

Theoretical Reflections on Exploitation in Practice: A Workshop at the University of Guelph

October 9-10, 2015

**University of Guelph
Guelph, Ontario
Canada**



Timothy O'Rourke for The New York Times

**Organized by: Monique Deveaux, Department of Philosophy, U of Guelph
Vida Panitch, Department of Philosophy, Carleton University
Meena Krishnamurthy, Department of Philosophy, University of Michigan**

Theoretical Reflections on Exploitation in Practice: A Workshop at the University of Guelph

Presenters have 25 minutes to outline the argument of their pre-circulated papers, and discussants have 10 minutes to respond. The remaining time is for discussion.

Friday Oct 9

Friday Venue: Delta Hotel & Conference Centre, 50 Stone Rd., Guelph (Winegard Room)

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| 10:30-10:50 | Coffee & registration |
| 10:50 – 11:00 | Welcome remarks by the organizers |
| 11:00 - 12:10 | <i>Exploitation and Consequentialism</i>
Presenter: Ruth Sample, University of New Hampshire
Discussant: Loren King, Wilfred Laurier |
| 12:10 – 1:10 | Lunch (Delta restaurant) |
| 1:10 - 2:20 | <i>The Feminization of Responsibility As Exploitation</i>
Presenter: Serene Khader, CUNY Brooklyn
Discussant: Lauren Bialystok, OISE, University of Toronto |
| 2:25 - 3:35 | <i>Exploring the Implications of Global Commercial Surrogacy on Theoretical Concepts of Exploitation</i>
Presenter: Agomoni Ganguli Mitra, University of Edinburgh
Discussant: Mara Marin, Frankfurt University, and Centre for Ethics, University of Toronto |
| 3:35 – 4:00 | Coffee break |
| 4:00 - 5:10 | <i>Exploitation, Commodification, and Equality</i>
Presenter: Anne Phillips, London School of Economics
Discussant: Monique Deveaux, University of Guelph |
| 5:15 – 6:25 | <i>Commodification, Exploitation, and Bodily Sales</i>
Presenter: Vida Panitch, Carleton University
Discussant: Michael Kessler, Trinity College, University of Toronto |
| 7:00 - | Conference Dinner , Babel Fish Bistro, 80 Macdonell St, Guelph, ON
(519) 826-6709, http://www.babelfishbistro.com/ |

Saturday Oct 10

Saturday Venue: University of Guelph campus, Room 1817 - Pathobiology Building

(Coffee/tea will be available in our meeting room upon arrival)

- 10:00 – 11:10 ***Legitimacy and the International Trade Regime***
Presenter: Tom Christiano, University of Arizona
Discussant: Cristian Dimitriu, University of Guelph
- 11: 15 – 12:25 ***Unequal Bargaining Power And Economic Justice: How Workers
Are Exploited and Why It Matters***
Presenter: Richard Miller, Cornell University
Discussant: Joseph Carens, University of Toronto
- 12:25 – 1:30 Lunch (Catered/on site)
- 1:30 –2:40 ***Beauty, Choice, and Exploitation***
Presenter: Heather Widdows, University of Birmingham
Discussant: Meena Krishnamurthy, University of Michigan
- 2:45 – 3:55 ***Exploiting Hope Through Unproven Medical Interventions***
Presenter: Jeremy Snyder, Simon Fraser University
Discussant: Violetta Ighneski, McMaster University
- 3:55 – 4:20 Coffee/tea break
- 4:20 – 5:30 ***Exploitation and Promises***
Presenter: Hallie Liberto, University of Connecticut
Discussant: Waheed Hussain, University of Toronto
- 6:30 - **Conference Dinner**, Artisanale, 214 Woolwich St, Guelph, ON
(519) 821-3359, <http://www.artisanale.ca/>

Theoretical Reflections on Exploitation in Practice

Workshop Description

Philosophical discussions of exploitation generally focus on the nature of exploitation – on what it is and what makes it wrong. Typically, this analysis begins in the hypothetical, focusing on two-person examples that abstract away from the details and concrete realities of the real world. Abstraction of this kind is supposed to be valuable because it fosters clearer thinking about what makes a given relationship or practice exploitative.

While the abstraction can be very useful for illuminating precisely what makes a two-person situation exploitative, it is often less helpful when it comes to illuminating the nature of, and possible solutions to, exploitative practices that are pervasive social and economic phenomena – such as human trafficking, sweatshop labour, and commercial gestational surrogacy.

