In fact, while the disastrous effects of these actions on the climate are known, Shell continues to do so. At the same time, Shell promotes more 'climate-friendly' ways of traveling to their consumers. In this way, they seemingly leave it up to consumers to change their behaviour. Both this example about Shell as well as the other example, show that it appears to be the case that an individual from an affluent country should consider the moral side effects of their consumption choices.

What, if any, responsibilities does an individual from a relatively affluent country have in light of complex global problems such as sweatshop labour? One possible answer is that consumers from relatively affluent countries have a responsibility to avoid products from sweatshops. This view seems to presuppose that consumers would at least partly be responsible for the ethical repercussions connected to the products they consume. Hence, this would imply that an individual from a relatively affluent country who purchases sweatshop items, carries some responsibility for the harms involved in sweatshop production. However, is it appropriate to hold individuals responsible for the injustices that precede their consumption in light of the complexity of this problem? After all, consumers might think that their individual contributions do not matter. Besides, consumers might not be aware of the circumstances under which their products were manufactured, nor do they intend to produce these circumstances. Moreover, if it turns out that it would be appropriate to hold individuals responsible, then the question arises what actions an individual should take in order to

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9. "The Great Travel Hack," Shell, accessed March 13, 2020, <https://www.shell.com/make-the-future/cleaner-mobility/the-great-travel-hack.html>.

discharge their responsibility?

In this thesis, I will argue that individuals who have consumed products that can be traced to these global labour injustices indeed bear some responsibility for them.

Correspondingly, I will argue that one of the ways that individuals can discharge this responsibility is by consuming ethically. However, discharging remedial responsibility by consuming ethically is not justified in the way some might intuitively think it is. I will proceed as follows. In the first chapter, I will discuss the topic of responsibility. Here, I will consider the framework of Iris Marion Young, who has made important contributions to the discussions about responsibility and global labour injustices.<sup>10</sup> In various ways, I will be expanding on as well as criticising her account of political responsibility. Ultimately, I will adopt David Miller's account of the connection theory of remedial responsibility.<sup>11</sup> Subsequently, I will apply Miller's framework to the case of sweatshops. It appears that while there are various agents who stand in connection to sweatshops, these connections vary in strength. Upon consideration, it will turn out that corporations seem to be the most strongly connected to these injustices and should therefore be principle bearers of remedial responsibility. However, due to the objectionable inaction of corporations, I will argue that consumers incur a larger share of remedial responsibility than they would otherwise have incurred.

In the second chapter, I attempt to answer the question how consumer should discharge their remedial responsibility. One obvious answer would be that because of the fact that consumers incur remedial responsibility by virtue of being consumers, they should also discharge their remedial responsibility as consumers, by attempting to influence consumer demand. I will discuss three arguments against this position. First, I will consider the argument stating that this kind of ethical consumerism would circumvent important democratic processes as well as values. Then, I will analyse the complexity and demandingness of discharging remedial responsibility in this way. Lastly, I discuss the efficacy of this way of discharging responsibilities. Whereas the first argument will not turn out to be a satisfying reason for why consumers should not discharge remedial responsibility by directly aiming to affect demand through their consumption choices, the latter two

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10. Young, "Responsibility," 365-88.

11. David Miller, *National Responsibility and Global Justice* (New York: Oxford University Press, 2007), 97-104.

arguments lead to the conclusion that it would be an excessively demanding as well as ineffective way of discharging remedial responsibilities.

Given the arguments in the previous chapter, we are left with the question of how individual consumers should discharge their remedial responsibility. In the last chapter, I discuss some forms of political action. In addition, I consider an account of group duties. This discussion leads to the conclusion that consumers ought to take steps towards collectivisation. Next, I examine the role that signalling plays in light of collectivisation. Given the observation that many of the ways that individuals attempt to affect outcomes are mediated, I conclude that consumers can also employ the normative expressive function of their consumption choices. Ultimately, I conclude that one of the ways that individual consumers ought to discharge their remedial responsibility is by signalling a willingness to collectivise through their ethical consumption choices. By means of conclusion, I provide some reflections, discuss a few of the implications of my conclusions and raise some potential further questions.

## Chapter 1

### Responsibility

In order to find a conclusive answer to the question which agent (or group of agents) bears responsibility in light of global labour injustices, there is a need to reflect on the concept of responsibility itself. When the aim is to provide a conclusion about who bears responsibility, it is important to first determine what concept of responsibility is operational in matters such as these. Since the objective here is to determine what relatively affluent individuals ought to do, an account of responsibility is needed that can be applied in order to reach a conclusion about which agents ought to act. Therefore, what is needed is an account of responsibility that is to some degree action guiding. I will first entertain Young's notion of political responsibility before I consider Miller's account of remedial responsibility. I will argue that Young's conception seems unable to provide us with satisfying and action guiding outcomes. Hence, I will turn to Miller and discuss his conception of remedial responsibility at greater length. Although Miller does not discuss matters of global labour injustice, he can be read as providing a kind of framework that is more detailed than Young's. Therefore, I will apply Miller's framework to Young's discussion of global labour injustice and eventually draw conclusions from this application.

#### *1.1 Young*

In her landmark paper discussing the issue of responsibility in light of global labour injustices such as sweatshop labour, Young starts off with the question whether "people in relatively free and affluent countries . . . have responsibilities to try to improve working conditions and wages of workers in far-off parts of the world who produce items those in the more affluent countries purchase".<sup>12</sup> Young aimed at theorising a conception of responsibility that could make sense of the claims of responsibility which were made by the anti-sweatshop movement at the time. She argued that conventional reasoning in terms of holding agents responsible

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12. Young, "Responsibility," 365.

who are 'liable' or 'at fault', is insufficient for dealing with large global problems as complex as sweatshop labour. When one adopts a fault liability model for assigning responsibilities, responsibilities are assigned to those agents who are causally connected to the matter at hand unless the causal connection was involuntary. On a strict liability model of responsibility, voluntariness does not play a role in assigning responsibilities. On the latter conception, an agent is even liable for unintended outcomes or outcomes produced by someone under their command. When these models are applied to the phenomena of sweatshops, it becomes clear why they appear to be insufficient.

In the case of sweatshop labour, the harms that are being inflicted upon the exploited workers are first and foremost the fault of the people who run these sweatshop, Young argues.<sup>13</sup> These employers are in control of what happens in their factories and are in charge of 'making up the rules' as one would say. Working hours, salary and safety are just a few examples of labour conditions for which employers would primarily be responsible. This is true on the fault as well as the strict liability account of responsibility. However, when confronted with the wrongs that occur in their factories, Young proceeds, these employers might very well attempt "to mitigate their responsibility by appeal to factors outside their control".<sup>14</sup> While blaming the highly competitive environment they operate in, these employers may claim that they, too, wish they could change the treatment of their workers for the better. Due to the constraints imposed upon them by a highly competitive, 'race-to-the-bottom' market environment which is outside of the employers' control, employers simply claim that they have to operate under these unfavourable conditions if they want to stay in business. However, Young adds, "[n]o employer can legitimately excuse making people work sixteen-hour days, refusing them bathroom breaks, or beating them, as necessary for keeping the costs of production competitive."<sup>15</sup> Therefore, employer's appeals to mitigate their responsibility for the wrongs in their factories by blaming their financially constrained positions are only justified to a certain extent. Nevertheless, these sweatshop employers might reasonably claim that they are unable to improve working conditions such as safety, wages and working hours given their financial constraints. In turn, Young writes, these

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13. Young, "Responsibility," 365-88.

14. Young, "Responsibility," 369.

15. Young, "Responsibility," 369.

employers might point to their states and claim that they should be responsible for safeguarding a level playing field between different manufacturers by imposing as well as enforcing strict regulations.

Analogously, however, these states might point to their own constrained positions.<sup>16</sup> Governments, like employers, might argue that they fear losing investments and jobs if they would try to improve the working conditions in their countries. After all, the businesses that place the orders could choose for an alternative, more cost-effective producer in another country. In this way, it seems to be the case that different actors could (at least to some degree) legitimately point towards the other actors at play, aiming to acquit their faulty but severely constrained way of acting. Therefore, Young notes that these agents' constraints show that there are underlying structural economic and political processes that are of influence in matters such as sweatshop labour.<sup>17</sup> According to Young, these "structural conditions provide incentives for setting up and buying from manufacturing operations that violate worker rights".<sup>18</sup> She suggests that in cases such as these, in which there seem to be problematic structural constraints, conventional reasoning along the lines of liability and fault does not suffice when it comes to adjudicating responsibilities. In this way, Young does not deny that we might be able to identify some agents who are at fault or who are liable. Although there might be good reasons for condemning sweatshop owners for the unjust treatment of their workers, Young argues that is not likely to change the structures that have led to the harms in the first place. Therefore, Young claims that a complete analysis of the injustice as well as an analysis of the corresponding responsibilities should be sensitive to the structural dimensions at play.

When it comes to analyses of structural processes, Young argues that we should supplement the fault and strict liability understandings of responsibility with a conception of 'political responsibility'.<sup>19</sup> According to Young, when people claim that individuals from affluent countries bear responsibilities to distant sweatshop workers, we should think of these individuals as having some political responsibility. Agents can bear this type of responsibility

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16. Young, "Responsibility," 369-70.

17. Young, "Responsibility," 370.

18. Young, "Responsibility," 375.

19. Young, "Responsibility," 375.

even though they are not the principal offenders on a fault or strict liability model of responsibility. Young details five ways in which political responsibility is distinct from conventional thinking about responsibility.<sup>20</sup> In the way Young proposes, political responsibility is distinct from other conceptions of responsibility in that, among other things, it does not seek to single out agents who are responsible from those who are not.<sup>21</sup> Whereas criminal law aims to isolate a perpetrator who subsequently subject to blame and punishment, political responsibility is a type of responsibility that even applies for things we have not done. Complex global problems such as sweatshop labour “have no isolatable perpetrator, but rather result from the participation of millions of people in institutions and practices that result in harms.”<sup>22</sup> Therefore, identifying some agents who bear responsibility for the harms of sweatshop labour does not exempt others for being responsible in this way too. In addition, political responsibility compels us to question the baseline of what is morally acceptable.<sup>23</sup> Due to the fact that structural injustices are the result of millions of people acting in a particular manner that for them is *business as usual*, but which yet produces unacceptable harms, political responsibility aims to question the background conditions that allow these harms to endure. In this sense, political responsibility is different from a liability conception of responsibility. Whereas the latter commences from a deviation from what is normal and acceptable (i.e. laws), the former specifically challenges this baseline. Thirdly, political responsibility is more forward-looking than backward-looking.<sup>24</sup> Whereas our justice system, for example, is mostly concerned with what has occurred and seeks to identify which agents played a role in that, political responsibility aims at bringing about results. Sanctioning and blaming the millions of people involved in structurally bringing about an injustice does not seem feasible or appropriate. This does especially seem inappropriate given the fact that avoiding being implicated in those covert structures is virtually impossible. Hence, the emphasis of political responsibility resides in that it is a future oriented responsibility and aims at altering the structures that produce unwanted outcomes. Moreover, Young’s

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20. Young, “Responsibility,” 377-80.

21. Young, “Responsibility,” 377.

22. Young, “Responsibility,” 377.

23. Young, “Responsibility,” 377.

24. Young, “Responsibility,” 378.

conception of political responsibility is open towards what counts as discharging this responsibility.<sup>25</sup> Unlike duties that clearly instruct one to, for example, not harm others or to obey the law, political responsibility is not specified in a way that prescribes how to discharge one's responsibility. Lastly, Young conceives of political responsibility as a shared responsibility rather than a collective responsibility.<sup>26</sup> When a group of agents has a collective responsibility, it does not mean that all the agents who constitute this group are individually responsible as well. In contrast, when a group of agents is politically responsible, each one of these agents has a personal responsibility. Young argues that by supplementing conventional reasoning about responsibility with this shared conception of responsibility, it "allows us to call on one another to take responsibility *together* for the fact that our actions collectively assume and contribute to the complex structural processes that enable the working conditions we deplore and make them difficult for any single agent to change".<sup>27</sup>

On Young's conception of political responsibility, structural injustices such as sweatshop labour, demand us to reason appropriately about the shared responsibilities we have. Here, Young suggests people ought to reason about and reflect on "their action in relation to structural injustice along parameters of *connection, power, and privilege*".<sup>28</sup> On Young's framework, the way an individual is connected to an injustice plays an important role in discerning the degree to which an individual bears political responsibility. According to Young, our moral obligations are not limited to the people we know or with whom we share a country. In this respect Young's framework follows Onora O'Neill, who believed that "the scope of an agent's moral obligation extends to all those whom the agent assumes in conducting his or her activity".<sup>29</sup> Hence, reflecting on the ways we stand in relation to global labour injustices will presumably lead to the conclusion that our connections to sweatshop workers result in some responsibility for these injustices. Besides our connections to the injustices, Young claims that an individual's social position in structural processes usually

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25. Young, "Responsibility," 379.

26. Young, "Responsibility," 380.

27. Young, "Responsibility," 381.

28. Young, "Responsibility," 385.

29. Young, "Responsibility," 371.



comes with some potential power to influence those structures.<sup>30</sup> For example, a rector of a university holds more power to influence its institutional outcomes than a teaching assistant. In a similar way as that individuals have power, organisations and institutions also hold power to influence structures and processes. On the topic of institutional power, Young claims that while large fashion retailers have more interests in the perpetuation of the status quo, they are also likely to be more powerful with respect to influencing outcomes in the fashion industry.<sup>31</sup> In this respect, Young proposes that lesser powerful agents could for instance take responsibility by pressuring the more powerful agents or institutions to take up theirs. Furthermore, Young urges us to reflect on our relative privileges compared to the victims of injustice.<sup>32</sup> Although affluent individuals who buy products made in sweatshops might possess little power over structures that produce these outcomes, they are privileged due to the fact that they do have more resources to spend and are able to adapt without suffering major losses.<sup>33</sup> Therefore, Young states that people “who benefit relatively from structural inequalities have special moral responsibilities to contribute to organized efforts to correct them”.<sup>34</sup> In this way, connection, power and privilege are grounds that give rise to political responsibility on Young’s account.

Although Young has developed a framework that is helpful for reasoning about our responsibilities regarding those who suffer from injustices, it remains rather unclear how to judge how much responsibility an agent bears in respect to other agents as well as how to discern actions that might count towards discharging this type of responsibility. This becomes clear when we consider the case of a university student whose university sells university branded apparel that has been produced in sweatshops. When we reason along the lines of connection, surely this student stands in connection with the injustice of sweatshop labour. This student attends a university that allows its branded products to be produced in deplorable working conditions. However, one could argue that as long as the student does not purchase these goods, he or she has less of a connection compared to the students who do

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30. Young, “Responsibility,” 386.

31. Young, “Responsibility,” 386.

32. Young, “Responsibility,” 387.

33. Young, “Responsibility,” 387.

34. Young, “Responsibility,” 387.

purchase these goods or who work at the university store. It is unclear on Young's account what this would imply for the degree of political responsibility that this student might be said to hold. Does this entail that this student is required to do less towards discharging their responsibility? Moreover, students have power by virtue of being students. As Young points out, there have been examples in the past of students who have put pressure on university boards to buy from other manufacturers.<sup>35</sup> However, it is unclear on Young's account what actions count towards making 'enough use' of one's power. Does writing a letter to the university board discharge one's responsibility? Should one boycott the university store? Should students stop attending classes until the university changes manufacturers? Does writing a thesis on responsibilities for global labour injustices count towards discharging political responsibility? In addition, a student is also relatively privileged by the mere fact that they are able to enjoy an education, while sweatshop workers often have not. However, to what extent has this privilege arisen from sweatshop labour? It does not seem to be the case that a student can attend university *because* there are other people working in sweatshops. Although it is true that students in affluent countries are privileged in that they have more resources compared to sweatshop workers, it is not at all clear how these correlate and how much of these resources should subsequently be spent on ameliorating injustice. In this way, it seems that the application of Young's framework on responsibility is unable to provide us with action-guiding principles. Therefore, it is not very clear on Young's account what it actually entails to be politically responsible for an injustice. Due to the fact that Young deliberately aimed at conceptualising a form of responsibility that is shared by many and that is open towards the different ways in which this responsibility might be discharged, it remains rather vague what the implications of being politically responsible are. Hence, the question arises whether a more specific, action-guiding account is available.

### *1.2 Miller*

Interestingly, around the same time that Young wrote about structural injustices and political responsibility, David Miller proposed a framework revolving around responsibilities in a

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35. Young, "Responsibility," 367.

similar vein.<sup>36</sup> Although the two were both writing about responsibilities, there does not seem to have been an interaction between their works. In his work concerning the distribution of responsibilities, Miller put forward an initial version of what he names the ‘connection theory’.<sup>37</sup> While Miller’s initial framework includes slightly different concepts (causal responsibility, moral responsibility, capacity, and community) than the ones Young employs, they bear a strong resemblance of each other. The underlying idea seems to be the same: there are many different ways in which we stand in relation to people and these relationships might very well impose responsibilities on our side. Despite the similarities of the two accounts, Miller’s account seems to be more helpful compared to Young’s account in reasoning about individual responsibility for global labour justice. While also acknowledging that there are subtle differences between their accounts, one could possibly go as far as to argue that Miller’s connection theory might be seen as a useful way of specifying some of the ideas that were discussed by Young.

Without suggesting to provide a definite account of the concept of responsibility, Miller puts forward a conception of what he calls ‘remedial responsibility’.<sup>38</sup> For Miller, remedial responsibility plays a key role in thinking about matters of global justice. Usually, the starting point for determining responsibility begins with an agent who has produced a certain outcome for which said agent may or may not end up bearing responsibility for based on backward-looking considerations. Miller’s remedial responsibility, however, starts from a different position. In a sense, it could be argued that it starts from the other direction: there is a situation in which there is need for a remedy and therefore there is also a corresponding need to determine whose job it is to provide that remedy. Miller’s development of his conceptual framework around remedial responsibility is motivated by the fact that there are people who fall below a certain threshold of well-being. There are, for instance, people starving in faraway countries, there are people being oppressed and there are workers being exploited.<sup>39</sup> In *National Responsibility and Global Justice*, the book in which he further

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36. David Miller, “Distributing Responsibilities,” *Journal of Political Philosophy* 9, no. 4 (2001): 453-71.

