

2.5.1: Malden Mills Company

At 8:00 P.M. on the night of December 11, 1995, an explosion near a boiler room rocked the Malden Mills factory in Lawrence, Massachusetts.¹⁴⁶ Fires broke out in the century-old brick textile factory. Fanned by winds, the fires quickly gutted three factory buildings, injuring 25 workers, destroying nearly all of the plant, and putting nearly 1,400 people out of work two weeks before Christmas.

Founded in 1906, Malden Mills, a family-owned company, was one of the few makers of textiles still operating in New England. Most other textile manufacturers had relocated to the South and then to Asia in their search for cheap, nonunion labor. The president and major owner of the company, Aaron Feuerstein, however, had refused to abandon the community and its workers, who he considered valuable assets and not an expense to be cut. Emerging from a brush with bankruptcy in 1982, Feuerstein had refocused the company on the pricier end of the textile market, where state-of-the-art technology and high-quality goods are more important than low costs. Shunning low-margin commodity fabrics such as plain polyester sheets, the company focused on a new synthetic material labeled *Polartec* that company workers had discovered how to make through trial and error during the early 1980s. The new material was a fleecy, lightweight, warm material that could wick away perspiration and that required precise combinations of artificial yarns, raising and shaving the pile, and weaving at specially invented (and patented) machines operated at exactly the right temperature, humidity, and speed. Workers had to develop special skills to achieve the correct weave and quality.

Several apparel companies soon recognized *Polartec* as the highest quality and most technically advanced fabric available for performance outdoor clothing. Patagonia, L.L. Bean, Eddie Bauer, Lands' End, North Face, Ralph Lauren, and other upscale outfitters adopted the high-priced material. *Polartec* sales climbed from \$5 million in 1982 to over \$200 million by 1995. With additional revenues from high-quality upholstery fabrics, Malden Mills' revenues in 1995 had totaled \$403 million, and its employees, who now numbered nearly 3,200, were the highest paid textile workers in the country. Feuerstein, who frequently provided special help to workers with special needs, kept an open-door policy with workers whom he tried to treat as members of a large family.

The morning after the December fire, however, with the factory in smoldering ruins, newspapers predicted that owner Aaron Feuerstein would do the smart thing and collect over \$100 million that insurers would owe him, sell off the remaining assets, and either shut down the company or rebuild in a country where labor was cheaper. Instead, Feuerstein announced that the company

would rebuild in Lawrence. In a move that confounded the industry, he promised that every employee forced out of work by the fire would continue to be paid full wages, receive full medical benefits, and be guaranteed a job when operations restarted in a few months. Rebuilding in Lawrence would cost over \$300 million, and keeping 1,400 laid-off workers on full salaries for a period of up to three months would cost an additional \$20 million. Feuerstein said,

I have a responsibility to the worker, both blue-collar and white-collar . . . I have an equal responsibility to the community. It would have been unconscionable to put 3,000 people on the streets and deliver a death blow to the cities of Lawrence and Methuen. Maybe on paper our company is [now] worth less to Wall Street, but I can tell you it's [really] worth more.

How does the Malden Mills incident present a different ethical perspective? Consider that from a utilitarian perspective, Feuerstein had no obligation to rebuild the factory in Lawrence or to continue to pay his workers while they were not working. Moreover, relocating the operations of Malden Mills to a country where labor is cheaper would not only have benefited the company, it would also have provided jobs for workers who arguably are more in need than U.S. workers. From an impartial utilitarian perspective, then, more utility would have been produced by bringing jobs to workers in a poor nation than by spending the money to preserve the jobs of current Malden Mills employees in Lawrence, Massachusetts. It is true that the Malden Mills workers were close to Feuerstein and that over the years they had remained loyal to him and had built a close relationship to him. However, from an impartial standpoint, the utilitarian would say such personal relationships are irrelevant and should be set aside in favor of whatever maximizes utility.

A rights perspective would also not provide any support for the decision to remain in Lawrence nor to continue to pay workers full wages while the company rebuilt. Workers certainly could not claim to have a moral right to be paid while they were not working. Nor could workers claim to have a moral right to have a factory rebuilt for them. The impartial perspective of a rights theory, then, does not suggest that Feuerstein had any special rights-based obligations to his employees after the fire.

