

# RESPONSIBILITY AND GLOBAL JUSTICE: A SOCIAL CONNECTION MODEL<sup>1</sup>

Iris Marion YOUNG  
University of Chicago (U.S.A.).

## RESPONSIBILITY AND GLOBAL JUSTICE: A SOCIAL CONNECTION MODEL

In this essay I clarify the status of claims about global justice and injustice which are increasingly voiced and accepted in our world.<sup>2</sup> Such claims present a problem for political philosophy because until recently most philosophical approaches to justice assumed that obligations of justice hold only between those living under a common constitution within a single political community. I will argue that the context that generates obligations of justice is social structural processes rather than political institutions. Claims that obligations of justice extend globally for some issues, then, are grounded in the fact that some social structural processes have global reach.

The second and more central project of this essay is to theorize responsibilities of moral agents in relation to such global social structures. How ought moral agents, whether individual or institutional, conceptualize their responsibilities in relation to global injustice? I propose a model of responsibility from social connection as an interpretation of obligations of justice arising from structural social processes. I use the example of justice in transnational processes of the production, distribution and marketing of clothing to illustrate operations of structural social processes that extend widely across regions of the world.<sup>3</sup>

The social connection model of responsibility says that all agents who contribute by their actions to the structural processes that produce injustice have responsibilities to work to remedy these injustices. I distinguish this model from more standard model of responsibility, which I call a liability model. Five features specify the social connection model of responsibility.

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2. Thanks to David Alexander for comments on a draft of this essay. Thanks to David Newstone for research assistance.

3. I have begun analysis of global labor justice focusing on the anti-sweatshop movement in two previous papers: "From Guilt to Solidarity: Sweatshops and Political Responsibility," in *Dissent*, Spring 2003, pp. 39-45; "Responsibility and Global Labor Justice", *Journal of Political Philosophy*, December 2004.

## GLOBAL CONNECTIONS AND OBLIGATIONS OF JUSTICE

A widely accepted philosophical view continues to hold that the scope of obligations of justice is defined by membership in a common political community. On this account, particular moral agents have obligations of justice only to those others who together are ruled by a common constitution or who recognize one another as belonging to the same nation. In all of his writing on justice, for example, Rawls assumes that the scope of those who have obligations of justice to one another is a single relatively closed society.<sup>4</sup> The members of each such society are mutually bound by obligations of justice they do not have to outsiders. This is not to say that insiders have no moral obligations to outsiders. There are some moral obligations that human beings have to one another as human; these are cosmopolitan obligations or obligations to respect human rights.<sup>5</sup>

David Miller also conceives principles of justice as having in their scope only relations among those persons who dwell together within the same nation-state. Obligations to organize coercive institutions to ensure distributive fairness according to need, desert and equal respect obtain only between persons who belong together in the same nation state and who live under a single political constitution.<sup>6</sup> Miller worries that a globalizing world is making state sovereignty more porous and liable to being affected by and affecting persons and circumstances outside these nation state borders. He concludes from this undeniable fact not that principles of justice should follow these globalizing trends, but rather that social justice itself may be a historically specific idea and set of practices whose time is past.<sup>7</sup>

A contrary position about moral obligation I will call cosmopolitan-utilitarian. On this view, nation state membership or any other sort of particularist relationship among persons is irrelevant to assessing the nature, depth or scope of obligations they have to one another. Moral agents have obligations that are identical for all human beings and perhaps include other creatures. There is a moral imperative to minimize suffering, wherever it occurs. Every agent is obliged to do what he or she can to minimize suffering everywhere, right up to the point where he or she begins to suffer. Political membership of either the agent or the sufferers is relevant only instrumentally as providing efficient means of discharging obligations and distributing particular tasks. Much about global relationships, however, can override this issue of convenience.<sup>8</sup>

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4. TJ, PL, JFR.

5. In *The Law of Peoples*, Rawls reiterates that the principles of justice as fairness that he sees as mutually obliging members of distinct societies to one another do not apply to the moral relationships among people between societies across the globe. *Law of Peoples* (Cambridge: Harvard University Press, 1999), Chapter 3 and 4.

6. David Miller, *On Nationality* (Oxford: Oxford University Press, 1995).

7. Miller, *Principles of Social Justice* (Cambridge: Harvard University Press, 1999).

8. Two prominent examples of philosophers who argue that we have identical obligations to all persons, wherever they are, are Peter Singer and Peter Unger. See Singer, *Practical Ethics* (Cambridge: Cambridge University Press, 1993); Unger, *Living High and Letting Die: Our Illusion of Innocence* (New York: Oxford University Press, 1996).

I think that each of these accounts is wanting. Critics of the cosmopolitan-utilitarian position argue that it is too demanding.<sup>9</sup> It flies in the face of moral intuition, moreover, to suggest that all moral agents have exactly the same duties to all other agents and no special obligations to some subset of persons within whom an agent has special relationship. While the basic moral respect owed to all persons grounds the cosmopolitan obligations that Kant calls hospitality, obligations of justice require more and are based on more than common humanity. Critics of the position that limits the scope of obligations of justice to common political membership, on the other hand, are right to argue that it is arbitrary to consider nation-state membership as a source of obligations of justice. Political communities have evolved in contingent and arbitrary ways more connected to power than moral right. People often stand in dense relationships of exchange and cooperate with others outside their political communities, and they rightly expect fair terms in these relationships.

