

## Unethical Consumption & Obligations to Signal<sup>1</sup>

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“I’m not into jewelry or anything. (I’m such a hypocrite). I... there is one jewel that I think is stunning, that I... it’s just, like, a classic... but um, it’s just gorgeous, you know, it’s rare, it’s only found like on the tip of the tailbone of Ethiopian babies, they... they debone the babies. I know, that sounds *so bad* when you say it out loud, but, no, if you saw it? ... I have a... moral issue with it obviously, because they’re treating the... unions that debone the babies really bad. Pick your battles I guess”.

*Sarah Silverman, Jesus is Magic.<sup>2</sup>*

### **Introduction**

Many of the items that humans consume are produced in ways that involve serious harms to persons. Familiar examples include the harms involved in the extraction and trade of conflict minerals (for example, coltan or diamonds), the acquisition and import of produce (for example, coffee, chocolate, bananas, or rice), and the manufacture of goods in sweatshops (for example, clothing or sporting equipment). In addition, consumption of certain goods (such as fossil fuels and the products of the agricultural industry) involves harm to the environment, to future persons, and to current persons in low-lying and developing countries, by way of their impacts on climate change.

There are many different ways to try to bring about an end to the harms involved in the production of such goods. These include reforming international trade rules, changing a country's domestic laws and policies, instituting domestic economic levies on harmful goods (“nudging” consumers toward ethically-produced goods), and so on. But these are all top-down solutions, and states and international organizations are currently failing to make many, if any, such changes. Such top-down changes may work in an ideal setting. But in our non-ideal context, we may be better off looking at bottom-up solutions<sup>3</sup> That is why in this article I will start at the bottom, with the individual whose ordinary choices about how to travel, what to eat,

what to wear, where to shop, and which policies to support all cause her to confront the possibility of involvement in these harms to the environment, non-human animals, and persons. What should—or, more strongly, what must—she do?

I take the claim that an individual has a straightforward duty of justice not to consume unethically-produced goods, premised upon her general duty not to violate others' negative rights or important interests, to be a non-starter—for the reasons explained in Shelly Kagan's "Do I Make a Difference?",<sup>4</sup> namely, that not every purchase is a violation in that way. If the individual has a duty not to consume unethically-produced goods, this duty must be given an alternative justification.

In the second section I map out a few different approaches, all of which I take to be promising avenues for generating duties in individuals to consume ethically. I hope that this will be helpful to those interested in taking up the problem. I think the last approach is the most promising and will spend the third section of this article developing it. Specifically, I argue that as a first step in collectivizing to act against unjust global labor practices an individual ought to signal to others her commitments to ethical consumption. In section four I ask whether some signals are too cheap to function as a step toward collectivization, and defend the deliberate consumption of only ethically-produced goods as a moderately costly and therefore reliable signal. In the last section I consider a challenge to the proposal in terms of whether it imposes unacceptable costs on consumers.

### **Five Promising Approaches**

In this section I briefly map out five promising approaches to generating an individual's obligations when it comes to ethical consumption. I outline each and then sketch what I take to be the major obstacles that need to be overcome with all of them. I see these obstacles not as decisive reasons not to take those approaches but simply as issues to be worked through. I defend the final approach because I take it to be the most promising of the five, but individuals' obligations to consume ethically may well be established by multiple moral theories: all the more reason to

do so.

*Task responsibility.* Philosophers make a distinction between “blame responsibility” and “task responsibility”, where the former assigns responsibilities on the basis of culpable involvement in a harm, while the latter assigns responsibilities without blame, on the basis of being the most appropriate person to do something to address the given set of harms.<sup>5</sup>

In our case, consumers cause the harms mentioned above. Their purchases cause companies to produce more goods, and those goods are produced in a way that involves harms.<sup>6</sup> But while each individual is a contributor to this joint causation, this is not sufficient to make her culpable, because she (usually) lacks the further features necessary for culpability, such as intending the harm, negligently risking the harm, or foreseeing the harm.<sup>7</sup> Still, we might make use of her role in jointly causing the harm: perhaps it is a sufficient condition for her bearing task responsibility for the harms resulting from the joint action. The idea of task responsibility has been used as a strategy in arguing for citizens' responsibilities to provide redress for their state's historical injustices.<sup>8</sup> In the same way that citizens are the right people to do something about their state's historical injustices, we might think that consumers are the right people to do something about the injustices of the corporations from which they buy.

There is, however, a serious practical problem in trying to run this argument as it relates to consumers, as opposed to citizens. In the case of the state, task responsibility gives us a *post hoc* justification for using citizens' taxes in a certain way. But there is no institution comparable to the state with authority over consumers. We could build the cost of redress for harms into the price of goods, making unethically-produced goods more expensive and ethically-produced goods cheaper, but this would still in effect treat the symptoms and not the cause: if people were happier to pay the higher price, the harms would persist and then later be compensated for. What we really want is a way to bring the harms themselves to an end: to stop harms to current and future persons and the environment by radically reforming the consumer environment.