Finally, one could not argue that justice demanded that Feuerstein rebuild the factory and continue to pay workers while they were not working. Although workers were pivotal to the success of the company, the company had rewarded them by paying them very generous salaries over many years. Impartial justice does not seem to require that the company support people while they are

not working, nor does it seem to require that Feuerstein rebuild a factory for them at considerable cost to himself. In fact, if one is impartial, then it seems more just to move the factory to a developing country where people are needier than to keep the jobs in the United States where people are relatively well-off.

2.5.2: Partiality and Care

The approaches to ethics that we have seen all assume that ethics should be impartial and that, consequently, any special relationships that one may have with particular individuals such as relatives, friends, or one's employees should be set aside when determining what one should do.¹⁴⁷ Some utilitarians have claimed, in fact, that if a stranger and your parent were both drowning and you could save only one of them, and if saving the stranger would produce more utility than saving your parent (perhaps the stranger is a brilliant surgeon who would save many lives), then you would have a moral obligation to save the stranger and let your parent drown.¹⁴⁸ Such a conclusion, many people have argued, is perverse and mistaken.¹⁴⁹ In such a situation, the special relationship of love and caring that you have with your parents gives you a special obligation to care for them in a way that overrides obligations you may have toward strangers. Similarly, in the Malden Mills incident, Feuerstein felt he had a special obligation to take care of his workers precisely because they were dependent on him and had built concrete relationships with him, helping him build his business and create the revolutionary new fabrics that gave Malden Mills its amazing competitive advantage in the textile industry. This obligation toward his workers, who had a special relationship with Feuerstein and who were dependent on him, it could be argued, overrode any obligations he may have had toward strangers in developing countries.

MORAL DEMANDS IN AN ETHIC OF CARE Compassion, concern, love, friendship, and kindness are all sentiments or virtues that normally manifest in an ethic of care. Thus, an ethic of care emphasizes the following two moral demands:

1. We each exist in a web of relationships and should preserve and nurture those concrete and valuable relationships we have with specific persons.
2. We each should exercise special care for those to whom we are concretely related by attending to their particular needs, values, desires, and well-being as seen from their own personal perspective, and by responding positively to these needs, values, desires, and well-being, particularly of those who are vulnerable and dependent on our care.

Ethical Application

Preserving Relationships

Feuerstein, owner of Malden Mills, decided to remain in Lawrence, Massachusetts, and care for his workers by continuing to pay them while the company's factory was being rebuilt, after a fire. This response reflects the imperative of preserving the concrete relationships he had formed with his employees. It also reflects the imperative of exercising special care for the specific needs of individuals who were economically dependent on him. Based on an ethic of care, the moral obligation to care for this specific group of individuals was greater than the moral obligation to employ strangers in developing countries.

It is important not to restrict the notion of a concrete relationship to relationships between two individuals or to relationships between an individual and a specific group. The examples of relationships that we have given so far have been of this kind. Many advocates of an ethic of care have argued that it should also encompass the larger systems of relationships that make up concrete communities.¹⁵⁰ An ethic of care, therefore, can be seen as encompassing the kinds of obligations that a so-called *communitarian ethic* advocates.

A *communitarian ethic* is an ethic that sees concrete communities and communal relationships as having a fundamental value that should be preserved and maintained.¹⁵¹

What is important in a communitarian ethic is not the isolated individual, but the community within which individuals discover who they are by seeing themselves as integral parts of a larger community, with its traditions, culture, practices, and history.¹⁵² The broad web of concrete relationships that make up a particular community, then, should be preserved and nurtured just as much as the more limited interpersonal relationships that spring up between individuals.

What kind of argument can be given in support of an ethic of care? An ethic of care can be based on the claim that the identity of the self—who I am—is based on the relationships the self has with other selves: the individual cannot exist, cannot even be who he or she is, in isolation from caring relationships with others.¹⁵³ I need others to feed and care for me when I am born; I need others to educate me and care for me as I grow; I need others as friends and lovers to care for me when I mature; and I must always live in a community on whose language, traditions, culture, and other benefits I depend and that come to define me. It is in these concrete relationships with others that I form my understanding of *who* and *what* I am. Therefore, to whatever extent the self has value, to that same extent the relationships that are necessary for the self to exist and be