**Consumer Boycotts as Instruments for Structural Change**

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ABSTRACT Consumer boycotts have become a frequent form of social protest in the digital age. The corporate malpractices motivating them are varied, including environmental pollu- tion, lack of minimum labour standards, severe mistreatment of animals, lobbying and misin- formation campaigns, collaboration or complicity with illegitimate political regimes, and systematic tax evasion and tax fraud. In this article, I argue that organised consumer boycotts should be regarded as a legitimate and purposeful instrument for structural change, provided they conform to a number of normative criteria. In order to show this, the practice and empir- ical context of consumer boycotts are first outlined. I then lay out and refute three general objections to this practice. Although each of these objections fails, their discussion generates insights concerning the normative standards with which boycotters must comply if they want their campaigns to be both legitimate and successful. These normative criteria are detailed along the lines of two guiding principles, proportionality and transparency. In the final step, I elaborate on structural change as the deeper purpose of consumer boycotts.

**0. Introduction**

Boycotts are not a recently invented form of social protest. There are many historic examples of this practice, including the eponymous protest of Irish peasants against a land agent named Charles Cunningham Boycott in the year 1880, and the legendary Montgomery bus boycott led by Martin Luther King in 1955-56.[[1]](#endnote-2) In the digital age, calls for boycotts have become considerably more frequent. Today, boycotts are often used to target large companies including multinational corporations, which have gained unprecedented influence in the global economy over the last few decades. The corporate malpractices that motivate such boycotts are varied, including environmental pollution, lack of minimum labour standards in the supply chain, gross mistreatment of animals, illegitimate lobbying, misinformation campaigns, collaboration or complicity with illegitimate political regimes, and systematic tax evasion and tax fraud. Civil society actors use boycotting campaigns to raise public awareness of these malpractices, and seek to pressure those responsible to make changes. Organized consumer boycotts have often elicited concrete changes in corporate behaviour, such as when the oil company Shell was pressured by a Greenpeace campaign into abandoning their plan to dispose of their oil storage tank, Brent Spar, in the North Sea in 1995. Many other campaigns, however, fail to achieve comparable impact or even to attract much attention. Moreover, some instances of publicly voiced calls for boycott seem to be ethically or strategically misguided.

Given the ease with which ordinary citizens can start petitions online, it is to be expected that many publicly articulated calls for boycott will fail to capture sufficient public interest, while others will be poorly designed in terms of their targets and demands. Failed and misguided boycotts highlight the importance of defining the purpose, justification and limitations of consumer boycotts as market-based responses to corporate malpractice. The question of which circumstances and conditions can justify a widely publicized call for boycott (as opposed to other means of pressuring corporations and politicians), is of concrete practical importance for activists, but remains undertheorised within applied normative philosophy. In this article, I clarify the topic by developing criteria for the ethics of boycotting that are sensitive to the social positions of different kinds of relevant agents; namely corporations and their competitors, government institutions and their representatives, NGOs and other civil society groups, and citizens and consumers. I focus primarily on procedural criteria, rather than attempting to determine which substantive norms can be legitimate grounds for boycotts. While the former are consistent with a wide range of possible normative positions, the latter would require a broad treatment of issues in political and moral philosophy, which is outside the scope of this paper.

The article consists of two parts. In the first part (sections 1.-4.), I outline the concept and practice of organized consumer boycotts, then lay out and refute three general objections to it. In the second part (sections 5. & 6.), I clarify a number of mostly procedural normative criteria for consumer boycotts as market-based instruments for structural change. This will provide a clearer picture of when calls for boycotts are generally justified and what standards campaigns should comply with when they issue their calls.

1. **The Concept and Socio-Political Context of Organized Consumer Boycotts**

Business interests have played a central role in the process of economic globalization since the era of colonialism. Today the global economy has reached an unparalleled level of transnational integration, and is dominated by large and often transnationally organized corporations. Many are comprised of hundreds of familiar brands whose products are distributed and sold around the globe. Together, these corporations support a dense network of economic practices that are central to some of the greatest social and environmental challenges of our times. These challenges include the spread of harmful environmental pollutants; inadequate social security and health provisions in the global supply chain; and the mistreatment of animals, especially through industrial livestock farming, which also causes significant environmental damage. Climate change poses a particularly profound threat to the earth’s ecosystems and to the living conditions of humans. Corporations often play a direct role in exacerbating these problems. For example, it was recently reported that between 1988 and 2015, just 100 private and state-owned fossil fuel producers accounted for 71% of global industrial greenhouse gas emissions.[[2]](#endnote-3)Companies and multinational corporations also contribute indirectly to environmental and social problems by hindering the formation and implementation of effective regulations and policies. By lobbying at various institutional levels, corporations have developed effective methods for undermining any policies, laws, or institutional rules that could constrain their power or damage their bottom line, including those designed to protect society and the environment.[[3]](#endnote-4) The rules and policies that companies have influenced through lobbyism, cronyism and bribery are not confined to national policy. Over decades, corporate representatives have also influenced the formation of international treaties and organizations. Their input into controversial negotiations on trade treaties such as TPP, CETA, TTIP and TISA is the most recent example of their major political influence in international and transnational rule-making.

