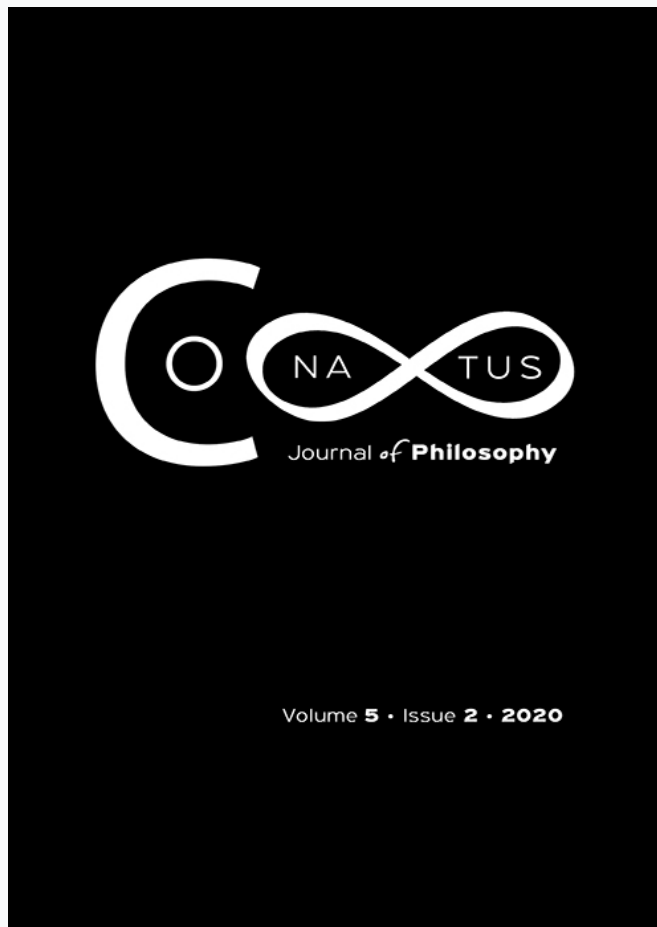


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Sweatshops, Harm and Exploitation: A Proposal to Operationalise the Model of Structural Injustice

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Abstract

In this article, I firstly discuss the person-affecting view of harm, distinguishing between the liability and the structural models of responsibility, and also explaining why it is unsatisfactory, from a moral point of view, to interpret a given harm as a loss from a diachronic baseline. Then, I take sweatshops as an example and I entertain two further issues that are related to the assessment of harm and that are necessary for operationalising a comprehensive model of responsibility that takes into account both liability and structural injustice. The first one is how far along the chain of actions leading to harm can structural responsibility be extended. The second one is how to interpret harm when it is coexistent with a diachronic benefit and/or the parties involved in the social structures leading to harm seek to unload their responsibility by appealing to a cooperative deadlock.

Keywords: *exploitation; harm; responsibility; structural injustice; sweatshops*

I.

According to a person-affecting view, it can be said that I cause you harm through my action X, if – as a consequence of this action – I make you worse off than you were before I performed X – let’s call it *the basic harm claim*. This is a very simple and intuitive idea on which, I believe, the great majority of us would agree.¹ However, many further specifications can be added to the short formulation I have just drawn out, so as to uncover the different ethical positions that people might have with regards to the no-

¹ See Derek Parfit, *Reasons and Persons* (Oxford: Oxford University Press, 1987), 370. For a purely deontological conception of harm, which does not rely on the person-affecting view, see Rahul Kumar, “Who Can Be Wronged?” *Philosophy & Public Affairs* 31, no. 2 (2003): 99-118.

tion of harm. It might be added, for example, that I am not blameworthy for causing you harm if I had no other choice, or if any other choice I had was much worse than the harm I could have decided to cause to you as an alternative.² Consider the case in which I lose control of my car because of a mechanical problem that I could not foresee and for which I am not responsible, so that I end up in your garden and wreck your flowers. I have surely caused you harm, hence I owe you compensation, but am I also to blame for what I have done? Some people might say no, I have nothing to regret, because I was given no choice. Some others, instead, might contend that even though the car was out of my control, I should feel a sort of ‘agent-regret’ for the reason of taking part – although I was not given the chance of doing otherwise – to the chain of actions that have led to the premature death of your flowers.³