*Benefiting from injustice.* Another way to approach the problem is via the concept of individuals' benefiting from injustice. There have been several recent attempts to clarify the idea that it is wrong to retain certain kinds of benefits of certain kinds of injustices.<sup>9</sup> We can think of non-fair trade coffee beans, for example, as “stolen goods,” insofar as those who grow them are not paid a fair price for their labor. In this case the difficulty is in specifying a normative baseline relative to which we count others' acts against the coffee farmers as injustices, and count third parties who do well out of those injustices as beneficiaries.<sup>10</sup> Consumers of non-fair trade coffee pay lower prices than they would for fair trade coffee, so in that sense they benefit; and shareholders in sweatshops commit injustices against their workers by paying them below a fair wage and subjecting them to unacceptable working conditions.

The picture is more complicated than that, however, for at least some employees of at least some sweatshops are better off than they would have been had the sweatshop not existed at all. Thus, we end up with an incongruous situation where we seem to both commit an injustice against someone while also making them better off. We can accommodate both intuitions by maintaining that we cannot both harm a person and make her better off (both are relative to the same baseline), while at the same time accepting that we can commit injustices that make people better off. Classic paternalism seems to be exactly that: for example, a medical intervention may be a violation of a person's right to bodily integrity and therefore an injustice, but may nonetheless make her better off. Thus the fact of making sweatshop workers better off than they would have been otherwise does not preclude obligations to remedy the injustices simultaneously committed against them (such as the violations of their labour rights).<sup>11</sup>

*Complicity.* A third promising strategy uses the concept of complicity, taking individual consumers to be complicit in the harms caused by domestic and international corporations and companies. This is akin to how the law distinguishes principal offenders from accomplices. I can make myself complicit in your criminal act by assisting you in some way, by performing a minor role, by encouraging you,

and so on. Some have employed the idea of complicity to think about, for instance, the responsibility of soldiers for the harms caused by their state's military.<sup>12</sup> Others have used the concept to generate a weak membership condition for collective agency, and thereby joint responsibility for collectives' acts.<sup>13</sup> To diagnose unethical consumption in terms of complicity, we would take the principal offenders to be the corporations who run sweatshops, who purchase conflict minerals, who pay unfair prices for coffee and chocolate beans, and so on. And we would take consumers to be complicit in these harms via their purchases, which show support for or encouragement of those harms by sustaining demand for the products—at least when consumers are aware of the unethical production history, but perhaps even when not.

The difficulty with this strategy, I think, is that it conceives of the harm as external to consumers in a way that fails to capture their actual role. Corporations harm people in order to maximize profit; they couldn't maximize profit by harming people if consumers wouldn't touch anything produced in a way involving harm to persons (current or future). Corporations produce goods they expect consumers to buy, and they produce them in the way they do because they expect consumers not to object, at least not to the extent that they would change their consumption practice.<sup>14</sup> Changes in what consumers are willing to accept could entirely change the production process. That fact is not captured by the complicity diagnosis, as far as I can see.

Consumers would be better modeled jointly as the principal cause of the harms, but this is not enough to make it the case that each consumer has duties alone to consume ethically. The group “consumers” is not organized in a way that allows for collective responsibility for this jointly caused harm.<sup>15</sup>

*Impermissible risking.* The fourth strategy is the least developed, at least in the moral- and political-philosophical literature that I am aware of. It involves the idea of impermissible risking of certain interests of others. We usually determine moral and legal harms in terms of actual outcomes: for example, a sweatshop employee is harmed when the factory collapses and her arm is broken. But we might

also be interested in determining harms in terms of the outcomes that could just as well have resulted from the actions but in fact did not, for example when the factory is in a state of disrepair but happens to collapse overnight when there are no employees present. David Lewis explores this idea in the context of criminal punishment, arguing that criminals should be punished for their actions and not for the actions' outcomes over which they lack control<sup>16</sup> as do Larry Alexander and Kimberley Ferzan in suggesting reform to the criminal law in terms of culpable risking of another's legally protected interests ( for example, her rights).<sup>17</sup>

The idea of impermissible risking provides an interesting further element to Shelley Kagan's characterization of what—if anything—an individual does wrong when making a contribution to a large-scale joint harm like factory farming.<sup>18</sup> Kagan argues that it is an individual's actual causing of a certain “threshold” to be crossed that matters,<sup>19</sup> for example by purchasing the 100th t-shirt sold by a retailer, and consequently triggering a re-ordering for 100 more such t-shirts by the retailer from the sweatshop that produces them. But, he says, sometimes we are not in an epistemic position to know what that threshold is, and how our action intersects with others' actions in approaching it, in which case we can only go off the probability of harm our action poses. If it is wrong to risk certain of others' interests quite aside from that risk in fact materializing, then we have a further reason to say that such an action is wrong. Of course life is risky in multiple ways, and many of our ordinary actions come with some risks of doing harm to someone. But it would be possible, I take it, to determine particular categories of actions that pose risks to certain of others' important interests, such that those actions were impermissible on grounds of risking.