Given their direct and indirect contributions to social inequality and environmental destruction, there are ample grounds for criticizing corporate agents. But what role do consumer boycotts play when it comes to holding corporations accountable for malpractices and forcing them to change their behaviour? In order to address this question, let us first reflect on the definition of “boycott”. According to the *Oxford English Dictionary*, a “boycott” is a “[w]ithdrawal from social or commercial interaction or cooperation with a group, nation, person, etc., intended as a protest or punishment.” This indicates that boycotts are not restricted to the economic sphere. Next to profit-oriented companies, the potential targets of boycotts – the *boycottees* – include individuals in the economic or political domain, as well as other organized groups such as states, non-governmental and not-for-profit organizations, clubs and political parties. The *boycotter* *–* the subject who withdraws from social or commercial interaction – may consist of one (or more) individuals or one (or more) organized groups. Finally, the above definition implies that the *act of boycotting* – the “withdrawal from social or commercial interaction” – may be performed in manifold ways, ranging from silent withdrawal to publicly articulated and highly visible social protests, such as demonstrations, sit-ins, blockades, or online-petitions.[[4]](#endnote-5)

In this article, I will consider only the justification of boycotts of profit-oriented companies. I will neither deal with political boycotts, targeting states and their governments and citizens, nor academic boycotts, targeting universities and their members.[[5]](#endnote-6) These two kinds of boycotts are more problematic than consumer boycotts due to the possibility of more serious unintended negative consequences. A treatment of such boycotts would also require considering a more complex set of normative criteria than those defended in this paper. Nor shall I attempt to provide an answer to the general question of the ethics of consumption, i.e. which if any products individual consumers shouldrefuse to buy on their own account. Individual consumption choices reflect the diverse values, preferences and tastes of consumers, who may for various reasons refrain or “withdraw from a commercial interaction” with certain profit-oriented companies, or at least avoid buying some of their products. But legitimate grounds for individual boycotts do not automatically translate into legitimate grounds for organized boycotts. I will only focus on the justifiability of the latter, for two main reasons. First, organized and publicly advertised calls for boycott are much more likely to have a significant economic and social impact, assuming they are successful.[[6]](#endnote-7) Without a coordinated campaign, individual refusals to buy certain goods are unlikely to influence the behaviour of corporate actors. Second, publicly articulated calls for boycotts by individuals and groups (usually by NGOs) make explicit the justifications for withdrawing from commercial interaction – justifications that may range from religious to moral to prudential. And while individual purchasing decisions should not be subjected to a high justificatory burden – an individual should enjoy considerable liberty to choose what commercial interactions she enters into – organized consumer boycotts can be required to comply with stricter standards. Or so I will argue. In order to make my argument, I will discuss three objections to organized consumer boycotts and show how each of them can be refuted. This will help to distil the normative criteria with which boycott organizers and participants should comply.

**2. The Neoclassical Objection**

The first objection to the practice of organized consumer boycotts is neoclassical in spirit. It states that calls for boycotts are fundamentally misguided, because corporations are structurally incapable of responding to boycotts, due to their profit-orientation. According to this view, the moral judgments on which calls for boycotts are based are misdirected, since corporations are not receptive to moral reasoning. Neoclassical economic thought, from which this objection emerges, places great faith in the supposed efficiency and self-regulatory powers of the free market, and conceives of the individual as *homo economicus*, a creature who rationally pursues his self-interest. The narrowly self-interested behaviour of corporations follows from this view. If corporations and their shareholders were only capable of pursuing their narrowly conceived self-interest, and if such behaviour led to optimal outcomes for society, one might indeed ask whether consumer boycotts are misguided. Neoclassical economic thought has notoriously influenced the economic sciences, and its proponents have successfully promoted the politics of deregulation, but it faces increasing criticism from within and beyond the economic discipline.[[7]](#endnote-8) So how plausible is the neoclassical objection to consumer boycotts?

Not very, to put it bluntly. On closer inspection, this objection stands on shaky ground, since it can be subjected to both internal and external critiques. I will start with the former. The objection is unconvincing even within the narrow confines of neoclassical thought. Let us grant for the sake of argument that businesses are only capable of acting in a purely self-interested manner, and are structurally unable to act from moral reasons. Calls for boycott could still be effective, since they do not merely articulate moral demands. Boycotters also create economic incentives by disrupting economic interactions with the company, and making recommencement of such interactions conditional on compliance with concrete demands. Furthermore, an effective campaign could produce negative publicity for the company or its products. Critical campaigns could create negative associations in the minds of consumers, who might then prefer to buy competitors’ products, even if they never consciously decided to participate in the boycott. So boycotts can result in direct and indirect losses in revenue for their targets. A company therefore has an economic incentive to comply with the moral demands of boycotters, provided that the cost of compliance is less than the revenue that would be lost if the boycott were to continue.

The neoclassical objection can also be defeated externally, by refuting the core assumption of purely self-interested corporate agency. Companies should be conceived of as collective agents who are, through their decision-making structures, capable of forming collective attitudes and intentions which transcend the sum of the attitudes and intentions of their members and shareholders.[[8]](#endnote-9) Moreover, companies are genuinely moral agents in the sense of being capable of taking the interests of others into account even where this would conflict with financial goals such as the maximization of profits. In other words, firms can act from moral reasons that transcend even their properly-understood broader self-interest. How is this possible? Corporations lack the emotions and mental states of individuals that are associated with moral judgments. But through their organizational structure, they are nevertheless capable of taking into account the moral implications of their actions, and of adapting their behaviour correspondingly.[[9]](#endnote-10) This is not to deny that companies and their members and shareholders are placed under structural constraints that create incentives for self-interested action, which can conflict with moral demands. One might argue that corporations need to offer returns to shareholders at market rates, or shareholders will withdraw their capital. However, shareholders are moral agents, too. They can and should evaluate investments not only in financial, but also in moral terms – an attitude embodied in the “impact investment” movement, which is finally gaining acceptance even among conservative investors. The bottom line is that firms have some leeway to implement moral standards in their behaviour, even though they compete with other firms and need to remain financially viable. Individual and corporate moral agency are not so different in this respect. For individuals as well as for corporations, self-interest and morality form a complex set of reasons for action, which conflict at times, but which can be brought into broad alignment nonetheless.