Thus, against the cosmopolitan-utilitarian position, I believe that some account needs to be offered of the nature of social relationships that generates obligations of justice. It is not enough to say that the others are human. The nation-state position, however, makes prior what is posterior from a moral point of view. Political institutions neither generate nor ground obligations of justice. These arise from social connection, which may well exist without political institutions specifically to govern it. A society, or a system of social connections, consists in connected or mutually influencing institutions and practices through which people seek their happiness and enact their projects, and in doing so affect conditions under which others act, often profoundly. Ontologically and morally speaking, though not necessarily temporally, social connection is prior to political institutions. As social contract theory intuits, the need and desire for political institutions arises because socially connected persons with multiple and sometimes conflicting institutional commitments recognize that their relationships are liable to conflict and inequalities of power that can lead to mistrust, violence, exploitation and domination. Obligations of justice arise from institutional relations of cooperation in which people dwell, and from which they have a moral right to expect fair terms. The moral status of political institutions arises from the obligations of justice generated by schemes of social cooperation, as some of the instruments through which these obligations may be discharged.

A number of political philosophers, including Charles Beitz<sup>10</sup>, Allen Buchanan<sup>11</sup>, and Thomas Pogge<sup>12</sup>, have argued that there exist structures of global society in

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9. See, for example, Samuel Scheffler, *Boundaries and Allegiances: Problems of Responsibility and Justice in Liberal Thought* (Oxford: Oxford University Press, 2001).

10. Charles Beitz, *Political Theory and International Relations* (Princeton: Princeton University Press, 1979).

11. Allen Buchanan, *Justice, Legitimacy, and self-determination: Moral Foundations for International Law* (Oxford: Oxford University Press, 2003).

12. Thomas Pogge, *World Poverty and Human Rights* (Cambridge: Polity Press, 2002), especially Chapters 1 and 4.

the world today strong enough to warrant the application of principles of justice to the relationships among people within differing political communities across the world. Here I will summarize Onora O'Neill's arguments to a similar conclusion.

The scope of an agent's moral obligation, O'Neill argues, extends to all those whom the agent assumes in conducting her or his activity. Each of us pursues our interests and goals within the frame of specific institutions and practices, and within which we know others act. Our actions are partly based on the actions of others, insofar as we depend on them to carry out certain tasks, and/or insofar as our general knowledge of what other people are doing enables us to formulate expectations and predictions about events and institutional outcomes that affect us or condition our actions. In today's world of globalized markets, interdependent states, rapid and dense communication, the scope of the actors we implicitly assume in many of our actions is often global. The social relations that connect us to others are not restricted to nation state borders. Our actions are conditioned by and contribute to institutions that affect distant others, and their actions contribute to the operation of institutions that affect us. Because our actions assume these others as condition for our own actions, O'Neill argues, we have made practical moral commitments to them by virtue of our actions.

While it is not possible to trace how each person's actions produce specific effects on others because there are too many mediating actions and events, we have obligations to those who condition and enable our own actions, as they do on us. There is an asymmetry in these obligations, however, O'Neill argues, insofar as some people are rendered more vulnerable to coercion, domination or deprivation by the institutional relations. While everyone in the system of structural and institutional relations stands in circumstances of justice that give them obligations with respect to all the others, those institutionally and materially situated to be able to do more to affect the conditions of vulnerability have greater obligations.<sup>13</sup>

I interpret both O'Neill, along with numerous other theorists who call attention to the obligations of justice arising from transnational social processes, as describing transnational social *structures* and the injustices they may generate as structural injustice. My question in this paper is: how should moral agents, whether individual or organizational, think about their responsibilities in relations to structural injustice that spans relationships across national boundaries? Before I answer that question, let me elaborate a particular example of such claims of injustice, namely those made by the anti-sweatshop movement.

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13. Onora O'Neill, *Faces of Hunger* (London: Allen and Unwin, 1985); *Toward Justice and Virtue* (Cambridge: Cambridge University Press, 1996), Chapter 4; compare Robert Goodin, *Protecting the Vulnerable* (Chicago: University of Chicago Press, 1985); and Thomas Pogge, *World Poverty and Human Rights* (Oxford: Polity Press, 2002), especially Chapters 1, 2 and 4.

## EXAMPLE OF GLOBAL INJUSTICE: SWEATSHOPS

Although I believe that the social connection model of responsibility applies to every case of structural injustice, whether local or global, relationships in the global apparel industry offer a perspicuous example through which I can explain the logic of the social connection model of responsibility. A vocal and multi-layered anti-sweatshop movement, moreover, has in recent years made claims on a variety of agents to take responsibility for sweatshop conditions.

Before I describe some aspects of the global apparel industry and why it involves structural injustices, let me briefly summarize what I take to be this movement's moral claims. Anti-sweatshop activists have made claims on institutions that purchase clothing in bulk, such as city governments<sup>14</sup>, or which market clothing with their name on them, such as universities,<sup>15</sup> to take responsibility for the poor conditions under which these garments are produced, often in factories on the other side of the world. Movement activists have also passed out leaflets in front of brand name apparel stores such as the Gap or Nike or Disney, or more generic clothing retailers such as Target and Walmart, detailing that much of the clothing sold in those stores is made under sweatshop conditions, and calling upon consumers to take responsibility for those conditions.

