



CONSUMING CHOICES

Ethics
in a

Global
Consumer
Age

DAVID T.
SCHWARTZ

**C O N S U M I N G
C H O I C E S**

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Ethics in a Global Consumer Age

David T. Schwartz

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PREFACE

Being a consumer is now integral to the human experience, something none of us can avoid. At the same time, many of the products we buy as consumers regularly come to us with histories steeped in highly unethical practices, such as exploitation, avoidable suffering, and environmental damage. This book explores these ethical dimensions of consumer life. It does so by posing two general questions: Exactly what sorts of unethical practices are implicated by today's consumer products? And does moral culpability for these practices fall solely on the companies that perform them, or does it also fall upon consumers who purchase the products made with such practices? In exploring these questions, the book applies the concepts and methods of philosophical ethics, and it draws upon numerous historical and fictional examples. The general aim is to shed light on the question of whether consumers can have a moral obligation to boycott particular products.

Beyond this practical task, the book also has a theoretical aim, which is to delve into the philosophically interesting phenomenon of collective action. While it will be examined here in the course of assessing consumer responsibility, a basic awareness of collective action is, I believe, essential for understanding contemporary society and the individual's place within it. This is because vast segments of daily life now involve or require that individuals have collective interconnection with others. While often we do not know these others personally, our connection to them is no less real,

whether as fellow citizens, as members of political or charitable groups, or, in this case, as consumers. And as we will see, it makes all the difference in the world when a seemingly benign act is performed by millions (and sometimes billions) of other people.

The book is written for two distinct readers. One is the practitioner or student of philosophy. These are people who find themselves drawn (or required) to study rigorous moral arguments. I would also include in this group practitioners and students of other academic disciplines whose work touches upon issues of global justice, economic globalization, or international relations. The second type of reader is the intellectually curious general reader. This would include those who are curious about world events, philosophy, or the nature of right and wrong, or who desire to scrutinize an important aspect of their daily life. To reach both sorts of reader, I have tried to write in a way that maintains philosophical rigor while avoiding excessive technical jargon. Furthermore, I have separated much of the book's more technical material into chapters 3 and 4, allowing readers the option of either focusing upon—or skimming through—these sections as they desire. My aim was to produce a rigorous book for a wide audience.

There are many people who deserve credit for this book becoming a reality. First and foremost, I thank my wife, Julie Hemstreet, who provided keen factual research, eagle-eye editing, fresh thinking, and boundless encouragement and support throughout the process. I also thank two of my philosophy students at Randolph College, Summer Henderson and Angela Grove, who conducted some of the initial factual research on consumer issues. Special thanks also goes to colleagues at other institutions who read and provided helpful feedback on various drafts of the book, including Robert Bifulco (Syracuse University), Nathan Nobis (Morehouse College), Alastair Norcross (University of Colorado), and Patrick Wilson (Hampden-Sidney College). Their feedback improved the book in significant yet very different ways. I hope the final product is a book that will raise awareness, provide intellectual challenge, and prove to be grist for further discussion and reflection. Few philosophers could ask for more than that!



ETHICAL CONSUMERISM

Today's highly efficient global economy offers consumers an astounding array of products at remarkably affordable prices. This economic efficiency means that products once affordable and available only to the wealthy are now within reach of billions worldwide. From designer clothing to sophisticated electronics, exotic home furnishings to endless supplies of inexpensive beef, pork, and poultry, never before have so many people been able to purchase so much, in such variety, with such ease. Yet the very efficiencies that make possible this consumer cornucopia also carry with them a dark underbelly that many never see or even know about. One of the more influential revelations of this underside occurred in 1996, when major news outlets broke the story of grueling sweatshop conditions under which young women were manufacturing a popular line of clothing marketed by television personality Kathie Lee Gifford. Gifford claimed ignorance of the practices but took up the cause for reform by traveling to her company's production facilities in Honduras and working publicly for the abolition of such labor practices worldwide. Other high-profile revelations of wrongdoing have included stories (released in 1998) surrounding the Nike Corporation's overseas shoe manufacturing sites, as well as numerous labor, safety, and health concerns described in best-selling books such as Eric Schlosser's *Fast Food Nation* and Barbara Ehrenreich's *Nickel and Dimed*.¹