In summary, the neoclassical objection not only ignores the power of consumer demand and the threat to profits that an orchestrated consumer boycott can pose. It also mischaracterizes corporations’ capacity to act from reasons other than pure self-interest. Corporations should be understood as agents who can internally and voluntarily constrain their behaviour by complying with moral standards, and who can also be subjected to powerful external pressures. Publicly advertised consumer boycotts work on both of these levels. They can remind the accused corporations, their shareholders, and the public of important moral constraints on corporate behaviour. These constraints should ideally be internalised by corporations in an autonomous fashion and be respected at the different levels of their decision-making apparatus. However, the success of boycotting campaigns does not rely on corporations’ ability and willingness to respect such constraints autonomously, since the threat that boycotts pose to the public image and sales of corporations provides powerful economic incentives for compliance. This is true not only for the corporations whom boycotters explicitly target, but also for rival companies who could be targeted in the future for comparable malpractices. Boycotts not only speak to the moral constraints which companies should ideally respect autonomously over time, but also to the prudential reasons for honouring such constraints.

**3. The Institutionalist Objection**

I have argued that the neoclassical objection to boycotts fails. But there is a second criticism which I will call the institutionalist objection. On this view, corporate compliance with social and environmental standards should be achieved through national and international regulatory frameworks that incentivize and sanction corporate behaviour via democratically enacted legislation and policies, not by boycotting single corporations. This view rests on tenets shared by adherents of social liberalism, Rawlsian political liberalism, and ordoliberalism (not to be mistaken with the pejoratively named “neoliberalism”, which is closer to the neoclassical view described above). According to these schools of thought, market economies must be embedded within institutions of the welfare state, which should provide strong social protections such as minimum wages, unemployment insurance, health insurance, pension schemes, and other labour rights. These state institutions should also provide strong health and environmental protections within the global market economy, including internationally agreed-on measures to reduce global greenhouse gas emissions to a level consistent with avoiding catastrophic global warming. In other words, state governments need to provide a regulatory framework for market interactions at the national and international levels to prevent these interactions from undermining social and environmental standards.[[10]](#endnote-11) The citizens of these states are accordingly expected to actively work towards building, improving and upholding this framework.[[11]](#endnote-12)

With such institutional constraints in place, boycotts would be redundant or even illegitimate. According to the institutionalist objection, civil society actors should pressure national and international governmental institutions to strengthen the regulatory practices that would secure the compliance of *all* market-actors with a set of demanding standards, instead of confronting selected corporations directly for breaches of social and environmental standards. In a scenario of strong institutional safeguards, such malpractices would seldom occur, because they would be legally sanctioned and effectively punished. While not all companies would be internally structured in ways that honour the intrinsic moral value of norm-compliance, the legal sanctions would prevent non-compliance by making it prohibitively costly.

While the appeal to strong institutional safeguards is well-founded, it should nevertheless be clear where the institutionalist objection goes awry. The hypothetical scenario of strong institutions contrasts sharply with the reality of weak social and environmental regulations. Some governments and their representatives are more interested in furthering their own prosperity than that of their populations, and are therefore unwilling to do their best to protect social and environmental standards in the market economy. Other governments lack the capacity to implement and enforce such protections. In the age of global economic competition, this incapacity is structural and can be observed in different regulatory areas. First, global competition for production sites is driven by a race to the bottom; governments and companies have incentives to lower production costs by disregarding social and environmental standards, or by outsourcing production to locations where the standards are even lower. Second, global tax competition has led to a downward spiral of taxes on private incomes and corporate gains. National governments are thereby limited in their political decision-making even in areas in which they are nominally sovereign. Even political decisions that appear to be purely domestic are often highly dependent on background structures that transcend the political boundaries of states. Meanwhile, the current network of international institutions is not strong enough to compensate for the lack of regulatory power at the state level, although it could in theory help coordinate state actors to pursue more ambitious regulatory goals.

For these reasons, national and international institutions have not only failed to implement a set of demanding social and environmental standards designed to tackle challenges such as economic inequalities, international tax evasion, low labour standards, transnational security, environmental pollution and climate change. They also frequently fail to secure universal compliance by companies, especially multinational corporations, even with the comparatively weak legal provisions that are currently in place. There are a number of well-known examples of this double deficiency. The publication of the Panama and Paradise Papers in 2016 and 2017 provided evidence of tax fraud and tax evasion on a massive scale by wealthy individuals and multinational corporations. The diesel emissions scandal of 2015 (which first embroiled Volkswagen, but involves several major carmakers) is a case in point of corporations violating laws designed to protect the environment and global health. Finally, it is important to consider the genuinely politicalrole that business representatives play in the formation of the regulatory frameworks that are intended to constrain corporate behaviour. For decades, corporate representatives have successfully undermined and weakened governmental regulations on the state and interstate level through lobbying and public disinformation campaigns. The tobacco industry’s denial of the health risks of smoking, as well as the oil lobby’s decades-long sponsorship of climate change denialism, are just two examples of how corporations have sabotaged the institutional reforms that could better regulate their economic activities and limit destructive behaviour.[[12]](#endnote-13)

 For these reasons, the institutionalist objection fails to mount a convincing case against organized consumer boycotts. To the contrary, we may conclude that boycotts are justified when they target corporations guilty of severe breaches of social or environmental standards, or companies sabotaging the legislative formalization of such standards. The absence of the strong regulatory protections imagined by the institutionalist objection is what makes boycotts a necessary tool for change. That being said, civil society actors can pursue multiple goals; they can confront single corporations whilst simultaneously promoting institutional safeguards that would secure universal compliance by firms with a demanding set of standards.