Actions that are good candidates for this type of impermissible risking are those taken to acquire luxury goods when they come at a risk of others' basic human rights, or their ability to meet subsistence needs. When I purchase any cellphone other than the new Fairphone,<sup>20</sup> I increase demand for conflict minerals, and create a risk of a relevant threshold being crossed so that in fact more children are forced into armed militias, or down mines, and so on. It might be permissible to pose such

risks in the pursuit of a life worth living but it is surely not permissible to pose them in pursuit of luxuries we could easily do without.

*Obligations to signal.* The last strategy, and that which I think is the most promising, is justified by our mere capacity to assist, but in a special way: via collectivization. Consumers together can—and have—changed production processes, but it is not necessarily the case that a given consumer alone could change anything simply by boycotting a certain unethical corporation or product, or by supporting a certain ethical corporation or product, or by taking political action against the domestic or global labor standards or trade rules which permit them, and so on. In this sense unethical consumption is like climate change. The greenhouse gas (GHG) emissions of billions of people all over the planet feed into a central system and affect the global temperature. Groups of people together can reduce GHG emissions in a significant way. One person's refusal to fly, or to eat meat, for example, likely won't make a difference to global emissions. The collectivization argument is that there are some morally important ends we can pursue only by acting collectively, and that this fact alone gives us reason to come together.<sup>21</sup> Once we have formed the kinds of groups capable of reliably producing the relevant outcomes—specifically, collective agents—those groups will come to bear obligations to secure those outcomes. (At that point there will be a further question about how the obligations of the collective agent “distribute” back to its members. The distribution question makes sense between collective agents and their members, in a way that it fails to between uncoordinated aggregates of individuals taken as a group and their members. The former have the control required to secure the relevant outcome and distribute the roles necessary to seeing that outcome secured. The latter lack control, and thereby lack the ability to distribute roles between the individuals composing it.)

When there are morally important ends we could secure together but not alone, such as ethical global consumption, or the mitigation of the worst predicted effects of climate change, an individual has an obligation to take steps toward collectivizing. The collective, once formed, will have a duty to act in pursuit of the

morally important ends in virtue of its mere capacity to do so; individuals have a duty to take steps toward collectivizing in virtue of their capacity to do so. The good that individuals have the capacity to (take steps toward) bring(ing) about is the existence of the collective with its much greater capacities, and the good that the collective will have the capacity to bring about is the securing of the relevant morally important ends. There are several steps to collectivization, including signaling conditional (and sometimes unconditional) willingness to cooperate; persuading others to take steps toward collectivizing; responding to another's attempt to “trigger” conditional commitments into actions—or acting as the trigger oneself; and proposing decision-making procedures (for the establishment of the collective's ends, distribution of roles, revision of commitments or extension of powers, and so on) capable of synthesizing prospective members' commitments into a collective commitment. In the rest of this article I focus on developing the first of these, the obligation to signal, in more detail.

### **Obligations to Signal**

When it comes to large-scale, jointly-authored moral problems such as factory-farming, sweatshop production, and climate change,<sup>22</sup> it is easy for the individual to feel helpless. Even if she sincerely wishes things were otherwise, she may wonder what she could possibly do to make them so. She may recognize that there is something people could do together about the harms, but believe that others would not be willing to get together and do it. And for each such individual who sincerely wishes things were otherwise, this may be true. This is where the first step in the “collectivization” chain comes in: she ought, at the very least, not to allow herself to be a reason for others to believe that no one is willing to get together and act. She can do this at low cost to herself, by signaling a conditional commitment to cooperate with others. This signal prevents others from believing that their own cooperative actions would be futile, and sends the message that collective action is possible. The signal may be as simple as wearing a t-shirt printed with a particular message; asking certain kinds of questions in restaurants (especially when in

company); starting an online petition or signing an existing one; building a webpage to coordinate a political protest or adding one's name to the list of attendees.

Where there are no, or few, collectives already set up, signaling will be the first step in forming groups capable of acting. Where there are capable collectives already set up, or collectives that could easily be reformed from the inside in order to be capable, signaling will serve to attract greater membership, or to begin the process of reforming the organization's capacities.<sup>23</sup> There are several well-known groups working on ethical consumption (notably the Fairtrade Foundation, No Sweat, the Rainforest Alliance, PETA, and the CarbonNeutral Protocol), so the most obvious signals will be to join these kinds of organizations.