37. Miller, “Distributing Responsibilities,” 453-71.

38. Miller, *National Responsibility*, 97-104.

39. There is an expansive discussion surrounding exploitation. For the purpose of my discussion, I am assuming that there is such a thing as unjust exploitation of workers as well as that it is happening on a large scale.

develops his account, Miller aims at providing an answer to the question whether affluent states and their citizens could possibly be held responsible for remedying the situation of suffering people in dire need of help.<sup>40</sup> It is in this light that Miller introduces his account of remedial responsibility. Remedial responsibility applies to situations in which there is a state of affairs in which people suffer and in which it would be morally unacceptable for this situation to persist.<sup>41</sup> Hence, there should be an agent (or agents) who bear the responsibility for remedying it. In this sense, remedial responsibility is conceptually close to Young's use of political responsibility. Both of these accounts are forward looking. As the word 'remedial' implies, this type of responsibility aims at accomplishing a solution for an unacceptable situation or causing an injustice to come to an end. Miller defines what it means to be remedially responsible for a situation as having "a special responsibility, either individually or along with others, to remedy the position of the deprived or suffering people, one that is not equally shared with all agents; and to be liable to sanction (blame, punishment, etc.) if the responsibility is not discharged."<sup>42</sup>

Although Miller's account does not rule out the possibility that multiple agents can bear remedial responsibility at the same time, his account aims at finding the appropriate agents who ought to halt the continuation of injustice. This is partly due to the fact that Miller does not believe that bearing a tiny fraction of responsibility for a big and complex problem is very effective when the goal of assigning responsibility is to accomplish a remedy.<sup>43</sup> He claims that when responsibility is too widely dispersed, "everyone will attempt to hang back in the hope that someone else will step in first, no-one will be particularly liable to censure if the bad condition is not remedied, and so on".<sup>44</sup> Taking this into consideration, it is helpful to clearly distinguish between identifying responsible agents on the one hand and allocating responsibility to particular agents on the other.<sup>45</sup> When we attempt to identify responsible agents, we consider whether they meet certain relevant criteria for being responsible for

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40. Miller, *National Responsibility*, 81-82.

41. Miller, *National Responsibility*, 98.

42. Miller, *National Responsibility*, 98-99.

43. Miller, "Distributing Responsibilities," 469.

44. Miller, "Distributing Responsibilities," 469.

45. Miller, *National Responsibility*, 84.

producing a particular outcome. Alternatively, in assigning responsibilities we choose to single out agents whether or not they fulfil such criteria. At first glance, this might seem to contradict our intuitions about responsibility. Why should agents be assigned with responsibilities for outcomes they did not produce? However, this is not as uncommon as it might first appear. Consider an example that includes a child. If a young child accidentally breaks an expensive item, we are likely to assign the responsibility for reimbursing the owner for the broken item with the parents of the young child. If in this case the parents were not acting negligently through, for instance, not paying close attention to the child, this seems to be a case in which the parents cannot be identified as being responsible for the item being broken. Yet, the parents are debited with the responsibility to compensate the owner. Importantly, Miller points out that unlike “identifications, assignments of responsibility can be justified or unjustified, but they cannot be correct or incorrect.”<sup>46</sup> When we apply this to the case of the young child who breaks an item, it would therefore not be incorrect to expect the child to pay for the item. Although there might be exceptional cases in which there are contextual factors that weigh in, it does, however, generally seem unjustified to expect the child to incur a debt or empty his or her piggy bank for the accident.

When we attempt to identify and assign responsibility, we should take into account that there exist mitigating circumstances that might relieve agents of their responsibility. Miller discusses three types of cases in which this could be the case.<sup>47</sup> Firstly, there are cases in which agents have acted in a deranged state. If, for example, a person is suffering from a mental disorder or is experiencing a psychosis and this deranged mental state leads them to inflict harm upon others, we would not be inclined to hold the person fully responsible. Similarly, if an agent is manipulated into doing something by another party, and the agent is not overly gullible, we would be inclined to relieve the manipulated agent of some of their responsibility. In addition, there are cases in which agents are coerced in producing a harmful outcome. If, for instance, at gunpoint an agent has to choose between being killed or cooperating against their will in producing a harmful outcome for other agents (e.g. torturing), the coerced agent is left little choice but to abide. It does not seem that the coerced agent carries full responsibility for the outcome in such cases. How much agents are relieved

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46. Miller, *National Responsibility*, 84.

47. Miller, *National Responsibility*, 90-97.

of their responsibility in cases in which derangement, manipulation and coercion play a role, is also dependent on other normative considerations. Here, Miller instructs us to apply a “standard of reasonable foresight”.<sup>48</sup> By applying the notion of reasonableness, we are forced to ask ourselves what a reasonable agent could have expected to happen given the circumstances. Although this does not rule out disputes over what outcomes could have been foreseen, it does allow us to hold agents partly responsible in cases where mitigating circumstances apply. People should for instance not be too easily manipulated by being too gullible. Similarly, if a person knows about a mental disorder they suffer from and also know that certain acts might trigger a deranged mental state in them that might put themselves and others in danger of being harmed, it would at least be negligent to risk that outcome. A comparison can be made with the act of excessive drinking. A severely drunk person is somewhat unaccountable for their drunk acts. However, the person is accountable for deciding to drink too much. They could have reasonably foreseen that when they drink too much, they might lose control over their behaviour. Together, these are important considerations that factor in when determining whether an agent is responsible.

Due to fact that Miller is concerned with assigning responsibilities in a way that will lead to remedy a morally unacceptable state of affairs, his forward-looking notion of remedial responsibility seems to be conceptually akin to having a duty or obligation towards producing an outcome. As Miller’s definition of remedial responsibility suggests, to be remedially responsible entails having a special responsibility to provide a remedy. Hence, it could be said that when an agent is remedially responsible, he or she bears a duty or has an obligation to provide said remedy. The question that remains, then, is how to determine whether an agent is remedially responsible. In order to identify agents as being remedially responsible and thereby impose a special responsibility to provide remedy on them, there is a need for criteria with which we can determine where to assign this kind of responsibility. In this light, Miller proposes his ‘connection theory’ of remedial responsibility.<sup>49</sup> Parallel to Young’s framework, Miller’s account instructs us that when it is morally unacceptable for a situation to persist, we are urged to reflect on the ways we stand in relation to this situation. Miller outlines six of such ways in which an agent can be connected and identified as remedially

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48. Miller, *National Responsibility*, 96.

49. Miller, *National Responsibility*, 99-104.

responsible.<sup>50</sup> These are *moral responsibility*, *outcome responsibility*, *causal responsibility*, *benefit*, *capacity* and *community*.

### 1.3 The Connection Theory of Remedial Responsibility

The three types of responsibility that Miller includes in his connection theory of remedial responsibility, aim to highlight different aspects in which agents can be linked to a particular state of affairs. Since Miller's discussion of outcome responsibility is most elaborate, I will consider it first.<sup>51</sup> In identifying agents who are outcome responsible for an act, we are concerned with fairly distributing benefits and burdens to different agents based on their contributions in bringing about that particular outcome. In this way, outcome responsibility involves a causal dimension. It is, nevertheless, conceptually distinct from strict causal responsibility. Consider the following case about spilling a drink.<sup>52</sup> If I knock over someone else's drink because another person bumped into me which caused my arm to hit the table, I am causally responsible for the drink being spilled. However, in this case I am not outcome responsible due to the fact that I was pushed. It would not seem justified for the other person to say that it was my fault or that I am to blame for the fact that the drink was spilled. Therefore, in order to be outcome responsible, there seem to be underlying normative considerations that apply. Miller has distinguished a few of these considerations.<sup>53</sup> Besides causal involvement, Miller states that an act should be a manifestation of genuine agency. That does not mean that a person needs to intend a certain outcome in order to be responsible. One could, for example, act negligently. If I would be dancing wildly without minding the people and objects around me and in the process I spill drinks and hit people, I would still be outcome responsible. This is the case regardless of whether I intended these things to happen. However, even if an agent did not intend an outcome and was not behaving negligently, one could still be outcome responsible. Miller discusses the illustrative case of making a bonfire

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50. Miller, *National Responsibility*, 100-104.

51. Miller, *National Responsibility*, 86-90.

52. Here I use an adapted version of an example Miller employs. Cf. Miller, *National Responsibility*, 101.

53. Miller, *National Responsibility*, 87-89.

in your garden.<sup>54</sup> If someone makes a fire in their own garden and takes all the measures necessary to prevent the fire from spreading, but the fire nevertheless spreads and burns down a neighbour's shed, the person is still outcome responsible for the shed being burned down. Miller argues that considerations such as these play an important role in identifying agents who are outcome responsible because "we want people to be able to control what benefits and burdens they receive, but we also want to protect them against the side effects, intended or unintended, of other people's actions."<sup>55</sup> Hence, fluky results and genuine accidents should be excluded from generating outcome responsibility. In a similar way, Miller clearly separates outcome responsibility from moral responsibility.<sup>56</sup> Whereas outcome responsibility does not necessarily have to entail moral responsibility, one, at least, has to be outcome responsible in order to be morally responsible. Using the example of artists and athletes who are able to produce great achievements for which they are outcome responsible, Miller argues that it would be too much to state that these artists and athletes are also morally responsible for their achievements in a way that deserves *moral* praise. In this way, Miller argues that distinguishing outcome from moral responsibility is important as it allows innocent or even well-behaving agents to be responsible for an outcome and the compensation thereof without morally blaming or appraising them.<sup>57</sup>

As previously stated, Miller distinguishes moral responsibility as one of six ways remedially responsible agents might be identified. Whereas an agent who is morally responsible for a result must also be outcome responsible, an agent does not necessarily have to be causally responsible in order to be deemed morally responsible. An obvious example of this would be when a child drowns in a swimming pool when the lifeguard, whose job it is to oversee the swimming pool, was not paying attention. Here, the lifeguard is not causally involved in the drowning of the child. However, due to the fact that it was the lifeguard's task to prevent drownings from occurring, the lifeguard can be said to be morally responsible for the drowning of the child. Therefore, in order for an agent to be held morally responsible, the

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54. Miller, *National Responsibility*, 88.

55. Miller, *National Responsibility*, 89.

56. Miller, *National Responsibility*, 89-90.

57. Miller, *National Responsibility*, 90.



agent's conduct must display some moral fault.<sup>58</sup> Such morally faulty behaviour can, among other things, include deliberate or reckless deprivation, acting negligently or failing to fulfil an obligation.<sup>59</sup> By holding an agent remedially responsible for another person's situation, according to Miller, "we not only create a mechanism for getting [the other person] out of that condition but we also help to put right the moral imbalance between [the agent and the other person]".<sup>60</sup> Depending on the context then, the remedially responsible agent owes the other person an apology, compensation or relief.

The remaining type of responsibility Miller considers as part of his connection theory is causal responsibility. As the earlier example of spilling someone's drink due to being pushed shows, an agent who is causally responsible for a result does not necessarily have to be outcome responsible. However, Miller argues that such causal relations can suffice in singling out agents who bear remedial responsibility.<sup>61</sup> Miller concedes that there are bizarre and unpredictable cases in which it would not be reasonable to hold an agent accountable for an outcome. He does, however, claim that when other forms of connection are absent in cases in which there is a need to assign remedial responsibility in order to bring relief, a causal link can be the reason for being assigned with remedial responsibilities. Hence, although a causally connected agent might not end up being outcome responsible, the causal link still might give rise to remedial responsibility. If we revisit the case of spilling someone else's drink when being pushed over, the causal connection might still cause the causally linked agent to incur a responsibility to apologise or help clean up the spilled drink. The same counts for cases in which an agent is severely constrained or coerced and thereby inflicts harm on another. The mere fact of being constrained or coerced takes away any form of moral or outcome responsibility, yet the coerced or constraint agent may still owe the harmed person some help or an apology.<sup>62</sup> All in all, causal involvement does seem to evoke responsibilities in agents on Miller's account.

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58 Miller, *National Responsibility*, 100.

59. Miller, *National Responsibility*, 100.

60. Miller, *National Responsibility*, 100.

61. Miller, *National Responsibility*, 101-102.

62. Miller, *National Responsibility*, 101.

Next, Miller discusses three non-backward looking ways in which remedial responsibilities might be grounded. The first of these ways is by benefitting. If I buy a suspiciously cheap bike of which I later find out that it was stolen from another person, I have benefitted from the fact that the original owner has been deprived of their bike. Although I am not causally, morally or outcome responsible for the theft, I can be indirectly linked to this deprivation. The fact of having benefited from this situation suggests that there are strong moral reasons for me to return the bike to the rightful owner or pay the original owner a fair price for the bike. That is not to say that I might not ask for the rightful owner to offset my expenses, but the mere fact that I have unjustly gained a benefit from a causal chain, seems to invoke a remedial responsibility for me to, at least, try to come to a solution with the owner. With respect to this, Miller notes that sometimes “beneficiaries, by virtue of having been advantaged, are also the people most capable of supplying the remedy without incurring significant costs.”<sup>63</sup> Miller admits that this type of connection, in absence of other connections, does not always lead to a straightforward obligation to return a benefit.<sup>64</sup> Yet, by benefiting an agent may nevertheless have a strong moral reason to do so. Recently the topic of benefiting from injustices has sparked much debate.<sup>65</sup> However, as Holly Lawford-Smith points out, the difficulty with the concept of benefitting is “in specifying a normative baseline relative to which we count others’ acts against [people] as injustices, and count third parties who do well out of those injustices as beneficiaries”.<sup>66</sup> Therefore, it is sometimes difficult to establish with certainty whether a particular positive outcome has solely arisen as the result of an injustice.

Furthermore, Miller outlines capacity as one of the ways remedial responsibility might be identified. Due to the fact that the goal of remedial responsibility is to bring a morally unacceptable situation to a halt, it is evident that it should be considered whether an agent is also actually capable to provide remedy.<sup>67</sup> Here, Miller uses the example of a child

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63. Miller, *National Responsibility*, 103.

64. Miller, *National Responsibility*, 103.

65. For example, see Daniel Butt, ‘On Benefiting from Injustice,’ *Canadian Journal of Philosophy* 37, no. 1 (2007): 129–52.

66. Holly Lawford-Smith, “Unethical Consumption and Obligations to Signal,” *Ethics & International Affairs* 29, no. 3 (2015): 318.

67. Miller, *National Responsibility*, 103.

drowning in a river. If there are no bystanders other than me, I acquire the responsibility to come to the rescue. This is by virtue of the fact that in this case I am the only one capable of providing a remedy. In cases in which there are more capable agents, Miller proposes that we could for example assign the responsibility with the most capable agent or to each of his or her abilities.<sup>68</sup> Although Miller does not provide a straightforward recipe as to how to balance different degrees of capabilities, he does acknowledge that we should also take into consideration the relative costs that come with discharging responsibilities.<sup>69</sup> If the costs of discharging remedial responsibility are significantly higher for the most capable agent than the costs would be for the agent who is a fraction less capable, it might be more justified to assign the responsibilities with the somewhat less capable agent. Therefore, Miller admits that “judging capacity may involve us in trading off effectiveness against cost in identifying the relevant agent.”<sup>70</sup>

The last criterion that Miller discusses is community.<sup>71</sup> Used in the wide sense of the word, according to Miller, communitarian ties include, but are not limited to, family, friendships, collegiality, religion and nationality.<sup>72</sup> These connections are independent of the other five ways of identifying remedial responsibilities. However, they can of course coincide. A close friend or family member might be best positioned (and therefore capable) to provide solace for example. As Miller points out, “it is integral to these relationships that they involve special obligations”.<sup>73</sup>

When we compare Miller’s framework to Young’s, we can conclude that there are multiple similarities. Whereas Young conceived of the role of connections as a separate dimension besides privilege and power as one of the applicable dimensions for reasoning about responsibility, Miller comprehends connections to be the focus of his framework. On Miller’s account, privilege and power can be understood as types of connection. When we look at these concepts closely, we can see that where Young talks about privilege, Miller talks

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68. Miller, *National Responsibility*, 103.

69. Miller, *National Responsibility*, 104.

70. Miller, *National Responsibility*, 104.

71. Miller, *National Responsibility*, 104.

72. Miller, *National Responsibility*, 104.

73. Miller, *National Responsibility*, 104.

about benefit. Young employs the concept of privilege as evoking grounds of political responsibility. She argues that “[w]here there are structural injustices, these usually produce not only victims of injustice, but persons who acquire relative privileges by virtue of the structures.”<sup>74</sup> How closely related Miller’s conception of benefit and Young conception of privilege exactly are, becomes clear in Young’s discussion of privileges. Young writes:

Persons who benefit relatively from structural inequalities have special moral responsibilities to contribute to organized efforts to correct them, not because they are to blame for them, but because they have more resources and are able to adapt to changed circumstances without suffering serious deprivation.<sup>75</sup>

If we consider this piece of Young’s writing through Miller’s terms, it seems that Young’s ‘special moral responsibilities’ are what Miller would call ‘remedial responsibilities’. What Young seems to imply, then, is that without being morally, causally or outcome responsible for an injustice, an agent who has benefited might still hold a responsibility to contribute to relieving an unjust situation. In this regard, the accounts of Miller and Young seem to correspond. Similarly, where Young talks about power, Miller speaks of capacity. Their usage of these concepts is relevantly similar. For example, Young’s discussion about the university students’ power to put pressure on university boards by demanding to change clothing manufacturers, could be phrased in terms of Miller’s capacity. These students are capable of pressuring their university by sending letters or by protesting. The corresponding costs of these actions would be the students’ time and efforts. Hence, by including conceptions that are similar to Young’s concepts of privilege and power, Miller seems to provide an account that is overall more detailed concerning what it means to stand in connection to an injustice. In this sense, Miller’s framework does not only seem to include the concepts Young’s employs, but it even surpasses Young’s account by outlining three connective types of responsibility (moral, outcome, and causal) as well as adding an additional dimension of community. Moreover, it seems that Miller’s account is more goal oriented than Young’s. Although both of their frameworks are directed at ending injustice, Miller’s usage of the word ‘remedy’ provides a clear idea of what it is that these kinds of responsibility aim for. In contrast, Young’s usage of political responsibility does not seem able to provide the same

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74. Young, “Responsibility,” 387.

75. Young, “Responsibility,” 387.

clarity. Whereas it is obvious that remedial responsibilities absolve only when some sort of remedy is provided, it remains rather unclear when political responsibilities are satisfactorily discharged. Taking into account the similarities between the frameworks and given the fact that Miller provides us with more guidance for reasoning about responsibilities in situations where assigning responsibilities is complex, it seems to be the case that Miller's account is more developed than Young's.

#### *1.4 Global Labour Injustice and the Connection Theory*

In order to apply Miller's connection theory to the case of global labour injustice, we need to identify potential candidate agents for remedial responsibilities. In Young's initial discussion about claims of responsibility by the anti-sweatshop movement, she identified several agents who are involved in the outcomes of sweatshop labour.<sup>76</sup> In the first place, we can identify the workers who find themselves in morally unacceptable situations. In this case, these workers are the victims for whom a remedy is needed. Besides the sweatshop workers, Young identifies several agents who are involved in bringing about these outcomes. These parties include the people who run the sweatshops (hereafter 'sweatshop owners'), the corporations that are sweatshop clients ('corporations'), the governments of the countries where the sweatshops are located ('governments'), as well as the end users of the sweatshop products ('consumers'). To this list I want to add the fellow citizens of sweatshop workers ('fellow citizens') given the fact that one of the dimensions of Miller's connection theory is community. In the next section, I attempt to systematically apply the previously discussed considerations surrounding the six dimensions of the connection theory to the case of sweatshop labour.