Influential consequentialist accounts of exploitation are outcome-oriented, stressing the particular wrongs caused by exploitative practices (such as paying an unfairly low wage to an illegal migrant worker). Those who take this approach, such as philosopher Alan Wertheimer, say that it helpfully allows us to concede that some instances of exploitation nonetheless improve the circumstances of the exploitee (relative to their baseline). From this, consequentialists conclude that prohibiting these types of exploitive interactions would be counterproductive and, in turn, may be morally impermissible. Instead, other solutions – such as better pay or fairer contracts – are offered as appropriate alternatives. But, given its broader social and economic significance, one wonders whether such remedies are genuinely sufficient to reduce or eliminate exploitation.

Deontological conceptions of exploitation, such as those of Onora O'Neill and Ruth Sample, focus on the ways in which particular practices violate ethical principles of action. O'Neill and Sample argue that an exploitative relationship is one in which a person is disrespected and degraded, and in which his or her dignity and autonomy are undermined. But this approach, which often leads to the conclusion that exploitative practices should be opposed and prohibited, cannot readily help us to imagine practical alternatives to exploitative practices in a world rife with deep structural inequalities and oppression. Nor can it help us to make moral sense of exploitative arrangements that are of some small benefit to exploited persons.

In short, the dominant – highly abstract – philosophical method of theorizing about exploitation is incomplete, if not incorrect. It has led to somewhat implausible and even inaccurate concepts of exploitation that are deeply disconnected from the real world. Of more practical importance, it has not generated compelling solutions to concrete instances of exploitation. A new paradigm and method – one that takes seriously the reality of exploitation – is needed to conceptualize and genuinely address the pressing and pervasive problem of social and economic exploitation.

Presenters

Thomas Christiano is a Professor of Philosophy and Law at the University of Arizona. He has written extensively on issues of economic inequality and exploitation. Recent publications include "Introduction to Symposium on Exploitation," *Politics, Philosophy, and Economics*, Vol. 12, no. 4 (2013); "What is Wrongful Exploitation?" Draft article manuscript (2013); "Equality, Fairness, and Agreements," *Journal of Social Philosophy*, Vol. 44, no. 4 (2013); and *The Constitution of Equality: Democratic Authority and Its Limits*. Oxford: Oxford University Press, 2008.

Agomoni Ganguli Mitra is a Research Associate for the Edinburgh Law School. She is a bioethicist with considerable expertise on two kinds of exploitative pharmaceutical trials. Recent publications include "Vulnerability and Exploitation in a Globalized World," w. N. Biller-Adorno. *International Journal of Feminist Approaches to Bioethics* Vol. 6, no. 1 (2013); "Offshoring Clinical Research: Exploitation and the Reciprocity Constraint," *Developing World Bioethics* Vol. 13, no.3 (2013); and "A Social Connection Model for International Clinical Research," *American Journal of Bioethics* Vol. 13, no.3 (2013).

Serene Khader is the Jay Newman Chair in Philosophy of Culture and Associate Professor of Philosophy at CUNY Brooklyn. Khader's writing on gestational surrogacy in India has been influential in debates about global reproductive markets by feminist philosophers and bioethicists. She has published *Adaptive Preferences and Women's Empowerment* (Oxford U. Press, 2011); "Epistemic Issues in Adaptive Preference Identification," *Journal of Global Ethics*, Vol. 9, no. 3 (2013); "Intersectionality and the Ethics of Transnational Surrogacy," *International Journal of Feminist Approaches to Bioethics* Vol. 6, no. 1 (2013); and "Must Theorising About Adaptive Preferences Deny Women's Agency?" *Journal of Applied Philosophy* Vol. 29, no.4 (2012).

Hallie Liberto is an Assistant Professor of Philosophy at The University of Connecticut, Storrs. She has written widely on the topic of exploitation. Recent publications include "The Exploitation Solution to the Non-Identity Problem" *Philosophical Studies*, Selected Papers from the 2013 Bellingham Summer Philosophy Conference, Vol. 167, no. 1 (2014); "Exploitation and the Vulnerability Clause" *Ethical Theory and Moral Practice*, Special Issue from the British Society of Ethical Theory Meeting, Vol. 17, no. 4 (2014); "The Moral Specification of Rights: A Restricted Account," *Law and Philosophy*, Vol. 13, no. 2 (2014); and "Noxious Markets versus Noxious Gift Relationships," *Social Theory and Practice*, vol. 39, no. 2 (2013).