The same discourse holds true for the situation in which I happen to step on your flowers in the attempt to escape from someone who wants to stab me, on condition that entering your property is the only realistic way for me to save my life. Here, differently from the previous situation, I have an alternative – letting my killer accomplish his mission. But this alternative would entail such a severe loss for me – my life – that it cannot be compared to the trivial loss I instead decide to impose on you – your flowers. So even here we can either believe that I am not to blame or rather that I should feel agent-regret – remaining constant my duty of compensation toward you. Nonetheless, it is important to stress that a theoretical difference exists between those cases in which I act unfreely and those in which I am forced to do something. For in the latter – as the stabbing case – the moral absolution of the agent that causes harm, by those who exclude agent-regret, is not a given, rather it depends on two elements that are strictly interconnected: the likelihood that the decision of agent A of causing harm to agent B might save agent A from a more prominent harm and the difference in severity between the harm suffered by agent A and agent B. In a few words, if I might be blameworthy for trying to save my life at the cost of you losing your flowers, I might be less justified in doing it if the cost for you is the loss of your entire property – knowing that I cannot compensate you for that –, and I become less and less justified the higher your cost – think for example of the loss of mobility.

Secondly, we might add the further specification that both awareness and causal proximity matter in the allocation of moral blame and of com-

² On the difference between being forced to do something and doing something unfreely see also Gerald A. Cohen, *History, Labour, and Freedom: Themes from Marx* (Oxford: Clarendon Press, 1988), 241-244.

³ See Bernard Williams, *Moral Luck: Philosophical Papers 1973-1980* (Cambridge: Cambridge University Press, 1981), 20-39; and, also, Stephen de Wijze, “Tragic-Remorse: The Anguish of Dirty Hands,” *Ethical Theory and Moral Practice* 7, no. 5 (2005): 461-463.

pensatory duties related to harm. Consider, for example, the case in which I put some money in an investment fund, and it turns out that my savings have been used for financing a company that buys semi-laboured products from another company that recruits workers in slave-like conditions in a developing country. Am I blameworthy for this? Do I owe compensation to these workers? There is no clear answer, I believe. Much depends on the degree of awareness that could have been expected from me at the moment of the investment. If we assume that finding out the reproachable use that the fund made of my money would have taken days of study and investigation, we might probably conclude that I was not blameworthy for the recruitment of quasi-enslaved workers,⁴ while leaving open the issue of compensation. The latter dilemma could probably be unravelled, at least partially, by looking at causal proximity. Taking as a given that those people kept at work at unfair conditions through violence and deception have suffered harm, we could propose a model of responsibility - that might seem reasonable - according to which compensatory duties extend throughout the whole causal chain in a decreasing way. Therefore, those who are more proximate to the action that causes harm – in our case the local employer – have the largest share of compensatory duties and blame. The second largest share goes to those just below the direct performers of harm, the third largest share belongs to those one step further back, and so on.

We could cut the chain of responsibility for a given harm at the point in which it becomes unreasonable to expect that an agent could – and should – be aware that her action will nestle into a sequence of actions that result in that specific harm. In our example, this point is represented by the action through which I entrust my savings to the investment fund, because at this stage it is still disputable whether I could be held responsible for not being aware of the causal relation that links my action to the final harm. Instead, it would be unreasonable, from a moral point of view, to extend this responsibility beyond my investment, to the person – be it my employer or my grandmother – who gave me the money I later decided to give to the fund. For this person – were she paying me or making me a gift – could in no way had imagined that I would have spent my money in an investment with a fund that would have later given credit to a company that would have decided to buy semi-laboured products from a supplier that violates the freedom of a group of employees living in a distant place. In other words, we might say that

⁴ Yet, an objection might be that if I do not have the intellectual tools or sufficient available information for understanding how my money will be used, I shall not venture in complex investments. The counter-objection, however, can be that if I lack the knowledge about the complexity of investment funds and of world economy and foreign politics, I might not be aware of the fact that the action I am undertaking is beyond my cognitive reach.

with relation to a given harm, both the moral blame and the responsibility to compensate cannot go beyond the action that causes the last unpredictable deviation in the infinite causal sequence that leads to that harm.