For some recent examples of public signaling, consider the viral Kony2012 and #BringBackOurGirls campaigns; the spontaneous protest against UKIP before the 2014 European elections (which involved UK voters mailing heavy items to UKIP's freepost address and sharing photographs of the packages online); the overfunding of the solar roadways project;<sup>24</sup> the ALS Ice Bucket Challenge (which raising raised over \$41 million globally)<sup>25</sup> and the subsequent Rubble Bucket Challenge in solidarity with Palestinians.

Many of our actions are normative, in the sense that they send to others the message that we think this is the right way to live. Not all of our actions are normative in this way, of course: for example, a person's preference for white chocolate over milk chocolate may be simply that, a matter of personal taste. But a preference for dark chocolate over milk chocolate will in certain contexts be read as motivated by the choice to avoid products of the dairy industry. The causal consequences of these apparently minor signaling actions are momentous, because their growth is exponential. Any individual signaling in a particular social environmental can expect her signal to have an effect on some proportion of those who encounter it (the proportion will depend on the individual, correlating with her social status, charisma, perceived intelligence, perceived virtue, social attractiveness, and other factors). In turn, those who encounter the given signal and adapt their behaviour accordingly can expect their own signals to have an effect on

some proportion of those who encounter them. And so on, and so on. Social change happens when people's perceptions of what other people value are modified, and when those perceptions shift, social esteem, reputation effects, and other social incentives all kick in to motivate behavioural change.

Elizabeth Anderson makes a similar point in her 2014 Lindley Lecture advocating “contentious politics.” As she points out, activities like petitioning, publicity campaigns, theatrical performances, candlelight vigils, litigation, political campaigns, street demonstrations, boycotts, teach-ins, sit-ins, picketing, strikes, and building occupations all serve the purpose of lessening perceived support for a social norm: part of our reason for conformity is others' expectations, so as we see others publicly reject the norm, the strength of our reason for conformity declines. Similarly, those still seen to be supporting the old norm after it has lost public support may face steep social costs in terms of a loss of moral authority, peer esteem, and social legitimacy.<sup>26</sup>

The examples that Anderson gives are all of actions that impose a moderate cost on those performing them, whether in terms of time, money, risk, or the cognitive costs of social conflict. But some of the examples I gave earlier are much less costly. Wearing a t-shirt printed with a political message, signing an online petition, giving a little money to a worthy cause, or sharing a campaign video on Facebook, are all actions that require relatively little from the person performing them. Such actions are indeed often dismissed as “slacktivism”—social activism at rock-bottom prices,—with the implication that “slacktivists” are lacking true commitment. Is there any reason to think that such signals are so cheap as to be ineffective?

### **Is the signal too cheap?**

Robert Frank has argued that for a signal to function as reliable—to be treated as credible by the recipient of the signal—it must be hard to fake, that is, either difficult or costly.<sup>27</sup> An example of a reliable physiological signal in humans is the micro-expressions caused by genuine emotions that show up on the face before they can be

replaced by deliberate expressions.<sup>28</sup> An example of a reliable social signal of being a trustworthy cooperative partner is an individual's public act of generosity.<sup>29</sup> At their most reliable, signals will be impossible to fake and thus a perfect guide to a person's quality, character, and intentions.

The problem with cheap signals, like signing an online petition or sharing a campaign video on Facebook, is that they are not necessarily a good guide to a person's genuine commitments, because they can be done flippantly, or for reasons other than identification with the cause, for example to support friends. This does not pose a particular challenge for contexts in which there are already capable collectives established. When I express publicly my support for an existing organization advocating ethical consumption, I am making an unconditional commitment to solidarity or identification with that particular cause. When an individual shares a "No Sweat" campaign video through one of her online social networks, she is making a public statement about what her values are, what commitments she has and believes worth having. These signals seem to be read as credible no matter how cheap they are. But what about in cases where there are no capable collectives already set up? Set aside the groups already mentioned, and imagine we are interested only in collectivizing into either domestic groups of consumers of unethically-produced goods, or one global group of such consumers, so that the group can coordinate all of its members into action against the relevant injustices. In these cases, at least, must the signal be costly?

I said that when there are no capable collectives already established, a signal of conditional willingness to cooperate ("I will if sufficiently many others will") is the first step in a series, culminating in the emergence of a collective agent capable of acting in pursuit of the morally relevant end. The problem is that if the signal is too cheap, it may not be read as genuine by those who encounter it, and thus may not be efficacious in prompting similar commitments and eventually collective action. Imagine encountering an individual wearing a t-shirt printed with the slogan 'I'm Reducing My Greenhouse Gas Emissions!' (an unconditional commitment), or the slogan 'I'm Prepared to Offset My Emissions to Zero if You Are Too!' (a

conditional commitment). Momentarily, you're impressed that she has brought the t-shirt, and is wearing it about, ostensibly as a signal to others of her environmental commitments. Then you discover, around the next corner, a group of environmental activists handing the t-shirts out for free. This makes you wonder: is she really reducing her GHG emissions? That is, is she really willing to pay to offset them if enough others do too? Or did she just like the idea of a free t-shirt? If others have no reason to read the signal as reliable, it will not be efficacious in prompting others to action. Either there will be no spread of the signal through social networks, or there will be a lot of cheap signaling that never results in collective action.