Richard Miller is the Wyn and William Y Hutchinson Professor in Ethics and Public Life at Cornell University. He is a senior political philosopher who has published extensively on the topics of inequality, poverty, and exploitation. Recent publications include *Globalizing Justice: The Ethics of Poverty and Power* (Oxford University Press, 2010); *Moral Differences: Truth, Justice, and Conscience in a World of Conflict* (Princeton University Press, 1992); "How Global Inequality Matters," *Journal of Social Philosophy*, Vol. 52 (2011); and "Global Power and Economic Justice," in Charles Beitz and Robert Goodin, eds. "Global Basic Rights" (Oxford University Press, 2009).

Vida Panitch is an Associate Professor of Philosophy at Carleton University. She has published extensively on the concept of exploitation in connection with global "reproductive markets" (specifically, surrogacy), drawing attention to exploitation in cross-border reproductive care. Recent publications include "Transnational Surrogacy and the Justice Condition of Non-

Exploitation," *American Journal of Bioethics* Vol. 14, no. 5 (2014); "Global Surrogacy: Exploitation to Empowerment," *Journal of Global Ethics* Vol. 9, no. 3 (2013); "Exploitation, Justice, and Parity in International Clinical Research," *Journal of Applied Philosophy* Vol. 30, no. 4 (2013); "Surrogate Tourism and Reproductive Rights," *Hypatia* Vol. 28, no. 2 (2013); and "Basic Income, Decommodification, and the Welfare State," *Philosophy and Social Criticism* Vol. 37, no. 8 (2011).

Anne Phillips is the Professor of Political and Gender Theory, Gender Institute and Government Department at the London School of Economics and Political Science. She is a political theorist with expertise in feminist theory and democratic political thought. In particular, she is well known for her work on equality and inequality in connection with marginalized groups in society. Her recent books include *Our Bodies, Whose Property?* (Princeton: Princeton University Press, 2013); *Gender and Culture* (London: Polity Press, 2010); *Multiculturalism without Culture* (Princeton: Princeton University Press, 2007); and *Which Inequalities Matter?* (London: Polity Press, 1999).

Ruth Sample is an Associate Professor of Philosophy at the University of New Hampshire. Her book *Exploitation: What it is and Why it's Wrong* (Rowman & Littlefield, 2003) has informed many philosophical discussions of this problem. The book illustrates how unfairly benefitting from a person's vulnerability lies at the heart of exploitative practices. Her other works include; "Libertarian Rights and Welfare Rights" *Social Theory and Practice* Vol. 24, no. 3 (1998); "Why Feminist Contractarianism," *Journal of Social Philosophy* Vol. 33, no. 2 (2002); and "Sexual Exploitation and the Social Contract," *Canadian Journal of Philosophy, Supp* Vol. 28, (2003).

Jeremy Snyder is an Associate Professor of Faculty of Health Science at Simon Fraser University. He is a bioethicist and philosopher with a long-standing interest in exploitative medical practices, especially in developing countries (such as "medical tourism"). Recent publications include "Exploitation and Sweatshop Labor: Perspectives and Issues." *Business Ethics Quarterly* Vol. 20, no. 2 (2010); "Easy Rescues and Organ Transplantation." *HEC Forum*, Vol. 21 no.1 (2009); "What's the Matter with Price Gouging?" *Business Ethics Quarterly*, Vol. 19 no. 2 (2009); "Is Health Worker Migration a Case of Poaching?" *American Journal of Bioethics*, Vol. 9 no.3 (2009); and "Needs Exploitation." *Ethical Theory and Moral Practice*, Vol. 11 no. 4 (2008).

Heather Widdows is the John Ferguson Professor of Global Ethics at the University of Birmingham. Professor Widdows has published extensively in bioethics and feminist ethics. Recent publications include *Women and Violence*, edited with Harjeet Marway (London: Routledge, 2015); *The Connected Self: The Ethics and Governance of the Genetic Individual* (Cambridge: Cambridge University Press, 2013); "Rejecting the Choice Paradigm: Rethinking the Ethical Framework in Prostitution and Egg Sale Debates," in *Gender, Agency, and Coercion*, Eds. S. Madhok et al (Palgrave 2013); *Global Social Justice*, edited with Nicola Smith (London: Routledge, 2011); *Global Ethics: An Introduction* (Durham: Acumen, 2011); and "Border Disputes Across Bodies: Exploitation in Trafficking for Prostitution and Egg Sale for Stem Cell Research," *International Journal of Feminist Approaches to Bioethics* Vol. 2 (2009).