However, and here we come to the third point, the formulation of responsibility for harm that we proposed above can suffice only if we remain at an interactional level, that is to say if we are only interested in looking at the actions performed by single individuals. Conversely, in the case I also want to take into consideration the forms of harm caused by social structures – as we think we should –, we could extend the responsibility for harm much beyond the last unpredictable deviation in the sequence of individual actions from which the harm stems. This is so because each agent operates within a set of rules and norms that constrain individual choices and condition the distribution of social and economic resources.⁵ And this set of rules and norms – that for simplicity we can call social structures – can either be just or unjust,⁶ depending obviously on which paradigm of justice we adopt. Therefore, if those agents that take part to the sequence of harm are constrained in their choices by the social structure – be it national or global – in which they act, the discourse on responsibility for harm can be extended to those who “[...] contribute to a greater or lesser degree to the production and reproduction of structural injustice precisely because [...] they [...] follow the accepted and expected rules and conventions of the communities and institutions in which [...] they [...] act.”⁷

In order to clarify this point, imagine a slightly modification of our example – or a specification, if you prefer – according to which the company that practices violence and exploitation over employees operates in a country in which the national government has implemented a political program of deregulation aimed at attracting foreign investments and that consists in the reduction of workers’ rights and in the informal mandate to controllers to ignore pale cases of exploitation. Accordingly, the result is a race to the bottom for employers to remain in the business. Thus, we have a case in which the final action by the agents who do harm is undertaken within a background situation in which the set of alternative options to harm has been severely constrained by systemic socio-economic conditions. The latter have been brought about by a political decision for which all those who took part to

⁵ See Andrea Sangiovanni, “Structural Injustice and Individual Responsibility,” *Journal of Social Philosophy* 49, no. 3 (2018): 462; Lea Ypi, “Structural Injustice and the Place of Attachment,” *Journal of Practical Ethics* 5, no. 1 (2017): 9.

⁶ See Iris Marion Young, “Responsibility and Global Labor Justice,” *The Journal of Political Philosophy* 12, no. 4 (2004): 365-388.

⁷ *Ibid.*, 378.

the democratic process can be held responsible⁸ – with different degrees of responsibility depending on the political support they have provided.

Nonetheless, people living in the country where exploitation occurs might defend the political strategy of their government arguing that it had no choice, because had it kept in place the old guarantees for workers and had it not created a friendly and low-tax business environment, foreign investors would have brought their capital to another place. Accordingly, following this argument, we could even maintain that the responsibility for the harm suffered by the exploited workers we are discussing should be broadened to the global order, and hence to those agents that have a substantial influence in shaping its rules.⁹

Fourthly, the notion of harm can be interpreted either in a diachronic sense or in relation to a ‘moralised subjunctive baseline.’¹⁰ From a diachronic point of view I do make you harm through my action X if I cause you to be worse off than you were in a historical moment that precedes my performance of X. Conversely, from the perspective of the ‘subjunctive moral baseline’ I do make you harm through my action X if I cause you to be worse off than you would be in a hypothetical situation in which a given account of justice – that is measured by the baseline – has been respected. This account can either be a very restrictive one, as for example an account merely based on fundamental human rights, or it can require in addition some positive socio-economic provisions of distributive justice – as for example basic capabilities, a contentment-based or an objective sufficiency threshold, and so on. As a result, the ‘subjunctive moral baseline’ need not necessarily be solely hypothetical, because it can also correspond to an earlier historical moment – although historicity is not a necessary requirement for the moral validity of the baseline.