This suggests that to be an effective initial step toward building new collective agents, the signal required of individuals should come at some cost. A signal that requires the signaler to take on even a moderate cost will be more reliable than a signal that requires no cost at all, and likewise a signal that requires the signaler to take on severe cost will be more reliable than one that requires a moderate cost. In principle, all we need to solve a cooperation problem within a particular (uncoordinated) group is for everyone in the group to be conditionally committed to doing a part if sufficiently many others will likewise do a part, for those commitments to be common knowledge, and for someone in the group to trigger the conditional commitments into collective action once there are sufficiently many of them. When I am a member of the relevant group, as I am of the group of global consumers of unethically-produced goods, I need to communicate my conditional commitment so it can become part of others' common knowledge. I can communicate my conditional commitment in a way likely to be taken as sincere by others in the group by taking on a non-trivial cost. The best signal of all might be the public buying of ethically-produced products, or the public boycotting of unethically-produced products.<sup>30</sup> The more difficult this is in the context, the more reliable the signal. In a city full of vegan cafes, choosing a vegan cafe for lunch will not necessarily be read as a normative commitment to veganism—the cafe might just be the best nearby. In a city with few vegan cafes, choosing a vegan cafe, or interrogating the waiter about what they can offer vegans, will likely be read in that

way.

An individual should buy her t-shirts from (for example) PeopleTree or American Apparel because the chances are that by doing so she will get someone near her do so too (and even if not to literally copy her purchase, at least to take the cause seriously, and signal that she would also be conditionally willing to cooperate together with others to make an impact against the relevant harms).<sup>31</sup>

What is interesting about this proposal is that it gives a consequentialist justification to actions that are normally taken to have mere expressive value,<sup>32</sup> and in at least some cases, it gives an alternative justification to the duties we would have had if a more straightforward justification in terms of duties of justice had been credible. An individual's obligation to signal her conditional willingness to get together with others in pursuit of a morally important end has a consequentialist justification, but of a broader sort than is typically offered. We're not solely concerned, at this point, with the likely impact of an individual's purchase on a re-ordering threshold, which may thereby implicate her in harms to persons done (as with the t-shirt example noted above). Rather, we are concerned with the likely impact of a given action of hers on the actions of others. A public signal of conditional willingness by her ensures that she is not a reason for others to think that cooperation is impossible, and it simultaneously places normative pressure on others to signal in a similar way, which raises the chance of a group capable of acting in pursuit of the relevant end being formed. The world is a little better for each such person who signals. There is less epistemic warrant for the belief that "no one else will act," and this fact transforms what might otherwise have been characterized as a threshold problem (in which some good is achieved only when sufficiently many people perform an action) into a problem in which each individual has reason to act unilaterally. She has a reason to signal regardless of whether others are signaling, even though she might lack a reason to contribute to eradicating the injustice directly when others are not also contributing.<sup>33</sup> When the best signal is a contribution to eradicating the injustice, we have an alternative moral vindication of an action that would otherwise not have been morally required.

In summary, for all the cases in which an individual can send the clearest signal by publicly buying certain kinds of products, or publicly boycotting certain kinds of products, she will have an obligation to do so. This is the best (but not the only) way of her satisfying her obligation to take steps to collectivize. An obstacle to collectivization is each person believing that no one else is willing to get together and act; an individual can disabuse others of this belief by signaling her conditional willingness to cooperate with them to act against it. While the case for unilateral action against unethical consumption in the form of acting on duties of justice not to buy looks to be untenable, the case for unilateral action against unethical consumption in the form of acting on obligations to signal, as a part of the fuller story involving obligations to collectivize, does look to be so. Additionally, it delivers the same content, at least some of the time.

### **The relative cost of boycotting**

At the end of section one, I said that attempting to generate a straightforward duty of justice for individuals not to purchase unethically-produced goods, premised on the violation of negative rights or interests caused by those purchases, was a non-starter. That is because it is not true of every purchase (and not even true of most purchases) that it violates another's rights or compromises their relevant interests. Still, individuals are in an epistemically opaque situation when it comes to the harms visited upon others as a result of their daily purchases, so perhaps it would be enough to justify a duty of justice not to make such purchases by simply noting that buying a given object or service can be expected to violate rights, or that for every 10 purchases at least 1 can be expected to violate rights, and so on. We can take this thought seriously and still conclude that it's overly demanding to suggest that individuals have a duty to boycott unethically-produced goods. Such duties will often be too costly relative to what such a boycott stands to achieve. Assuming that she cannot avoid injustice entirely, a given individual has to choose which of the

many injustices of which she is a cause, or to which she is a contributor, to prioritize.