Worker exploitation is of course nothing new to business history. Similar if not worse practices were common in American industry during the

nineteenth and early twentieth centuries. Before the advent of occupational safety regulations and effectively organized labor, one could find ethically suspect practices of every sort, from death-dealing coal mines and steel mills, to sweatshops and child labor in the garment industry, to accidental amputations and mutilations in meatpacking plants. Of course, these conditions eventually improved, typically in direct proportion to the level of public awareness about them. This awareness often arose from journalistic exposés, such as investigative coverage of the tragic fire in 1911 at New York's Triangle Shirtwaist Factory, in which 146 garment workers were trapped and died.² Public awareness of unethical business practices also arose through works of literature such as Upton Sinclair's *The Jungle*. Perhaps more effective than any form of expository writing, Sinclair's vivid literary prose moved readers to understand and empathize with the suffering experienced by workers in the meatpacking business.³ *The Jungle* has been credited with effecting reforms in the meatpacking industry with a speed rarely seen in the realm of bureaucratic national politics.

I

On the academic side, professional ethicists and economists began focusing on business ethics during the economic boom following World War II. These thinkers produced reams of important scholarship and analyses concerning ethical behavior in the business world. Perhaps the most fundamental question examined in this work is whether or not corporations have—or even can have—ethical responsibilities. Of course, no one in this debate embraces worker exploitation or any other wrongdoing a business might commit. Rather, these scholars have focused attention on the important theoretical question of whether corporations have a single responsibility—to maximize shareholder value—or whether they also have ethical and social responsibilities that sometimes conflict with their responsibility to produce profits. The economist and Nobel Laureate Milton Friedman famously staked out one extreme in this debate in 1970 when he wrote that the sole obligation of corporations was to maximize shareholder value by maximizing company profits.⁴ Again, this did not mean Friedman advocated or even condoned worker exploitation or other wrongdoing; rather, it meant Friedman believed that defining the socially acceptable limits of business behavior was not the responsibility of corporations themselves but of duly elected governments. Of course, many disagree with Friedman's view, arguing in various ways that businesses do have ethical responsibilities.⁵ More

recent discussions of corporate responsibility have focused on the notion of a “corporate conscience.” In this model, noneconomic considerations such as social responsibility become part of the company’s business planning and decision making, even though these considerations may result in decisions that do not maximize short-term company profits.

These academic inquiries into corporate responsibility have no doubt yielded important theoretical and practical insights, both for those who practice business and for those who study it. Yet despite these achievements the twenty-first century reveals a world economy that—while incredibly efficient—is once again thoroughly awash in ethically troubling business practices. While exploitative labor remains a pressing issue, the advanced technologies employed in today’s manufacturing operations have created entirely new ethical concerns, especially worries about environmental degradation. These concerns are amplified by the forces of economic globalization, with multinational businesses routinely outsourcing jobs (and entire manufacturing operations) precisely to those countries with more lax environmental and labor laws.

With governments finding it harder and harder to regulate such decentralized, multinational entities, some citizens are approaching the issue from a new direction by asking a different question: Might consumers themselves shoulder some culpability for unethical or immoral practices associated with products they purchase? Evidence for this ethos of ethical consumerism can be found in grassroots groups of consumers who express their moral conscience directly through their purchasing choices. The most common form of such expression is deliberately avoiding (i.e., *boycotting*) products and companies with ethically suspect practices. Boycotting also has a converse practice called “buycotting,” in which consumers deliberately seek out products and companies whose business practices they consider ethically exemplary. Examples of this phenomenon include public campaigns encouraging the purchases of products from companies that deal fairly with indigenous farmers and workers (i.e., *fair-trade* products) and products from companies that practice environmental stewardship (i.e., *green* products). Another popular manifestation of this movement is so-called socially responsible investing. Here the idea is to avoid profiting from wrongdoing by excluding ethically problematic businesses from one’s investment portfolio. Fittingly for our age of high consumerism, the finance industry has identified this market niche and seeks to reach it through a plethora of “socially responsible” mutual funds and other investment vehicles.