To make things clearer, consider the case of a person who, while conducting a normal life, gets kidnapped and enslaved. The slaveholder treats his new slave very badly for some months; then he decides to sell him to another slaveholder that is as cruel as the previous one. This slave-exchange takes place several times, with successive slaveholders being almost as rotten toward the slave as the previous one. While at a certain point the slave gets sold to a new slaveholder that is much more compassionate. This master lets the slave conduct an enjoyable life within the house for many years, treating

⁸ See also how I. M. Young applies her ‘social connection model’ of responsibility to the sweatshop case in Iris Marion Young, “Responsibility and Global Justice: A Social Connection Model,” *Social Philosophy and Policy* 23, no. 1 (2006): 102-130; and the definition of ‘systemic coercion’ given in Laura Valentini, “Coercion and (Global) Justice,” *American Political Science Review* 105, no. 1 (2011): 212-214.

⁹ See also Reuven S. Avi-Yonah, “Globalization, Tax Competition, and the Fiscal Crisis of the Welfare State,” *Harvard Law Review* 113, no. 7 (2000): 1573-1676.

¹⁰ Thomas W. Pogge, *World Poverty and Human Rights* (Cambridge: Polity Press, 2008), 25.

him as one of his sons, but never letting him get outside. Is this compassionate slaveholder harming his slave? In a purely diachronic sense, the answer is that it depends on which historical moment we adopt as a baseline. If we look at the previous enslavement, or at the ones before, up to the first enslavement, we should conclude that the last master is not harming the slave but rather is benefiting him. Conversely, if we take the slave's previous condition as free human being as our comparative baseline – as I think we should – we can conclude that also from a diachronic perspective the compassionate master is harming his slave.

However, imagine a slightly different variation of our example, in which the slave has never been kidnapped, rather he has inherited this condition from his parents. In this situation, we cannot argue that the compassionate master is harming the slave in a diachronic sense, because we simply lack a historical point of reference with respect to which the current situation of the slave can be judged as worse off. The only way out of this moral impasse consists in appealing to a subjunctive interpretation of harm, that in our case can also be based on a very thick conception of fundamental human rights. Accordingly, from this theoretical perspective, we can argue that the slave keeps on being harmed while living in the house of the compassionate master, as long as he is prevented from the conjunctive exercise of all his fundamental liberties, independently of whether he has ever had the chance of doing it before.

Nonetheless, I also agree with Lukas Meyer when he underlines that a notion of harm that is simply based on a subjunctive interpretation would run the risk of being too under-inclusive. For if we altogether drop the diachronic interpretation, how would we sanction all those forms of harm that do not cause the victims to fall below the moral baseline? Think, for example, of minor robberies suffered by wealthy people. Therefore, I think that Meyer is entirely right in proposing what he calls a 'combined view,' in which both the diachronic and the subjunctive interpretations are sufficient but not necessary for defining harm.¹¹

In short, I sought to argue so far that, within a person-affective view, *the basic harm claim* is the theoretical foundation on which all the further specifications that characterise the different moral positions on harm have been nested. Alternatively, the person-affective view of harm cannot prescind from the straightforward principle that in order to harm you through an action of mine, I have to make you worse off in some respects. There are, however, two further issues that I want to briefly discuss in this short article. The first issue is how through the distinction between the diachronic and the subjunctive

¹¹ Lukas H. Meyer, "Past and Future: The Case for a Threshold Notion of Harm," in *Rights, Culture and the Law: Themes from the Legal and Political Philosophy of Joseph Raz*, eds. Lukas H. Meyer, Stanley L. Paulson, and Thomas W. Pogge (Oxford: Oxford University Press, 2003), 154-155.

dimension of harm, we can challenge and resist the argument, advanced also by some progressive thinkers, that some realities, as those of the sweatshops, that would be unacceptable in developed countries, are helping rather than harming people living in developing countries, because they offer an opportunity to foster productivity and ultimately to stimulate growth.

The second issue is at which point of the chain of actions that lead to a given harm we should interrupt the line of responsibility. In fact, if we stretch the notion of harm in both the subjunctive and the structural directions, we end up with an account that risks being excessively over-demanding, especially in virtue of the fact that it is almost impossible – or at least extremely difficult – to disentangle ourselves from the harm caused by the social structures of which we are part. The consequences are relevant, because also in our role as simple consumers, we might be continuously part of the chain of actions that lead to injustice and at the same time reinforce the legitimacy of this chain, keeping into consideration both the liability and the structural model of responsibility.¹²

II.