Let's imagine that, because of the chance of a purchase of a t-shirt being a trigger of a morally relevant threshold (for example, causing the re-ordering of further t-shirts),<sup>34</sup> or the chance that a re-ordering is counterfactually dependent upon that purchase,<sup>35</sup> or the chance that, together with many other consumers' actions, this purchase is a joint cause of an injustice (taking a strict liability account of culpability),<sup>36</sup> an individual thereby declines to buy that t-shirt. But if we focus only on the causal connection between one individual's purchase of one sweatshop-produced t-shirt on one occasion, not purchasing that object is not enough of a difference-maker to the injustices in question to justify it being required.

In the third section of this article, I gave a justification of boycotting via obligations to signal conditional willingness to cooperate, which in at least some cases tracks exactly the same content as a straightforward duty of justice not to buy (dismissed in my opening section). The challenge to be addressed in this section, then, is how the action of boycotting unethically-produced goods can be too costly (not a big enough difference-maker) to be a duty of justice, and yet not too costly to be justified as part of the requirement to collectivize. The content of those duties, which is to say, the actions required of individuals in order to fulfill them, is identical.

This challenge depends entirely on whether we think demandingness thresholds are set in a way that is objective or a way that is relative. There are various approaches to this problem. For example, Jan Narveson talks in terms of a "beneficence budget," which suggests a fixed sum of money, effort, or time, that can be spent in the pursuit of morally important ends.<sup>37</sup> If we think of demandingness in this way, the content of a categorical negative duty to boycott unethical products (or to buy ethical products only) would be identical to the content of an obligation to signal in at least some cases. We would therefore have to agree that these come at the exact same cost, so that if one is not required because it is too demanding, so is the other. That would defeat the project of offering an alternative justification of

unilateral boycotting/buying.

Robert Goodin, on the other hand, talks in terms of relative costs, comparing the good at stake against the cost of pursuing it.<sup>38</sup> For Goodin, the only limit is that the cost to the individual not be disproportionate to the value of the good being pursued. The good being pursued when we attempt to justify a straightforward duty of justice not to buy goods produced unethically is the avoidance of harm. The good being pursued through (the first step of) collectivization is avoiding other people believing that no one is willing to cooperate. We assess the relative cost differently for the two justifications. On the first, the cost to me of boycotting unethical products, or endorsing ethical products, is compared against the end of keeping me free from implication in harms to persons. That action will cost me something, and has some probability of making no difference at all to the harms involved in unethical consumption (either by falling short of a threshold or by overdetermining the crossing of a threshold), and some probability of making me a joint cause of a re-ordering threshold being crossed. The overall expected utility of my action is often, if not always, insufficient to make the boycotting/buying the thing to do.<sup>39</sup> On the second, the cost to me of boycotting unethical products, or endorsing ethical products, is compared against the end of ultimately forming a collective capable of acting against the harms of unethical consumption. According to this line of thinking, a collective would be capable of making a bigger difference to the re-ordering thresholds via its unilateral purchasing action. Furthermore, through its political power, a collective would be able to enlarge itself and trigger further unilateral actions and possibly even widespread social norm change. (Anderson characterizes social movements as always having a collective agent at their center.<sup>40</sup>) Note also that when the signal is only to show solidarity or identification with existing collectives, it may be so cheap as to raise no concerns about demandingness at all.

Relative to the end of collectivization, your action actually has a much higher chance of being efficacious, because there is a reasonable chance that you were not the only one whose primary reason for inaction was hopelessness. It will not always

be true that signaling is more effective (in some cases it will not be fulfilled by unilateral boycotting, and in some cases there will not be enough signaling to be worth triggering into group formation), but it sometimes—perhaps often—will. In those cases where there is no point in one person acting alone, the best one can do is take a step toward bringing about a world in which sufficiently many people signal their opposition to practices of unethical consumption. In those worlds, the collective can then make a significant difference, for example, the reform of sweatshops, the eradication of factory-farming, and / or the reduction of greenhouse gas emissions.

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<sup>2</sup> Silverman, Sarah. *Jesus is Magic*. (LA: Roadside Attractions, 2005).

<sup>3</sup> The 'ideal setting' is not unique: an alternative ideal setting is one in which consumers refuse to buy unethically-produced goods, precluding the need for governmental regulation of labour practices. Both the 'top-down' and 'bottom-up' approaches are fully sufficient to end the relevant harms.

<sup>4</sup> Kagan, Shelly. "Do I Make A Difference?" *Philosophy & Public Affairs* 39 (2011): 105-141.