This book applies the methods of philosophical ethics to evaluate this emerging consumer ethic. Is ethical consumerism merely the pontificating

of self-righteous do-gooders, or do these concerns warrant genuine and broader moral attention? Does it carry moral significance only for those who care about it, or does it carry ethical implications for all consumers? Is making a consumer purchase always the innocuous, purely self-regarding action it often appears to be, or can it also morally implicate the purchaser in a system of unethical practices associated with that product? The potential significance of such a connection for daily life is tremendous, for if consumers bear even a small degree of culpability for wrongdoing associated with products they purchase, then the act of going shopping can quickly become an ethical minefield. More generally, if there exists a significant moral connection between consumers and the products they buy, then living a robustly ethical life suddenly becomes much more difficult and perhaps even impossible.

Evaluating claims of consumer obligation is especially difficult because it involves reckoning with some complex moral and causal relations not typical to everyday life. Some of these complexities stem from the manufacturing processes themselves, which often make it difficult even to recognize that wrongdoing has occurred. (Such obfuscation is a lesser known advantage of job outsourcing.) For example, wrongdoing that occurs within a system of globalized manufacturing often occurs thousands of miles—if not continents away—from where that product will be purchased by the consumer. Such distances easily affect initial intuitions about our involvement in such wrongdoing, with many feeling skeptical that a consumer could actually be culpable for something that happened on another continent. Yet as Peter Singer points out, while distance may make it less likely that we *feel* moral obligations toward such practices, it is not clear that distance alone is even morally relevant, much less exculpatory. Is child sweatshop labor any more wrong if it occurs around the block rather than around the globe?

Another complexity of assessing consumer obligations arises from a general ignorance about how some products are manufactured. For example, the conditions under which most of the Western world's meat is produced, known as *concentrated animal feeding operations*, is not something about which many consumers have even rudimentary knowledge. A popular myth in America is that meat bought in mainstream supermarkets comes from animals raised in open-pastured, family-owned farms. The persistence of this myth is ironic given that such bucolic arrangements have been on the verge of extinction for years. Few shoppers who purchase shiny, cellophane-wrapped packages of pork chops in a large American grocery have ever even envisioned the reality of the huge, industrial complexes of barns, each jammed with 10,000 hogs injected with hormones and antibiot-

ics, stumbling on slotted floors that capture their excrement and channel it into a system of putrid, pollution-causing “lagoons.” I raise this point not merely as a judgment of intensive animal agriculture but also to illustrate that understanding consumer responsibility requires examining the extent to which ignorance insulates the consumer from moral culpability regarding purchases. This is important because assigning culpability requires that these consumers either have—or could reasonably be expected to have—accurate factual knowledge of how these products were produced. Of course, in some cases ignorance is indeed exculpatory—How could I be responsible for knowing about practices that a company has kept completely secret? On the other hand, even if ignorance can be exculpatory, surely it is not always so. For example, when a person stays willfully ignorant of an immoral practice, such ignorance surely can’t do much to limit his or her culpability. Indeed, consumers would seem to have an incentive for self-deception: the more I know about a product then the more likely I am to find an ethical problem with it and not purchase it; by contrast, the more I can stay in ignorance, then the less likely I am to let a moral problem stand in the way of receiving the desired gratification from its purchase.

Assessing consumer responsibility is further complicated by a set of formidable counterarguments to the idea that consumers can be culpable for their purchases. For example, some argue that the consumer marketplace is an amoral “space” in which past actions, even immoral actions, are irrelevant. In this view, consumers are only obliged to strike a fair deal and abide by all contractual obligations.⁶ Others, such as economist Paul Krugman, assert that employing desperately poor people in overseas sweatshops is actually a good thing.⁷ In this view, sweatshop employment is preferable to unemployment, which would be precisely the situation of these people if there were no sweatshop to employ them. Thus, the argument goes, when a multinational corporation opens an assembly plant in a desperately poor country and pays its workers less than twenty-five cents per day, this is in fact a tremendous improvement in daily life for these workers. Such counterarguments will be examined further in chapter 5, and I raise them now simply to illustrate the complexities and hurdles facing even the most plausible argument for a consumer ethic.

II

To be successful, advocates of a consumer ethic must demonstrate that culpability can indeed attach to consumers through the act of purchasing.