I shall start with the first issue. In a famous op-ed that was written for *Slate* in 1997, the Keynesian economist Paul Krugman held that even though sweatshops in themselves are awful places to work in, they represent a big improvement with respect to the widespread poverty that characterised developing countries before foreign investments fostered these labour-intensive activities, and at the same time sweatshops can be an opportunity to achieve economic growth.¹³ More generally, sweatshops represent the way in which people from developing countries can make their labour productive, relying on technology that is transferred from developed countries.¹⁴ A similar point has also been made, among the others, by Oliver Riley on the website of the free-marketer *Adam Smith Society*. He argued that sweatshops are helping rather than harming the poor, because they lead to

¹² See also Fausto Corvino, and Alberto Pirni, “Discharging the Moral Responsibility for Collective Unjust Enrichment in the Global Economy,” *THEORIA: An International Journal for Theory, History and Foundations of Science* (2020): 1-23.

¹³ Paul Krugman, “In Praise of Cheap Labor: Bad jobs at bad wages are better than no jobs at all,” *Slate*, March 21, 1997, <https://slate.com/business/1997/03/in-praise-of-cheap-labor.html>. See also Paul Krugman, *The Accidental Theorist: And Other Dispatches from the Dismal Science* (New York: W. W. Northon & Company, 1998), 71-96.

¹⁴ In a previous op-ed article written for the *New York Times*, Krugman aroused a great deal of stir, writing that: “The rapidly expanding exports of newly industrializing economies have put pressure on less-skilled workers in advanced countries even as they offer unprecedented opportunities to tens of millions in the third world. (The wages of those workers are shockingly low but nonetheless represent a vast improvement on their previous, less visible rural poverty.)” Paul Krugman, “We Are Not the World,” *The New York Times*, February 13, 1997, <https://www.nytimes.com/1997/02/13/opinion/we-are-not-the-world.html>.

economic growth, they represent a valid alternative to other forms of employment that are available in developing countries (and he insists explicitly on the positive effects they have on women), which is demonstrated by the fact that these jobs are freely chosen, and they can also increase public revenues, through taxes, hence providing more resources to invest in human development.¹⁵

Despite the fact that this kind of comments has the effect of arousing indignation, I think that they are empirically correct. What is wrong, though, is to try to derive moral conclusions from empirical arguments that only look at the temporal dimension of harm, renouncing any moral premise.¹⁶ As in the example of the slaves that I was analysing in the previous section, there is no doubt that the benevolent master who treats his new slave in a less harsh way than the former slaveholder cannot be said to harm him in diachronic sense, at least from a person-affecting view, because the slave is now better off than he was before. But the benevolent slaveholder is surely harming the slave in an overall perspective, that is to say, taking into account not only how bad the slave was before but also what are the minimal conditions for a person to lead an acceptable life. Obviously, everything would hinge upon what we mean by an acceptable life, but I guess we would not have many problems in agreeing that a necessary condition for a life to be considered as acceptable is to be guaranteed basic individual rights.

The same discourse holds true for sweatshops. The so-called Asian Tigers, that is to say Taiwan, South Korea, Singapore, and Hong Kong underwent rapid industrialisation starting from the 1960s, moving from being among the poorest countries in the world to the richest ones. Much of the success of these economies can be explained by the fact that they initially offered cheap labour and a flexible labour environment to transnational corporations. Then, when GDP started growing and with it also wages, labour intensive activities were moved to poorer countries, while the four tigers have specialised in advanced technologies and financial services.¹⁷ It is thus true that sweatshops are a valid alternative to many other job opportunities that exist in developing countries, and we should not even be surprised if, placed in front of the question whether to close or to keep open sweatshops, many exploited workers would say that they should remain open.