**4. The Scapegoat Objection**

There is a third objection to organized consumer boycotts, which has a more applied focus. It states that an organized call for boycotts amounts to scapegoating by unfairly singling out a company for malpractice while sparing others whose behaviour is similarly problematic or even worse. Someone who raises the scapegoat objection may grant that corporations have the capacity to act from moral reasons and are capable of autonomously complying with social and environmental standards. She may also grant that corporate compliance with such standards needs to be improved through law enforcement and other institutional measures. However, according to the scapegoat objection, organized boycotts are nevertheless an inappropriate means of holding corporations accountable. There are two components to this claim. Firstly, boycotts violate fairness demands, since they arbitrarily single out corporations for malpractices that are no worse than those of their competitors. Secondly, it may be argued that consumer boycotts fail on grounds of efficacy, since arbitrarily targeting single corporations does little to change industry-wide patterns of behaviour. According to this argument, boycotts are merely a symbolic form of social protest and have little if any positive impact. Worse still, some boycotts may have unintended adverse effects that run counter to the boycotter’s ultimate goal, such as when a boycott inadvertently leads to the dismissal of the very employees whose working conditions it was meant to improve.

What can be made of this criticism? There is a real possibility that a consumer boycott could focus on the wrong target, and have counterproductive effects. But this is not necessarily true of all boycotts. Nor is it the case that all boycotts amount to scapegoating. To start with, it is certainly not unfair to boycott the worst offenders in one industry or sector. There can be no doubt that companies that do significantly and demonstrably worse than their competitors deserve to be targeted for their lack of moral ambition. Pressuring them to stop their worst malpractices is the least that should be done. The fairness objection applies only with respect to boycotts of corporations that are not the worst offenders in their sectors. To be more precise, two kinds of relevant cases should be distinguished: firstly, there are companies whose norm compliance is approximately average; and secondly, there are companies which have managed to distinguish themselves from their competitors by complying with higher standards than average.

I will begin by discussing the first case. There are two relevant questions: Is it unfair if campaigners single out a corporation for malpractices that are very common in the relevant business sector? And if this is unfair, how might it affect the legitimacy of a boycott? To start with, if other companies are guilty of similar norm violations to those of the boycottee, then one may indeed judge it unfair if these other agents are not subjected to the same charges and pressures. It is a basic principle of equal and non-discriminatory treatment that like cases should be treated alike. The question is whether unfair treatment is necessarily illegitimate. I would argue that it is not. There are principled moral and pragmatic considerations that can justify unequal treatment in the context of corporate boycotts, in spite of the above-mentioned fairness concerns. From a principled moral perspective, fairness demands are often outweighed by other kinds of moral demands such as that of harm prevention. For example: A gang of four robs and beats a stranger, but the police subsequently identify and apprehend only one of the perpetrators. There is some unfairness in the result that only one gang member is apprehended, but this will hardly delegitimize the police's course of actions where the evidence of wrongdoing is at hand. The same reasoning applies to boycotts. If a corporation is demonstrably guilty of a serious moral wrongdoing, then it is legitimate to target it with a boycott – even in a scenario where the company’s competitors are suspected of comparable malpractices. The need to address the malpractice in question and to prevent further wrongdoing simply outweighs the need to treat competitors fairly.

Let's turn to the pragmatic considerations. Campaigners might decide to call for the boycott of a single company (or one or more of its products), even when competitors are engaged in comparable malpractices, simply because they lack sufficient evidence to justify targeting the other firms. This lack of information is excusable insofar as it results from the general opacity of corporate behaviour. Corporations are notorious for concealing information from the public if they consider it harmful to their image and economic interests. To demand that boycotters base their campaigns on complete information about practices in the relevant sector would render any campaign impossible, and is therefore excessively strict. However, boycott organizers might have other pragmatic reasons for intentionally targeting one firm amongst several comparable wrongdoers. These could include motivating a sufficient number of consumers to participate in the boycott, and drawing sufficient public and media attention to the company's malpractice. Boycotters may target a company with higher name recognition than its competitors, or one that is especially hypocritical (i.e. one that cultivates a virtuous image which is contradicted by its actual bad behaviour). Boycotters may also tie their campaigns to newsworthy events to take advantage of “waves” of public interest.[[13]](#endnote-14) Such strategies are essential if boycotts are to force the desired change in corporate behaviour. These reasons are context-dependent, and it may sometimes be more prudent to accommodate fairness considerations by targeting more than one firm at once. For example, the divestment movement is effectively a call to boycott all investment in the fossil fuel sector. While comprehensive boycotts of *products* made from fossil fuels are impractical, a complete boycott of *stocks* from companies in this sector is arguably a promising strategy. On a pragmatic level, fairness considerations can also be important in shaping media coverage and consumers’ attitudes to the boycott. But if the goal is to change corporate malpractices in a more profound way, then the degree to which campaigners should take fairness considerations into account will depend on the specifics of the boycott in question.

Let me now briefly consider the second case of a company that has distinguished itself from its competitors by adhering to stricter norms. This hypothetical firm voluntarily complies with stronger social and environmental standards, despite being embedded in a context of widespread malpractice and low compliance by other companies. Since the company’s behaviour is presumably imperfect, it could still be targeted by a boycotting campaign for some remaining malpractice. It should be clear that this case is more problematic than the ones discussed so far. The unfairness of singling out a company for a malpractice is considerably greater when its competitors’ practices are much worse. Fairness considerations matter, even if they are not absolute, as I have argued. Such a boycott can also be illegitimate on the grounds that it is more likely to cause adverse effects than to contribute to positive structural change. This is because a boycott of this kind signals to the industry that firms are being targeted arbitrarily, and that malpractices are therefore unlikely to be systematically addressed and sanctioned. In addition, such a campaign will probably not receive much public attention, since sufficiently informed consumers and journalists are unlikely to be interested or outraged by merely imperfect corporate behaviour when appalling corporate behaviour is so common.

It should be clear by now why the scapegoat objection fails to delegitimize consumer boycotts generally, even though consideration of the argument shows that boycotts can sometimes be misdirected and illegitimate. As I shall argue in the next two sections, boycotters can avoid undermining the legitimacy of their actions by selecting the right targets, and by carefully articulating and communicating their campaign goals and the conditions on which they will end the boycott.