Demonstrating this requires three distinct steps. The first step occurs here in chapter 1, and it involves examining a set of fictional cases involving consumer choice. Examining these cases will allow us to test some initial intuitions about whether or not moral culpability can attach to the act of purchasing a product. The second step requires describing different factual scenarios whereby wrongdoing actually arises in everyday consumer choices, which is the work of chapter 2. The third task is to offer a rigorous account of the moral connection between the wrongdoing and the consumer's act of purchase. This work will be done in chapters 3 and 4, and it will involve examining two very different accounts of moral agency and moral responsibility. After these strands of the positive argument are in place, chapter 5 will draw some general conclusions, examine counterarguments, and explore implications of a consumer ethic for everyday life.

We turn now to the first of these tasks, determining whether it is intuitively plausible that the act of purchase can morally implicate a consumer. In beginning the inquiry here, the book starts from the simple and moves toward the complex. That is, rather than jumping immediately to the most challenging cases of consumer ethics, this first chapter will examine a set of simplified, fictional cases. Each of these cases involves a particular consumer choice that raises *prima facie* ethical concerns. The point of examining these fictional cases is to isolate some initial intuitions concerning the basic notion of consumer culpability. Starting here allows us to set aside many of the complications described earlier, making for a more controlled test of the underlying intuitions of a consumer ethic. If these most basic intuitions cannot be substantiated and given firm philosophical grounding, then any additional complications are irrelevant, and the inquiry need go no further.

But before doing this, I must offer a philosophical note concerning the methodology and tradition of inquiry being utilized. In relying on substantive intuitions as its normative ground, my argument utilizes what Joel Feinberg describes as an *ad hominem* mode of moral argument. About this method, Feinberg writes

The appeal in such arguments is made directly “to the person” of one’s interlocutor, to the convictions he or she is plausibly assumed to possess already. If the argument is successful, it shows to the person addressed that the judgment it supports coheres more smoothly than its rivals with the network of convictions he already possesses, so that if he rejects it, then he will have to abandon other judgments that he would be loath to relinquish. My assumption, however, is that almost all my readers share with me a large number of values and ideals, and that they would be willing to modify or relinquish some of their beliefs if they could be shown that by so doing, they would strengthen

the support for others that are more fundamental and increase internal coherence generally.⁸

This argument form has of course its strengths and flaws, and I willingly accept both in utilizing it here. I believe that many of the issues arising under the rubric of consumer ethics are indeed issues that will clash deeply with the reader's own moral convictions, once the reader is made aware of these practices and the moral problems they exemplify.

The Affluent Tourists

To test the fundamental intuition of a consumer ethic, imagine the following story. Ted and Alice are vacationing in a small island nation somewhere in the South Pacific. Let's call it Gattalonia. In addition to its pleasant climate and beautiful beaches, Ted and Alice chose to visit Gattalonia because friends told them it was a great place to find bargains on all sorts of locally made products, especially beautiful clothing. After a few days sunning on the beach, Ted and Alice decide to go shopping for clothes. As they browse the town's small stores and vendors, they are indeed impressed at the quality and style of the clothing, especially the intricate embroidery on many items. They are also amazed at the low prices. For example, in one store they find suits and dresses that would easily sell for hundreds of dollars in America being sold for the equivalent of ten to thirty dollars. These prices are all the more amazing given that each garment they buy will actually be custom made for them—the garments in the shop are just samples to show customers.

Ted and Alice simply can't believe it. Barely able to contain his excitement, Ted exclaims, "I never dreamed I could ever afford custom-made clothing!" Alice agrees, pointing out that "this embroidery work is amazing, so unusual and so carefully done. I love to sew, but I don't think my fingers could ever do anything that fine." They select many items to buy for themselves, as well as several to give as gifts to friends and relatives back home. After being measured for just the right fit, Ted and Alice prepare to pay the vendor. As they count out their stash of local currency, Ted can't resist asking, "So, how do you do it? How can you sell these clothes so cheaply? You must have really low tariffs on your raw materials, or maybe your currency exchange rate is really high against the dollar? What's the story?" The vendor smiles briefly and then responds,

No, it's nothing so complicated as all that. It's really quite simple. You see, here in Gattalonia slavery is legal, and nearly every clothing merchant owns

many slaves. I can sell these clothes cheaply to you because my costs are very low. My labor costs are low because as long as I give my slaves food and shelter, they will work as many hours as I want them to. When orders like yours come in, those who are good at sewing go to work like fiends. The children are especially good at the embroidery, because they have the small hands needed to do the really fine work. And of course, my material costs are low, because I have another group of slaves who grow and harvest the cotton, while yet another group turns the raw fibers into thread and the thread into cloth. The system works great for you and me, and the slaves don't really seem to mind. They sometimes complain, but it's nothing that a few days in the hothouse or a few lashes with the switch doesn't put to rest. Besides, they wouldn't know what to do with themselves if they didn't have this work to keep them busy. They're a simple folk, no education or anything. It's been our tradition here for generations. I'm just passing my savings on to good people like you.