Therefore, the right question to ask is not – or at least not exclusively – whether sweatshops are better than other jobs, but instead if a company that

¹⁵ Oliver Riley, “How Sweatshops Help the Poor,” *Adam Smith Institute*, March 20, 2017, <https://www.adamsmith.org/blog/how-sweatshops-help-the-poor>.

¹⁶ See also Fausto Corvino, *Global Justice, Markets and Domination: A Cosmopolitan Theory* (Cheltenham, UK, and Northampton, MA: Edward Elgar, 2020), 110-112.

¹⁷ See William Gumede, *Radical Economic Transformation: Lessons from the East Asian Tigers* (Cape Town: Penguin Random House South Africa, 2019).

commercialises a final product for 100 dollars is harming the worker who realises this product by paying him only few cents per hour – assuming also that in one hour the worker finalises more than one product – and these few cents, and more generally the working conditions at the workplace, prevent him from fulfilling his basic human rights. Some people respond that no harm is occurring if market contingencies, and in particular the unbridled competition in the manufacturing sector, prevent the employer – or more generally the employers, taking into account all the subcontracting passages that we were discussing before – from offering a different contract. This kind of counter-arguments does not necessarily deny the validity of the subjunctive interpretation of harm as an integration of the diachronic one, but rather seeks to demonstrate that although a better subjunctive account is preferable in theory, it is unfeasible in practice: hence, it does not make sense to assess harm in relation to a moral account that is not historical. In the same way as if there were a person who was going to die and the only way for you to intervene and save him is to cause him great pain. From a moral point of view, we could say that this person enjoys the fundamental right to bodily integrity and everything that violates this right harms him, yet if in this situation you choose to bring him pain, it is unreasonable to say that you are harming him – actually many people would say that you are helping him.

In our case, local employers may say that given the price that the company is willing to pay, the only way to carry out the work is to substantially reduce labour costs. On the other hand, the company might counterargue that in light of the market needs expressed by the multinational corporation, there is no alternative to cheap sub-contracting. Moreover, the multinational corporation may add that the struggle between brands to win market shares obliges it to keep the price of the shoes close to the other brands, hence there is no room for better working conditions.

Honestly, this sort of inverse chain of passing the buck risks justifying a moral deadlock in which every economic actor is stuck in a prisoner's dilemma, which could be solvable through cooperation, yet none has an incentive to run the risk of proposing a collective change. In fact, given the disproportion between wages and final prices in the retail sector, and also the logo effect, that is to say the fact that brands usually multiply what is the 'real' value of items (i.e., how much it costs to produce these items),¹⁸ if those corporations that control the largest share of the market for football shoes agreed on a joint commitment for paying a more acceptable wage to those persons who work or refine the final product, we might assume that the impact on price would be limited, and therefore total sales in the sector would not fall.¹⁹

¹⁸ See Naomi Klein, *No Logo: Taking Aim at the Brand Bullies* (New York: Knopf, 1999).

¹⁹ See also Paul Krugman, "Safer Sweatshops," *The New York Times*, July 8, 2003, <https://krugman.blogs.nytimes.com/2013/07/08/safer-sweatshops/?campaignId=7JFJX>.

Under these contingencies, that in my view reflect the reality, we can maintain that sweatshops do not cause harm diachronically, and we can even bite the bullet launched by Benjamin Powell and David B. Skarbek, who maintain that sweatshops pay higher wages than other employers and hence are *in some respects* good,²⁰ without renouncing the idea that sweatshops harm the poor *tout court*, in relation to a hypothetical job contract that could be achieved without the employers incurring in substantial losses and guaranteeing the employees basic human rights. Moreover, the fact that employers may get stuck in a prisoner's dilemma does not mitigate their responsibility for the harm suffered in sweatshops, at least as long as a collective solution can be obtained without market setbacks.²¹

III.

