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Essay: Consumer Rights

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ESSAY: CONSUMER RIGHTS: A PART OF HUMAN RIGHTS

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Abstract: For many ordinary Chinese, assuming obligation and responsibility means almost the same as having ethics and morality. Therefore, when talking about consumer ethics, people first think about consumers' obligation to strive for the virtue of frugality. However, in today's world, especially after the opening up and reform of China's economy, consumers have more courage to safeguard their rights as a result of rising consumer awareness. Consumers' newfound courage showcases the change of people's values. During a discussion of consumer ethics, we naturally take the protection of consumer interests as the starting point. The shift in research from the examination of frugality to consumer interests reflects the transformation of the Chinese moral mentality from obligation-orientation to right-orientation.

Keywords: consumer rights, human rights, consumer ethics

SAFEGUARDING CONSUMER RIGHTS, THE FIRST PRIORITY OF CONSUMER ETHICS

For many conventional Chinese, assuming obligation and responsibility means almost the same as having ethics and morality. Possessing ethics and morality depends on people's self-cultivation as they seek to develop virtues, find cause first in their own persons, and strengthen their characters. Such a mentality has a profound impact on the Chinese thinking on ethics. Therefore, until today, some still claim that ethics focuses on obligations while law focuses on rights. Therefore, people talking about consumer ethics in the past would think of advocating thriftiness or restraining squandering and hedonistic consumption, while, today, the fashionable concept of environmental protection features sustainable consumption.

The above mentioned awareness of ethics is based on an interpretive framework of a reversed relationship between rights and obligations. Logically considered, the starting point of the ethics argument is not the assumption of obligations (an intrinsic part of ethics,) but the protection of basic human rights. It is just because people need to maintain their rights that they have to safeguard others' rights as an obligation. From this starting point, we will, when discussing consumer ethics, put top priority on keeping the rights of consumers and take it as the foundation and the starting point of the interpretive framework of consumer ethics. The shift of research perspective from obligation-orientation to right-orientation reflects the ongoing change in the mentality of ethics in China.

CONSUMER RIGHTS EXPRESS NEEDS FOR HUMAN RIGHTS

A consumer's justifiable and legal consumption closely connects with the satisfaction of his or her basic human rights. As long as his or her consumption is legitimate, then others are not entitled to judge whether his or her behavior is reasonable or not, nor can they condemn his or her "hedonistic

consumption.” Rather, only the consumer can tell whether his or her consumption is reasonable or not. Consumers are not God, but ordinary citizens who have human rights and are entitled by law to free choice.

Therefore, instead of restraining “unreasonable consumption,” consumer ethics should be reflected in consumers’ actions to safeguard their rights. The ultimate purpose of offering products is to satisfy the needs of people, which is a part of human rights. Any misrepresented product characteristics are not simply a minor infraction or trivial breach of trust, but an intentional violation of the basic rights and interests of human beings. In particular, when consumers receive misleading information about the feature of food, medicine, electrical appliances, autos, and housing, the products can pose a threat to the users’ lives or quality of living. Even if the products do not harm the consumers physically, the misrepresented information undoubtedly harms consumer spiritually. The spiritual infringement is certainly a form of damage to human rights, while consumers’ physical suffering is more severe, more strongly condemned and draws more concerns than common violations.

Therefore, consumers’ actions to safeguard their rights is not a short-term project nor aimed at limited benefits, but these actions form an important part of the ambitious task to improve human rights in China. Businesses’ attention to consumer rights is not a favor resulting from charity, but rather validation and consolidation of consumers’ basic constitution-conferred rights. All Chinese consumers, therefore, should devote themselves to the protection of consumer rights and see it as a part of the fight for human rights. To this end, they need to maintain individual rights and interests by resorting to laws while also protecting the collective rights of their fellow citizens by exposing harmful products through the media.

GREEN CONSUMPTION AS PROTECTION OF CONSUMERS’ LONG-TERM RIGHTS

Sustainable consumption, or green consumption, which aims at environmental protection, can effectively safeguard consumer rights, thus constituting an important part of consumer ethics. As we all know, ethics are codes that people set in order that each person fulfills his or her obligations to others and maintains every individual’s own rights. Ethics serve the people, but people do not live for ethics. Therefore, abiding by ethics is consistent with maintaining people’s rights and interests. That is why in economic ethics there is a saying that a good image of ethics is a lasting ethical capital.

However, the accordance of ethics and rights seen from the long-term societal perspective does not mean that every instance of ethical action will bring every individual direct and instant benefits. However, the person acting ethically in terms of consumer rights will usually receive benefits. It is particularly true for consumption: consumers buy products depending on their needs and the price of goods. When weighing options for ethical behavior, people think about the long-term influence of their actions on others besides themselves. Any ethical conduct depends on the agent’s own will. A consumer, as an individual, may not be willing to sacrifice changing his/her consumption patterns for the long-term interests of mankind at large. For example, a consumer may not be willing to buy expensive green products at the cost of his or her own comfort in order to save energy or reduce pollution. For an individual, such ethical conduct driven by conscience may be expected or hoped for, but not presumed.

Therefore, people are urged to practice consumer ethics not through non-binding means, such as demonstration appeals, education or advocacy, but through democratic procedures that integrate the

requirements of ethics into universally binding laws and regulations. The value and significance of “institutional ethics,” “structural ethics,” or “mechanistic ethics” lie in universal, binding laws and regulations. When it comes to consumer ethics, ethics means trying to reach consensus on the criteria of reasonable consumption through negotiation on the condition that people’s basic needs of material and spiritual consumption can be satisfied. On this basis, we should increase the price of globally recognized luxury goods and services. At the same time, we should lower (as much as possible) the price of green products. We should also restrain with the greatest effort the consumption of non-renewable resources and control the emission of pollutants, among other environmental efforts. In other words, we need to transform the “language of morals” to the “language of economy,” which means using price to regulate people’s consumption. This move will ultimately put consumer ethics in place and safeguard the long-term interests of consumers.

THE IMPROVEMENT OF CONSUMER RIGHTS: THE ADVANCEMENT OF HUMAN RIGHTS IN CHINA

Consumers’ shopping decisions and activities are a kind of choice. With the development of the market economy, consumers have more and more choices. Making choices has become one of their habits. As a common model of social behavior, choice-making symbolizes the great respect to people’s autonomy. The recognition and protection of will-autonomy constitutes one of the core values in today’s civil societies. With the rise in citizens’ awareness, consumers now have more courage to safeguard their rights, showcasing the change of people’s values since the reform and opening up.

Economic behavior can provide a model for other fields of a society. With the development of the market economy, choice-making in economic activities will become a common habit and a model of behavior, hence establishing new rules of running a society, contributing to the change in political ecology and eventually helping to make democracy a firm and fundamental guideline for building and organizing a society.

When “bank notes (money) turn to votes,” or when consumers’ purchasing choices bring rewards to some companies and punishments to others, consumers will gain great power over the orientation of companies’ values and behaviors. Propelled by consumers’ actions to protect their rights and autonomous choice, companies are likely to realize that the purpose of offering goods is not only to gain profits, but also to serve consumers by safeguarding their human rights. Governments can also be aware that their function is not only to maintain stable economic and social orders, but also to improve their capacity to safeguard human rights and the level of civilization of the society. Therefore, on the one hand, the significance of research on economic ethics and consumer ethics will go far beyond what people imagine. On the other hand, through advocating consumer ethics, a synergy will be developed among consumers and producers that will be strong enough to promote human rights and democracy in China.