Discussants

Lauren Bialystock is an Assistant Professor of Social Justice Education, Ontario Institute for Studies in Education at the University of Toronto, 2012-2015. Dr. Bialystok works on issues at the intersection of feminism, social justice, health and education. Recent publications include "Authenticity and the Limits of Philosophy," *Dialogue: Canadian Philosophical Review*, Vol. 53, no.2 (June 2014); "Politics without 'Brainwashing': A Philosophical Defence of Social Justice Education," *Curriculum Inquiry* Vol.44, no.3 (2014); "Respect without Recognition: A Critique of the OCSTA's 'Respecting Difference' Policy," *Paideusis: Canadian Journal of Philosophy of Education* Vol. 22, no.1 (2014); and *Making it Better: Gender-Transformative Health Promotion*. Eds. Greaves, Pederson, and Poole. Toronto: Canadian Scholars Press, 2014 (Contributor).

Joseph Carens is a Professor of Political Science at the University of Toronto. He has written extensively on the rights of immigrants and refugees, as well as on the problem of economic inequality. His publications include *The Ethics of Immigration* (Oxford: Oxford University Press, 2013); *Immigrants and the Right to Stay* (Cambridge: MIT Press, 2010); *Culture, Citizenship, Community* (Oxford University Press, 2000.); "Live-In Domestic Workers, Seasonal Workers, Foreign Students, and Others Hard to Locate on the Map of Democracy," *Journal of Political Philosophy*, Vol. 16, no. 4 (2008); and "The Rights of Irregular Migrants," *Ethics & International Affairs*, Vol. 22, no. 2 (2008).

Monique Deveaux is Professor of Philosophy at the University of Guelph, where she holds the Canada Research Chair in Ethics and Global Social Change. She is the author of *Gender and Justice in Multicultural Liberal States* (Oxford University Press 2006), *Cultural Pluralism in Liberal and Democratic Thought* (Cornell UP 2000), and co-editor of the volumes *Reading Onora O'Neill* (Routledge 2013) and *Sexual Justice, Cultural Justice* (Routledge 2007). Deveaux's current research focuses on the social and political agency of poor individuals and communities and argues that it should inform our discussions of global injustice and its remedies. She argues this in "The Global Poor as Agents of Justice," *The Journal of Moral Philosophy* 12 (2015).

Cristian Dimitriu is a Post- doctoral fellow in Philosophy at the University of Guelph whose research focuses on the ethics of debt and trade. From January 2016, he will be a residential postdoctoral fellow at *Justicia Amplicifata* in Frankfurt and Berlin. Recent publications include "Fair Trade and Exploitation," *Revista Internacional de Filosofía Daimon*, Vol. 62,(2014); "The Practical Interpretation of the Categorical Imperative: a Defense," *Ideas y Valores*, Vol.62, no. 151 (2013); "Why Some Promises Ought Not To Be Honored. The Case of Debts," *Journal of Moral Cents*, Vol.2, no.1 (2013); and "Odious Debts: A Moral Account," in *Jurisprudence*. Oxford: Hart Publishing (forthcoming 2015).

Waheed Hussain is an Assistant Professor in Philosophy at the University of Toronto. He has written widely on the ethics of a range of economic practices, such as ethical consumerism and profit maximization within market economics. His publications include "Is Ethical Consumerism an Impermissible Form of Vigilantism?" *Philosophy and Public Affairs* Vol. 40, no. 2 (2012); "Corporations, Profit Maximization and the Personal Sphere" *Economics and Philosophy* Vol. 28, no.3 (2012); "The Unromantic Rousseauian: Scanlon on Justice, Value Coherence and

Freedom" *Journal of Moral Philosophy* Vol. 10, no.4 (2013); and "The Most Stable Just Regime," *Journal of Social Philosophy* Vol. 40, no.3 (Fall 2009).

