

ALLOWING THE WRONG, TO BRING ABOUT THE GOOD

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Abstract

Many believe that in offering workers compensation insufficient to meet their basic needs, “sweatshop” employers wrongfully exploit their employees, despite not being morally required to hire (or otherwise benefit) them in the first place. Intriguingly, rather than directly attacking theories of wrongful exploitation, a number of critics argue that, exploitative or not, such employment relations cannot be wrongful because the employers consensually benefit their employees more than they were required to. According to what Alan Werthheimer calls “the nonworseness claim,” a consensual, mutually beneficial transaction cannot be “morally worse” than its absence. In this paper, I defend the view that employers can wrongfully exploit their employees—even granting that it is better that those employees be consensually benefitted than not—against the nonworseness claim. I argue that once we understand the structure of the intuitive argument for the nonworseness claim, as well as the intuitions behind the view in question, the former represents no threat to the latter. As will become clear, it will be tempting given my arguments to conclude that only *deontologists* can embrace this view. I conclude by responding to a related objection: the view should be rejected because it faces “the paradox of deontology.” I close the main portion of the paper with a principled response to this objection. In an appendix, I develop a toy consequentialist theory consistent with that view.