The effects of contracts beyond frontiers: A capabilities perspective on externalities and contract law in Europe

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Many goods bought and sold on the market in Europe are produced by others elsewhere in the world. Although Europeans are often physically removed from the locations where and the ways in which the goods they buy are made, the knowledge thereof is often not so remote. Indeed, as a topic of debate, cases involving deplorable production conditions have proven to be structural and persistent over time, receiving media, political, and academic attention, raising broad moral concern.

This dissertation takes the example of transactions for goods made in sweatshops to raise questions regarding the minimum standards applicable to market conduct in Europe. It argues from a capabilities perspective to minimum contractual justice that a society aiming to be minimally just should not support market activities that have adverse effects on the central capabilities of others elsewhere. As such, the book provides reasons of justice for why economic transactions for goods made in sweatshops should be considered immoral and for that reason invalid under rules of contract law in Europe.