Violetta Ighneski is an Associate Professor in Philosophy at McMaster University. Professor Ighneski's work in ethics and political philosophy addresses primarily the question of what we owe to strangers, which is of crucial importance to discussions of exploitation in both a global context and in a medical context. Recent publications include "A sufficiently political orthodox conception of human rights," *Journal of Global Ethics* Vol.1, no. 2 (2014); "Defending Limits on the Sacrifices We Ought to Make for Others," *Utilitas* Vol.20, no. 4 (2008); "Equality, Sufficiency and the State", *Dialogue XLVI* (2007); and "Perfect and Imperfect Duties to Aid," *Social Theory and Practice* Vol.32, no. 3 (2006).

Michael Kessler is an Assistant Professor at Trinity College in the University of Toronto and the director of the Trinity One program. His research focuses on the moral and political implications of impaired consent. In particular, his work explores the variety of ways that consent can become impaired, and the range of normative implications that follow, including exploitation. His current work focuses on childhood as a form of impaired consent, and the practice of trying children as adults for crimes they commit while under the age of majority. Other recent work looks at the legal doctrine of unconscionability, the difference between pornography and obscenity, and the role of neutrality within political institutions.

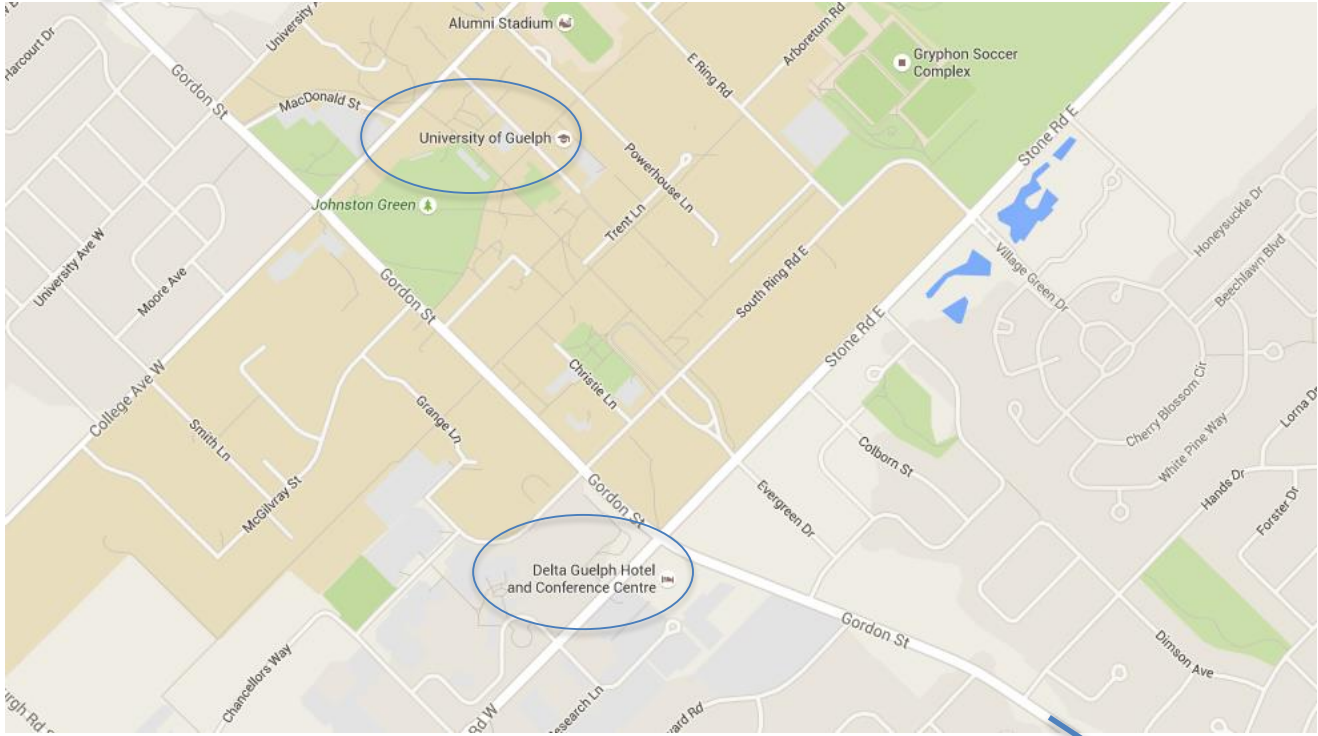
Loren King is an Associate professor of Political Science at Wilfrid Laurier University. He is a political theorist who has written widely on the topics of justice, citizenship, and exploitation. Recent publications include "Seeing like a theorist," *International Journal of Urban and Regional Research*, Vol. 37, no. 2 (2013); "Concepts, conceptions, and principles of justice," *Socialist Studies* Vol. 8, no. 1 (2012); "Exploitation & rational choice," *Canadian Journal of Political Science* Vol. 44, no. 3 (2011); "A Democratic Right to privacy: political or perfectionist?" *Representation* Vol. 47, no. 1 (2011); and "Liberal citizenship: medieval cities as model and metaphor," *Space & Polity* Vol. 14, no. 2 (2010).