First, we can apply Miller's connection theory to sweatshop owners. As Young has pointed out in her structural analysis of the sweatshop phenomenon, sweatshop owners operate from a severely constrained economic position. Although sweatshop owners are to a large extent causally and outcome responsible for the working conditions in sweatshops, it does not seem that they qualify in the right sense as to be morally responsible. Due to the

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76. Young, "Responsibility," 366-70.

constraints of a race-to-the-bottom market environment, it seems to be the case that the working conditions are to some extent imposed on the sweatshops of the sweatshop owners. It is costly to improve working conditions when financial margins are low. In order to outperform competitors, it seems that concessions have to be made. Sweatshop owners could, of course, decide not to operate their sweatshops this way and decide to shut down their factory instead. Halting all operations, nevertheless, does not seem to improve the condition of the workers who are dependent on the income. However, the appeal to financial constraints only goes so far. Some of the conditions that make sweatshops so objectionable have little or nothing to do with reducing the costs of operation. For example, any form of sexual, psychological or physical abuse cannot be justified by appealing to financial constraints. For these types of abuse, it seems that the responsibility falls squarely on the perpetrators. Hence, no analysis of remedial responsibility seems needed for these issues. Conventional reasoning in terms of fault or liability seems perfectly suitable of identifying responsible agents. Nevertheless, issues such as safety, working hours, liveable wages and employment benefits do seem to suffer from financial constraints. Thus, it appears that the wrongs of sweatshop labour can be subdivided into two groups: abuses on the one hand and exploitative working conditions on the other. As argued, whereas the responsibility for abusing employees lies with the perpetrators, such a clear assignment of responsibility does not seem to be possible for exploitative working conditions. Improving working conditions is costly and could well threaten operations given the fact that financial margins are slim. Therefore, it seems that sweatshop owners are exempt from moral responsibility for the working conditions that suffer from operating from an economically constrained position. Next, when we analyse sweatshop owners from the angle of benefit, it is not clear whether we can conclude that sweatshop owners benefit from exploitative working conditions. When the sweatshop owners and management earn a relatively exorbitant salary, drive expensive cars and live in big houses while their sweatshop workers are hardly able to sustain themselves, it would be uncontroversial to claim that their relative benefit is unjust. If this would be the case, the appeal to economic constraints loses considerable force. However, whether this is the case is likely to differ from owner to owner and therefore a general observation about sweatshop owners' benefit is impossible to make. When we consider sweatshop owners' capacities in light of sweatshop injustices, we are partly bound to revisit their economically constrained

positions. They do not seem to be financially capable to improve working conditions (that is, if they do not benefit unjustly themselves). However, that does not necessarily mean that they have zero capacity. After all, sweatshop owners could take political action. They could campaign and coordinate with other sweatshops. In this light, it appears that sweatshop owners at least have some capacity to change the unjust situation. Nevertheless, it could be the case that they refrain from taking such political action out of fear that it will have a detrimental effect on their business contracts. In that case, it would appear that this form of capacity suffers from constraints as well. Lastly, the dimension of community needs to be applied to sweatshop owners. They do seem to have strong communal ties with the victims of sweatshop labour: they are supposedly citizens of the same country, but more importantly they have a strong connection in the form of collegiality. That leads to the conclusion that sweatshop owners are strongly connected by virtue of outcome and causal responsibility as well as community. In addition, they do not seem to qualify for being morally responsible for exploitative working conditions. Whereas their economic capacity is constrained, sweatshop owners might be able to take some political action. It is difficult to determine whether sweatshop owners also benefit from exploiting sweatshop workers, but in cases where that is obvious, it would be severely unjust.

Secondly, Young includes a discussion on the role of governments in global labour injustice. Governments do not seem to be morally, outcome or causally responsible for these injustices in a relevant way, nor do they appear to relatively benefit from it. This brings us to the dimension of capacity. Whereas sweatshop owners could to some extent legitimately appeal to economic constraints, an analogous line of argument could be employed for governments. One could argue that it could be expected of the governments that they pass legislation imposing better working environments. However, governments do not want a disadvantageous bargaining position in comparison to other countries. If these governments utilise their capacity to enforce better labour standards and that would subsequently lead to a loss of jobs or investments, they may expectedly make their citizens worse off. It does not seem that a diminished socioeconomic position qualifies as a remedy for the sweatshop workers. However, such an appeal assumes that the only measures a government could take are actions concerning their own legislation and the enforcement thereof. In the same way that sweatshop owners could engage in taking political action, governments could for

instance engage in diplomacy with other countries or publicly report on the events that occur. Therefore, whereas governments might be constrained in their capacity to provide their citizens socioeconomic security through legislation, they still have some capacity through exercising their political power. Lastly, governments do seem to hold a strong connection by virtue of community. This connection is evident and requires no further discussion. Therefore, it seems that the application of the connection theory to governments results in a strong connection through communal ties as well as some connection through a government's capacity to engage in political action. Some could argue that this is incorrect and that I have overlooked an important dimension. This line of argument would amount to stating that governments have a strong moral responsibility to protect their citizens' safety. Hence, when citizens suffer from injustices such as sweatshop labour, it seems to count as a sign that governments have failed in fulfilling this responsibility. There seems to be some truth to this argument; we do generally view governments as responsible for protecting their citizens. However, if we revisit the case of the lifeguard who has a responsibility to see to it that no swimmers drown, we can see why this argument does not seem to hold. This time, however, the case is a little different: there are a great amount of swimmers drowning at the same time and the lifeguard on duty is not well-enough equipped with sufficient resources (e.g. rescue buoys). In this case, it seems obvious that the lifeguard operates from a constrained position and will not be able to save all the swimmers. As long as the lifeguard did everything within his or her abilities to fulfil their responsibility, I believe the lifeguard would be not be morally responsible for the death of the drowned swimmers. This conclusion corresponds with the intuitions we have about doctors. Doctors can be said to have a responsibility to provide people with adequate medical care. They do, however, not have a responsibility to keep people alive. They should do whatever is in their power to see to it that people are provided the help they need, but they cannot guarantee a positive outcome. I believe the same applies to governments. Governments should do whatever is in their power to protect their citizens' safety, but they cannot guarantee outcomes. As long as governments do everything within their capabilities to avoid negative outcomes, I believe governments would, *ceteris paribus*, not be morally responsible.

Next, I want to consider the connections between sweatshop workers and their compatriots. Although fellow citizens have strong communal ties to sweatshop workers, they



do not seem to be strongly connected through the other dimensions of the connection theory. Irrespective of strong communal ties, there need to be resources available in order to bring remedy. Since it is hard to imagine that someone would voluntarily work in a sweatshop if they had other opportunities, the fact that people do work in sweatshops is much telling about the extent of resources available within a country and the sacrifices citizens are willing to make for their sustenance. Besides some capacity to engage in political action, fellow citizens do not seem to be strongly connected by virtue of their capabilities. However, there even appear to be constraints regarding the citizens' capacity to engage in political action. Following the collapse of the Rana Plaza, there were several protests demanding that the minimum wage of the workers should be raised.<sup>77</sup> Although wages were raised, they remained very low. A few years later, some workers were fired and new protests demanding a higher wage were sparked in Bangladesh. Police deemed the protests to be illegal, fired rubber bullets on protestors, arrested workers and union leaders and forced others into hiding. In the end, thousands of workers were fired by factory owners. When a worker is fired, it is unlikely that they will be able to find new work in the area. Sweatshop owners distribute names and photos of fired employees in order to guarantee that. These actions of sweatshop owners as well as the police clearly fall in the category of abuse. No appeal to economic constraints can legitimately be employed by sweatshop owners to avoid responsibility for these abuses. That being said, such stories are a good reflection of the fearful circumstances of people's lives. If this is the way protesters and unionised workers are being treated, it does not seem reasonable for citizen to engage in potentially dangerous political action. These considerations urge us to look elsewhere for remedial responsible agents.

Upon consideration, the main connection people from affluent countries seem to have with global labour injustices such as sweatshop work, appears to be through their consumption choices. Considered together, consumers drive the demand for the products produced in such sweatshops. It is extremely probable that an individual from a relatively affluent country owns a pair of shoes or a sweater that finds its origin in a sweatshop. Even in the highly exceptional situation that this is not the case, it is very likely that these people still own some sort of electronic device that can be linked to an electronics sweatshop. It is very difficult as well as uncommon for a consumer to have zero connections with sweatshop

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77. Safi, "Bangladesh."

labour. When we analyse consumers' connections through the six different dimensions of the connection theory, we can discern a strong causal connection. Consumers are causally involved by generating demand for sweatshop products. Due to the fact that consumers are often unaware of the side effects of their consumption, they do not seem to qualify for having strong connections based on moral or outcome responsibility. However, although consumers do not intend to produce the unjust outcomes of sweatshop work, it can nevertheless be argued that some degree of outcome responsibility resides with them. When we apply a standard of reasonable foresight (as Miller instructs us to), one could argue that there is some degree of foreseeability to the purchases of consumers. When consumers purchase goods from corporations that have been linked to sweatshop labour, there is a foreseeable collective outcome to that. Therefore, it seems that consumers have at least some degree of outcome responsibility when we consider consumers collectively. In addition, consumers have the capacity to, among other things, change their consumption patterns on which their causal involvement is based. In addition, consumers could engage in political action. Whereas protesting or unionising can come at a considerable cost in countries such as Bangladesh, this does not seem to be the case in relatively affluent countries. It is not only safer to take political action, it also seems as if the political power of individuals in relatively affluent countries is also greater. Due to the fact that corporations attempt to meet the demand that is generated by consumers from affluent countries, a political demand for change is likely to be met by corporations. Therefore, consumers seem to have a moderate to strong connection based on their capacity. Moreover, it is difficult to establish whether consumers benefit from the deprived conditions of sweatshop workers. Initially, it seems rather uncontroversial to claim that consumers do benefit from the exploitation of sweatshop workers. If these workers would be paid more, the production costs would increase and the selling prices of products would rise correspondingly. However, the latter does not necessarily have to be the case. We can conceive of a situation in which the wages of the sweatshop workers would increase and their work environments would be improved without a necessary corresponding change in selling prices. Instead, the profit margins of corporations could decline considerably. This improves the workers' positions, yet does not result in a change for the consumer. It is unclear whether this is a possible or likely scenario. However, the fact that—in theory—this could be the case, makes it complicated to determine whether consumers necessarily benefit from the

exploitation of sweatshop workers. Lastly, consumers do not seem to hold any particular communal ties with sweatshop workers. Therefore, when the connection theory is applied to consumers, we can conclude that consumers have a strong causal connection as well as a moderate connection in terms of outcome responsibility and capacity.

When we apply the six grounds on which to determine remedial responsibility to the case of sweatshop labour, it becomes clear that the corporations that manufacture their commerce in sweatshops are the most strongly connected agents to the injustice. With ‘corporations’, here, I refer to large scale, big brand, multinational corporations. Among these are, for instance, famous apparel brands such as Nike and Adidas as well as technology corporations such as Apple and Samsung. Multi-billion dollar corporations such as these might not be directly causally responsible for the state of affairs in their subcontractor’s sweatshops. However, it can be argued that they are morally responsible (which thus includes outcome responsibility) for the morally unacceptable condition of the sweatshop workers who make their products. These corporations determine the price at which their products are sold and they directly place orders with these sweatshops. They must be aware of the conditions in their subcontractor’s sweatshops, and if that is not the case, it would be out of negligence. The fact that these corporations can decide to outsource their business to other manufacturers or to other countries, allows them to have enormous bargaining power on price agreements. This way, there is a coercive force to their conduct. This does not only apply to price negotiations with manufacturers, but also to tax negotiations with governments. The ability of corporations to operate from a position of influence, points towards a high degree of moral responsibility for the effects of their conduct. Besides their moral responsibility, these corporations are also strongly connected by virtue of benefit and capacity. The financial resources of multi-billion dollar corporations and the bargaining power that comes along with it, are proof of both having benefited as well as being capable of affecting positive change. Instead of making billions in profit, they could alleviate the working conditions of the people who make their products. Besides these considerations, a case could also be made for these corporations’ communitarian ties. In his wide conception of community, Miller includes the notion of collegiality. If collegiality includes all the agents who together produce a commercially valuable outcome, then the case could be made that corporations are also strongly connected to the morally unacceptable situation of sweatshop workers by virtue of

communitarian ties. All in all, corporations seem to be very strongly connected to the dire situation of the sweatshop workers through being morally responsible, having benefitted, having capacity as well as having communitarian ties.

The application of Miller's connection theory to the issue of sweatshop labour shows that some agents are more strongly connected to the injustice than others. All of the involved agent at least seem to be able to engage in political action, although the costs of such actions might weigh heavier on some. I believe that the application of Miller's connection theory would conclude that where connections can be discerned between an agent and the injustice, these connections evoke a remedial responsibility for the agent to at least engage in political action unless that would be excessively costly. However, when we consider the different agents and their corresponding connections, I believe the strongest case can be made for corporations as principally bearing a remedial responsibility to end the exploitative working conditions of sweatshop workers. Decisive in this is that corporations seem to have the strongest connection based on their moral responsibility, having benefitted as well as their capacity to change matters. Corporations seem to be the most powerful agents: the cost of discharging their remedial responsibility would be relatively low and the effectiveness of their actions would be relatively high. Hence, it seems uncontroversial to conclude that the application of Miller's connection theory would render corporations that outsource their production to sweatshops as primary bearers of remedial responsibility.

This, however, seems to be where the problem arises. Corporations are not doing what they ought to. This could be due to the fact that corporations also seem to be the ones that profit the most from the injustices as they are now. A study conducted by researchers from the University of Sheffield concludes that "whilst garment companies have made ambitious commitments to pay living wages in their global supply chains they are falling short when it comes to meaningful action to implementing these commitments."<sup>78</sup> This study included an analysis of 20 global fashion brands and found little evidence that these corporations' explicit commitments are actually translating into improvements in wages.<sup>79</sup> It was found that many of these brands outsource their living wage commitments to external initiatives, which in turn

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78. Remi Edwards, Tom Hunt, and Genevieve LeBaron. *Corporate Commitments to Living Wages in the Garment Industry*. Sheffield: SPERI & University of Sheffield, 2019, 4.

79. Edwards, Hunt and LeBaron, *Corporate Commitments*, 28.

have different or opaque definitions and approaches to living wage standards.<sup>80</sup> In addition, although the 20 brands under consideration all had a commitment to observe freedom of association rights, these researchers only found weak enforcement of these right in practice.<sup>81</sup> Hence, these researchers raised considerable doubts for the credibility of the ambitious commitments made by global fashion brands. These considerations lead to the conclusion that it seems unlikely that corporations will fulfil their remedial responsibility in the near future. Instead, it seems more likely that corporations will attempt to deflect or outsource their responsibility. The objectionable inaction of corporations urges us to look elsewhere for a remedy for the morally unacceptable exploitation of sweatshop workers.

This raises the question about what should happen in cases in which agents who are primarily remedially responsible do not fulfil their obligations. I believe that in these cases the remedial responsibility transfers to other agents. The fact that the responsible agents do not provide remedy, does not mean that no remedy should be provided. There is still an enduring morally unacceptable state of affairs. Elsewhere, Miller has argued that in cases “where responsibility for averting a collective harm can be fairly divided, . . . justice can only require each agent to perform his or her share.”<sup>82</sup> According to Miller, this applies to cases in which several agents share a collective duty for a certain outcome. An example that Miller discusses concerns a collective duty to conserve fish stocks in an ocean.<sup>83</sup> This duty is shared by surrounding countries and distributed fairly by implementing fish quotas for each particular country. Applied to this case, Miller asks what is required by justice in cases in which some countries do not comply to their set fish quotas. Due to the fact that Miller is predominantly interested in the question of fairness, he concludes that what is demanded by justice does not require an agent to assume more burden than their original share.<sup>84</sup> According to Miller, even when other countries do not stick to their quotas, what is demanded by justice is to fulfil one’s initial share and not any additional leftover burden of the non-compliers. In

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80. Edwards, Hunt and LeBaron, *Corporate Commitments*, 13-19.

81. Edwards, Hunt and LeBaron, *Corporate Commitments*, 24-25.

82. David Miller, “Taking Up the Slack? Responsibility and Justice in Situations of Partial Compliance,” in *Responsibility and Distributive Justice*, ed. Carl Knight and Zofia Stemplowska (Oxford: Oxford University Press, 2011), 241.

83. Miller, “Taking Up the Slack?,” 231.

84. Miller, “Taking Up the Slack?,” 241.

this case, the responsibility for the degradation of sea life or lower fish stocks in the following year resides with the non-complying countries. However, as Miller points out, this conclusion seems to contradict some intuitions that we might have considering certain situations. Consider a situation in which there are five people drowning and five capable rescuers. In this case, what justice demands of each of these rescuers is to rescue one person. However, it seems that when four rescuers each rescue one person and the fifth rescuer declines to fulfil their obligation, the four willing rescuers should still attempt to rescue the last person drowning. According to Miller, this would be correct: the four rescuers should attempt to rescue the fifth. Nevertheless, it would not be demanded from them as an obligation of justice, but rather as a ‘humanitarian obligation’.<sup>85</sup> In other words, these four rescuers have already discharged their obligation of justice, which was to each rescue one drowning person. By conceiving of obligations of justice in this way, the four rescuers would nevertheless still be obligated to rescue the last person and be liable to blame if they would refrain from doing so. The one rescuer who declined to help would nevertheless be the primary wrongdoer for having failed to fulfil their duty of justice. In addition, this implies that even though an agent complies with the demands of justice by perform their share, it still seems possible for the compliers to be responsible for harms resulting from the non-compliance of others. Miller considers the following case:

Daniel is searching for Edward with the intention of killing him. Frances knows of Daniel’s intention, but can hide Edward in a place where Daniel will not find him. However, she decides not to do so and Edward is killed. In what sense, if any, is Frances responsible for Edward’s death? If we were to say that she shares a responsibility with Daniel, this would be quite misleading, because it would assimilate the case to one in which Daniel and Frances have cooperated to kill Edward. It is clear that the primary responsibility for Edward’s death lies entirely with Daniel. Frances bears only a secondary responsibility, namely the remedial responsibility to avert harm that will otherwise be caused by another agent. She is blameable for not discharging it in the absence of excusing or justifying factors.<sup>86</sup>

Although this seems to be a case in which there is one agent who is primarily responsible and another agent who is remedially responsible, there is no reason that suggests that the same

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85. Miller, “Taking Up the Slack?,” 243.

86. Miller, “Taking Up the Slack?,” 244.

would not apply to cases in which there would be one agent who is primarily remedially responsible and another agent who remedially responsible in a more secondary way. In cases in which the agent who is primarily remedially responsible fails to discharge this responsibility, the agent who is remedially responsible in a more secondary way might be said to be obligated to ‘take up the slack’. In line with Miller’s analysis, this would not required as a demand of justice, but as part of fulfilling one’s humanitarian obligation. This seems to be correct. Remedial responsibility does not start by asking which agent is failing to discharge their duties of justice. Rather, its starting point is the existence of a situation of which it would be morally unacceptable if it were to persist.