**5. Proportionality and Transparency as Guiding Principles for Organized Consumer Boycotts**

I have so far refuted three objections to organized consumer boycotts. The discussion has also generated several insights concerning the procedural standards that boycotters should comply with. I will now build on these insights by developing more detailed criteria, which may be associated with two guiding principles: proportionality and transparency. I will elaborate upon these principles in turn, before providing the underlying rationale for them in the next section (see 6.).

 To start with, boycotters should comply with demands of *proportionality* in two main respects. First, campaigners wishing to increase pressure on corporate wrongdoers should ensure that their choice of boycottee is legitimate by singling out corporate agents that engage in truly problematic malpractices. This will communicate to other badly behaved firms that they, too, may be targeted by boycotters or governmental agencies as soon as enough evidence for their malpractices becomes available, which should encourage them to improve their norm-compliance. Boycotters need to ensure that they create the right incentives for corporate decision-makers in the mid- and long-term, which means not targeting those who are doing significantly better in complying with justifiable normative demands. This does not imply that boycotters must always target the single corporation with the demonstrably worst behaviour. Campaigners often have limited access to the information that would enable them to fulfil such a strong requirement. Therefore, while boycott organizers can be expected to consider publicly available evidence in order to choose a legitimate target, they cannot be expected to discover and act on information that is concealed from the public.

 Choosing a legitimate target is not the only criterion for honouring proportionality. The second requirement is that boycotters’ concrete demands should also be proportionate. In order to satisfy this criterion, campaigners must do more than publicly shame their target. Firstly, they should state which corporate behaviour ought to be changed. Campaigners may choose to inform the targeted firm about the intended boycott before going public, in order to give the firm a chance to correct its malpractices and avoid negative publicity. If the boycotters decide to follow through on their threats, however, they should publicly and clearly indicate how the targeted company can comply with their demands in order to end the boycott. Moreover, the demands must be reasonable. Boycotters may demand significant changes in corporate behaviour, but they should also understand what kinds of requests would be excessive. For example, asking a carmaker to *immediately* switch to producing cars that emit zero greenhouse gases would be unrealistic. However, boycotters could demand that the firm significantly reduce the emissions of their final product and of their production process within a certain achievable time-frame; and, perhaps even more importantly, that they refrain from lobbying against effective carbon tax regimes, cap-and-trade schemes, and international climate-treaties designed to incentivize the use of greener technology. Boycott organizers can make their demands proportionate by focusing on the most problematic behaviours, for example on aggressive corporate lobbying that undermines the protection of human rights or increases environmental pollution or social injustices. Such lobbying practices are particularly pernicious because they undermine corporate conformity with moral standards more generally. Another especially harmful form of malpractice that campaigners should focus on is corporate cooperation or collaboration with illegitimate political regimes, a behaviour which is well-documented, especially in states with corrupt governments and weak regulatory environments.[[14]](#endnote-15)

In addition, boycott organizers should formulate their demands such that fulfilling them will not have unintended adverse effects that would contradict the goals and principles of the boycott.[[15]](#endnote-16) One way in which such adverse effects could occur is through harm to third parties such as workers, suppliers and distributors. To give an example: A company accused of violating workers’ rights in one of its production facilities might divert criticism by shutting down the facility where the violations occurred and shifting the same practices to a different place, or by outsourcing production to another company with the same practices. Boycotters should phrase their demands to explicitly exclude such “solutions”.[[16]](#endnote-17)

Having discussed proportionality requirements, I will now explain how requirements of *transparency* should be accommodated. In order to provide sound information with which individual and collective agents can alter their consumption choices, boycotting campaigns need to be transparent with respect to the ethical standards and the factual claims about corporate malpractice on which they are based. Since no false accusation is morally justified,[[17]](#endnote-18) campaigners must provide the public with accurate information. Firstly, they must provide evidence that the targeted corporation has in fact committed the alleged malpractices. Secondly, campaigners should explain how their concrete demands for change are proportionate as described above; they should communicate to the public that they are targeting a company whose behaviour is comparatively problematic, that their demands and time-frame are reasonable, and that the company can fulfil them without engendering significant adverse effects.

Campaigners should also make clear the abstract norms on which their reproaches are based. This means justifying why the norms in question are valid in the relevant context, as well as explaining how the targeted company failed to comply with them. On the substantive level, there are a variety of norms to which boycotters can refer, and a variety of justifications for these norms. My focus throughout this article is primarily on procedural standards, which are receptive to the various substantive norms involved in any judgment about corporate wrongdoing. A call for boycott can be illegitimate not only on the basis of substantive norms, but also on the procedural standards elaborated here, which are specific to the practice of boycotting. I have refrained from justifying any comprehensive set of norms of social justice, democracy, environmental ethics, or corporate morality, in order to avoid lengthy and complex discussions of normative controversies outside the scope of the paper. However, I would like to clarify how substantive and procedural norms are related in the context of corporate boycotts. If a boycotting campaign bases its demands on justifiable substantive norms, but does not meet the procedural demands outlined here, then it will not be worth supporting. If, on the other hand, the substantive demands of a boycotting campaign are unjustifiable, then it will be illegitimate, regardless of whether it complies with procedural demands. A notorious example of this latter case is the boycott of Jewish stores in Nazi Germany, which amounted to a clear violation of the basic human rights of the boycottees. In other words, organized consumer boycotts are only legitimate if they are based on justifiable substantive demands, *and* if they conform with the procedural demands of proportionality and transparency.

In order to justify the substantive demands of their boycott to the public, campaigners may choose to base their demands on widely shared und publicly justifiable norms. Basic human rights norms are an obvious example, and criticisms of transnational corporations often involve appeals to human rights for this very reason. When referencing widely-shared norms, the mere articulation of those norms might suffice as a first-level justification, relieving the need for a foundational justification that states why the norms themselves are valid (e.g. “why should the human right to X be respected?”). With respect to the guiding principle of transparency, it is only important that the first-level norms, on which the concrete demands of the boycott are based, are clearly communicated to the public.