Meena Krishnamurthy is Assistant Professor of Philosophy at the University of Michigan and a member of the program in Politics, Philosophy, and Economics. She works in normative democratic theory but has deep interests in questions about the nature and wrongness of exploitation and coercion. Her works include "(White) Tyranny and the Democratic Value of Distrust," *The Monist* (Forthcoming); "Nudging Global Poverty Alleviation?" *Law and Ethics of Human Rights* (Forthcoming); "Completing Rawls's Arguments for Equal Political Liberty and its Fair Value: The Argument from Self-Respect," *Canadian Journal of Philosophy* 43.2 (2013); and "Reconceiving Rawls's Arguments for Equal Political Liberty and its Fair Value: On our Higher-Order Interests" *Social Theory and Practice*, Vol. 38, no. 2 (2012).

Marin Mara is a Visiting Fellow at the Centre for Ethics, University of Toronto, 2015- 2016. She is a political theorist with expertise in liberal political theory and gender theory. Her works include *Connected By Commitment: Rethinking Relations of Oppression and Our Commitment to Undermine Them*. Under contract, Oxford University Press; "Care, Oppression and Marriage," *Hypatia* Vol. 29, no. 2 (2014); and "Marriage as Commitment: A Revisionary Argument" in *American Multicultural Studies*, edited by Sherrow O. Pinder (Sage Publications, 2012).

This way to the restaurants; follow Gordon St. N. Gordon St. turns into Norfolk St.