When we apply this logic to the case of sweatshop labour and its connected agents, we can conclude that although corporations would primarily be remedially responsible, other agents seem to acquire more responsibility due to the corporations’ objectionable inaction. If my application of Miller’s connection theory is correct, one could argue that an initial assignment of remedial responsibility could possibly be as follows: corporations have the largest share of remedial responsibility grounded by virtue of their power, having benefitted and being morally responsible and the other agents each have a less-significant shared remedial responsibility to engage in political action to the best of their abilities. Due to the considerations outlined by the connection theory, this seems to be a justifiable distribution of remedial responsibility. However, as argued, corporations are not complying; they do not seem to discharge their responsibility. Hence, there is a corresponding need to redistribute a share of the remedial responsibility. That is not to say, however, that this implies that corporations are off the hook. In contrast, corporations are not fulfilling what they ought to and the previous considerations suggest that they remain the right target for blame and potential claims of compensation. Nonetheless, the question remains where the unfulfilled share of the responsibility to provide remedy falls. In my initial discussion of the application of Miller’s framework, I have discussed how some agents operate from a constrained position. Where some agents’ capacities are limited due to insufficient financial resources, other agents might fear that taking action could result in unfavourable outcomes such as sweatshop workers losing their only source of income. These concerns, I believe, conclude that there are legitimate arguments for why it might not be reasonable to expect these agents to assume a larger share of remedial responsibility in absence of the compliance of

corporations. As argued before, the capacities of governments, fellow citizens and (non-benefitting) sweatshop owners suffer from such kinds of constraints. Hence, there are good reasons to believe that the costs of discharging an additional share of remedial responsibility might be too burdensome for these agents. That is not to say that they should not attempt to employ their capacities to the best of their abilities. After all, their original share of remedial responsibility already requires them to do so in order for them to discharge their share of responsibility. However, their constrained capacities are likely to excuse these agent for not taking up a larger share of responsibility when others do not comply. Due to the non-compliance of corporations and the constraints of other agents, it seems that consumers inherit a larger share of remedial responsibility. Although the application showed that consumers' connections to global labour injustice might not be as strong as the connections of corporations, their connections are nevertheless significant. Consumers are causally involved in sweatshop injustices by driving demand. Moreover, due to the fact that there is some reasonable foreseeability to their actions, it would seem that they also hold some outcome responsibility. Besides the fact that consumers do not seem to suffer from constraints in the same way that other agents do, there also seems to be an intuitive argument for why it would be appropriate for consumers to inherit a larger share of remedial responsibility. This argument has to do with the fact that corporations aim to provide for the demand generated by consumers. When the demand for products plummets because consumers do no longer want to buy products made in sweatshops, corporations are likely to cater to the consumers' newly altered demand. In this way, consumers seem to hold some power over corporations. Although consumers might be not be able to guarantee that sweatshop workers will not be exploited in a direct way, they seem to have some capacity to pressure corporations into discharging their responsibilities. Hence, due to the fact that other agents are either not discharging their responsibility to provide remedy or seem constrained in their capacity to provide remedy, it seems that some additional remedial responsibility is inherited by citizens of relatively affluent countries by virtue of being connected as consumers.



## Chapter 2

### Discharging Remedial Responsibility as Consumer

The application of Miller's connection theory led to the conclusion that consumers from affluent countries incur some remedial responsibility for sweatshop injustice by virtue of being connected as consumers. In fact, consumers might bear a greater share of remedial responsibility than it may initially seem. Due to the fact that corporations are not fulfilling their share of responsibility, there is reason to believe that consumers may inherit some of the corporations' unfulfilled share. Hence, at this point it seems uncontroversial to state that consumers have remedial responsibilities towards exploited sweatshop workers. The logical subsequent question then becomes: what specific actions are required of consumers in order to discharge their remedial responsibility? One possible answer to this question seems to be that, since consumers incur their remedial responsibility due to being connected as consumers, they should also discharge this responsibility as consumers. According to this position, consumers ought to take into account ethical considerations for their purchasing decisions and discharge their remedial responsibility by purchasing particular products that are deemed morally acceptable and refraining from purchasing products that are not. In other words, this position holds that consumers ought to discharge their remedial responsibility by *consuming ethically*. I believe that there are convincing arguments that could be raised against the position that individuals who incur remedial responsibility as consumers should also discharge this responsibility as consumers. I do not aim at providing an exhaustive account of all possible arguments; I will only present and discuss three of these arguments. The discussed arguments pertain to *the circumvention of democracy, complexity and demandingness*, and *causal inefficacy*. Whereas the latter two arguments prove to be strong objections to the position that consumers should also discharge remedial responsibility through their consumption choices, the first argument does not seem to be a successful objection. However, before these arguments will be discussed, I will first aim to elucidate what ethical consumerism would amount to in light of this discussion.

## 2.1 Ethical Consumerism

In order to establish whether or not individuals should discharge their consumer-incurred remedial responsibility by consuming ethically, we first need to determine what consuming ethically implies given the context of global labour injustice. In his work on ethical consumerism, Waheed Hussain distinguishes between different forms of ethical consumerism.<sup>87</sup> Although I will turn to Hussain's account on ethical consumerism at a later point in this chapter, his descriptions of the different types of ethical consumerism proves to be useful in determining what type of consumerism is relevant in light of discharging remedial responsibilities. Among the different types of ethical consumerism, Hussain includes 'clean hands ethical consumerism'. Clean hands ethical consumerism aims at not being implicated in immoral practices. A consumer who does not buy fur coats because he or she aims at not being implicated in the animal cruelty surrounding fur production would be an example of a consumer who wants to have 'clean hands'. This consumer could refrain from purchasing fur without necessarily aiming to change the fur business. Another type of ethical consumerism Hussain discusses is 'expressive ethical consumerism'. This type of consumerism aims at expressing certain judgments and attitudes. As an example, Hussain pictures a consumer who shops at an organic supermarket with the aim of expressing a "disapproval of the broader culture of mass-produced food".<sup>88</sup> Moreover, there also exists 'unmediated ethical consumerism' which does not aim changing practices but at directly advancing a goal. Here, Hussain includes the example of driving a hybrid car with the goal of emitting less greenhouse gasses. Driving a hybrid car does not necessarily mean that the motorist aimed at influencing the way car manufacturers produce cars. The focus of Hussain's account, however, is limited to a different type of ethical consumerism, namely the kind of consumerism that aims at changing wider social behaviour and practices. Hussain calls this type of consumerism 'social change ethical consumerism'. According to Hussain, social change ethical consumerism is "the practice of choosing to buy certain goods and services at least partly on the grounds that doing so will create an economic incentive for other agents to act in ways that will advance some moral, social, environmental, or other

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87. Waheed Hussain, "Is Ethical Consumerism an Impermissible Form of Vigilantism?," *Philosophy & Public Affairs* 40, no. 2 (2012): 112-13.

88. Hussain, "Impermissible Vigilantism?," 113.

nonmarket agenda”.<sup>89</sup> Important to note here is that this type of consumerism can be performed through refraining to buy certain products (“boycotts”) as well as buying products and brands that actively promote a certain agenda (“buycotts”).<sup>90</sup> Consuming in a certain way because one believes it will positively contribute to the goal of reaching global labour justice seems to fall under this category; social change ethical consumerism.

However, if ethical consumerism is motivated by a need to discharge remedial responsibility, it seems that in order for consumerism to count as ethical consumerism, it has to succeed in discharging that responsibility. Similar to social change consumerism, consumerism that is motivated by remedial responsibilities aims to advance particular goals through boycotts and buycotts. Yet, when this ‘remedially-motivated’ ethical consumerism does not lead to the desired consequences, it does not seem that remedial responsibility has been successfully discharged. Therefore, given the context of remedial responsibility, it seems to be the case that remedial responsibilities should successfully be discharged in order for this way of consumerism to qualify as ethical consumerism.

Taking these considerations into account, it would appear that not every boycott would count as an act of ethical consumerism. If it is the case that a connection to global labour injustices through the consumption of products leads consumers to incur a remedial responsibility to alleviate global labour injustice, one might think that a consumer ought to boycott the products that generate this connection in the first place. On the topic of boycotts, Young has remarked that not only would individual boycotts be futile, it is also “nearly impossible in the contemporary world for a person to remove herself from implication through her actions in structures that produce injustice.”<sup>91</sup> While leaving aside the futility and possible challenges an individual might face for now, it is often claimed that if everyone would stop buying sweatshop products, it would help sweatshop workers. However, one might raise serious doubts as to whether a boycott will have the desired effects. As Claudia Mills points out, “[c]onsumer boycotts may harm low-level employees to a greater extent than bosses, who are likely responsible for adopting the objectionable practices in the first

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89. Hussain, “Impermissible Vigilantism?,” 112.

90. Hussain, “Impermissible Vigilantism?,” 113.

91. Young, “Responsibility,” 386.

place.”<sup>92</sup> Similarly, some projections show that consumer boycotts concerning child labour could actually have a detrimental effect on a family’s income and increase child labour rather than decrease it.<sup>93</sup> Surely, boycotts that have such unintended negative effects cannot be deemed to be desirable. Similarly, if collective boycotts would succeed and sweatshops were to be closed down, it is not at all clear that this leads to an improved situation for the newly unemployed sweatshop workers. At least these sweatshops offered some form of income for these people. If they would have had better alternatives, it can be assumed that they would not choose to be exploited in this way. When these workers have no form of social security or other source of income to fall back on, it is not at all obvious that depriving them of their sweatshop job would constitute to helping them. This way, it becomes clear that sweatshops themselves are not necessarily the problem but more of a symptom of the pervasive underlying structural injustice. One-sidedly boycotting certain products with the aim of shutting down sweatshops without working to improve the socio-economic position of the exploited workers, seems to be making things worse for an already vulnerable group of people. Therefore, it appears that not all boycotts will lead to the desired ethical effects. Although consumers who participate in such boycotts might be said to have ‘clean hands’, it does not seem that in such cases ‘clean hands’ amount to a remedy for an unjust situation. Therefore, when boycotts have such unintended or undesired negative effects, it seems that remedial responsibilities are not successfully discharged.

There exists some disagreement about whether one can harm someone else while making that same person better off.<sup>94</sup> The thought behind this is that because sweatshops workers are able to earn a wage, their situation is better than it would have been without the sweatshop’s existence. Therefore, according to this view, these sweatshops are not harming but helping them.<sup>95</sup> For this reason, Lawford-Smith refrains from using the term ‘harm’ and

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92. Claudia Mills, “Should We Boycott Boycotts?” *Journal of Social Philosophy* 27, no. 3 (1996): 139.

93. Kaushik Basu and Homa Zarghamee, “Is product boycott a good idea for controlling child labor? A theoretical investigation,” *Journal of Development Economics* 88, no. 2 (March 2009): 217–220.

94. For an account on cases of counterfactual comparative harms, see Justin Klockslem, “A defense of the counterfactual comparative account of harm,” *American Philosophical Quarterly* 49, no. 4 (October, 2012): 285-300.

95. For an elaborate discussion in favour of this position, see Matt Zwolinski, “Sweatshops, choice, and exploitation,” *Business Ethics Quarterly* 17, no. 4 (October, 2017): 689-727.

instead speaks of ‘injustice’ in relation to exploitative working conditions.<sup>96</sup> Although I see no problem with the alternative term ‘injustice’, I do believe that this discussion is a non-starter when it comes to sweatshops. I concede that, yes, shutting down sweatshops immediately would likely make a lot of people worse-off. However, I do believe one can make another better-off while still continuing to harm them. Harm is often understood in relation to certain baselines. For example, an intuitive baseline comparison could ask whether these workers are worse-off in comparison to before the sweatshop existed? Similarly, another baseline comparison could compare the current situation of workers to what their situation would have been like had the sweatshop not operated there. However, when I say that sweatshop workers are still harmed here, I am not referring to one of these intuitive, comparative baselines. Instead, we should consider a normative baseline.<sup>97</sup> Consider the following case of a cruel kidnapper and a lesser-cruel liberator. Imagine that a cruel kidnapper kidnapped a person. In captivity, the kidnapper physically and mentally tortures the person several times a day. One day, a lesser-cruel liberator shows up and frees the person from the kidnapper. However, the lesser-cruel liberator still keeps the person in captivity. This liberator does not torture the person, yet, deprives the person of their freedom. In this fictional case, there is no doubt that the liberator makes the person better off. Therefore, baselines comparisons that compare a current state of affairs to a state of affairs preceding an intervening act as well as those that make a comparison to how it currently would have been like had the intervention not taken place, would conclude that the net-benefit of no longer being tortured means that the lesser-cruel liberator does not harm the person. However, by perpetuating the state of captivity which severely restricts the person’s freedom, does the liberator not continue to harm the person? I believe, in this case, the liberator makes the person better off while continuing to harm the person. A similar case, I believe, could be made in light of sweatshops. Although it might be true that sweatshops make workers better off, they also serve to perpetuate injustice and thereby harm the workers by exploiting them. Hence, the argument that sweatshops do not harm people because these workers might be worse off without them seems objectionable. If we accept that harm is a comparative concept,

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96. See footnotes 1 and 2 in Holly Lawford-Smith, “Does Purchasing Make Consumers Complicit in Global Labour Injustice?,” *Res Publica* 24 (2018): 319-20.

97. Thomas Pogge runs a similar argument in relation to the global institutional order, see Thomas Pogge, “Recognized and Violated by International Law: The Human Rights of the Global Poor,” *Leiden Journal of International Law* 18, no. 4 (December 2005): 728-730.

then we need an appropriate baseline. It seems that if that is the case, a normative baseline would sometimes be appropriate. For example, we could have a baseline comparison that compares the current situation of sweatshop workers to how their situation would have been like under fair terms of cooperation. Alternatively, we could, for instance, compare these workers situation to how their situation would have been like if the labour laws of a given affluent country had applied in the country of the sweatshop. My aim here is not to provide a conclusive baseline to which to compare the harms of sweatshops to. It is merely to argue that the exploitative labour conditions of sweatshops can still harm workers even though they might also help them in other ways. It seems that in the case of sweatshops, it is problematic to aggregate these harms with the benefits.

All in all, it seems to be the case that not all boycotts will be ethical. Even when the boycotts are executed with the intention of bringing about a good outcome, they can still fall short of counting as ethical consumerism. In light of this discussion, it seems that only when boycotts succeed in having an effect that would count as discharging one's share of remedial responsibility, it would qualify as ethical consumerism. Therefore, it appears that a consumer would only be acting ethically to the extent that they aim at finding out what the effects of particular boycotts are and adapt their behaviour accordingly.

## *2.2 Circumventing Democracy*

The first argument I want to consider against discharging remedial responsibility through ethical consumerism has been developed by Hussain.<sup>98</sup> Hussain aimed at answering the question whether ethical consumerism constitutes an impermissible form of vigilantism. On his account, Hussain develops the position that unrestricted social change ethical consumerism can undermine what we hold to be important democratic procedural values. Therefore, Hussain believes that sometimes such consumerism amounts to impermissible vigilantism.

Hussain builds his case against an unrestricted authorisation to engage in social change ethical consumerism around five core democratic values that are being threatened by

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98. Hussain, "Impermissible Vigilantism?," 111-43.

such engagement.<sup>99</sup> Firstly, Hussain argues that unrestricted engagement in ‘boycotts and buycutts’ in order to bring about social change “would allow people to use their bargaining power in the market in ways that effectively deprive others of their basic freedoms”.<sup>100</sup> Here, Hussain mentions the example of the consumer boycotts directed at products from Jewish merchants prior to the Second World War. Boycotts based on religious beliefs such as is the case in this example as well as boycotts based on a disapproval of certain ethnicities, genders, sexualities, and other matters that concern freedom of conscience, are at odds with people’s fundamental freedoms. Due to his conviction that this should not be possible, Hussain argues that this amounts to the first reason to restrict social change ethical consumerism. Another reason to oppose unrestricted social change ethical consumerism, according to Hussain, is that it is incompatible with the idea of political equality. People should have equal access as well as an equal say in matters. In the scenario in which one must ‘vote with their dollars’ in order to bring about a desired outcome, the people with the most dollars would also have the most say in matters. This would lead to a situations in which the more affluent can apply more pressure to cover and advance a certain agenda, Hussain argues. When this logic is applied globally, this imbalance lies at the core of the unfair but favourable bargaining position of the affluent west in respect to the rest of the world. In addition, Hussain points to the public deliberation that precedes matters that concern members of a democracy. A democratic political system is built around different parties that deliberate. Matters that are of public interest are often also discussed openly in the public debate. If we were to allow unrestricted social change ethical consumerism, powerful and affluent conglomerates could essentially circumvent such deliberation and compel a particular outcome to their liking by making use of their bargaining power. This, Hussain claims, should not be allowed. Next, Hussain argues that people should be protected against unjustified uses of coercion. The idea is relatively straightforward: if it is not allowed to act a certain way by law, it should also be prevented that people impose similar rules on others by making use of their forceful market powers. Lastly, Hussain discusses the ideal of managed politicisation. This ideal states that “citizens should limit the extent to which they allow their political disagreements to come

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99. Hussain, “Impermissible Vigilantism?,” 117-24.

100. Hussain, “Impermissible Vigilantism?,” 117.

between them outside of the sphere of formal democratic politics”.<sup>101</sup> The idea behind this ideal is reminiscent of the common proverbial expression: ‘there is a time and place for everything’. In order to preserve the value of democratic processes, it is important not to turn everything into a political act. One should be able to do groceries without it having to be an assemblage of political statements. If every act is treated like this, it may very well desensitise people for political endeavours. These five ways of undermining important democratic values are reason for Hussain to propose a restrictive account of ethical consumerism instead.

On what he calls the ‘proto-legislative account’ of social change consumerism, Hussain outlines a few criteria that consumerism needs to abide by to not constitute to an impermissible form of vigilantism.<sup>102</sup> According to Hussain, ethical consumerism is permissible when:

- (1) The exercise of bargaining power does not deprive anyone of their basic liberties.
- (2) The exercise of bargaining power is directed at (significantly) advancing an agenda framed in terms of a reasonable conception of the common good.
- (3) The formal democratic process has not already addressed the issue in question.
- (4) The process that guides the exercise of bargaining power is appropriately representative and deliberative.
- (5) The process that guides the exercise of bargaining power generates standards and arguments that can be the basis of future legislation.
- (6) The overall effort aims to raise awareness of the issue and (if necessary) to put it on the formal legislative agenda.<sup>103</sup>

In this way, Hussain claims, “citizens are authorized to use their market powers to advance a social agenda when they treat their buying choices as part of the wider democratic process, a kind of ongoing, informal prologue to formal democratic lawmaking.”<sup>104</sup> Such restriction, Hussain argues, avoids a situation in which consumers from affluent countries could effectively impose their demands on the rest of the world by exercising their bargaining

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101. Hussain, “Impermissible Vigilantism?,” 123.

102. Hussain, “Impermissible Vigilantism?,” 124-29.

103. Hussain, “Impermissible Vigilantism?,” 126.

104. Hussain, “Impermissible Vigilantism?,” 125.



powers.<sup>105</sup> Therefore, Hussain concludes, consumers may only engage in ethical consumerism as long as they do not undermine democratic procedural values.

Nevertheless, Hussain concedes that there exist cases in which consumers are not required to abide by the restrictions of the proto-legislative account.<sup>106</sup> Hussain includes the unjust situation of the apartheid as an example in which, in his eyes, South Africans would have had a permission to engage in ethical consumerism given the severity of the injustice. However, this seems problematic. It is unclear on Hussain's account what would constitute an injustice that is severe enough to not be required to act in accordance with his proto-legislative account. Would he deem exploitative sweatshop labour as a severe enough global labour injustice to not abide by his proposed restrictions on consumerism? Do the harms of global climate change or factory farming qualify as exceptions? What seems problematic about making exceptions for 'severe' injustices, is that it is sufficiently vague enough what constitutes a regular injustice as opposed to a 'severe' injustice. There is likely to be disagreement about where to draw the line as well as about potential borderline cases. Hence, in absence of a clear account outlining when such deviations from his proto-legislative account are permissible, Hussain's concession to exceptions seems vague, incomplete and problematic.