<sup>5</sup> See e.g. Pasternak, Avia. Pasternak, Avia. The Distributive Effect of Collective Punishment, in Tracey Isaacs & Richard Vernon (Eds.) *Accountability for Collective Wrongdoing* (Cambridge: Cambridge University Press, 2011).

<sup>6</sup> See discussion in Schwartz, David. *Consuming Choices*. UK: Rowman & Littlefield, 2010, and Kagan, "Do I Make A Difference?"

<sup>7</sup> See e.g. Miller, David. *National Responsibility and Global Justice*. Oxford: Oxford University Press, 2007, 86-90.

<sup>8</sup> See e.g. Thompson, Janna. "Collective Responsibility for Historic Injustices", *Midwest Studies in Philosophy* 30 (2006): 154-167; Stilz, Annie. "Collective Responsibility and The State", *The Journal of Political Philosophy* 19 (2011): 190-208; Pasternak, Avia. "The Distributive Effect of Collective Punishment", in *Accountability for Collective Wrongdoing* edited by Tracy Isaacs & Richard Vernon, Ch. 8. Cambridge: Cambridge University Press, 2011).

<sup>9</sup> See e.g. Butt, Daniel. "On Benefiting from Injustice", *Canadian Journal of Philosophy* 37 (2007): 129- 152; Anwander, Norbert. "Contributing and Benefiting: Two Grounds for Duties to the Victims of Injustice", *Ethics and International Affairs* 19 (2005): 39-45; Huseby, Robert. "Should the Beneficiaries Pay?" *Philosophy, Politics & Economics* (forthcoming); and the papers collected in Pasternak, Avia. & Page, Ed. (Editors) Special Issue on Benefiting from Wrongdoing. *Journal of Applied Philosophy* 31 (2014).

<sup>10</sup> See also Lawford-Smith, Holly. "Benefiting from Failures to Address Climate Change", *Journal of Applied Philosophy* 31 (2014): 392-404.

<sup>11</sup> See discussion in Pasternak, Avia. "Voluntary Benefits from Wrongdoing", *Journal of Applied Philosophy* 31 (2014): 377-391.

<sup>12</sup> Bazargan, Saba. "Complicitous Liability", *Philosophical Studies* 165 (2013), 177-195.

<sup>13</sup> Kutz, Christopher. "Causeless Complicity", *Criminal Law and Philosophy* 1 (2007): 289-305; Kutz, Christopher. "Acting Together", *Philosophy & Phenomenological Research* 61 (2000), 1-31.

<sup>14</sup> However, we should not think that we can establish consumers' responsibility for corporations' harms simply on the basis of corporations' expectations of what consumers are willing to accept, because those expectations may be mistaken.

<sup>15</sup> See discussion in Collins, Stephanie. "Collectives' Duties and Collectivization Duties", *Australasian Journal of Philosophy*, 91 (2013): 231-248.

<sup>16</sup> Lewis, David. "The Punishment That Leaves Something to Chance", *Philosophy and Public Affairs* 18 (1989): 53-67.

<sup>17</sup> Alexander, Larry. Ferzan, Kimberley Kessler. & Morse, Stephen. *Crime and Culpability: A Theory of Criminal Law*. Cambridge: Cambridge University Press, 2009.

<sup>18</sup> Kagan, "Do I Make A Difference?"

<sup>19</sup> Kagan also counts counterfactual dependence as causation in his discussion, allowing that when the threshold is crossed but not overdetermined, each contribution can count as a cause of the ensuing harm, and not just the final contribution which actually triggered the threshold's being crossed (*ibid*, 125-127). To be clear on how the two proposals come apart, if it's the causing that's wrong, then taking a risk that doesn't result in a harm is non-culpable on Kagan's view, whereas it would be culpable on the impermissible risking view. Likewise if it's the subjective likelihood of causing that determines the wrong, an action resulting in a harm would be non-culpable on Kagan's view so long as the agent's subjective beliefs made the resulting harm unlikely enough, whereas it would be culpable on the impermissible risking view so long as it posed some risk to the relevant interests.

<sup>20</sup> The Fairphone is the first conflict-mineral -free phone, selling out on its first production run in November 2013, and into its second production run as of May 2014. For more information see [www.fairphone.com](http://www.fairphone.com) accessed 26th July 2014.

<sup>21</sup> See discussion in Collins, "Collectives' Duties and Collectivization Duties".

<sup>22</sup> For examples, see Lichtenberg, Judith. "Negative Duties, Positive Duties, and the 'New Harms'", *Ethics* 120 (2010): 557-578.

<sup>23</sup> See also discussion in Collins, Stephanie. & Lawford-Smith, Holly. "The Transfer of Duties: from Individuals to

States and Back Again” in *The Epistemic Life of Groups* edited by Michael Brady & Miranda Fricker. *Mimeo*, at February 1st, 2014.