Not all corporate malpractices can be framed in terms of human rights violations. For example, critiques of animal abuse or of environmentally harmful practices usually require a different justification. Critiques of corporate malpractices might also be based on norms of social and distributive justice, intergenerational and climate justice, and democratic legitimacy. However, the norms in question should be publicly justifiable in the more demanding sense of being compatible with a wide array of reasonable conceptions of the good life.[[18]](#endnote-19) Imagine that a religious group condemns homosexual relationships and calls for the boycott of a local store, not because of malpractice but because it is run by a gay couple.[[19]](#endnote-20) While their beliefs may lead some group members to individually eschew the store, any equivalent *public* call for boycott on these grounds would be highly condemnable, because it would clearly violate basic norms of non-discriminatory treatment.

Finally, boycott organizers should disclose their own identity and agenda. Established NGOs already provide such information to the public, for example on their websites. Newly formed groups should do the same. Meeting this transparency requirement will give a boycotting campaign more credibility, since misuse of the boycotting strategy is possible. For example, a profit-oriented firm may seek to undermine a competitor by using a campaign that is presented as “grassroots”. There would be a clear conflict of interest in such a case, since any negative publicity would serve the boycotter’s own economic interests. In order to dispel any such doubts pre-emptively, boycotters should publicly disclose their identity and agenda together with the call for boycott. Consumers can then decide if they agree with the boycott’s (true) goals, and whether they wish to participate on that basis. Consumers should make the effort to seek out such information before deciding to participate, to ensure they are not contributing to an illegitimate cause.

**6. Structural Change As Deeper Purpose of Consumer Boycotts**

My responses to the three objections above (see 2.-4.), and my account of the two guiding principles of proportionality and transparency (see 5.), are based on an understanding of the deeper purpose of consumer boycotts; namely, that they should be used as instruments for positive structural change. Boycotters should aim at transforming social and political structures, so that corporate behaviour is shaped for the better not only in the short-term, but also in the mid- to long-term. Rather than focusing narrowly on malpractices by individual companies, boycotters must consider how corporate behaviour is embedded in social, political and economic background structures that enable comparable malpractices by other companies.

 This interpretation of the purpose of consumer boycotts is itself anchored in a broader view of political responsibilities under non-ideal circumstances. If markets were globally regulated by institutions that provided for strong social, health and environmental protections as imagined by the institutional objection (see 3.), then the political responsibilities of market actors as well as of civil society agents would be restricted. But this scenario is of course counterfactual. Therefore, we must do more than participate in the defective formal processes of political decision-making. Citizens can and should take up political responsibility – broadly conceived as a responsibility to improve formal and informal social structures[[20]](#endnote-21) – via less official channels. For example, they can support NGOs and other civil society actors who attempt to hold governments and corporations accountable. Furthermore, citizens can engage in ethical consumerism – such as participation in boycotts and buycotts (i.e. purchasing socially or environmentally certified goods).[[21]](#endnote-22) Participation in boycotts is a way of taking up structural responsibility, provided that boycotters adhere to the procedural standards of proportionality and transparency as well as to justifiable substantive standards. If a campaign is not proportionate, it will not be an effective instrument for structural change. If it is intransparent, then consumers and citizens cannot verify if their support would really contribute to such change. The campaign would also fail to stimulate the process of public deliberation, which could inform more effective formal legislation and regulation regarding the targeted malpractice. In this way, political responsibility can provide a rationale both for the practice of organized consumer boycotts, as well as for proportionality and transparency as its guiding procedural principles.

 I have claimed that legitimate consumer boycotts can be conceived of as instruments for positive structural change. However, not all change is structural. An example can help to refine the concept: A local union decides to boycott a company for its decision to fire half of its workers and reinstate them as contractors with significantly worse terms of employment.[[22]](#endnote-23) The negative publicity generated by the boycott leads the company to reinstate the workers on the old terms, and publicly affirm a commitment to fair contracts. All things being equal, this counts as a structurally significant outcome, provided that the public commitment actually shapes the company's future behaviour, and perhaps even influences the behaviour of other firms in that sector. But suppose, in an alternative scenario, that the company decides to reinstate the old workers whilst simultaneously laying off workers in another, less visible location. Such an outcome would count as an unsatisfactory *behavioural* change, but would not amount to *structural* change.

 In determining what counts as positive structural change, it is crucial to refer to the concept of *background structures*, which have a pervasive impact on the formation of the agency and identities of individuals and collectives. Background structures are not merely the result of a limited set of political, legal and social institutions within and across states. Instead, they result from the complex interplay of all these institutions, including the written and unwritten rules that influence social behaviour. In order to change background structures in a more profound way, formal and informal institutions must be taken into account. These include *corporate institutions,* such as corporate decision-making structures, statutes, agendas, contracts and internal CSR guidelines. Significant structural change may be achieved by a significant change of these corporate institutions and policies (as opposed to “window-dressing” measures, such as internal CSR statutes that don’t really influence the company’s behaviour). Profound changes of corporate institutions translate to profound and lasting changes in corporate behaviour, and hence to deeper social change. Boycotters must be wary of mistaking superficial change for genuine institutional transformation.

 If boycotters intend to promote positive structural change, they should adopt both pragmatism and forbearance towards corporate wrongdoers. The goal of boycotts should not be the shunning, vilification and indefinite punishment of single corporations, but rather the education of corporate agents by politically-minded consumers and citizens who wish to incentivize long-term corporate compliance with certain normative standards.[[23]](#endnote-24) Accordingly, calls for boycott should be accompanied by transparent, concrete and reasonable demands for change. This would give corporations a means to end the negative publicity. Additionally, boycott organizers should address not only consumers and corporate shareholders and decision-makers, but also politicians, other non-governmental groups and civil society actors, who all play a role in determining the social structures in which corporate malpractices are embedded.