There are, however, other ways in which Hussain's account can be shown to be problematic. Christian Barry and Kate MacDonald have argued at length against Hussain's proposed constructive account.<sup>107</sup> Whereas Barry and MacDonald discuss several problematic aspects of Hussain's account, I will only shortly discuss their objections that are relevant in light of the discussion of discharging remedial responsibility. Although Barry and MacDonald do not deny that there might be cases in which consumer boycotts can be harmful, they argue that "the threat that ethical consumerism poses to procedural values has been overstated."<sup>108</sup> This becomes clear in their discussion of an example from Hussain. Hussain writes:

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105. Hussain, "Impermissible Vigilantism?," 120.

106. Hussain, "Impermissible Vigilantism?," 134.

107. Christian Barry and Kate MacDonald, "Ethical Consumerism: A Defense of Market Vigilantism," *Philosophy & Public Affairs* 46, no. 3 (2019): 293-322.

108. Barry and MacDonald, "Ethical Consumerism," 295-96.

For example, as part of an effort to improve labor standards around the world, consumers in the United Kingdom might try to enforce certain labor standards in the Philippines by pressuring multinationals that sell goods in the United Kingdom to comply with these standards in their Filipino factories. This approach, however, would fail to show adequate respect for Filipinos' views about labor safety and for their processes of democratic change.<sup>109</sup>

The Philippines indeed have their own labour regulations as well as trade agreements. Thus, the issue can be said to have already been addressed. In addition, Hussain would claim that such pressure would undermine The Philippines' autonomous formation of democratic decisions. Therefore, this kind of consumerism would not be allowed on Hussain's account due to the fact that, in this case, "consumers fail to show adequate respect for Filipinos' views about labor safety and for their processes of democratic decision-making".<sup>110</sup> According to Barry and MacDonald this cannot be right. In this case, consumers aim to exercise market influence in order to have corporations adopt more stringent labour standards than currently is required by law. Hence, these consumers do not aim to depreciate legislation, rather, they aim to 'raise the bar'. As Barry and MacDonald phrase it: "they are pressuring firms to adopt particular practices that fall within the range of those which are legally permissible."<sup>111</sup> Given this fact, it does not seem like pressuring corporations to exceed what is minimally required is undermining the law in the way that would be relevant for Hussain's conclusion. Moreover, the way that Hussain rules out ethical consumerism for matters that have already been democratically addressed also seems problematic. This requirement of Hussain's account seems insufficiently perceptive to the fact that social change is incremental and occurs slowly.<sup>112</sup> In the United States, for example, the abolishment of slavery was followed by the segregative Jim Crow laws. Hence, it can be concluded that the issue had been democratically addressed when the Jim Crow laws were in effect. Yet, the issue was far from over. Similar cases could be made for women's rights, environmental laws, or animal rights.

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109. Hussain, "Impermissible Vigilantism?," 142.

110. Barry and MacDonald, "Ethical Consumerism," 302.

111. Barry and MacDonald, "Ethical Consumerism," 302.

112. Barry and MacDonald, "Ethical Consumerism," 301.

It seems that this requirement of Hussain's proto-legislative account does not take into account that legislation can become obsolete and revised over time.

Moreover, there is another argument in Barry and MacDonald's critique of Hussain's account. This argument is based on the observation that many legislative decisions "often result from deals cut between powerful interest groups behind closed doors and from associated processes of public debate in which normative deliberative standards are grossly distorted by the agenda setting and discursive power of corporate interests."<sup>113</sup> Corporate lobbying does not necessarily seem to be anomalous to democratic decision making. By engaging in ethical consumerism, consumers can employ their power as consumers to exactly challenge corporate power and stabilise political inequality in this way. In this way, it seems that one could argue that ethical consumerism can influence decision-making processes by offering unheard and opposing standpoints than the ones of corporations. In that case, it still remains true that those with relatively little money will have little power. However, such ethical consumerism might nevertheless aid democratic processes through signalling. Young's analysis showed that some agents appeal to their economic and financial constraints. These constraints withhold these agents from taking meaningful action.<sup>114</sup> For instance, governments fear losing investments and jobs if they were to pass legislation that aims at improving working conditions. As Barry and MacDonald point out, "countries that adopt them will risk losing out on trade and investment to countries that do not take such actions—a process sometimes referred to as 'regulatory chill.'"<sup>115</sup> Hence, by signalling willingness to buy more expensive or ethically produced goods, consumers may take away the disincentives preventing governments to introduce more stringent legislation.<sup>116</sup> Surely, when consumers reduce some of the financial hindrances that stand in the way of adopting legislation that is democratically desired, it does not seem to be the case that consumers undermine the democratic process of another country. Indeed, the opposite seems to be true. Therefore, Barry and MacDonald conclude that by Hussain's account is too restrictive and that

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113. Barry and MacDonald, "Ethical Consumerism," 309.

114. Young, "Responsibility," 369-70.

115. Barry and MacDonald, "Ethical Consumerism," 305.

116. Barry and MacDonald, "Ethical Consumerism," 305.

consumers engaging in ethical consumerism do not necessarily undermine democratic procedural values.

Despite the fact that Hussain raises some forceful concerns about potential threats of boycotts to democratic functioning, his proto-legislative account does not seem to offer satisfying reasons for constraining consumers to not discharge remedial responsibility through their consumption choices. The goal of remedial responsibility is to alleviate injustice in itself. Therefore, it seems that the goal of consumerism that aims to achieve this kind of change will not force agents to act in contravention of the law. Rather, it will attempt to encourage agents to do more than is minimally required by law. In the case of sweatshop labour, this might result in consumers attempting to raise safety standards or wages beyond what is minimally required in a given country. Therefore, it does not seem to be the case that such consumerism disrespects or undermines foreign democratic regulation. Hence, Hussain's considerations do not present satisfying reasons for why consumer ought not to discharge their remedial responsibility through ethical consumerism.

### *2.3 Complexity and Demandingness*

The second argument I would like to explore revolves around the idea that discharging remedial responsibility through ethical consumerism causes a complex and demanding situation for consumers.

The complexity I refer to is perhaps best illustrated by a very simple example put forward by Leonard Read.<sup>117</sup> In his famous short story *I, Pencil*, Read described the genealogy of a pencil, an object that is seemingly very simple. It turned out that a lot of different things are needed in order to bring a pencil into existence. On the one hand there are of course the natural resources that make up for the physical components of the pencil. Among the natural components listed by Read are wood, lacquer, graphite, wax, the ferrule, factice, pumice and glue.<sup>118</sup> However, that is not nearly the full story. In order to harvest, transport and process these materials, a lot more antecedents are needed. Saws and other tools

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117. Leonard E. Read, "I, Pencil," *The Freeman*, December, 1958, 32-37.

118. Read, "I, Pencil," 32-37.

are needed for the wood. For saws and other machinery—in turn—ore has to be mined. For transporting these resources, trucks and trains are needed, and for those infrastructure has to be in place. It is important to not forget that at all these different stages there are people who work in different vocations: from lumberjacks who chop down cedar trees to the employees who sweep the floor of the sawmill after it has been in operation, and from ship captains who bring materials to new harbours to the coffee farmers whose beans lend their taste to the drink that powers a lot of the workers throughout the whole supply chain. Read took this thoroughly intertwined system of social cooperation as a substantiation for a free and unregulated market system while pleading for enduring trust in the workings of the Invisible Hand.<sup>119</sup> Whereas I do not believe that the existence of an intricate system of production as presented in *I, Pencil* is sufficient reason to assent to Read's conclusion, I do believe he was right about the existence and the complexity of such a global system of social production. Even the production of such a small and simple object as a pencil presupposes a great amount of industries and, more importantly, assumes many actors as condition for the mere production of a pencil.

The fact that in consuming goods and services a consumer assumes the great amount of other agents who are needed in order to enable the ultimate consumption, is only one side of the complexity of the issue. Besides the scope of this group of assumed agents, there is also the matter of the visibility of this group. Production processes and supply chains are very opaque and incomprehensible from the point of view of the consumer. For example, the working conditions of sweatshop workers or the wages of coffee farmers are often remain a mystery for the consumer. Finding out about all the potential injustices hidden away in the supply chain of a particular product is a very time-consuming, if not impossible task. As a means of transparency, certificates and labels aim at uncovering and improving production processes and supply chains. One of the most well known labels is the Fairtrade label. In order to carry the Fairtrade label, a production process needs to meet certain requirements. For example, these requirements include that the producer of the product must pay fair wages to farmers and/or workers, provide for decent working conditions and ban forced as well as child labour. Such labels make things less complicated for the consumer. The idea, then, is that when a product has the Fairtrade logo on it, a consumer has good reason to believe that

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119. Read, "I, Pencil," 37.

the product complies with certain standards. Consequently, it is up to the consumer to for instance make the choice whether to buy a Fairtrade banana or a regular banana. This way, it seems that labels and certificates take away some of the complexity regarding hidden and distant production processes.

Although this seems to be true to some extent, labels and certificates also complicate the situation in other ways. The challenges that arise from such labelling practices seem to be threefold. Firstly, it appears that not all corporations are complying to the standards of their labels, commitments or initiatives. For example, earlier I mentioned how Starbucks and Nestlé have been linked to child labour despite the fact that these corporations have committed to a zero-tolerance policy against child labour.<sup>120</sup> Similarly, research suggest that there is frequent disparity between the commitments of corporations and the external initiatives they outsource their commitments to.<sup>121</sup> In other words, corporations tend to proof their commitments by pointing towards the external initiatives they are part of as evidence, while these external initiatives' requirements sometimes diverge from the corporations' commitments. Therefore, the first complication with these types of product labelling exists in whether corporations are complying with the requirements of these labels, certificates and initiatives as well as whether potential labels, certificates and initiatives are actually a good measure of these commitments.

The second challenge posed by such labelling is similar, yet conceptually different. Leaving aside the complications around whether corporations are in accordance with their commitments, these labels appear to complicate the situation further due to the fact that they are often based on normative assumptions. To take the Fairtrade label as an example: how does one decide what constitutes a fair wage and what makes for good enough working conditions? For example, a fair wage would be a wage that is enough to make a decent living. However, how does one in turn decide what constitutes a decent living? There seem to be ample normative and implicit assumptions that precede setting such normative baselines. For example, an inquiry into these complications about wages shows that “[o]ne problem with many corporate definitions of living wage is that they account for the needs of individual

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120. Doward, “Children.”

121. Edwards, Hunt and LeBaron, *Corporate Commitments*, 13-16.

workers, leaving out the needs of workers' families".<sup>122</sup> This shows that sticking to commitments of improving working conditions can potentially be meaningless when the normative definitions of matters such as safety and fair wages are distensible to the point that deficient compliance counts as satisfactory. In this way, labelling appears to present the consumer with a problem. There seems to be widespread disagreements between such normative standards. It is not always clear to consumers, for example, which commitments to paying a fair wage are dependable and correspond to their own definition of what would be a fair wage.

Lastly, even if corporations are complying to the requirements of trustworthy labels with reasonably set normative targets, there is still the question whether these labels have the intended effects. Whereas these labels aim to improve certain aspects of the production process, it might be that such labels lead to undesirable outcomes. Such unwanted effects could be similar to how boycotting sweatshop products might lead to the closure of sweatshops on the one hand, while at the same time making sweatshop workers worse-off by taking away their only source of income on the other hand. Theoretical economic projections about the effectiveness of a label banning child labour show that such a label could possibly have unwanted effects.<sup>123</sup> A label that bans child labour could, for example, result in a displacement effect.<sup>124</sup> In this case, the displacement effect would be that adult workers replace child workers in the export sector and, in turn, children would work in the domestic sector. This would imply that, although it is now the case that there is no child labour in the production process of a labelled product, the label did not achieve what it intended to, which was to stop child labour. Moreover, there is also an additional intuitive point here. As Kaushik Basu and Homa Zarghamee point out, child labour "occurs when the adult earning is not sufficient to meet the household's subsistence needs."<sup>125</sup> A complete ban on child labour, without at the same time providing adult workers an increased wage, would make a lot of people worse-off. In addition, consider the following case about a coffee farmer couple who

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122. Edwards, Hunt and LeBaron, *Corporate Commitments*, 19.

123. Jean-Marie Baland and Cédric Duprez, "Are labels effective against child labor?," *Journal of Public Economics* 93, no. 11-12 (December 2009): 1125-30.

124. Baland and Duprez, "Are labels effective," 1125.

125. Basu and Zarghamee, "Is product boycott," 219.

have a few children.<sup>126</sup> This family grows a large quantity of coffee beans and is left with the choice whether they should allow the children to work on their farm. They know that when they would allow their children to work, they would not receive an ‘anti child labour label’ and cannot sell their beans at a premium price. Therefore, they decide to hire a few adult workers instead. Although these adult workers cost more than their children would, they can now sell their coffee beans at a premium price. However, due to a low demand for child labour free coffee beans (either due to the fact consumers are not interested in paying more or due to oversupply) this family is only able to sell a third of their coffee beans for the premium price. The remaining share is sold at regular market value. Now, whether this poses a financial harm to the farmer couple depends on a lot of variables such as cost, prices, and quantities. However, one could imagine a situation in which the choice to produce child labour free coffee is detrimental to not only the farmers, but also to their children. In this way, labelling practices might not always yield the desired results.

These considerations intend to show that, although labelling practices aim at achieving positive results, their actual effects could be different. They could potentially make things worse. When the goal of an individual consumer is to learn about the effects of their consumption, labels and certificates can make things more transparent while, at the same time, make them more complex. It does not appear that all consumers have to do is buy ethically labelled products. This could, for example, result in a situation in which “[c]onsumers are purchasing products they believe are made by workers earning a living wage, when in reality, low-wages continue to be the status quo across the global garment industry.”<sup>127</sup> Although ethical labels are intended to do away with some of the epistemic burden, it appears that more challenges arise that do not relieve a consumer of their epistemic onus.

Interestingly, there are nevertheless reasonably trustworthy labels. Whereas the previously discussed issues concern ethical labelling practices, there are types of labels that do not face the same kind of complexities. For example, it is reasonable for consumers to

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126. This thought experiment was inspired by a passage on page 118 of Christopher M. Bacon, “Who decides what is fair in fair trade? The agri-environmental governance of standards, access, and price.,” *The Journal of Peasant Studies* 37, no. 1 (January 2010): 111-147.

127. Edwards, Hunt and LeBaron, *Corporate Commitments*, 27.



trust most labels on food.<sup>128</sup> If a consumer has a severe food allergy for a particular ingredient, it is often reasonable for this allergic consumer to consume the product when that ingredient is not listed on the label or on a restaurant's allergy specification. The logical question that arises is why there exists a difference in trustworthiness between food labels and ethical labels. I believe the reasons are twofold. Firstly, whereas food labels address relatively straightforward issues ('it either contains nuts or traces thereof, or it does not'), ethical labels often include normative assumptions of which there are different interpretations. As I have already addressed this complexity, I will turn to the other reason. The second reason for why there exist a dissimilarity regarding the trustworthiness of different types of labelling practices has to do with enforceability. There are, for instance, a lot of food regulations and requirements that products need to meet in order to be allowed to be sold. Many countries have established food and consumer product authorities that enforce legislation and perform investigations. Restaurants and companies that do not meet certain requirements are liable for legal sanctions. The problem with a lot of ethical labels is that they often do not arise from legislation. If that were to be the case, the products that would not meet these requirements would not be allowed to be sold. What makes a lot of these labels 'ethical' is that they do more than what is legally required. Therefore, it also appears that companies that fail to meet an ethical label's requirements, will not face legal sanctions. More specifically, Corporate Social Responsibility practices, such as ethical labelling, certification schemes and ethical initiatives, often work as a substitute for actual legislation. Some have claimed that these ethical labelling practices are a way of corporations telling states "we can fix these problems by ourselves, without state involvement."<sup>129</sup> In this way, Richard Appelbaum has argued that Corporate Social Responsibility "represents a key shift in economic governance: from public to private regulation and enforcement."<sup>130</sup> When corporations outsource their self-imposed commitments to external initiatives or

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128. This at least applies to the European Union and similar jurisdictions. Perhaps there exist places where this is not the case. In addition to food labels, there are also other labels that are sufficiently trustworthy. Typically, this applies to most of the labels that are governmentally regulated and/or labels that are subject to controls. An example of such a label is the Norwegian 'Nyt Norge'-label.

129. Edwards, Hunt and LeBaron, *Corporate Commitments*, 7.

130. Richard P. Appelbaum, "From Public Regulation to Private Enforcement: How CSR Became Managerial Orthodoxy," in *Achieving Workers' Rights in the Global Economy*, ed. Richard P. Appelbaum and Nelson Lichtenstein (Ithaca, NY: Cornell University Press, 2016), 49.

subcontractors and do not sufficiently see to it that the correct standards are being upheld, such private governance is effectively void. If, however, there would be strict legally binding regulations and corresponding sanctions, ethical labelling practices could become more trustworthy. The question remains, however, if meaningful legislation would exist, whether ethical labelling practices would grow to be obsolete to some extent.

Leaving aside the possible solutions regarding the trustworthiness of ethical labelling practices and taking all the previous considerations into account, it appears to be virtually impossible to find out about all the intricate moral effects of consumption choices. If—for the sake of the argument—one would assume that it is in fact possible, it would be a very time consuming effort to analyse all of our the day-to-day consumer products. Among other things, that would imply doing research about their corresponding production processes, the natural resources or materials from which they are made as well as all the ethical labels, initiatives and certificates ascribed to them. Therefore, the problem appears to exist in determining which boycotts have which effects. In this regard, one could say that discharging remedial responsibility through ethical consumerism would create an overly demanding task for consumers. However, its demandingness would not only be limited to the epistemic realm; there is also an extent to which ethical consumerism can be financially demanding. Products that carry an ethical label tend to be more expensive. Fairtrade coffee is more expensive than ‘regular’ coffee and ‘conscious fashion’ is more expensive than fast fashion. Specifically how demanding the financial burden of consume ethically is, will vary from consumer to consumer as it is dependent on contextual variables such as an individual’s income as well the additional costs of available alternatives. Nevertheless, it seems to be evident that discharging remedial responsibility through ethical consumerism will be demanding, epistemically as well as potentially financially.

However, the fact that the potential costs for consumers to discharge remedial responsibility by consuming ethically are high, does not necessarily amount to an all things considered trump that forces us to conclude that consumers cannot reasonably be expected to discharge their responsibilities this way. After all, it could be that the seemingly overly demanding costs of carrying a particular responsibility are insignificant relative to the harms

or injustices inflicted upon others when such responsibilities are not fulfilled.<sup>131</sup> Whether this is the case will depend on the effects of discharging remedial responsibility in this way. If the effects of consuming ethically will be significant, one could conclude that the epistemic as well as financial demandingness on the part of a consumer would not outweigh the benefits of, for example, the improved working conditions enjoyed by sweatshop workers. If, on the other hand, the actual effects of discharging remedial responsibility in this way are negligible, one could argue that it amount to an excessively demanding, complex and time-consuming burden. Therefore, it is necessary to examine the expected outcomes of discharging remedial responsibility through ethical consumerism.