Not a few institutions and individuals find absurd the idea that consumers and retailers bear responsibility for working conditions in far away factories, often in other countries. With complete right they can say that even if the workers producing items they buy suffer wrongful exploitation and injustice, they here have nothing to do with it. It is, rather, the owners and managers of the factories that are to blame. Despite the apparent reasonableness of this dissociation, the claims of the anti-sweatshop movement apparently have struck a chord with many individuals and institutions. I think that to understand why we need a conception of responsibility different from a standard notion of blame or liability.

What, then, are "sweatshops"? Much of the clothing, shoes, and other small consumer items whose production is labor intensive, are produced in relatively small manufacturing centers. Items sold in the global North are often made in Asia or Latin America. Research on the global apparel industry has brought to light, however, that sweatshops abound in North America and Europe.<sup>16</sup>

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14. In April 2003, for example, the Milwaukee Common Council voted unanimously for an ordinance requiring the procurement of apparel for city staff from manufacturers that meet several labor rights conditions; see "Sweatfree Communities Gain Ground," Campaign for Labor Rights, [clr@clrlabor.org](mailto:clr@clrlabor.org).

15. Lisa Featherstone, *Students Against Sweatshops* (London: Verso, 2000); Micha Gaus, "The Maturing Movement Against Sweatshops," *In These Times*, February 16, 2004, pp. 34 & 52.

16. Peter Kwong, "Forbidden Workers and the U.S. Labor Movement," *Critical Asian Studies*, Vol. 31, no. 1, 2002, pp. 69-88; Edna Bonacich and Richard P. Appelbaum, *Behind the Label: Inequality in the Los Angeles Apparel Industry* (Berkeley: University of California Press, 2002).

Conditions in manufacturing facilities vary of course, but the following are typical. The vast majority of workers are female, and often as young as 13 or 14. They are often treated in dominative and abusive ways by bosses, and sexual harassment is common. Typically they work 10-16 hour days in peak seasons; if the manufacturer is behind on an order the workers may be forced to work through the night. They have few bathroom breaks or other opportunities for rest during their long working day. Sick leave or vacation time are generally unavailable; a worker too ill to work is often fired. Violation of the most basic health and safety standards are normal. Factories are often excessively hot with no ventilation, insufficient lighting, excessive noise, little fire equipment, blocked exits, poor sanitation, unhygienic canteens and bathrooms, no access to clean drinking water. Typically workers in these facilities have no freedom to organize unions to bargain collectively with employers. Workers who complain and try to organize are typically threatened, fired, blacklisted, beaten, and even killed. Local governments often actively or passively support such anti-union activity.<sup>17</sup>

But what of their earnings? Economists argue that wage levels for the same kind of work appropriately vary with the local cost of living and labor market conditions, and they are right. Those who argue that the standard of living for workers in sweatshops is often higher than in the countryside from which many of them have moved may also be correct. The wage levels of workers in the apparel industry is nevertheless often far below the legal minimum wage. Employers too often renege, however, in paying even these meager wages.<sup>18</sup> The workers generally have no recourse when employers underpay them, because they often have no formal employment contracts, and the employers keep poor or no records of the hours employees have worked. It may be true that under normal market conditions a rise in wages for some workers will mean loss of jobs of others; where the normal wages are below subsistence level, as they usually are, this is more an argument against accepting normal market conditions than against paying living wages.

The subject of this essay is responsibility in relation to injustice. The structure of the global apparel industry diffuses responsibility for sweatshop conditions. Big name retailers in North America or Europe rarely themselves own and operate factories in which clothes made to their order are manufactured. Instead, there is a complex chain of production and distribution involving dozens or thousands of contractually distinct entities that bring the clothes manufactured in one place to the store in which people buy them. In this system, each of the layers in the chain believes itself operating close to the margin in a highly competitive environment, and usually is under heavy pressure to meet orders at low cost by firms

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17. For an account of working conditions, see Ellen Israel Rosen, *Making Sweatshops: The Globalization of the U.S. Apparel Industry* (Berkeley: University of California Press, 2002), Chapter 2; Naomi Klein, *No Logo* (New York: Preodor, 1999), especially Chapter 9.

18. "Garment Industry Subcontracting and Workers' Rights", Women Working World Wide, at [www.cleanclothes.org](http://www.cleanclothes.org).

higher up the chain. The firms higher up the chain, however, often have no legal responsibility for the policies and operations of the other firms below with which they contract.

Kimberly Elliot and Richard Freeman present the structure of one U.S. retailer, J.C. Penny, with its subcontracting relations in one developing country, the Phillipines. J.C. Penny purchases finished goods through a U.S. importer, Renzo. Renzo convey's J.C. Penny's specifications to Rboillard Resources, a Phillippino exporter, who contracts with a Phillipino clothing contractor that organizes a production chain that includes numerous subcontracting factories. These subcontractors in turn not only organize and supervise factory production of apparel parts, but also organize a system of putting out to workers in their homes.<sup>19</sup> According to Elliott and Freeman, J.C. Penny alone contracts with over 2000 suppliers in more than 80 countries. Nordstrom has over 50,000 contractors and subcontractors, and Disney licenses products in over 30,000 factories around the world.