 Treating boycotts as strategic instruments for structural change can also correct one misconception of the purpose of boycotts. Many assume that a boycott is only successful if it forces the targeted corporation into compliance with the campaign’s concrete demands. This view is too narrow, as it misses the irreducible discursive nature of organized consumer boycotts, which address not only corporations and their shareholders, but also a broad variety of social stakeholders. A campaign can be successful even if it does not contribute to a measurable change of behaviour by the targeted corporation. It may instead contribute to a change of societal attitudes towards corporate malpractices, which may in turn lead to their elimination in the long-term. It is important to draw attention to and publicly criticize concrete instances of corporate wrongdoing, even if this does not immediately eliminate the behaviour. Increasing public awareness is a first step in achieving more lasting social change. Realizing that changing the behaviour of the targeted company is not the *only* purpose of boycotts makes it easier for campaigners to decide whether to continue with their campaign if they fail to achieve enough publicity and consumer participation to force a company into compliance. Analyzing other kinds of outcomes will help them determine the value of continuing their efforts. For example, if a boycotting campaign contributes to a change in legislation that more effectively regulates corporate behaviour, the campaign would count as a success, even if the targeted company did not directly respond to the boycott.

 If we treat boycotts as tools for social change, one additional objection must be explored. One author argues that, because citizens have unequal market power (due to unequal wealth), boycotts and other forms of ethical consumerism can violate democratic principles.[[24]](#endnote-25) He proposes that ethical consumerism should therefore conform to a more restrictive set of principles of democratic representation. Boycotts (and buycotts) should only deal with issues that have not yet been addressed by formal democratic processes, and which could be addressed by legislation. Furthermore, the procedures guiding these initiatives should be “appropriately representative”.[[25]](#endnote-26) These claims are more restrictive than the procedural principles I advocate. Although I argue that boycotts can and should inform our deficient democratic deliberation processes, we should refrain from demanding that all boycotts be strictly democratically representative, for at least two reasons.

 Firstly, boycotters may have a variety of legitimate goals, such as a less unjust domestic society, improved human rights protection internationally, or reducing intergenerational injustice. Not all legitimate goals can be achieved by rendering political decision-making procedures more democratic. For example, intergenerational climate injustice could remain unsolved even with perfectly democratic institutions, since future generations are necessarily excluded from democratic processes. Secondly, although boycotts can be “undemocratic” in the sense that they give greater political influence to the wealthy, it does not follow that they are illegitimate.[[26]](#endnote-27) Consider the following example: In 2016, the Rockefeller family fund announced its decision to divest from fossil fuel stocks.[[27]](#endnote-28) The degree of political influence exercised by extremely wealthy investors can be considerable. Nevertheless, the utilization of unequal bargaining power is not necessarily wrong in non-ideal circumstances. The global rich permanently yield an asymmetric degree of political power through their financial shares and consumption patterns, even without engaging in boycotts. *Keeping* fossil fuel industry shares yields no less political impact than divesting, and the same can be said of other investments and consumer choices. The obscene economic inequalities that characterize our world order undermine the goal of equal political representation within and across states. Under ideal conditions, such inequalities would not exist, and boycotts would be superfluous or even illegitimate. However, under existing conditions of extreme inequality, boycotts represent an important tool for counterbalancing powerful corporate interests. It would therefore be counterproductive to require that boycotts (but not other, potentially less benign uses of unequal market power) must be democratically representative, beyond honouring the norms of transparency and proportionality, and relying on publicly justifiable substantive norms.

**7. Conclusion**

In this article, I have focused on the practice and empirical context of organized consumer boycotts (see 1.) and engaged with three general objections to this practice, all of which have been found wanting (see 2.-4.). Building on insights from this discussion, I formulated normative criteria for boycotters based on the two guiding principles of proportionality and transparency (see 5.). In the final section, I argued that well-designed consumer boycotts should be regarded as purposeful instruments for positive structural change, by which civil society agents can encourage corporations to become moral agents, and communicate with a broad range of social agents who play different roles in bringing about the required transformation (see 6.). The *leitmotiv* for organized consumer boycotts should not be punishment and shaming of single business actors and their representatives. The focus should instead be ensuring long-term corporate compliance with justifiable normative principles, so that those frequently used concepts of “corporate citizenship” and “corporate social responsibility” will one day be a reality rather than empty words.[[28]](#endnote-29)

