
In *Human Rights and the Ethics of Globalization*, Daniel E. Lee and Elizabeth Lee seek to provide a normative framework for business ethics in an age of globalization. While much has been written about the relationship between human rights and a world where state boundaries are becoming less important, the authors tackle this issue in light of the role of multi-national corporations. This is a particularly difficult task precisely because there is such a wide gap between the theory of rights and the practical day-to-day operations of a corporation. I'm not sure the authors completely succeed in closing this gap but their efforts are laudable. The book raises some very interesting questions that scholarly work should consider. The book would be of interest to students of human rights, business, law, and ethics. The book is divided into three parts. Part I outlines a philosophical framework that ought to guide corporate decision-making. Part II applies this framework to four case studies. Part III discusses the problem and a possible solution to enforcement.

Part I makes two important and familiar philosophical distinctions in the discourse of human rights: natural versus conferred rights and positive versus negative ones. Natural rights are “rights that each individual has independent of anything that government or any other social institution or individual might or might not do” (p. 19). Conferred rights “are bestowed on the individual by other individuals in the form of contractual agreements or by a social institution of some sort, be it government, a business organization, or an educational institution” (p. 20). A conferred right would be a contractual right, one that is, for instance, created by signing a contract to buy a certain good or product. A natural right, on the other hand, may be a right to privacy or a right to property. The authors also divide rights into positive ones (“rights of entitlement”) and negative ones (“rights of forbearance”). Interestingly, the authors assert that natural rights are generally negative ones. Their justification for this is that a list of positive rights “is so lacking in precision that it is at best confusing, and in many cases, well nigh meaningless” (p. 30). This conceptual move was too quick. After all, negative rights such as the rights to liberty or privacy or a right to live, one that the authors consider as most basic, seem just as imprecise. Moreover, and even more importantly, Lee and Lee fail entirely to discuss political rights, rights that are often at the center of the human rights debate. The rights to vote, run for office, and participate in self-rule seem like crucial natural rights. And we could easily characterize them as positive in that a state must provide institutional arrangements for democratic participation. This is a failure of many autocratic regimes including China, a country the authors discuss in Part II.
Towards the end of Part I, the authors posit two moral principles that ought to guide corporate decision-making: first, “anything that we or anyone else might do that hurts other people is wrong, regardless of who they are or where they live” (p. 37) and second, drawing from Kant’s categorical imperative, treating individuals not simply as means but also as ends. The first of these principles, a crude formulation of John Stuart Mill’s harm principle, turns out to be self-defeating for every action will invariably harm someone. Under a conventional reading of Mill, it is harm to basic interests—namely rights—that triggers this constraint. Throughout the book, the authors’ core examples are about the basic needs of low wage employees: “shelter, basic health care, and access to educational opportunities” (p. 195). The guiding norm Lee and Lee endorse is not simply a constraint on harming others but harming them in a particular way. In fact, Lee and Lee would have done well to consider Ian Shapiro’s commitment to reducing domination as the most important principle to guide business decision-making (see Ian Shapiro, Democratic Justice, (New Haven: Yale Press, 1999)). Much of what the authors say is about reducing the power differentials that exist between corporations and their employees or large multi-nationals and their local counterparts. For instance, in Part II, the authors argue that cooperatives may promote fairer prices for Ethiopian growers by placing them “in a stronger position to negotiate better prices” (p. 149). By banning together, Ethiopian farmers have greater power than they would as mere individuals.

The Kantian ends not means ethic stood out as more fruitful. Here the authors argue that corporations should care about profits but that is not all they should care about. Rather, corporations ought to conduct business so as to treat “shareholders, customers, employees, suppliers, and the communities in which company facilities are located” (p. 59) not simply as means but also as ends. It is appropriate for companies to treat individuals as “both means and ends” (p. 59). That is, the corporation can seek to maximize profit as long as it also treats its constituencies with respect, as ends in themselves. This tension between profits and ethics was perhaps the most significant insight of the book. Scholarly work ought to devote more attention to it.

Part II sought to apply the philosophical distinctions of Part I to four case studies: U.S. business investment in China, the role of the Firestone Tire and Rubber company in Liberia, the predicament of local Ethiopian farmers in the cutthroat global coffee market, and an assessment of “maquiladoras,” Mexican factories that are often associated with American companies. These case studies were nicely researched, providing a rich, detailed, and nuanced history of four different global economic problems. As it stood, the case studies were interesting in their own right. I learned a good deal in reading them. But the authors could have been clearer about the value add of each case study. While all four studies point to the fact that multi-national corporations ought to make sure that they treat relevant