In this complex system of production and distribution, the workers who make garments are at the bottom of the chain. The wages they earn generally amount to a small portion of the retail price of an item, often under 6%.<sup>20</sup> Each layer of subcontracting that runs between the manufacturer and the store in which the consumer buys items adds to the cost of items. Major logo retailers usually make handsome profits from this system; as one moves down the chain of production and distribution, firms operate in more competitive environments. Small subcontractors in developing countries frequently operate at just the edge of solvency.

Anti-sweatshop activists argue that the workers at the bottom of this system suffer injustice in the form of domination, coercion, and need deprivation within a global system of vast inequalities. Because of the complexity of the system that brings items from production to sale, and the manner in which it constrains the options of many of the actors within it, this is an example of *structural* injustice.

As I understand it, structural injustice exists when the combined operation of actions in institutions put large categories of persons under a systematic threat of domination or deprivation of the means to develop and exercise their capacities, at the same time as they enable others to dominate or give them access to an abundance of resources. Structural injustice is a kind of moral wrong distinct from the wrongful action of an individual agent or the willfully repressive policies of a state. Structural injustice occurs as a consequence of many individuals and institutions acting in pursuit of their particular goals and interests, within given institutional rules and accepted norms. All the persons who participate by their

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19. "White Hates or Don Quixotes? Human Rights Vigilantes in the Global Economy", National Bureau of Economic Research working paper, January 2001.

20. See John Miller, "Why Economists are Wrong about Sweatshops and the Antisweatshop Movement," *Challenge*, vol. 46, no 1, January/February 2003, pp. 93-122; see also Robert Pollin, Justine Burns and James Heintz, "Global apparel production and sweatshop labour: can raising retail prices finance living wages?" *Cambridge Journal of Economics*, 2004, 28, 153-171.

actions in the ongoing schemes of cooperation that constitute these structures are responsible for them, in the sense that they are part of the process that causes them. They are not responsible, however, in the sense of having directed the process or intended its outcomes.

Persons stand in systematically different and unequal social positions due to the way institutions operate together. Rather than being a static condition, these factors that constrain and enable individual possibilities are ongoing processes in which many actors participate. These constraints and enablements occur not only by means of institutional rules and norms enforced by sanctions, but by incentive structures that make some courses of action particularly attractive and carrying little cost for some, or make other courses of action particularly costly for others. The injustice does not consist in the bare fact that structures constrain actors, for all social structures constrain as well as enable. Rather, the injustice consists in the way they constrain and enable and the consequences these have for individuals' opportunities. The institutional rules, resources and practices through which people act do not constitute, in Rawls's phrase, fair terms of cooperation.

When consumers who take flyers in front of Disney stores agree that the far away women laboring for 12 hours a day in hot closed rooms suffer injustice, they are agreeing that somebody *bears responsibility* for their situation. If we agree, further, that the injustice is structural, then we are saying that the workers are not simply victims of mean bosses, but also of social processes in which we consumers ourselves are implicated and which involve many agents within institutions that mediate between us and the workers. My question is: how shall we conceptualize responsibility for producing and rectifying this injustice?

This question presents a puzzle, I suggest, because standard models of responsibility in moral and legal theory do not supply a satisfactory answer. Standard conceptions of legal and moral responsibility appear to require that we trace a direct relationship between the action of an identifiable person or group and a harm. Although structural processes that produce injustice result from the actions of many persons and the policies of many organizations, in most cases it is not possible to trace which specific actions of which specific agents cause which specific parts of the structural processes or their outcomes. In what follows I offer some steps toward a solution to this puzzle by means of a concept of responsibility in relation to injustice that differs from standard models of moral and legal responsibility. A social connection model of responsibility, as I call it, better conceptualizes moral and political issues of responsibility in relation to transnational structural injustice than does what I will call a liability model of responsibility.

## TWO MODELS OF RESPONSIBILITY: LIABILITY AND SOCIAL CONNECTION

Journalists, religious leaders, social movement activists, even philosophers today sometimes make claims that people in relatively free and affluent countries



such as the United States, Canada or Germany have responsibilities in relation to the harms and deprivations experienced by millions of people in the less developed world. The claims of the anti-sweatshop movement are one concrete example of such claims which have been relatively successful in getting a hearing and motivating action. To make sense of such claims, I suggest, we need a conception of responsibility different from the most common conception, which I call the liability model. In the rest of this essay I offer some elements of a conception of responsibility that I argue derives from connection to structural social processes that produce injustice. I refer to this model as a social connection model of responsibility.

### *Liability Model*

The most common model of assigning responsibility derives from legal reasoning to find guilt or fault for a harm. Under this liability model, one assigns responsibility to particular agents whose actions can be shown as causally connected to the circumstances for which responsibility is sought. This agent can be a collective entity, such as a corporation, but when it is, that entity can be treated as a single agent for the purposes of assigning responsibility.<sup>21</sup> The actions found causally connected to the circumstances are shown to be voluntary and performed with adequate knowledge of the situation. If a candidate for responsibility can successfully show that their action was not voluntary or that they were excusably ignorant, then their responsibility is usually mitigated if not dissolved. When these conditions do exist, however, it is appropriate to blame the agents for the harmful outcomes.<sup>22</sup> A concept of strict liability departs from a fault or blame model in that it holds an agent liable for a harm even if the agent did not intend or was unable to control the outcome, such as when one person's property accidentally causes damage to another person's property.<sup>23</sup>

A liability model of responsibility for human rights violations in apparel factories and putting out systems is certainly appropriate to apply in many situations. When factory owners and managers violate local labor law, for example, as they often do, they ought to be punished. If local states fail to find offenders and punish them, as they often do, they ought morally to be blamed for this failure and the international community should perhaps find ways to apply sanctions to them. Bosses that harass and intimidate workers, managers who put productivity

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21. Peter French, *Collective and Corporate Responsibility* (New York: Columbia University Press, 1984).