While this case is fictional, it offers a useful starting point for evaluating the basic plausibility of a consumer ethic. Modeled to resemble contemporary cases involving slave labor, I believe this case affirms the underlying intuition behind a consumer ethic, namely, that there are indeed cases in which a consumer can be culpable solely through the act of purchasing a product. It seems uncontroversial to conclude that Ted and Alice's purchases would be morally wrong. Of course, this is not to say their purchases make them *equally* culpable to those who own the slaves, but it is to say that their purchase of these clothes would constitute a significant moral wrong. Thus, Ted and Alice have a moral obligation not to purchase the clothing, and they would be morally culpable if they did make the purchase. This case illustrates that it is indeed plausible to say that moral culpability can "accrue" to the consumer purely through the act of purchasing a product, and this intuition is the foundation of my version of Feinberg's ad hominem mode of moral arguments.

Moral intuitions are of course not moral arguments, and any intuitive judgment must also be supportable with sufficiently weighty moral reasons. The remainder of this chapter will offer a line of moral reasoning to support our intuitions in this and three other fictional cases. In doing this I am not offering or defending a full-blown moral theory; rather, I am bringing to bear classic philosophical ideas as rational support for what appear to be intuitively uncontroversial moral judgments. I will spend longer discussing Ted and Alice than the other three cases because it introduces many of the basic moral principles of the book, and because it illustrates the kind of reasoning needed to support one's initial intuitions philosophically.

The judgment that Ted and Alice would be morally culpable in purchasing this clothing can be directly supported and explained by two distinct lines of argument. Not surprisingly, these two lines correspond closely to the two most influential conceptions of morality to emerge from the Enlightenment—consequentialism and deontology. In broad strokes, *consequentialism* asserts that the moral rightness and wrongness of an action is determined by the consequences of committing that action. For example, the most common and influential form of consequentialism, *utilitarianism*, asserts that the particular consequences that determine right and wrong are the production of pleasure and the prevention of pain. Thus, for a utilitarian, the right action is that action which, among the available alternatives, maximizes net aggregate pleasure.⁹

Applied to the case of Ted and Alice, consequentialist moral theory supports the intuition that purchasing the clothing would be morally culpable because this act would be an initial and necessary causal step in a chain of events culminating in a significant net increase in overall suffering.¹⁰ It seems almost gratuitous to describe the kinds of suffering involved with traditional forms of slavery, but for illustrative purposes I will mention a few. This suffering includes, but is not limited to, the hard, uncompensated labor expended by the slaves to produce the clothing; the pain experienced by the slaves (especially children) who must work hour after hour on difficult hand-embroidery and other repetitive physical tasks; the anxiety of working under demanding and arbitrary working conditions over which they have no control; the fear associated with physical punishment that can be meted out at any time and for arbitrary reasons; and, of course, the pain of such punishment itself. Additionally, long-term psychological harm to the slaves is likely, especially among the children, including most notably debilitating problems of self-esteem and stunted personal development.

It should also be noted that there will be some positive consequences if Ted and Alice make this purchase, and an impartial analysis of consequences must include the good along with the bad. Some likely good consequences include the vendor's pleasure from making a profit; the enjoyment Ted and Alice obtain from wearing the fine clothing they would otherwise be unable to afford; the pleasure they will derive from the money they saved; and the pleasure they may derive from having found a real bargain. (Of course, they may also feel guilt from their proximity to slavery, and if so that guilt should be included, as well.) Yet even considering these good consequences, it seems plausible (though not empirically necessary) to conclude that the pleasure would be far outweighed by the intense pain and

suffering experienced by the slaves. Assuming this is empirically correct, consequentialist moral thinking supports the judgment that Ted and Alice ought not, morally, buy the slave-made clothing. Furthermore, because the clothing is made to order, Ted and Alice's purchase would seem especially culpable given that it causally initiates a process filled with pain and suffering for others.