#### 2.4 Causal Inefficacy

Suppose that it would be the case that consumers are able to find out about the all actual ethical implications of their consumption. In addition, suppose that consumers are also able to successfully find ethical alternative products and labels. It seems that even if this were to be the case, there still exists a convincing argument for why individuals should not discharge their remedial responsibility as consumers. This argument relates to one of the most puzzling problems of moral philosophy: the causal inefficacy problem.<sup>132</sup> In this section, I will first discuss the causal inefficacy problem and apply it to global labour injustices. Then, I will take on what I believe to be the strongest objections to the causal inefficacy problem in light of the global labour injustice discussion and show why those arguments do not seem to hold.

In ‘Do I make a Difference?’, Shelly Kagan attempts to answer the titular question and, while he does not use the same terminology, presents a lucid explanation of the causal inefficacy problem.<sup>133</sup> Kagan explains that when a large enough group of people acting *together* is able to produce an outcome of a certain kind, it might sometimes be the case that

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131. According to, for example, Robert Goodin’s view of demandingness, the costs of an action are not morally justifiable if it results in disproportionately small gains, see Robert Goodin, “Demandingness as a Virtue,” *Journal of Ethics* 13, no. 1 (2009): 8-9.

132. The causal inefficacy problem is sometimes also referred to as ‘the problem of inconsequentialism’, ‘the problem of collective harm’, or ‘the collective action problem’.

133. Shelly Kagan, “Do I Make a Difference?,” *Philosophy & Public Affairs* 39, No. 2 (2011): 105-41.

it does not matter to the overall outcome what an *individual* does. Therefore, Kagan concludes that “if enough people do perform the act the results are bad overall; . . . it remains true of each individual agent that it makes no difference to the overall results whether or not *they* perform the act in question.”<sup>134</sup> In this way, the causal inefficacy problem poses a difficult challenge for consequentialist reasoning. On a consequentialist account, an act’s rightness or wrongness is based on the result that the act brings about. When an act maximises utility or minimises suffering, consequentialists would deem it to be the morally right act. However, in order to judge an act through consequentialist reasoning in this way, at least some sort of effect seems to be needed. If an outcome is equal whether or not an individual omits a particular act, how does one form a consequentialist verdict about the rightness or wrongness of said action? In such cases, it seems that an actual result is necessary for the action to be condemned. Therefore, when such a result is absent, it appears that a consequentialist account cannot provide a satisfactory moral judgment about the rightness or wrongness of an isolated act. As a result, some have argued that it is more helpful to adopt a virtue ethical approach.<sup>135</sup> However, others have raised doubts as to whether the inefficacy problem solely applies to consequentialist moral reasoning. As Julia Nefsky phrases it in the context of climate change: “if my unnecessary driving or flying makes no difference with respect to climate change harms, it’s not clear why it counts as vicious, or why refraining would be virtuous”.<sup>136</sup> More importantly, in light of the discussion about discharging remedial responsibility through consumption choices, it remains unclear why acting virtuously would count towards discharging responsibility. When the virtuous behaviour of a consumer has no discernible effect on the situation of sweatshop workers, it does not seem as if any sort of remedy is provided.

One of the most well-known discussions of the inefficacy problem concerns emitting

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134. Kagan, “Do I Make a Difference?,” 107.

135. See, for example, Dale Jamieson, “When Utilitarians Should Be Virtue Theorists,” *Utilitas* 19, no. 2 (2007): 160-83; or Ronald Sandler, “Ethical theory and the problem of inconsequentialism: Why environmental ethicists should be virtue-oriented ethicists,” *Journal of Agricultural and Environmental Ethics* 23, no. 1-2 (2010): 167-183.

136. Julia Nefsky, “Collective Harm and the Inefficacy Problem,” *Philosophy Compass* 14, no. 4 (2019): 5.

greenhouse gasses for sheer fun.<sup>137</sup> Walter Sinnott-Armstrong aims at finding a moral principle that can explain the wrongness of unnecessarily emitting greenhouse gasses. He discusses the example of driving a fuel-inefficient car for sheer pleasure. Sinnott-Armstrong establishes that there is nothing wrong in itself with emitting greenhouse gasses since the acts of boiling water and breathing heavily would then also be culpable on account of emitting greenhouse gasses.<sup>138</sup> Surely, it is not morally wrong in itself to breathe or cook. Sinnott-Armstrong therefore aims at finding other relevant reasons for why polluting for sheer fun is morally reprehensible. However, due to the fact that one's decision whether or not to take the car out for a drive will not have a significant impact on the results of climate change, it becomes hard to see what is wrong in doing so. The greenhouse gasses emitted from such a drive will not make a difference when it comes to the harms that global climate change will inflict on people or the environment. It is only when a very large group of people emit greenhouse gasses in this way that distinguishable differences in impacts can be discerned. Ultimately, these considerations lead Sinnott-Armstrong to conclude that there exists no prima facie wrong (in a sense relevant to climate change) in driving a gas-guzzling car for sheer pleasure.

When the problem of inefficacy is applied to matters of global labour injustice, the implications are the same. There is nothing prima facie wrong about the act of buying clothes in itself. For instance, one could buy clothes from ethical sources or at a second hand store. In addition, isolated purchases of clothes do not cause people to work in sweatshops on the other side of the globe. Similarly, refraining from doing such a purchase will also not make an appreciable difference in the amount of working hours or produced product quantities. Hence, whether or not a particular individual consumer decides to buy a piece of clothing, there will not be a discernible positive or negative effect to the unjust situations of sweatshop workers. The same applies to the consumption of coffee or chocolate. An individual's consumption will not force a child to work more on the fields, in the same way as that an individual's decision to refrain from consuming chocolate or coffee will not result in less work for said child. It seems to be the case that an individual's consumption choices do not

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137. Walter Sinnott-Armstrong, "It's Not My Fault: Global Warming and Individual Moral Obligations," *Perspectives on Climate Change: Science, Economics, Politics, Ethics* 5, (2005): 293–315.

138. Sinnott-Armstrong, "It's Not My Fault," 301.

make a difference when it comes to the outcome and therefore would also not count towards discharging remedial responsibility. At this point it would be good to acknowledge that there exists a tension between stating that the remedial responsibility of an individual consumer is grounded in the causal connection of their consumption choices to global labour injustice, and stating that their discharging actions will prove to be inefficacious. I will turn to this objection in the next chapter. Presently, I will discuss some arguments that attempt to refute the implications of the causal inefficacy problem.

There are a few ways of reacting to the implications posed by the problem of causal inefficacy.<sup>139</sup> One way is to take skeptical route of, among others, Sinnott-Armstrong. He claims that since there is no moral principle that can convincingly condemn driving a gas-guzzler for fun, it is therefore not morally wrong to partake in such activity.<sup>140</sup> Instead, Sinnott-Armstrong suggests that environmentalists should pressure governments to take action.<sup>141</sup> Due to the fact that the legislation of governments applies to larger groups of people, such governmental action is able to cause discernible outcomes. This way, Sinnott-Armstrong's reasoning could be said to be part of the line of argument that states that it does not matter what we do individually in situations where we cannot make a difference. Instead, Sinnott-Armstrong suggests that we should consider engaging in other actions such as political action. For example, individuals should protest, sign petitions and, above all, vote for the correct political parties.

Besides this sceptical approach, there are other ways of responding to the causal inefficacy problem. For instance, one could deny that an individual's actions do not make a difference. Since our current analysis concerns discharging remedial responsibility through consumption choices, this way appears to be the only relevant way out of the inefficacy problem. In order to claim that we ought to discharge remedial responsibility through our consumption choices, it seems necessary to show that our actions can make a difference in this respect. If it is the case that our individual actions are not able to cause discernible results, it would appear that our individual consumption choices will not count towards discharging our remedial responsibility. Thus, in light of our discussion, we need to consider

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139. For a luminous overview, see Nefsky, "Collective Harm," 1-17.

140. Sinnott-Armstrong, "It's Not *My* Fault," 311-12.

141. Sinnott-Armstrong, "It's Not *My* Fault," 312.

the line of argument that states that the causal inefficacy problem is mistaken in stating that individuals are not able to cause a difference. Such objections are centred around the idea that, either, individuals have a small chance to make a significant difference, or, that although individual actions do not have perceivable results, they do in fact have results (albeit infinitesimal). These ideas seem to correspond to commonplace intuitions. After all, as Avram Hiller argues in light of climate change, it would be metaphysically untenable to conclude that although everyone's collective driving makes a difference with respect to climate change, individual drives have no effect at all.<sup>142</sup> If that were to be the case, he concludes that "then *everyone's driving* would have to be some odd emergent entity that is not reducible to individual acts of driving".<sup>143</sup> Such a conclusion indeed does not seem right. Similarly, it would seem odd to conclude that although everyone's collective sweatshop produce purchases make a difference with respect to sweatshop injustice, an individual's purchases have zero effect.

In light of the inefficacy problem, Jonathan Glover has proposed that we ought to apply what he calls the *Principle of Divisibility*.<sup>144</sup> It states that "in cases where harm is a matter of degree, sub-threshold actions are wrong to the extent that they cause harm, and where a hundred acts like mine are necessary to cause a detectable difference I have caused 1/100 of that detectable harm".<sup>145</sup> In other words, single individual contributions to situations in which people collectively cause harm, are wrong to the extent to which they contribute to the negative outcome. In this respect, Glover distinguishes two kinds of thresholds.<sup>146</sup> On the one hand, there are 'absolute thresholds' that have sharp boundaries between two different outcomes. For example, voting is an absolute threshold. Contrary to such cases, there are 'discrimination thresholds'. These are cases "where a single person's act will push a situation slightly further in a certain direction, but where his contribution, although real, may be too

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142. Avram Hiller, "Climate Change and Individual Responsibility," *The Monist* 94, no. 3 (2011): 354.

143. Hiller, "Climate Change," 354.

144. Jonathan Glover, "It Makes No Difference Whether or not I Do It," *Proceedings of the Aristotelian Society, Supplementary Volumes* 49, (1975): 174.

145. Glover, "No Difference," 174.

146. Glover, "No Difference," 173-74. On Kagan's account this distinction exists between 'triggering cases' and 'imperceptible difference cases', cf. Kagan, "Do I Make a Difference?," 117-19.

small to be detected when its effects are spread through the community”.<sup>147</sup> An example of a discrimination threshold would be global climate change. Glover states that unlike with discrimination thresholds, if an act does not result in an absolute threshold being crossed, the acting individual has not contributed to the outcome.<sup>148</sup> In the case of discrimination thresholds, contributions are wrong to the extent that they contribute. In support of his argument, Glover conceives of a case in which 100 bandits steal the food of 100 already hungry villagers.<sup>149</sup> All these villagers have their own individual bowls containing 100 beans. If every single one of the bandits would steal one bowl, each of them would individually do discernible harm to one of the villagers by leaving them hungry. However, by stealing one bean from every single one of the villagers, the bandits would do no discernible harm to any of the villagers. Yet, these villagers are still left to starve. Contrary to the conclusions on the accounts of those who reject it, Glover’s *Principle of Divisibility* would still deem the bandits to be responsible for their share of the harm done in the latter case. The indiscernibility of sub-threshold actions seems to be irrelevant on Glover’s account.

The objection to the inefficacy problem that states that individuals have a small chance to make a significant difference concerns absolute thresholds. It revolves around the idea that there exist some ‘triggering cases’ that will cause a particular threshold to be crossed and thus result in an outcome to come into being.<sup>150</sup> It seems as if an individual consumer triggers such a threshold by purchasing a product, he or she might actually have brought about an outcome. In that case, it could be concluded that an individual’s contribution is able to result in a significant impact. In her discussion of thresholds, Lawford-Smith uses the example of buying a T-shirt.<sup>151</sup> When an individual buys the 100<sup>th</sup> T-shirt of a certain kind at a specific retailer, this individual’s purchase might trigger the retailer to place an order for another shipment of these T-shirts at the manufacturer of these T-shirts. In that case, it would appear that this individual’s purchase has actually done some harm. At this point, a few things can be noted. In the way that Lawford-Smith explains the T-shirt scenario, it seems as if the

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147. Glover, “No Difference,” 173.

148. Glover, “No Difference,” 173.

149. Glover, “No Difference,” 174-75.

150. I lend the terminology of ‘triggering cases’ from Kagan, see Kagan, “Do I Make a Difference?,” 105-41.

151. Lawford-Smith, “Unethical Consumption,” 319-20.



reordering of T-shirts happens on the basis of an absolute threshold. This characterisation implies that when a specific amount of T-shirts has been sold, a new order will be placed or more products will be produced. Although the consumer is usually not in the epistemic position to know whether their purchase will trigger an outcome, one could argue that a consumer can reasonably expect that their purchase could potentially have some effect in this way. Therefore one could state that a consumer ought not to risk being responsible for such a triggering case.<sup>152</sup> Buying an item that could possibly trigger significantly more harm would, after all, pose an impermissible risk.

Some have defended a line of reasoning that appeals to such expected effects. In his discussion on the topic, Mark Budolfson includes, among others, Peter Singer, Alastair Norcross, and Kagan to be proponents of such a view.<sup>153</sup> What these philosopher seem to claim is that although individual acts (i.e. purchases) will not have significant impacts, there must be a set of actions that together will have a significant impact. Norcross exemplifies this with an example concerning the meat industry:

Suppose that the industry is sensitive to a reduction in demand for chicken equivalent to 10,000 people becoming vegetarians. . . . For each group of 10,000 who give up chicken, a quarter of a million fewer chickens are bred per year. It appears, then, that if you give up eating chicken, you have only a one in ten thousand chance of making any difference to the lives of chickens, unless it is certain that fewer than 10,000 people will ever give up eating chicken, in which case you have no chance.<sup>154</sup>

As a result, Norcross concludes that an individual's chance to make a difference is small, but not negligible, as it is a chance to make a big difference. Subsequently, Norcross derives that a "one in ten thousand chance of saving 250,000 chickens per year from excruciating lives is morally and mathematically equivalent to the certainty of saving 25 chickens per year."<sup>155</sup> However, according to Budolfson this cannot be correct. The problem with this type of reasoning seems to be that it mistakenly equates "the *expected effect* of that individual's

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152. Lawford-Smith, "Unethical Consumption," 319-20.

153. Mark Budolfson, "The inefficacy objection to consequentialism and the problem with the expected consequences response," *Philosophical Studies* 176, no. 7 (July 2019): 1714.

154. Alastair Norcross, "Puppies, pigs, and people: Eating meat and marginal cases," *Philosophical perspectives* 18, (2004): 233.

155. Norcross, "Puppies," 233.

action—in this case, purchasing one chicken— . . . to the *average effect* of all actual acts of that type”.<sup>156</sup> In other words, such reasoning claims that because an  $X$  number of acts will have a particular outcome, we can divide that outcome by  $X$  to end up with the expected effect of an individual act. This seems to be incorrect. In fact, the expected effect is very likely to be a lot smaller than the average effect. In order for the effect to make a difference in this way, one’s contribution has to be the exact triggering case. For every other case than the exact 10,000<sup>th</sup> case, it remains true that that *specific* act would not have mattered in terms of making a difference. This is true for cases in which the 10,000 mark is surpassed as well as for the group of cases that together fall short of 10,000. It appears that for an act to make a difference, the total group of acts has to exactly cross the threshold and not surpass it beyond the triggering case. Although, as Budolfson rightly points out, the chances of this happening is indeed not *zero*. However, the chance that *your* act will be the triggering case is significantly small enough as to make it severely improbable.

In addition, Budolfson points to the fact that we know enough about supply chains to conclude that threshold effects “are not sufficiently likely”.<sup>157</sup> This point relates to the observation that supply chains (for example, for meat or clothes) are not sensitive to single purchases. For example, the sale of pieces of clothing from ‘previous’ collections as well as meat that is about to turn bad against bottom prices seems to be proof of overproduction. Although it might be true that some producers are able to perfectly tailor supply to consumer demand, it is not clear that this applies to sweatshop products. Products that are made in sweatshops are typically produced in very large quantities. It seems dubious to conclude that reorders for sweatshop products are sensitive to differences of a single purchase. However, when we in fact assume that a single purchase can make a difference with respect to causing an extra shipment to be reordered, it is still controversial to claim that this purchase will result in more sweatshop labour. Even in the near-impossible case that a particular individual’s decision to refrain from purchasing a shirt, causes a specific type of t-shirt not to be reordered, it still remains far from clear that this will then also result in less work for a sweatshop worker. It seems more likely that—if not this particular T-shirt—other shirts, brands, or products will be produced by these workers. Hence, we need to sharply distinguish the

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156. Budolfson, “The inefficacy objection,” 1715.

157. Budolfson, “The inefficacy objection,” 1717.

demand for a particular sweatshop product from the demand for sweatshop products in general. If the demand for a particular sweatshop product does not seem sensitive to individual purchases, the impact of a single purchase on the total demand for sweatshop products would certainly be negligible. Importantly, this is why the inefficacy problem poses such a problem for the matter at hand. In order for the argument that states that consumers ought not to risk triggering a harmful outcome to work, this risk needs to be non-negligible. However, in light of global labour injustices such as sweatshop work, consumers have legitimate reasons to expect that their own individual purchase will not result in exactly triggering a threshold. Furthermore, it is not at all clear that in the highly unlikely situation that an individual's purchase does trigger such a threshold, it would also result in a corresponding a difference regarding the situation of sweatshop workers. Thus, consumers have legitimate reason to expect that the effects of their purchase will be negligible. Hence, it also does not seem that by purchasing an individual product a consumer risks anything impermissible by disregarding the implausible chance that it will make a difference.

However, some might argue that the characterisation of sweatshop harm on the basis of an absolute threshold is mistaken, inaccurate or unhelpful. Instead, it might be argued that we ought to conceive of the situation through a discrimination threshold. This would imply that an individual's actions do not have a chance to make a considerable impact, but that an individual's actions always makes a tiny difference. In this light, an individual's purchase of a shirt that was produced in a sweatshop will not result in a perceivable difference, but it makes the situation *worse*. On this view, an individual's purchase makes the situation worse both by increasing demand as well as by generating additional revenue for the corporations behind these products. In this light, Nefsky argues that in imperceptible difference cases the difference of an individual's contribution is a difference along the "*underlying dimension*".<sup>158</sup> In the case of individual purchases, the underlying dimension seems to be the collective consumer demand. Ultimately, the aggregate of contributions to the underlying dimension will determine the amount of harm that result from it. An example of this would be the emission of greenhouse gasses. The total aggregate of greenhouse gas emissions will eventually determine the severity of climate change related harms. However, as Nefsky

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158. Julia Nefsky, "Consequentialism and the problem of collective harm: A reply to Kagan," *Philosophy & Public Affairs* 39, no. 4 (2011): 373.

argues, it would be mistaken to conclude that the difference an individual makes “along the underlying dimension is itself a difference in harm”.<sup>159</sup> When we apply this to the case of purchasing a shirt, it does not mean that the barely perceptible difference that a single purchase makes in terms of demand or revenue, also has a corresponding increase in the resulting net amount of harm of sweatshops. Hence, an appeal to imperceptible differences is not a satisfactory answer to the causal inefficacy problem. However, there also seems to be a relevant intuitive point to why an appeal to imperceptible differences is uncalled for in light of the discussion of discharging remedial responsibility through consumer choices. Even if we grant that consumption choices do result in tiny imperceptible differences, these differences are still imperceptible. It does not seem to be right to conclude that when an effect is imperceptible, it still qualifies as being a remedy. Therefore, it appears that when the goal of an individual consumer is to exercise their purchasing power in order to discharge their remedial responsibility, their actions will be ineffective in terms of relevantly impacting the total consumer demand or reducing potential harms. Although it might be the case that in other discussions concerning the inefficacy problem, it can be successfully avoided, it seems that the inefficacy problem poses an undeniable challenge when it comes to discharging remedial responsibility through consumption choices.