22. See George Fletcher, *Basic Concepts of Criminal Law* (Oxford: Oxford University Press, 1999), for a clear statement of this model of responsibility.

23. See, for example, Tony Honoré, "Responsibility and Luck: The Moral Basis of Strict Liability," in *Responsibility and Fault* (Oxford: Oxford University Press, 1999), pp. 14-40.

above workers' health, and so on, certainly should be held responsible in a liability sense for wrongful harms these workers suffer.

As I have discussed, however, particular workers in particular facilities in particular places stand within an extensive system of structural social processes that connect the making of garments to those who wear them. Within this system, it is often plausible for the first line agents of harm to try to mitigate their responsibility by appeal to factors outside their control. They may claim that they have little choice about the wages they pay, and cannot afford to give workers time off or invest in better ventilation and equipment. They operate in a highly competitive environment, they say, where other operators constantly try to undercut them. They themselves are operating at the edge of solvency and are not exactly making huge profits. They can stay in business only by selling goods at or below the prices of world wide competitors, and they can do that only by keeping labor and other production costs to a minimum.<sup>24</sup> They are under heavy pressure from the exporters who place orders with them to deliver, and the exporters in turn are under heavy pressure from the big name companies that have placed orders with them. The factory owners and managers in which the workers toil are small actors with relatively little power in this global system.

A typical justification for state enforced labor standards appeals to the need to maintain a level playing field among competitors. If there is a human rights floor below which wages and working conditions should not be allowed to fall, the state is the proper agent to guarantee such a floor through regulation. In this way those employers who wish to be decent to workers need not fear being undersold by less scrupulous employers.

Certainly the states in which sweatshops operate must be blamed for allowing them to exist. Many of these state agencies are inept and corrupt, and often enough some of their officials directly profit from the system that exploits their poor compatriots. As the movement uncovers sweatshops in the United States and other states with supposedly high labor standards and good enforcement processes, it should certainly blame these agencies for not going their jobs.

There is no excuse for national and state governments in the United States not to enforce labor standards in the apparel industry, or any other industry, and the record here is rather poor.<sup>25</sup> Some governments of less developed countries, however, can say with some justification that they are under severe constraints that prevent them from improving working conditions. Some governments of less developed

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24. For an account of the constraints on actors in the global apparel industry, see Ellen Israel Rosen, *Making Sweatshops: The Globalization of the U.S. Apparel Industry* (Berkeley: University of California Press, 2002), Chapter 11; see also Edna Bonacich and Richard P. Appelbaum, *Behind the Label: Inequality in the Los Angeles Apparel Industry* (Berkeley: University of California Press, 2002), Chapters 2 and 5.

25. See Jill Esbenschade's discussion of sweatshops in the United States and Department of Labor reports concerning these conditions. Esbenschade, *Monitoring Sweatshops: Workers, Consumers, and the Global Apparel Industry* (Philadelphia: Temple University Press, 2004), Chapter 1.

countries have indirectly encouraged sweatshop practices by constituting special export processing zones whose factories are exempt from taxation and regulation that apply to other enterprises in the country. They have often been advised to establish such zones by international economic experts. These governments will say that they desperately need investment and jobs, and that to get them they must compete with other poor states to promote a “favorable” investment climate, which includes low taxes and minimal regulation. To avoid or pay down balance of trade deficits they need companies that produce for export. They have never had a strong enough public sector properly to monitor and enforce compliance with labor regulations they develop, and it is difficult to create one with their low tax base. Pressures for reduced public spending by international financial institutions such as the International Monetary Fund have further weakened public sector regulating capacity.

A concept of responsibility as blame or liability is indispensable for a legal system and sense of moral right that respects agents as individuals and expects them to behave in respectful ways toward others. When applying this concept of responsibility, there must be clear rules of evidence, not only for demonstrating the causal connection between this agent and a harm, but also for evaluating the intentions, motives and consequences of the actions. By proposing a social connection model of responsibility, I do not aim to replace or reject the liability model of responsibility. The above considerations suggest, however, that where there is structural social injustice a liability model is not sufficient for assigning responsibility. The liability model relies on a fairly direct interaction between wrongdoer and wronged party. Where structural social processes constrain and enable many actors in complex relations, however, those with the greatest power in the system, or those who derive benefits from its operations, may well be removed from any interaction with those who are most harmed in it. While it is usually inappropriate to *blame* these connected but removed agents for the harm, it is also inappropriate, I suggest, to allow them (us) to say that they (we) have nothing to do with it. Thus I suggest that we need a different conception of responsibility to refer to the obligations that agents who participate in structural social processes with unjust outcomes have. I call this a social connection model.