Some readers may find it unsettling that while consequentialism does argue against Ted and Alice's purchase, it does so only because slavery *in this case* increases overall suffering. If the reader thinks slavery is wrong quite apart from its consequences (i.e., that slavery is wrong in principle), then a second approach to moral reasoning may be appealing—*deontology*. Deontology received its most influential formulation in the works of eighteenth-century German philosopher Immanuel Kant. While there are numerous versions and interpretations of Kant's moral concept of a "categorical imperative," the basic idea to be employed in this book is that persons have a dignity beyond all price and may never be treated as a *mere* means to satisfying one's desires. As Kant himself writes, "Act so as to treat humanity, whether in your own person or that of another, always as an end and never as a mere means."¹¹ It is easy to overlook the importance of the word *mere* in the previous sentence, for Kant's claim is not that we may never use people; rather, it is that in all our interactions with others we must also respect their dignity as self-directing end-setters. Kant asserts that our fundamental moral duty—from which all specific duties flow—is the duty to respect persons as rational, autonomous beings who possess a dignity beyond all price.

Slavery is thus deeply wrong because it violates human dignity. It treats persons as mere things, as property that may be bought and sold for a price. And as I do nothing immoral to my lawnmower by selling it or even beating it, owning another person as property entails that you do no moral wrong when you buy, sell, or even beat this person. This is an important point that distinguishes utilitarianism from deontology. Deontologists would no less condemn a benevolent slaveholder than a malevolent one, for deontologists do not evaluate the morality of an action in terms of its consequences. Rather, they render judgments about the morality of an action based upon the "principle of action" that underlies it. That is, deontologists look to judge whether a particular action is one that *in principle* respects the dignity inherent to all persons; if not, the action is impermissible. Any form of slavery—no matter how benevolent—violates the fundamental dignity and autonomy of the person enslaved. The most common ways of violating autonomy and human dignity are coercion and deception, with slavery

constituting an intense and unrelenting form of coercion. For deontologists, any suffering experienced by the slave is relevant to a complete moral assessment, but suffering is not the determiner of right and wrong. Suffering is an undesirable consequence but not a principle of action; as such it cannot determine morality.

Applying the deontological approach to Ted and Alice, it again seems uncontroversial to judge that purchasing the slave-made clothing would constitute a breach of moral obligation. In purchasing these products, Ted and Alice knowingly and willingly benefit from the inherent coercion of slavery. In effect, this purchase places their desire for a bargain above their duty to respect the dignity of persons. Some may object here that Ted and Alice did not personally enslave anyone, and this is of course true. Nonetheless, by knowingly and willingly drawing benefits from a production system integrally dependent upon slavery, Ted and Alice share moral culpability for this enslavement. This view can also be stated—and in this book often will be stated—in terms of moral complicity. That is, while Ted and Alice’s purchase did not directly enslave anyone, their knowingly and willingly drawing benefit from slavery (i.e., to obtain goods at a cheaper price) renders them morally complicit in the practice. The concept of moral complicity will be the primary focus of chapter 4.

Ted and Alice’s culpability can further be illustrated by relating this case to another situation in which culpability is often attributed. For example, their willing participation clearly distinguishes Ted and Alice from other individuals who may refuse to purchase the clothing in Gattalonia but take no action to stop the practice. Individuals who fail to act against slavery may well bear some level of culpability for its continued existence, but unlike Ted and Alice they are not drawing direct, substantive benefit and enjoyment from it. This distinguishes Ted and Alice’s purchases from other situations we sometimes judge to involve complicity, such as those Americans in the nineteenth century who did not own slaves but who also did nothing to help abolish the practice. In purchasing the clothing, Ted and Alice do not seem as culpable as those who own the slaves, but they certainly seem more culpable than the tourists who refuse to buy the clothing but do nothing further to stop the practice.

Before considering other fictional cases, a few more methodological points deserve mention. First, some readers will quickly point out that the kind of overt slavery described above exists very rarely today if at all. Second, others will point out that ordinary consumers often lack the kind of direct knowledge of wrongdoing possessed by Ted and Alice. This is especially true in today’s globalized consumer economy, in which goods are