### *2.5 Concluding Remarks*

In this chapter, I have entertained the question whether remedial responsibility incurred by consumers is also best discharged as consumers through their ethical consumption choices. Together, these few objections that I have discussed, aimed to show that there are various reasons to believe that we ought not to discharge remedial responsibilities through consumption choices in an effort to work towards improving unjust labour situations globally. Whereas the arguments regarding complexity and demandingness as well as the causal inefficacy problem proved to be forceful arguments against discharging remedial responsibilities in this way, Barry and MacDonald have shown that the concerns regarding the circumvention of democratic processes can be sufficiently addressed. Since Hussain’s

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159. Nefsky, "Consequentialism," 373.

account could satisfactorily be dealt with, it appears that the answer must be derived from the former two lines of argument. In the discussion on demandingness, I established that discharging remedial responsibility through ethical consumerism would amount to an epistemically as well as financially burdensome task. In response to this, I argued that whether or not this burden can be said to be excessive will partly be dependent on the magnitude of the effects of ethical consumerism. The subsequent discussion on causal inefficacy showed that an individual's consumption choices will not result in a significant impact on consumer demand. Given this conclusion, an individual who aims to positively affect the unjust situation of exploited sweatshop workers through their individual consumption choices will turn out to be ineffective. Even in the highly unlikely situation that an individual's action does result in an impact, this impact will be infinitesimally small. Hence, when we reconcile these two observations, we can conclude that the demandingness of ethical consumerism is disproportionately burdensome when an individual consumer is anticipating to have an appreciable effect on the unjust situation of sweatshop workers by (refraining from) driving demand.

## Chapter 3

### Successfully Discharging Remedial Responsibility

In the previous chapter I have discussed multiple objections to the claim that consumers ought to discharge remedial responsibility for global labour injustices as consumers through their consumption choices. It appeared that discharging responsibilities in this way would amount to an excessively demanding and inefficacious task. These considerations led to the conclusion that it is highly improbable for consumers to have a meaningful impact on consumer demand by discharging remedial responsibility through consumption choices. Therefore, it seems that consumers who take this course of action do not successfully discharge their remedial responsibilities. As a consequence, the question of how individuals should discharge their remedial responsibility remains unanswered. This chapter attempts to propose as well as discuss some potentially successful ways of discharging remedial responsibility. Upon consideration, it appears that an individual's attempts at affecting outcomes often will be mediated. I will first discuss some of the more intuitive ways of mediated political action. Then, I will turn to discussing discharging responsibilities through other mediated political acts.

#### *3.1 Political Action*

In the previous chapter I discussed how Sinnott-Armstrong's inability to find a moral principle that could satisfactorily condemn individual gas-guzzling drives compelled him to be skeptical regarding the wrongness of individual contributions.<sup>160</sup> As a result of his skepticism, Sinnott Armstrong concluded that an individual should instead focus on engaging in political actions. For example, if such political actions effectively cause legislation to be passed, the coercive power of governments could ensure significant results. No individual alone would be able to achieve a positive impact of the magnitude of a state acting in correspondence could. There are, of course, different ways to partake in political action.

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160. Sinnott-Armstrong, "It's Not *My* Fault," 311-12.

However, it seems that when we think about political acts, we think about acts that are mediated in one way or another. When we vote, our political act is mediated through elections. When we sign a petition or join a protest, the petition or protest function as the medium through which we act. Here, when I refer to political acts, I follow Young's use 'political'. Young's use of 'political' was meant to indicate something broader than politics in a governmental sense.<sup>161</sup> More specifically, she intended to refer to the kinds of activities "in which people organize collectively to regulate or transform some aspect of their shared social conditions, along with the communicative activities in which they try to persuade one another to join such collective action or decide what direction they wish to take it."<sup>162</sup> When we conceive of political acts in this way, there are, on the one hand, more intuitively mediated ways that advance a political goal. For example, I mentioned voting, signing a petition and joining a protest. Moreover, there also exist less intuitive ways of political actions. Such latter efforts aim at achieving an outcome by contributing to endeavours that will in turn be able to produce desired outcomes. Before I will expand on these less intuitive ways, I will first discuss some more conventional ways of political action.

Most of the conventional political actions seem to advance a political goal in a somewhat direct and obvious sense. When we vote, join a protest, take part in political campaigning, or sign a petition, we aim contribute to a collective effort to affect an outcome. These different political acts are mediated but serve their purpose is a relatively straightforward way. An individual joins a protest to show that they support and value a goal and wish that a particular goal were to be realised. Similarly, an individual signs a petition in the hope the petition's goal will be achieved. For example, an individual can sign a petition urging a fashion corporation to pay their sweatshop workers a living wage. In addition, although it might seem mundane, personally persuading other people to contribute to some end can also be as a way to advance a political goal. More often than not, such political action will occur in interpersonal relationships between family members and friends. Given the proximity of such relationships, it also seems that these people might be the ones easiest to influence in terms of raising awareness, changing their views, or even persuading them to contribute to a political cause. However, an individual can also attempt to convince other

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161. Young, "Responsibility," 377.

162. Young, "Responsibility," 377.

types of agents such as corporations and institutions. While an individual might not be able to convince enough other persons in order for this individual's actions to result in an appreciable effect, an individual might nevertheless be able to persuade an institution or corporation to change its course. Again, we can use a university student as an example. This university student finds out that the coffee being served in the university's canteens as well as through the university's coffee machines is brewed with coffee beans originating from the coffee farms of exploited farmers. Instead of boycotting the university's coffee and convincing as many peers to act accordingly, this student could write a letter to the university board or the relevant facility department. Although the content of such letter will likely differ from person to person, it could be effective to address the university's responsibility as an institute that is meant to set an example for society as well as the university's role in facilitating progress. Now, it might very well be that a single letter will not cause the university to switch coffee beans. However, if this student manages to convince a few peer students to send a similar letter and additionally also convince some of their friends, it might be efficacious. Typically, universities are very concerned with their reputation since they want to attract students as well as scholars. If, as a result of some letters being sent the school changes to ethical coffee beans, an individual may very well have caused an appreciable impact. Given the fact that most universities host tens of thousands people (students, scholars, staff, et cetera), the resulting amount of 'ethical' coffees being consumed instead can be considerable. It could even be the case that when a university changes its coffee bean policy and it is published in the news, other universities, schools and institutes follow suit. However, obviously not all political acts will have such effects. A barista who convinces their boss to switch to ethical coffee beans or biodegradable cups, might not cause such a ripple effect. Nevertheless, convincing other agents who occupy positions that allow them to produce an outcome that extends beyond their own individual contributions, may be a way in which even individuals can cause significant impacts.



### 3.2 Collectivisation

Besides these intuitive ways of attempting to achieve a political goal, there is another way of thinking about political action. This way concerns collectivisation. In her recent work discussing the complexities surrounding group duties, Stephanie Collins considers collectivisation duties to play a central role in situations in which uncoordinated individual actions are not able to produce a desired outcome.<sup>163</sup> In order to understand when and how collectivisation duties are applicable, more needs to be said about the relationship between groups and duties itself.

In her book, Collins puts forward and defends her ‘Tripartite Model’ of group duties. This model is based on the idea that there exist different kinds of groups with different kinds of properties. Collins distinguishes 3 types of groups: combinations, coalitions and collectives.<sup>164</sup> Firstly, combinations are random groups of people who, for instance, happen to be at the same place at a given point in time, happen to witness a crime or are on the same bus together. Coalitions, in turn, are different from combinations in that the agents that make up this kind of group, share the same goal. Examples of coalitions are ‘conservatives’, ‘the international community’ or ‘environmentalists’. Lastly, collectives are different than the two aforementioned groups in that collectives are united under a rationally operated group-level decision making procedure that can attend to moral considerations. As an example of a collective, Collins names the United Kingdom.<sup>165</sup>

With respect to collectives, Collins outlines three necessary and jointly sufficient conditions that groups have to meet in order to be a collective. Firstly, “each member is committed (even if only tacitly) to abide by the the procedure’s results.”<sup>166</sup> This could, for instance, be in terms of being subject to laws or policies by virtue of being a member of collective. Secondly, inputs (i.e. beliefs and preferences) and the way of processing these inputs are systematically derived from the behaviour of members (by, for example, deference, votes or contributions). In addition, these inputs and the way of processing these inputs must

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163. Stephanie Collins, *Group Duties: Their existence and their implications for individuals* (New York: Oxford University Press, 2019), 108-14.

164. Collins, *Group Duties*, 2-4.

165. Collins, *Group Duties*, 2-3.

166. Collins, *Group Duties*, 12.

also be different from the way that individual members make decisions for themselves. Collins exemplifies this through an example about a collective deciding what to eat.<sup>167</sup> Each member might have their own personal preference as well as way of deciding what type of food they prefer for themselves. However, the collective might settle on a completely different outcome than any individual would have preferred for themselves and in a way that is distinct from any individual's decision method, namely by conversation-based consensus or voting.<sup>168</sup> Lastly, in order for a group to be a collective, "the enactment of the group's decisions requires actions on the part of the members, where those actions are also properly understood as attributable to the collective."<sup>169</sup> For this last requirement Collins uses the example of teaching a particular curriculum in schools.<sup>170</sup> The execution of this decision requires particular actions on the part of, among others, teachers, school executives, and students. These agents are certainly responsible for their undertakings regarding the enactment of the collective's decision to introduce a new curriculum. However, to some extent these action can also be partially attributed to the collective itself. When these three conditions are met, the group constitutes a collective and the individual agents united under these conditions form the collective's members.

In order to bear duties as a group, Collins argues that groups have to be of the latter kind, namely they have to be a collective.<sup>171</sup> This is mainly due to the fact that Collins's account functions on an 'ought-implies-can' basis. When a group is unable to process and act on moral considerations, it seems that such a group *cannot* bear a duty as a group and therefore it would be incorrect to state that they *ought* to fulfil such a duty. In other words, we cannot attribute duties to groups that fall short of being a moral agent.<sup>172</sup> This condition is

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167. Collins, *Group Duties*, 14-15.

168. Collins, *Group Duties*, 14-15.

169. Collins, *Group Duties*, 114.

170. Collins, *Group Duties*, 14.

171. Collins, *Group Duties*, 4.

172. Collins, *Group Duties*, 60.

sometimes being referred to as the ‘agency requirement’.<sup>173</sup> Due to the fact that collectives are united under a rationally operated, group-level decision making procedure, they seem to exhibit a necessary form of agency in a way that combinations and coalitions do not. As a consequence, Collins concludes that because combinations and coalitions lack this feature, they cannot bear group-level duties.<sup>174</sup> However, that does not entail that members of combinations and coalitions do not have any duties at all, but that these duties are held individually instead of on a group level. Therefore, on Collins’s view, a duty that is attributed to a non-collective group should be understood as “a conjunction of duties, each of which is held by one [member], each of which is a duty for that [member] to take steps”.<sup>175</sup> For instance, members of combinations and coalitions can have duties to act responsively to the other members with a view to producing a morally desired outcome. Similarly, members of these groups can hold collectivisation duties, which obligate members to perform actions “with a view to the formation of a new collective, as well as . . . the maintenance or transformation of existing collectives.”<sup>176</sup> Collectivising, then, is different from acting responsively in that when collectivising happens successfully, a collective ‘takes over’ the production of the outcome.<sup>177</sup> Respectively, when acting with the goal of responsiveness, responsiveness duties exist until the desired outcome is produced. When acting with the goal of collectivisation, the collectivisation duties apply until a capable collective exists.<sup>178</sup> According to Collins, responsiveness duties and collectivisation duties are two species of what she calls coordination duties. She proposes a 7 step conditional ‘Coordination Principle’ that formulates the idea that “if a non-collective group is able to produce a morally valuable outcome in a morally valuable way—or is able (in a morally valuable way) to form a collective that will produce that morally valuable outcome—and if no other group will do so in

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173. For a discussion on the agency requirement, see Gunnar Björnsson, “Collective Responsibility and Collective Obligations Without Collective Moral Agents,” in *The Routledge Handbook Of Collective Responsibility*, ed. Saba Bazargan-Forward and Deborah Tollefsen (New York: Routledge, 2020), 127-41.

174. Collins, *Group Duties*, 25.

175. Collins, *Group Duties*, 25.

176. Collins, *Group Duties*, 109.

177. Collins, *Group Duties*, 110.

178. When such a collective exists, members who constitute the collective have membership duties from thereon, see chapter 7 in Collins, *Group Duties*, 181-205.

a better way, then each member has a duty to be responsive to the others with a view to the outcome being produced or to the collective being formed.”<sup>179</sup> On Collins’s account, it can never occur that the coordination principle “produces duties both to be responsive with a view to the outcome and to be responsive with a view to forming a relevant collective.”<sup>180</sup>

When Collins’s Tripartite Model is applied to the group ‘consumers’, we can conclude that ‘consumers’ do not constitute a collective. From that conclusion, we can derive that the group ‘consumers’ cannot bear group level duties. Due to the fact that consumers are to a great extent unorganised as well as random, it seems that the group ‘consumers’ would fall in the category of combinations. Perhaps some subclasses of consumers (e.g. ‘vegan consumers’ or ‘conscious consumers’) might be classified as being coalitions for sharing a common goal. At this point, it might be objected that I have made a mistake. If it is the case that consumers are not a collective, how might they be said to bear remedial responsibility for global labour injustices? My application of Miller’s connection theory considered consumers as a group and rendered them remedially responsible for global labour injustice partly on the basis of causal responsibility. As the discussion about causal inefficacy in the previous chapter showed, no individual consumer causes ‘sweatshop work’. Therefore, it could be objected that individual consumers do not score as high as I claimed on the six dimensions of the connection theory. After all, there exists a tension between claiming that individual consumers are sufficiently causally efficacious as to make them remedially responsible, but not sufficiently causally efficacious when it comes to discharging remedial responsibility through driving demand. Although there is considerable force behind this argument, I do not believe it succeeds in absolving individual consumers of their remedial responsibility. Consumers considered in isolation might be said to have a significantly weaker connection with regard to causal responsibility, as no consumer alone is sufficiently causally responsible for global labour injustice. Hence, one could object while the group ‘consumers’ has a considerable causal connection that gives rise to remedial responsibilities, individual consumers do not have such a connection. In the previous chapter, I discussed a similar observation Hiller makes with respect to responsibility in light of global climate change. He argued that such reasoning implies that the collective behaviour of consumers would not be

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179. Collins, *Group Duties*, 117-18.

180. Collins, *Group Duties*, 121.

reducible to individual contributions.<sup>181</sup> In this light, it would be odd to conclude that consumers have no connection at all.<sup>182</sup> On the contrary, individual consumers even seem to have a very tangible connection. For example, a consumer's sweatshop t-shirt still finds its origin in a sweatshop just as their 'unethical' coffee beans once still passed the hands of an exploited farmer. I believe that such a (tangible) causal connection is not negligible in the same way as the results of attempting to discharge remedial responsibility by directly driving demand are. After all, whereas the former connection resulted in the consumption of an actual 'unethically produced' product, the impacts of the latter are not as easily discerned. In my discussion, I have attempted to disconnect the way consumers incur remedial responsibilities from how they should discharge their responsibilities. Although on the one hand I deem a consumer's connection to be sufficiently morally significant for them to incur remedial responsibilities, it does not necessarily follow that, on the other hand, discharging remedial responsibilities in the same way as they were incurred in the first place, has the same moral significance. In the first case what we are concerned with is a matter of connection, whereas in the latter we are concerned with remedy. Those are two distinct matters.

Moreover, I believe this objection also fails to take into account the purpose of ascribing remedial responsibility. Remedial responsibility's outset is a state of affairs of which it would be morally unacceptable if it were to persist. Although backwards-looking considerations are relevant in ascribing remedial responsibilities on Miller's account, its approach is deeply forward-looking. As Young pointed out, thinking along the lines of fault and liability when attributing responsibilities only goes so far. We attribute remedial responsibility in situations in which conventional reasoning about responsibility proves to be insufficient or inadequate. In his discussion on forward-looking character of remedial responsibilities, Miller clearly distinguishes between identifying responsible agents and assigning remedial responsibility to capable agents. The application of the connection theory showed that corporations are most strongly connected, but are not fulfilling their responsibilities. Precisely due to the corporations' sensitivity to consumer demand, consumers seem to be best placed in this respect (i.e. most capable) to influence corporations

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181. Hiller, "Climate Change," 354.

182. Perhaps the causal involvement that leads consumers to incur remedial responsibility is different from the kind of causal responsibility that we talk about in the causal inefficacy objection. Hence, this issue might be resolved by drawing on different accounts of causal involvement.

in a way that makes them discharge their justified share of remedial responsibility. Given this fact, there seems to be a strong reason for why it would be justified to assign remedial responsibilities with consumers. A limited focus on the dimension of causal responsibility would therefore be misplaced. Hence, not only does there exist a difference in incurring responsibilities and subsequently discharging responsibilities in a way that provides remedy, this line of argument also seems to neglect the forward-looking, remedy-providing goal of assigning remedial responsibilities.

Although non-collective groups cannot bear group-level duties on Collins's account, members of such groups can nevertheless have individually held duties to act in accordance with other members. As mentioned before, Collins discerns two types of coordination duties: responsiveness duties and collectivisation duties. Whereas both of these duties aim at producing an outcome that no individual is able to produce alone, they differ in the way they function. The underlying idea seems to be straight-forward: it is not always necessary for a non-collective group to collectivise in order to bring about the desired outcome. Throughout her book, Collins employs the example of a beach rescue. There might be a situation in which no single beachgoer is capable to save a drowning person, yet if a group of beachgoers cooperated together, they are able to save the person.<sup>183</sup> For such a rescue it is not always necessary to form a collective and rig up a rational decision making process.<sup>184</sup> For example, one reason for acting responsively instead of collectivising could be that the latter might be more time-consuming.<sup>185</sup> In light of my discussion of global labour injustice, the question arises whether Collins's Tripartite Model conclude that consumers bear responsiveness duties or collectivisation duties. I believe a strong case can be made for the latter. One straightforward reason for in favour of collectivisation duties is that acting responsively to enough other agents is virtually impossible. How would a consumer in, for example, Norway act responsively to an unknown, far-away consumer in The Netherlands? In addition, there is much to be said about the complexity of the situation. There are many different agents and parties involved, all dealing with a plethora of national as well as international legislature.

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183. Collins, *Group Duties*, 102.

184. Here, I am referring to Collins's 'Responsive Rescue' situation. Although Collins also discusses a rescue case in which collectivisation is needed, for simple rescue cases for which multiple people are required, no collectivisation seems to be needed. Cf. 'Collective Rescue' in Collins, *Group Duties*, 108.