I would thus move on to the second issue I consider important for operationalising a comprehensive model of responsibility: to which extent an individual can be considered, from a moral point of view, as causally bounded to a given harm, in a world in which we are both interconnected and mutually vulnerable to decisions taken from individuals that are geographically far from our lives. Some philosophers believe that the paradigm of structural injustice suffices to sustain moral responsibility quite far in the chain of actions leading to injustice. Thus, following the famous 'social connection model' of Iris Marion Young,²² we might say that if John buys a pair of football sneakers in Berlin, and it happens that the multinational corporation that has commercialised the shoes has entrusted the processing of the semi-finished product to a company that has subcontracted the work to local employers in Malaysia who in turn have exploited poor local workers, imposing on them unsafe and indecent working conditions, then John shares a part of the responsibility for the harm suffered by the people who have worked on his brand-new football shoes. Obviously neither Young nor other thinkers who embrace something like the 'social-connection model' would maintain that John is culpable on the liability model for the harm suffered by the local workers,²³ yet they would say that by buying those shoes instead of other ones, John is contributing to keeping in place a structural dynamic of injustice - notwithstanding the fact that the action performed by John, buying a specific pair of shoes because they look

²⁰ Benjamin Powell, and David Skarbek, "Sweatshops and Third World Living Standards: Are the Jobs Worth the Sweat?" *Journal of Labor Research* 27, no. 2 (2006): 263-274.

²¹ See also Fausto Corvino, "Punishing Atypical Dirty Hands: Assessing the Moral Value of Coordination Failure," *International Journal of Applied Philosophy* 29, no. 2 (2015): 281-297.

²² See also the more recent Iris Marion Young, *Responsibility for Justice* (Oxford: Oxford University Press, 2011).

²³ For a critical analysis of this type of conclusions see also Sangiovanni, 465-469.

nice or are cheap or whatever other reason, cannot be said to be morally wrong in itself. And this marks the difference between the contribution of John and the contribution of the local employers to the harm suffered by exploited workers, because the employers are the penultimate tiers of the chain of actions that lead to injustice - in other words, they are those who carry out the action that is morally wrong *per se*, that is to say exploiting someone.

However, let us consider now a second case, which also takes up a situation described in the first section. Chris has saved up some money and wants to invest it to make some profits. He goes to the bank and confides in a financial promoter, who promises him a good profit at a medium/low risk. Chris accepts, so the promoter contacts an international fund and invests the money that Chris has entrusted to him. The international fund continuously purchases and sales shares of a huge number of companies, among which there is also the multinational corporation that sold the football shoes to John. Accordingly, it turns out that in the stock packages in which Chris has invested his money, through the promoter, there are also the shares of this corporation. Lastly, consider this third case. Julia, who is John's grandmother, knows that her grandson needs new football shoes; hence she gives him 100 dollars to buy a brand-new pair. John happily accepts the money and buys the shoes produced by the multinational in question.

Both John, Chris, and Julia are one of the connecting rings of the chain of actions that bring harm to poor workers in Malaysia. More precisely they occupy a place on two different branches that are connected to the chain through the same ring, namely the multinational corporation. The first branch is the following: W, Y, Z²⁴... Julia, John, multinational corporation ... exploited workers. The second branch is: A, B, C²⁵... Chris, multinational corporation ... exploited workers. The normative challenge consists in assessing at which ring the responsibility fades away and leaves place to a causal involvement that is morally indefinite. Those who simply recur to a liability model believe that the turning point that interrupts responsibility lies somewhere between the multinational corporations and the last ring before exploited workers. Obviously, much would hinge upon to what extent every intermediate actor intentionally decides to enter into connection with the adjacent actor for the purpose of arriving at the final harm. That is to say, if the multinational corporation sets the clear objective of exploiting workers and for doing this relies on a series of intermediate figures, either for preserving its public image or because this is the easiest way, then it would hardly escape its liability, at least from a moral point of view – while it would be different if the corpora-

²⁴ Z, for example, can be the state paying Julia her pension.

²⁵ A, B and C can be Chris's employer, the uncle who left him an inheritance, the poker player Chris won money from, and so on.

tion simply got grafted on the chain of actions that we are analysing because it has scented the way to cut costs without knowing and therefore without being interested in what means the next actors will use.