### *Social Connection Model*

In ordinary language we use the term “responsible” in several ways. One I have already discussed as paradigmatic of the liability model: to be responsible is to be guilty or at fault for having caused a harm and without valid excuses. We also say, however, that people have certain responsibilities by virtue of their social roles or positions, as when we say a teacher has specific responsibilities, or we appeal to our responsibilities as citizens. In this meaning, finding responsible does not imply finding at fault or liable for a past wrong, but rather refers to agents’ carrying out activities in a morally appropriate way and aiming for certain

outcomes.<sup>26</sup> What I propose as a social connection model of responsibility draws more on the latter usage of the term “responsibility” than on the liability usage. It does share with the liability usage, however, a reference to causes of wrongs, here the form of structural processes that produce injustice.

The social connection model of responsibility says that individuals bear responsibility for structural injustice because they contribute by their actions to the processes that produce unjust outcomes. Our responsibility derives from belonging together with others in a system of interdependent processes of cooperation and competition through which we seek benefits and aim to realize projects. We who are part of these processes bear responsibility, even though we cannot trace the outcome we may regret to our own particular actions in a direct causal chain. Within this scheme of social cooperation, each of us expects justice toward ourselves, and others can legitimately make claims on us. Responsibility in relation to injustice thus derives not from living under a common constitution, but rather from participation in the diverse institutional processes that produce structural injustice. In today’s world, as I suggested above, many of these structural processes extend beyond nation-state boundaries to include globally disperse persons. The structure and relationships of the global apparel industry illustrate starkly and concretely such transnational social connections. I shall detail features of the social connection model of responsibility by contrasting it with the liability model.

(1) *Not isolating* — The liability model of responsibility seeks to mark out and isolate those responsible, thereby distinguishing them from others, who by implication are not responsible. Such isolation of the one or ones liable from the others is an important aspect of legal responsibility, both in criminal and in tort law. Social practices of finding guilty or finding faulty, or holding strictly liable, focus on particular agents in order to sanction or demand compensation from them and them alone. A system of moral rules and legal accountability should make clear that agents who violate the rule may face accusation as individual agents.

When harms result from the participation of thousands or millions of people in institutions and practices that produce unjust results, on the other hand, such an isolating concept of responsibility is inadequate. Where there are structural injustice, finding some people guilty of perpetrating specific wrongful actions does not absolve others whose actions contribute to the outcomes from bearing responsibility. Hired thugs that beat workers in horribly equipped factories are personally guilty of crimes, as are the factory managers who hire them and target particular workers. Finding them guilty, however, does not absolve the multinational corporations from responsibility for the widespread nature of poor working conditions in the factories producing goods they market. Nor does it absolve those of

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26. See Henry S. Richardson, “Institutionally Divided Moral Responsibility,” in Ellen Frankel Paul, Fred D. Miller, Jr., and Jeffrey Paul, *Responsibility* (Cambridge: Cambridge University Press, 1999), pp. 218-249; see also Robert Goodin, “Apportioning Responsibilities,” in *Utilitarianism as a Public Philosophy* (Cambridge: Cambridge University Press, 1996), pp. 100-18.

us who purchase the goods from some kind of responsibility to the workers who make them.

(2) *Judging background conditions* — In a liability concept of responsibility, what counts as a wrong for which we seek a perpetrator and for which he or she might be required to compensate, we generally conceive as a deviation from a baseline. Implicitly we assume a normal background situation that is morally acceptable, if not ideal. A crime or an actionable harm consists in a morally and often legally unacceptable deviation from this background structure.<sup>27</sup> The liability model considers the process that brought about the harm as a discrete, bounded event that breaks away from the ongoing normal flow. Punishment, redress, or compensation aims to restore normality or to “make whole” in relation to the baseline circumstance.

A model of responsibility deriving from understanding the mediated connection that agents have to structural injustices, on the other hand, evaluates not harm that deviates from the normal and acceptable, but rather often brings into question precisely the background conditions that ascriptions of blame or fault assume as normal. When we judge that structural injustice exists, we mean that at least some of the normal and accepted background conditions of action are not morally acceptable. Most of us contribute to a greater or lesser degree to the production and reproduction of structural injustice precisely because we follow the accepted and expected rules and conventions of the communities and institutions in which we act. Usually we enact these conventions and practices in a habitual way, without explicit reflection and deliberation on what we do, having in the foreground of our consciousness and intention immediate goals we want to achieve and the particular people we need to interact with to achieve them.

We can think of many examples of accepted norms and institutional practices that constitute the background conditions for sweatshops. I have already referred to the fashion system and its seasons as one set of practices which most producers and consumers reinforce to some extent. Executives at major retailers such as Nike, Benneton, or Calvin Klein typically devote more attention and money to advertising campaigns to promote the image of the company than to paying the workers who make the clothes or doing something to ensure that they work under safe and humane conditions. It is normal in this consumer society for companies to devote a large portion of their investment to advertising rather than production. Levels of unemployment in many of the places where sweatshops exist are normally high, and the social processes depriving peasants of the means to make an independent livelihood speedily create more unemployed. One should expect under these circumstances that in private enterprises each superexploitive sweatshop job opening will have multiple applicants, and that the workers in these jobs will

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27. See George Fletcher’s discussion of the way that the assignment of criminal liability must distinguish between foregrounded deviations from background conditions assumed as normal, and the background conditions themselves. *Basic Concepts of Criminal Law*, pp. 69-70.

normally be compliant and urge their co-workers to be so as well. Today largely taken for granted, each of these aspects of the global apparel system can and should come under critical scrutiny, and questions can be asked about the responsibilities those who act on these assumptions have in relation to the injustice to which they serve as background.