Campus Map and Delta Hotel and Conference Centre

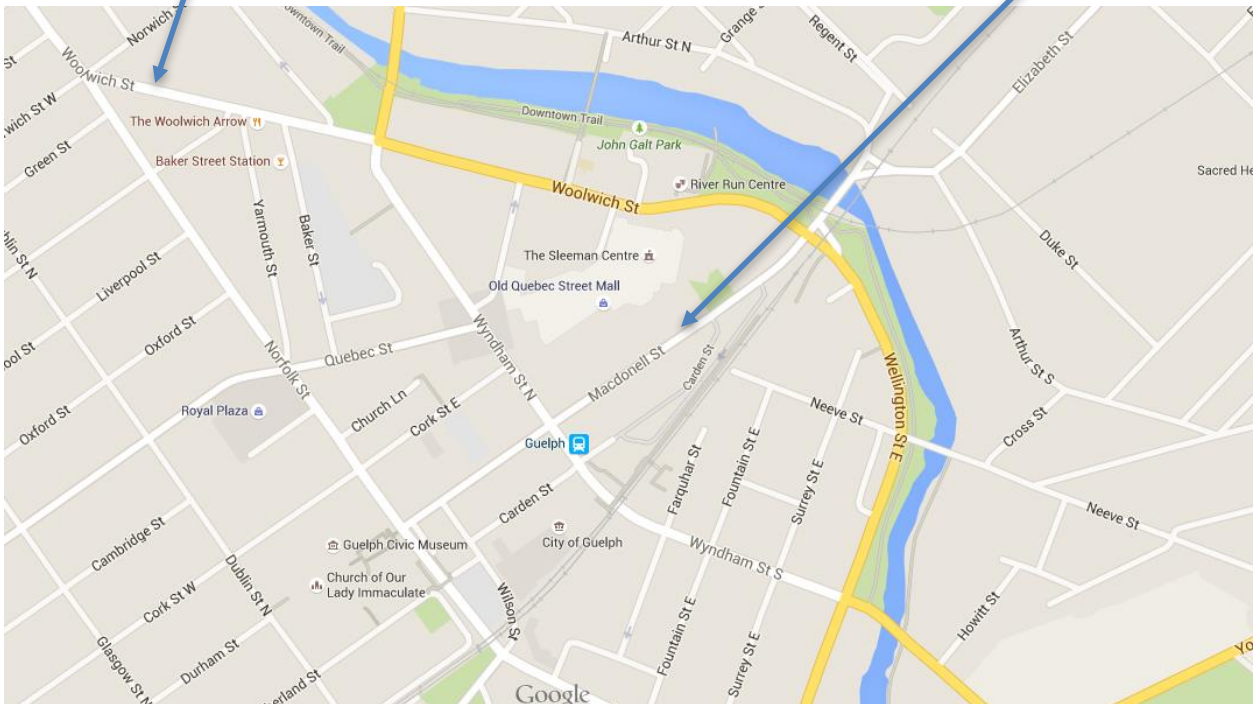


Artisanale Restaurant

**Downtown Guelph
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Gordon St. S leads directly to Hwy 401

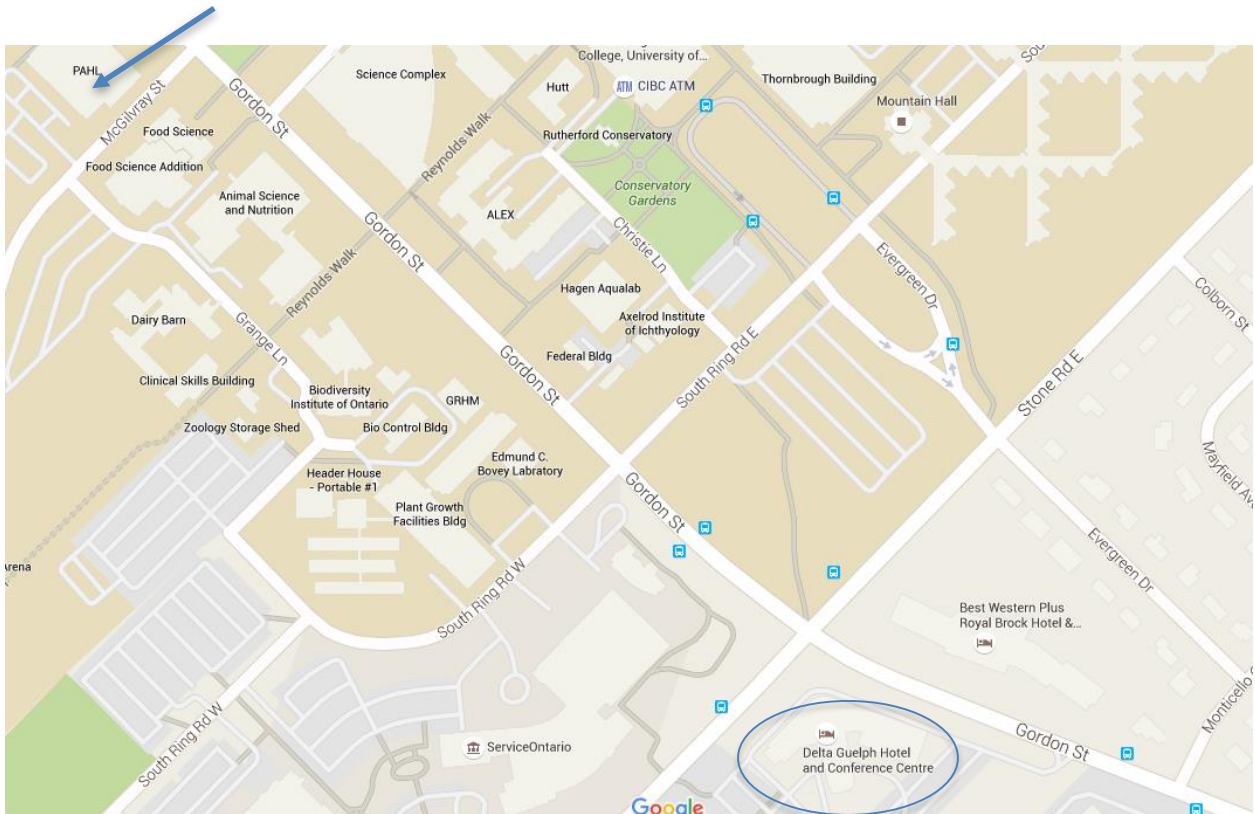
Babel Fish Bistro Restaurant



10

Norfolk St. S turns into Gordon St. which leads to the university

**Pathobiology Building, 419
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