Conversely, those who embrace the structural model would say that responsibility goes beyond the multinational corporation, and it can either supplement liability – thus attributing a double responsibility to the last rings of the chain – or replace it – as it happens when even the local contractors manage to demonstrate that, given the current market contingencies, they were unable to offer better contract conditions. The complication with structural responsibility, in comparison with liability, is to identify its turning point. As I was suggesting in the first section, one possibility for avoiding the indefinite transmission of the structural responsibility consists in assessing at which point the effort (in terms of time and energy) that is required to the actor to understand where the money she disposes of will end up (throughout the chain of actions it contributes to fuel) turns out to be unreasonably burdensome. Can we expect John to know that his shoes have been realised in sweatshops? Obviously, we cannot request John to embark on investigative journalism before entering a store. Thus, the assessment of John's responsibility would seem to depend on the availability of reliable information material concerning the supply chain of the multinational corporation. It would follow that the responsibility for a given harm fades out at the point in which those actors that are causally involved in that harm cannot any longer foresee it through a standard media consultation: i.e., not by investigating on the ethical status of every single product they consume, but by keeping informed about social, political and economic affairs.

The latter can be adopted as a reliable method for measuring the scope of responsibility, and at the same time it introduces a moral sub-duty for economic agents operating within global capitalism, i.e. the duty to be averagely informed about both what happens around them and in the world. In more practical terms, the duty to be informed is fulfilled by watching the news, reading newspapers and generalist magazines, and engaging in public discussion with people around us. Therefore, we might say that for a person to be held morally responsible for a given harm to which she is connected through a chain of causal actions, and hence subject either to a restorative duty or to a duty to take part to a reformatory action (be it individual or collective) which aims to eliminate the source of harm,²⁶ two alternative (or conjunctive) conditions should hold: i) the individual is responsible on the liability model for the harm [and/or] ii) the individual is in the position to know about the harm through a reasonable effort (in other words, the harm can be known by fulfilling the duty to be informed that we were discussing just above) and she

²⁶ See Young, *Responsibility for Justice*, 95-170.

is in the position to understand and foresee all the passages of the chain of actions that lead to harm.

By using this operational specification of the structural model of responsibility, we can maintain that if the fact that the multinational corporation, in the case we were examining, relies on sweatshops is generally known, because it has been ascertained by journalists, NGOs, international organisations, then John is responsible for the harm suffered by exploited workers, because he indirectly contributes to sustaining the social structures that lead to this harm, while being in a position to avoid it. Conversely, Julia is not responsible for harm, because even though she is also in the position to know how the multinational corporation operates, we cannot expect her to foresee in which shop John will use the money he has received. Obviously, this kind of assertion is open to discussion. Someone might want to say that when John asks Julia money for the shoes, Julia has the moral duty to put conditions to John, of the kind: "I give you the money, provided that you are not going to spend it in the following shops..." If you hold this position, I think we may agree that Julia's responsibility is questionable only in so far as John makes clear to her that he needs money for a specific purpose, but Julia can never be held morally responsible for the money she gives to her grandchild without knowing how, when and if he is going to spend it. Lastly, Chris's situation lies in the middle, and in his case, everything depends on how difficult it is for him to comprehend that his financial promoter is going to invest on 'dirty' shares. I would tend to say that the fact that Chris's action aims at obtaining profits by taking part in the global financial market brings with itself an additional duty of prudence, which demands Chris to make a greater effort to understand the functioning of the global market and the way in which the intermediaries he relies on operate. Accordingly, in my view Chris's case is closer to John than to Julia.

IV. Conclusions

In this short article, I sought to develop some practical criteria for assessing how far moral responsibility for harm extends along the chain of actions leading to it. I shall now summarise my findings in the following way. An individual can be said to be responsible for a given harm as long as: (i) the individual is the one (or member of the group) who performs the last action leading to harm (hence she is liable for the harm), [and/or] (ii) the individual performs one of the actions that, put in sequence, lead to harm and she is in the position both to know about the existence of harm, through a reasonable epistemological effort, and to understand and foresee all the passages of the chain of actions that lead to harm, [and] (iii) the harm can be interpreted – at least – as subtraction from a subjunctive baseline – no matter whether this baseline does also find an historical correspondence.

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