(3) *More forward looking than backward looking* — Assigning responsibility, whether under the liability model or the social connection model, always has both backward looking and forward looking aspects. The liability model and social connection models of responsibility nevertheless differ in temporal emphasis. On most occasions, application of the liability model is backward looking primarily. The social connection model, on the other hand, emphasizes forward looking issues.

Under the liability model of responsibility, the harm or circumstance for which we seek to hold agents responsible is usually an isolatable action or event that has reached a terminus. The robbery has taken place, or an oil tanker has spewed its contents on the beach. Usually the purpose of assigning responsibility in terms of blame, fault, or liability, then, is to seek retribution or compensation for this past action. To be sure, such backward looking condemnation and sanction may have a forward looking purpose as well; often it aims to deter others from similar action in the future, or to identify weak points in an institutional system that allows or encourages such blameworthy actions, in order to reform institutions. Once we take this latter step, however, we may be leaving the liability model and moving toward the social connection model. The reform project likely involves responsibility of many people to take actions directed at those reforms, even though they are not to blame for past problems.

When conceptualizing responsibility in relation to structural injustice, on the other hand, we are concerned with an ongoing set of processes that we understand is likely to continue producing harms unless there are interventions in it. The temporality of assigning and taking responsibility, then, is more forward looking than backward looking. Because the particular causal relationship of the actions of particular individuals or organizations to structural outcomes is often not possible to trace, there is no point in seeking to exact compensation or redress from only and all those who have contributed to the outcome, and in proportion to their contribution. The injustices produced through structures have not reached a terminus, but rather are ongoing. The point is not to blame, punish, or seek redress from those who did it, but rather to enjoin those who participate by their actions in the process of collective action to change it.<sup>28</sup>

The anti-sweatshop movement well illustrates this forward looking approach. When activists focus on particular factories or on multinationals who contract to manufacture goods under poor factory conditions, they rarely call for shutting down

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28. See Hans Jonas, *Imperative of Responsibility* (Chicago: University of Chicago Press, 1984), pp. 90-120.

the factory or otherwise simply punishing the operators. For each factory that shuts down, two more are likely to open up in a new location. Even when particular perpetrators are punished, workers continue to suffer structural injustice.

(4) *Shared responsibility* — From the observation that the social connection model differs from the liability model in that it does not isolate those liable in ways that implicitly absolve others, it follows that all those who contribute by their actions to the structural processes producing injustice share responsibility for these harms. Larry May distinguishes shared responsibility from collective responsibility in that the former is a distributed responsibility whereas the latter is not. A collective of persons, such as a corporation, might be said to be responsible for a state of affairs without any of its constituent individuals being determinately responsible for it. Shared responsibility, on the other hand, is a personal responsibility for outcomes or the risks of harmful outcomes, produced by a group of persons. Each is personally responsible for the outcome in a partial way, since he or she alone does not produce the outcomes; the specific part that each plays in producing the outcome cannot be isolated and identified, however, and thus the responsibility is essentially shared.<sup>29</sup>

(5) *Discharged only through collective action* — A final feature of the social connection model that distinguishes it from a liability model of responsibility is that the forward looking responsibility can be discharged only by joining with others in collective action. This feature follows from the essentially shared nature of the responsibility. Thousands or even millions of agents contribute by our actions in particular institutional contexts to the processes that produce unjust outcomes. Our forward looking responsibility consists in changing the institutions and processes so that their outcomes will be less unjust. No one of us can do this on our own. Even if it were possible to do so, a single shopper would not change the working conditions of those toiling in sweatshops by refusing to buy all items she had reason to believe were produced under unjust conditions. The structural processes can be altered only if many actors in diverse social positions work together to intervene in them to produce different outcomes.

Responsibility from social connection, then, is ultimately *political* responsibility. Taking responsibility in a forward looking sense under this model involves joining with others to organize collective action to reform the structures. Most fundamentally what I mean by “politics” here is public communicative engage-

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29. Larry May, *Sharing Responsibility* (Chicago: University of Chicago Press, 1993), Chapter 2. In other papers I discuss some criticisms of and differences I have with May’s theory. As formulated in this book, May’s theory of shared responsibility remains backward looking; he is concerned to assign a responsibility for harms that have occurred and reached a terminus. Thus his theory is more continuous with a liability model of responsibility than the theory I am developing here. May also focuses more on subjective states such as attitudes for linking persons to responsibility for a wrong, and says little about more objective social structures that connect persons to moral wrong or injustice. See my papers, “Responsibility and Global Labor Justice,” *Journal of Political Philosophy*, December 2004, and “Responsibility and Structural Injustice,” unpublished manuscript.

ment with others for the sake of organizing our relationships and coordinating our actions most justly. Discharging my responsibility in relation to sweatshop workers might involve, then, that I try to persuade others that these wrongs are unacceptable and that we collectively can alter social practices and institutional rules and priorities to prevent them. Our working through state institutions is often an effective means of such collective action to change structural processes, but states are not the only tools of effective collective action.<sup>30</sup> In the next section I will discuss and evaluate some of the activities of the anti-sweatshop movement.