185. Collins, *Group Duties*, 122-23.

There are a lot of interests that need to be considered and weighed in order to ameliorate injustice that occurs on a global level. The added benefit of collectivising, is that—unlike combinations and coalitions—collectives are able “to produce multilateralism (coordinated role-performance) amongst members”.<sup>186</sup> The need for multilateralism in order to come to a solution for complex and unjust state of affairs as well as the dispersion of consumers amount to a big hindrance for potential responsiveness duties. Hence, it seems that if we follow Collins’s account, consumers ought to collectivise in order to enable multilateral cooperation so as to see to it that a morally valuable outcome is produced.

As mentioned before, Collins considers collectivisation duties to be discharged by actions that are performed with a view to the formation of a new collective as well as by actions that aim to transform and maintain existing ones. Naturally, these acts will differ based on the goal they aim to achieve. Yet, they might overlap in some ways. I will first turn to acts that are performed with a view to the formation of a new collective. As the discussion on causal inefficacy shows, one of the biggest obstacles for people to act in accordance to each other in a way that is morally favourable, is the belief that individual contributions are negligible taking in isolation. For example, individual consumers might very well feel hopeless as well as skeptical with regard to the impact of their consumption choices given the fact that a large number of people is likely to continue to consume particular unethically produced products anyway. Although an individual might very well want to change their own consumption patterns, they regard doing so as futile if others are not willing to follow suit. Hence, Lawford-Smith argues that as a first step towards collectivisation individuals “ought, at the very least, not to allow [themselves] to be a reason for others to believe that no one is willing to get together and act.”<sup>187</sup> According to Lawford-Smith, an individual thus ought to signal their willingness to cooperate with others.<sup>188</sup> As Lawford-Smith phrases it, such a “signal prevents others from believing that their own cooperative actions would be futile, and sends the message that collective action is possible.”<sup>189</sup> Further, she distinguishes between

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186. Collins, *Group Duties*, 154.

187. Lawford-Smith, “Unethical Consumption,” 322.

188. Lawford-Smith, “Unethical Consumption,” 322.

189. Lawford-Smith, “Unethical Consumption,” 322.

signalling conditional and unconditional willingness.<sup>190</sup> When no collective exists as of yet, Lawford-Smith claims that signalling conditional willingness ('I do if you do') is the first step towards collectivisation. In situations in which such collectives are already established, signalling unconditional willingness can be viewed as a commitment to solidarity or identification with a particular cause.<sup>191</sup> Among the examples of potential signals, Lawford-Smith includes wearing T-shirts with a particular message, asking questions in restaurants, petitioning, protesting as well as sharing content on social media.<sup>192</sup> Such signals "serve the purpose of lessening perceived support for a social norm."<sup>193</sup> Individuals who send out signals can expect their signals to have some effect on other individuals who encounter them. In this way, many of our actions are normative. They send signals about what we deem to be right as well as undesirable behaviour. Hence, when support for a social norm diminishes, there may come a point at which some types of behaviour become frowned upon and eventually even morally unacceptable. There is an abundance of examples of this, ranging from racial segregation to women's rights and from smoking indoors to wearing seatbelts. Nevertheless, Lawford-Smith concedes that not all signals will be effective. In order to be perceived as a reliable and credible signal, the signal must be hard to fake.<sup>194</sup> More specifically, a signal must come at some cost.

Now, what signals might individual consumers be required to send as attempts of collectivisation in order to discharge their remedial responsibility? According to Lawford-Smith, an effective signal "might be the public buying of ethically produced products, or the public boycotting of unethically produced products."<sup>195</sup> This initially might seem to contradict the previously discussed arguments against discharging remedial responsibilities through consumption choices. However, I believe it does not. Previously, I considered the effects that an individual's ethical consumerism has by virtue of directly contributing to demand. It appeared that an individual's ethical consumerism would be inefficacious when

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190. Lawford-Smith, "Unethical Consumption," 324.

191. Lawford-Smith, "Unethical Consumption," 324.

192. Lawford-Smith, "Unethical Consumption," 322-23.

193. Lawford-Smith, "Unethical Consumption," 323.

194. Lawford-Smith, "Unethical Consumption," 323.

195. Lawford-Smith, "Unethical Consumption," 325.



we anticipate it to have an effect on the situation on exploited workers by buying or refraining from buying products. However, this reasoning presupposes that the kind of effect we are anticipating is directly driving demand. As the discussion of Lawford-Smith shows, that is not only way consumers can employ their consumption choices; consumption choices can also function as normative expressions. Hence, the impacts of signalling through the consumption ethically produced products is not primarily to be found in relation to thresholds or in refraining from contributing to demand. Instead, we should conceive of such actions as mainly aiming to impact the actions of others. Thus, when an individual buys Fairtrade coffee with this in mind, they signal their commitment to its cause and thereby express a normative judgement. This may then inspire others who encounter the signal (other customers/store owners/companies/friends/family) to act accordingly. In this way, signalling can have a consequentialist justification to actions that we would normally view as being inefficacious. The chance that an individual's consumerism impacts other people's consumption choices is much higher than it making a non-negligible impact on consumer demand by itself.

Whereas such signalling can be employed as a means towards the formation of a new collective, signalling can also serve the function of attempting to maintain or transform existing collectives. On the one hand, signals can be viewed as continued support for a cause and, on the other hand, they can serve as expressions of dissatisfaction with a particular course of action. In this way, signalling can also "serve to attract greater membership, or to begin the process of reforming the organization's capacities."<sup>196</sup> In relation to large-scale political cases, Collins provides two other collectivising actions. Whereas on the one hand, an individual can maintain a humanitarian organisation through donations, one can also attempt to transform a corporation by consumer boycotts. To a large extent, I believe that an individual's impact to a collective consumer boycott will be in line with the effect of that of individual signalling. In other words, the effect is not to be found in its direct impact on consumer demand but with the normative expression that is aimed at lessening perceived support for a social norm as well as influencing other consumers. However, whereas donations can also be viewed as having a signalling purpose, they can have an impact in other ways as well.

In recent years, 'effective altruism' has received much attention. The idea behind

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196. Lawford-Smith, "Unethical Consumption," 322.

effective altruism is to donate to causes that make best use of resources in order to maximise the good that come from such donations.<sup>197</sup> In this way, the approach of effective altruism is thoroughly consequentialist; it aims at maximising utility. However, there is much disagreement about whether people have an obligation to donate. Whereas it is widely accepted that people should refrain from harming others, there is much debate about whether there is a similar principle for providing aid to those in need.<sup>198</sup> For example, Singer, one of the known proponents of effective altruism, has argued that donating in this way does not always amount to supererogation.<sup>199</sup> However, for present purposes, it seems that the disagreement about whether donations are supererogatory or not is not an issue. If what we are talking about is discharging remedial responsibilities through donations, such actions are neither altruistic, nor supererogatory. Once we incur remedial responsibility, we have an obligation to discharge such responsibilities.

Nevertheless, effective altruism and discharging remedial responsibilities are two distinct phenomena. In discharging remedial responsibilities, we are not necessarily concerned with maximising utility. The reason for addressing effective altruism in this discussion, then, is different. Effective altruists, such as Singer, donate to organisations that make best use of financial resources. By attempting to aid people effectively, donations can have significant moral results.<sup>200</sup> If that is the case, then an individual consumer inspired by effective altruism could perhaps consider discharging their remedial responsibility through donating in such a way that their donations have small but significant impacts. In other words, one might adopt a comparable approach: discharging remedial responsibilities through donating to effective charities. Without adopting the consequentialist approach of maximising utility, a consumer could, for instance, donate a percentage of their income to foundations that are committed to combating global labour injustices. In this way, a consumer who is unable to make a significant impact on consumer demand directly, could perhaps make an impact through their financial support. Perhaps, such donations are meant to cover workers'

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197. For an elaborate philosophical account of effective altruism, see Peter Singer, *The Life You Can Save*, (New York: Random House Trade Paperbacks, 2010).

198. For an extensive discussion, see Judith Lichtenberg, "Negative duties, positive duties, and the "new harms," *Ethics* 120, no. 3 (April 2010): 557-78.

199. Peter Singer, "Famine, Affluence, and Morality," in *Ethics in Practice: An Anthology*, ed. Hugh Lafollette (Chichester: John Wiley & Sons, 2014), 557.

200. For examples, see chapter 6 in Singer, *The Life You Can Save*, 81-104.

medical expenses, provide micro financing or pay for the education of a child of a sweatshop worker. Moreover, such donations are also important to the functionings of humanitarian organisations as a lot of such organisations are dependent on financial contributions. By donating, a consumer could aim to maintain and uphold such a collective's efforts. In addition, besides the actual impacts of a financial donation, they also communicate a signal. Such signals are likely to be encountered by the charitable organisations themselves in the first place, but potentially also by friends or one's social media followers. Hence, it seems that at least in some cases, a consumer could discharge remedial responsibilities through financial donations.

### *3.3 Efficacy and Demandingness*

As I have argued at length about the demandingness as well as inefficaciousness of discharging remedial responsibility by attempting to affect consumer demand through consumption choices, I will have to make the case that the types of actions presented in this chapter do not face the same problems. Therefore, arguments will need to be provided that show that political actions such as voting, protesting and petitioning as well as signalling through ethical consumerism will not be too demanding or prove to be inefficacious with respect to their outcomes. I will turn to efficacy first.

Earlier, I discussed Sinnott-Armstrong's account on the inefficacy problem. Due to the fact that he could not find a convincing principle as to why individuals ought not to contribute to the emission of greenhouse gasses, Sinnott-Armstrong conceded that individuals should instead invest their efforts in taking political action. However, Sinnott-Armstrong has been criticised on the irony of this conclusion. According to Hiller, "the very same arguments that he gives against the causal insignificance of driving can be made about the causal insignificance of political efforts."<sup>201</sup> As an example, Hiller points to voting in elections.<sup>202</sup> Admittedly, a single vote will almost always not make a difference in national elections. However, Hiller's reasoning presupposes that political acts such as voting only serve their

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201. Hiller, "Climate Change," 365.

202. Hiller, "Climate Change," 365.

direct function. In this regard, Hiller seems to neglect the fact that political efforts also function as normative expressions. As previously discussed, political acts such as voting can be seen as signals to other people about what morally desirable behaviour is. Analogous to voting, an individual's contribution to a boycott, protest or petition will often not be efficacious with respect to the success of such a collective effort. In this sense, joining an already coordinated political endeavour might prove not to be efficacious in terms of its direct impact. Similarly, an individual's financial contribution to a political campaign or humanitarian organisation might not have a significant impact on its success. Nevertheless, an individual's contribution can be efficacious through sending out signals to other agents. Therefore, the efficaciousness of an individual's participation in political efforts should not only be apprehended in terms of direct contributions, but also in terms of its expressive value. Such actions are aimed at showing a collective willingness as well as aim to persuade others to act accordingly. Therefore, a signalling individual's actions are not only aimed at directly affecting a cause's outcome. Instead, these actions aim at influencing other agents with the goal of forming, maintaining or transforming a collective that *can* have a significant impact.

When it comes to demandingness, one might object that ethical consumerism still remains to be excessively burdensome. Naturally, all attempts to discharge remedial responsibility will come at some cost. Whereas some actions such as writing letters or protesting may be time consuming, other actions such as donating or buying ethically produced products might be more financially costly. Nevertheless, I have previously argued that discharging remedial responsibility through ethical consumerism is excessively burdensome. Whereas other collectivising efforts do not seem to be particularly demanding, my analysis of ethical consumerism showed that attempting to find out all the ethical implications of a given product or ethical label amounts to a very demanding, if not impossible, task. Hence, it might seem inconsistent to now claim that in order to signal consumers ought to consume ethically after all. However, it is important here to distinguish the two phenomena. Whereas it indeed seems too burdensome and complicated to find out about the actual direct effects of one's consumption and act accordingly, it does not mean that the same applies for signalling. Although it might be the case that these two approaches occasionally coincide, there is an important reason as to why signalling would be significantly less demanding. More specifically, it seems that signalling does away with some

of the epistemic burden around labels. In other words, in order to send out a reliable signal an individual does not have to be informed about the actual effects that labels have to the same extent that they would need to be if they are aiming to affect demand directly. Due to the expressive nature of signalling, it suffices to buy products that sufficiently represent the ethical cause. In this way, there is still an epistemic burden to signalling. However, it seems that a consumer who aims to send out a reliable signal can cease their epistemic investigation into ethical labels as well as products somewhat earlier than those who aim to find out the actual as well as precise effects of their consumption choices. For signalling, what is important is that an ethical label or product sufficiently represents the values they stand for. For example, a consumer does not have to be aware of all the actual effects of Fairtrade products. As long as the Fairtrade label is sufficiently perceived as ‘an ethical choice’, a consumer who buys Fairtrade coffee expresses their support to its cause. In this way, the expressive values represented by consumption choices stand somewhat detached from its actual effects. If it appears that a particular label is not adequately achieving what it aims to achieve, consumers could then boycott the label to signal a desire for transformation. For example, if a consumer is informed about a scandal surrounding Fairtrade products, they have reason to stop signalling in favour of it. Taking these considerations into account, it does appear that signalling would still be somewhat epistemically demanding. However, it would be less demanding than precisely finding out about all the intricate as well as actual effects of consumption choices.

In this chapter, I have discussed various potential ways of discharging remedial responsibilities. It appears that in order to discharge remedial responsibility individuals ought to take steps towards collectivisation. When realised, a capable collective could then yield significant impacts on global labour injustices. As means towards collectivisation and in line with Lawford-Smith’s account, I argued that individuals ought to signal their willingness to come together and act collectively. Not only can individuals signal through, for example, petitions and protests, they can employ the normative expressive power of their consumption choices. Such signals can be effective in showing a willingness to come together and act collectively. In this way, such signals can raise awareness as well as persuade others to act accordingly.

## Conclusion

The starting point of this thesis was the morally unacceptable situation of exploited workers around the globe. In light of their situation, I raised the question of whether individuals bear some responsibility for these global labour injustices. In addition, I posed the question what individuals ought to do in case it would appear that individuals do bear such responsibilities. Throughout, I have used the phenomena of sweatshops as the paradigmatic example of a global labour injustice. In order to find an answer concerning responsibilities, I examined Young's account of political responsibility. Although Young's framework is an important contribution in thinking about responsibility for global labour injustices, it appeared that it fell short of providing action guiding principles. Therefore, I turned to Miller, whose connection theory of remedial responsibility appeared to be conceptually close to Young's account, yet proved to be more applicable. The application of Miller's connection theory led to the conclusion that corporations are most strongly connected to the injustices. However, I argue that because of the objectionable inaction on the side of corporations, consumers incur more remedial responsibility. Next, I discussed three arguments against the position that remedial responsibility for global labour injustice incurred by consumers should also be discharged by consumers as consumers, through directly attempting to affect consumer demand. It appeared that although this way of discharging remedial responsibility does not seem to be in contravention with democratic principles, it would amount to an ineffective as well as excessively burdensome epistemic task. However, the considerations of the last chapter show that that conclusion presupposes that the effect we are anticipating by consuming ethically is an impact on the unjust situation of workers by directly driving demand. After all, consumption choices also function as normative expressions. Hence, besides other collectivising efforts such as petitioning, protesting, donating and voting, consumers can signal their willingness to come together and act collectively by consuming ethical products. I followed Lawford-Smith in claiming that the least an individual ought to do, is avoid being the reason others believe that other people are not willing to come together and act collectively. It appeared that signalling through ethical consumerism is still a somewhat demanding task, epistemically as well as financially. However, it is considerably

less demanding than attempting to directly affect consumer demand through ethical consumerism. Therefore, I concluded that in order for a consumer to discharge their remedial responsibility for global labour injustice, they ought to take steps towards collectivisation of which sending signals by consuming ethical products is one way.

Naturally, it can be argued that this thesis is subject to various shortcomings. For instance, one could object that there are too many remaining questions. One might wonder about how to decide which particular collectivising steps an individual ought to take. Should a consumer signal by buying ethical products as long as there are other people around to perceive the signal? Do these considerations lead to the conclusion that it is permissible for a consumer to consume cheaper, non-ethical products in private as long as they donate any price differences to relevant charitable organisations? Does it count as successfully discharging remedial responsibility when an individual pretends to consume ethically by sending out ethical signals on social media platforms, when in reality this individual is ‘faking’ their ethical consumerism. How often is an individual required to signal and how ‘loud’ should the signal be? These are questions that I cannot fully address here, but I will make two brief comments: firstly, discharging remedial responsibility is not only about ‘clean hands’ consumerism as described by Hussain. If discharging remedial responsibilities was solely about clean hands then it would suffice for consumers to only focus on their consumption choices. However, remedial responsibility is concerned with providing remedy. By adopting a forward-looking approach that gives rise to a different way of thinking, a strict focus on people’s consumption choices seems misguided. Secondly, my suspicion is that demandingness as well as effectiveness provide some guidance in thinking about what is required of individual consumers in order to discharge remedial responsibility. Therefore, I believe that it will vary from person to person. Some people might have a lot of free time in which they can join protests or write letters. Others might have demanding jobs that pay a lot of money. Perhaps those people should donate instead. Besides these contextual factors, there is something to say about ethical convictions. By and large, I have attempted to refrain from taking a particular deontological, consequentialist or virtue ethical stance. Since the current discussion concerns discharging remedial responsibilities, it seems that an individual is required to at least produce some outcome in order to count as effectively discharging responsibility. However, as there are multiple actions individuals could perform with a view

towards collectivisation, it seems that there are different ways to discharge remedial responsibility. I believe that which of these particular discharging actions are required of an individual will, to some extent, depend on their individual circumstances as well as which moral principles are correct.

In the first chapter, I discussed a dissatisfaction with Young's account of political responsibility and voiced the need to supplement it with Miller's account of remedial responsibility. Interestingly, however, I seem to arrive at discharging acts that would fall under Young's broad description of politics. In my last chapter, I included her definition of her broad conception of politics. In it, Young specifically denotes actions in which people organise *collectively*. In addition, she refers to the *communicative activities* in which people try to persuade one another. Hence, it appears that my conclusions about the need to signal and collectivise are very much in line with the way Young conceived of her notion of political responsibility. Nevertheless, Young's aim was to make sense of claims of responsibility that were being made by the anti-sweatshop movement at the time as well as provide guidelines in thinking about these matters. Her goal was not necessarily to answer the question of what an individual ought to do in light of global labour injustice. By aiming to answer that question, I have attempted to expand on Young's account and contribute to the discussion surrounding responsibility for global labour injustice.

Throughout, I focussed on global labour injustice. I argued that individuals from relatively affluent countries stand in connection to these labour injustices by virtue of consuming products that have been produced under exploitative working conditions. Correspondingly, I claimed that this connection, at least to some extent, gives rise to remedial responsibility. Hence, one might wonder what the implications of my conclusions are for other injustices. For instance, does this mean that through consuming meat, individuals incur a remedial responsibility for the harms inflicted on animals in factory farms? Does it mean that an individual who travels by airplane incurs a remedial responsibility for climate change? Do smartphone owners bear remedial responsibility for unjust natural resource depletion and its associated wars? These are difficult questions to answer. The conclusions I have drawn in this thesis derive from the specific application of the different dimensions of Miller's connection theory to the case of global labour injustice. Other morally unacceptable states of affairs will involve different agents and therefore different connections will be discerned.



Therefore, it is likely that remedial responsibilities will also be assigned in a different manner. That being said, it does appear that the consumption of goods and services constitutes *a* connection. Will that connection make consumers remedially responsible for other injustices? All I can say is: it *might*.

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