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1. NOTES

 For an empirical treatment of a variety of historical and recent examples of consumer boycotts, see Monroe Friedman, *Consumer Boycotts: Effecting Change Through The Marketplace and the Media* (New York and London: Routledge 1999). [↑](#endnote-ref-2)
2. SeeThe Carbon Majors Database, *CDP* *Carbon Majors Report* 2017, p. 8. [↑](#endnote-ref-3)
3. For a detailed treatment of how corporate representatives have sponsored “scientists” to spread misinformation and doubt on important health and environmental issues, and thereby influenced policy making in these areas, see Naomi Oreskes and Erik M. Conway,*Merchants of Doubt: How a Handful of Scientists Obscured the Truth on Issues from Tobacco Smoke to Global Warming* (London: Bloomsbury 2012). [↑](#endnote-ref-4)
4. See Friedman op. cit., pp. 10-12. [↑](#endnote-ref-5)
5. For a treatment of political boycotts, see William H. Shaw, “Boycotting South Africa”, *Journal of Applied Philosophy*, 3, 1 (1986): 59-72. For a criticism of boycotts of universities and their members, see Avner de Shalit, “The Ethics of Academic Boycott”, *The Journal of Politics*, 78, 3 (2016): 642-652. [↑](#endnote-ref-6)
6. See Monroe Friedman, “Ethical Dilemmas Associated with Consumer Boycotts”, *Journal of Social Philosophy*, 32, 2 (2001): 232-240, here p. 232. [↑](#endnote-ref-7)
7. See e.g. Joe Earle et al., *The Econocracy. The Perils of Leaving Economics to the Experts* (Manchester: Manchester University Press 2017). [↑](#endnote-ref-8)
8. See Peter French, “The Corporation as a Moral Person”, *American Philosophical Quarterly*, 16, 3 (1979): 207-215. A more recent treatment of the social ontology of the firm is provided by Philipp Pettit, “Responsibility Incorporated”, *Ethics,* 117, 1 (2007): 171-201, and by Christian List and Philipp Pettit, *Group Agency. The Possibility, Design, and Status of Corporate Agents* (Oxford: Oxford University Press 2011). [↑](#endnote-ref-9)
9. See Pettit op. cit., as well as List and Pettit op. cit., Part III. [↑](#endnote-ref-10)
10. The general tenets outlined in this paragraph could be categorized as social liberal or Rawlsian in spirit, since they are broadly in line with Rawls’s claim that the basic structure of society needs to provide a just framework for market interactions. See in particular John Rawls, *Political Liberalism* (New York: Columbia University Press 1993), Part Three. Rawls’s theory of international justice, however, has notoriously and problematically failed to address global environmental concerns such as climate change and the corresponding issues of justice, and issues of justice arising from the dense integration of our globalized economy. Instead, Rawls has counterfactually assumed economically self-sufficient societies in his work. See John Rawls, *The Law of Peoples* (Cambridge, MA: Harvard University Press 1999). [↑](#endnote-ref-11)
11. This claim can be argued for with different normative assumptions and within different conceptual frameworks. One could for example assume that citizens have a responsibility to support societal institutions along the lines of Rawls’s “natural duty of justice”. See e.g. John Rawls, *A Theory of Justice* (Cambridge, MA: Belknap Press 1971), p. 115. However, this argument implies that the duty has both greater importance and a wider scope than permitted by Rawls’s view on international justice, and by his tendency to exclude questions of “non-ideal theory”. [↑](#endnote-ref-12)
12. See Oreskes and Conway op. cit. [↑](#endnote-ref-13)
13. See David Karpf, *The MoveOn Effect: The Unexpected Transformation of American Political Advocacy* (Oxford: Oxford University Press 2012), p. 32-33. [↑](#endnote-ref-14)
14. For an analysis of different forms of corporate complicity, see Florian Wettstein, “The Duty to Protect: Corporate Complicity, Political Responsibility, and Human Rights Advocacy”, *Journal of Business Ethics*, 96, 1 (2010): 33-47. [↑](#endnote-ref-15)
15. Friedman correctly assumes that ethically problematic adverse effects are more likely in what he calls “surrogate boycotts”. This form of boycott targets subjects whose behaviour is not objectionable *per se*, but who stand in a certain instrumental relation to the objectionable behaviour that motivates the boycott. See Friedman 1999, op. cit.*,* p. 225, and Friedman 2001, op. cit., p. 237-8. However, the corporate boycotts I discuss in this article are all to be characterized as “non-surrogate boycotts”, since the boycottee’s own behaviour is the primary motivation for the boycott. This reduces the likelihood of unjustifiable adverse affects on third parties [↑](#endnote-ref-16)
16. See Iris Marion Young, *Responsibility for Justice* (Oxford: Oxford University Press 2011), p. 146. Young makes a similar point when referring to the goals of the anti-sweatshop movement represented by groups such as the Clean Clothes Campaign, which has been wary of the potential counterproductive effects of consumer boycotts. [↑](#endnote-ref-17)
17. See Friedman 2001 op. cit., p. 236. [↑](#endnote-ref-18)
18. This criterion is also defended by Waheed Hussain, “Is Ethical Consumerism an Impermissible Form of Vigilantism?”, *Philosophy & Public Affairs* 40, 2 (2012): 111-143, here p. 126. [↑](#endnote-ref-19)
19. Compare Hussain op. cit., p. 118, for a thematically similar example. [↑](#endnote-ref-20)
20. For an account of structural responsibility that centres on this criterion, see Young op. cit., as well as my own study: Valentin Beck, *Eine Theorie der globalen Verantwortung. Was wir Menschen in extremer Armut schulden* (Berlin: Suhrkamp 2016). [↑](#endnote-ref-21)
21. Compare my normative interpretation of the *Fairtrade* certification system: Valentin Beck, “Theorizing *Fairtrade* from a Justice-Related Standpoint”, in: *Global Justice: Theory, Practice, Rhetoric* 3 (2010), 1-21. [↑](#endnote-ref-22)
22. I wish to thank an anonymous reviewer for bringing up this helpful example, which I am employing in a slightly modified and extended version. [↑](#endnote-ref-23)
23. For a critical view of shunning as the goal of consumer boycotts, see Claudia Mills, “Should we Boycott Boycotts”, *Journal of Social Philosophy*, 27, 3 (1996): 136-48. Mills distinguishes between strategic justifications of boycotts and integrity based justifications that involve shunning, and argues that the two are incompatible. While I share a number of Mills’s worries concerning the second type of justification, my treatment has been considerably more accommodating of the first type. See also Friedman 2001 op. cit., who critically engages with Mills’s view. [↑](#endnote-ref-24)
24. See Hussain op. cit. [↑](#endnote-ref-25)
25. Hussain op. cit., p. 126. [↑](#endnote-ref-26)
26. Compare Hussain op. cit., p. 119-20. [↑](#endnote-ref-27)
27. See David Kaiser and Lee Wasserman, “The Rockefeller Family Fund vs. Exxon”, *New York Review of Books* (Dec. 8, 2016). [↑](#endnote-ref-28)
28. I wouldlike to thank two anonymous referees and an anonymous associate editor for highly instructive written comments on earlier versions of this paper. Thanks also to Christian Neuhäuser and Corinna Mieth, as well as to the participants of their research colloquium, for helpful oral feedback on an early draft. I am especially grateful to Elise Hedemann for her excellent language editing and in-depth discussions of this article's topic. [↑](#endnote-ref-29)