<sup>24</sup> The solar roadways project needed \$1,000,000 USD, and has to date raised \$2,200,366. See [www.indiegogo.com/projects/solar-roadways](http://www.indiegogo.com/projects/solar-roadways) and [www.solarroadways.com/intro](http://www.solarroadways.com/intro) both accessed 26th July 2014.

<sup>25</sup> Steel, Emily. 'Ice Bucket Challenge' Donations for ALS Research Top \$41 Million', *New York Times*, 21st August 2014. Online at [http://www.nytimes.com/2014/08/22/business/media/ice-bucket-challenge-donations-for-als-top-41-million.html?\\_r=0](http://www.nytimes.com/2014/08/22/business/media/ice-bucket-challenge-donations-for-als-top-41-million.html?_r=0) accessed 30th August 2014.

<sup>26</sup> Anderson, Elizabeth. “Social Movements, Experiments in Living, and Moral Progress: Case Studies From Britain's Abolition of Slavery” *The Lindley Lecture, University of Kansas*, 11th February 2014. See esp. p. 9.

<sup>27</sup> Frank, Robert. *Passions Within Reason*. New York: Norton, 1988. See also discussion in Gintis, Herbert. Smith, Eric Alden. & Bowles, Samuel. “Costly Signaling and Cooperation”, *Journal of Theoretical Biology* 213 (2001): 103-119; and Smith, Eric Alden. & Bliege Bird, Rebecca. “Costly Signaling and Co-operative Behaviour” in *Moral Sentiments and Material Interests* edited by Herbert Gintis, Samuel Bowles, Robert Boyd, & Ernst Fehr. Massachusetts: MIT Press, 2005, 115-150.

<sup>28</sup> Frank, *Passions Within Reason*, Ch. 6.

<sup>29</sup> Smith, Eric Alden. & Bliege Bird, Rebecca. “Turtle Hunting and Tombstone Opening: Public Generosity as Costly Signaling”, *Evolution and Human Behaviour* 21 (2000): 245-261.

<sup>30</sup> It's better to put this in terms of the deliberate buying of ethically-produced goods to the exclusion of unethically-produced goods, because a public act of buying sends a clearer message than a public act of not-buying, if there can be such a thing (it's harder to communicate our omissions). I'm grateful to Ulrike Heuer for the suggestion in the context of another paper that sometimes we can signal our conditional commitments most clearly by acting unilaterally against the harm, which was the start of my thinking about obligations to signal as an alternative to the deontic 'duty not to harm' justification of not buying.

<sup>31</sup>As Patrick Tomlin pointed out to me, this argument has implications for the practice many 'moderate' environmentalists have of eating a vegan or vegetarian diet at home, and consuming meat only when in restaurants. Given the social nature of eating out, with its potential effects on dining partners, restaurant staff, and menus (e.g. if enough people ask whether the beef is organic and free-range, the restaurant is likely to secure organic free-range beef for its menu), it would be significantly better to switch the order, and eat a vegan or vegetarian diet in restaurants, simultaneously signaling one's ethical commitments, and eating meat only in the home, where no one else has to know.

<sup>32</sup> Schwartz also points to the consequentialist justification for an individual's unilateral actions, via those actions' impacts on those around her. Schwartz, *Consuming Choices*, see pp. 47-67, esp. p. 65.

<sup>33</sup> Note also the implication that she can satisfy her obligation by signaling *dishonestly*, so long as the signal does the required work. That is to say, she can signal a commitment to the reduction of methane emissions by publicly refusing to eat meat, even while she secretly buys steaks to cook at home. She should, of course, factor in the risk of the backlash that inevitably follows the discovery of hypocrisy. By signaling dishonestly and being found out, she could do more to hurt the cause than had she not signaled at all.

<sup>34</sup> Kagan, “Do I Make A Difference?”

<sup>35</sup> *Ibid.*

<sup>36</sup> Cf. Miller, *National Responsibility and Global Justice*.

<sup>37</sup> Narveson, Jan. “We Don't Owe Them A Thing! A Tough-Minded But Soft-Hearted View of Aid to the Faraway Needy”, *Monist* 86 (2003): 419-433.

<sup>38</sup> Goodin, Robert. “Demandingness as a Virtue”, *Journal of Ethics* 13 (2009): 1–13.

<sup>39</sup> John Broome has suggested in conversation, relative to his own work on the negative duties of citizens to offset their greenhouse gas emissions to zero, that this should depend on what the alternatives are, e.g. the expected utility will be insufficient to make it the thing to do when the alternatives are acting against poverty, or malaria, but they won't be insufficient to make it the thing to do when the alternatives are the pursuit of one's own gain well above a threshold of well-being, or luxury goods. This seems right to me. See also Broome, John. *Climate Matters*. New York: Norton, 2012.

<sup>40</sup> Anderson, “Social Movements”, 10-11.