An important corollary of this feature of political responsibility is that many of those properly thought to be victims of harm or injustice may nevertheless share such political responsibility in relation to it. On the liability model of responsibility, blaming those who claim to be victims of injustice usually functions to absolve others of responsibility for their plight. In the social connection model, however, those who can properly be argued to be victims of structural injustice can be called to a responsibility they share with others in the structures to engage in actions directed at transforming the structures.

This point certainly applies in anti-sweatshop activity. Workers themselves have the strongest interest in combating sweatshop conditions. They also have information and relationships with one another useful in order to mobilize productively to try to alter the structures that perpetuate their exploitation. According to some researchers, employer sponsored monitoring systems that aim to reform sweatshop conditions but fail to involve workers in a meaningful way are often ineffective or actually harm workers.<sup>31</sup> Even when they do not they tend toward paternalism rather than empowerment of the workers. The workers share responsibility for combating sweatshop conditions, and ought to be organized in order to do so. Especially where freedom to organize is not recognized or not enforced, however, they can discharge their responsibilities only with the support of others, often far away and relatively privileged others, who make public their grievances, put pressure on the agents that would block their unionization, and give them material aid.

I have been arguing that a social connection model of responsibility better corresponds than does a liability model to the intuitions expressed in claims about the responsibilities agents have concerning global justice. The social connection model not only has these philosophical advantages, I suggest, but also has rhetorical advantages in public discussion that aims to motivate people to take responsibility for rectifying social injustice. Claims that some persons participate in producing injustice and ought to stop too often are heard under a liability model of responsibility. The actors addressed hear themselves being blamed for harms. More often than

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30. Melanie Beth Oliviero and Adele Simmons recommend uses of civil society organizations for addressing issues of labor standards; see "Who's Minding the Store? Global Civil Society and Corporate Responsibility," in Marlies Glasius, Mary Kaldor and Melmut Anheier, eds., *Global Civil Society 2002* (Oxford: Oxford University Press, 2002), pp. 77-107.

31. Esbenshade, *Monitoring Sweatshops*.



not, agents who believe themselves being blamed react defensively: they look for other agents to blame instead of them, or find excuses that mitigate their liability in cases where they admit that their actions do causally contribute to the harm. In situations of structural injustice, it is easy to engage in such blame shifting or excusing discourse, because in fact others are also responsible and there are in fact structural constraints on most of the actors participating in the institutional processes that have unjust outcomes. In many contexts where the issue is how to mobilize collective action for the sake of social change and greater justice, such rhetorics of blame and finger-pointing displacement lead more to resentment and refusal to take responsibility than to a useful basis of action.<sup>32</sup>

When executives of multinational retailers or shoe buyers hear the claims of anti-sweatshop activists as laying blame on them for the conditions under which the shoes are produced, they rightly become indignant, or scoff at the absurd extremism of the movement. A social connection model of responsibility distinct from and complementary to a liability model allows us to call on one another to take responsibility *together* for sweatshop conditions, without blaming anyone in particular for the structures that encourage their proliferation. This does not necessarily mean that all who share responsibility have an *equal* responsibility. The power to influence the processes that produce unjust outcomes is an important factor distinguishing degrees of responsibility.

I have proposed a conception of responsibility from social connection to correspond to the intuition that those who participate by their actions in the structural processes producing some injustice bear some responsibility for correcting this injustice. In today's world of global interdependencies, many of these structural injustices involve people widely dispersed across the globe, and are by no means limited to processes within single nation-states.

What I have done so far is only to offer a way of thinking about responsibility in general. One might well object that the conception of responsibility as social connection raises as many questions as it answers. For example, the model says that all who participate by their actions in processes that produce injustice share responsibility for remedy. Does this mean that all participants bear responsibility in the same way and to the same degree? If not, then what are the bases of differentiating kinds and degrees of responsibility? Most of us participate in many structural processes, moreover, that arguably have disadvantaging, harmful or unjust

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32. William Connolly makes a distinction similar to Arendt's between responsibility as blame and political responsibility. For him the resentment and counter-accusation dialectic that accompanies blame in a discourse of public affairs makes political identity overly rigid and paralyzes action. Thus he recommends a notion of political responsibility without blame and with a more fluid and ambiguous understanding of the sources of wrong than the implicitly Christian identification of the sinner. See Connolly, *Identity/Difference* (Ithaca, NY: Cornell University Press, 1993), especially Chapter 4. Melissa Orlie also distinguishes between a sentiment of resentment exhibited in blaming and holding oneself and others political responsible. See Orlie, *Living Ethically, Acting Politically* (Ithaca, NY: Cornell University Press, 1997), pp. 169-73.

consequences for others. It is asking too much for most of us to work actively to restructure each and all of the structural injustices for which we arguably share responsibility. How, then, shall we reason about the best ways to use our limited time, resources, and creative energy to respond to structural injustice? The next step in developing the social connection model of responsibility involves addressing these questions by identifying parameters for agents to reason about the kind and degree of responsibility they ought to take in relation to various structural injustices. That step will have to be taken at another time.