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Liberal Neutrality and The Planned Obsolescence of Technological Goods

Benton Ching

Introduction

Most of us can relate to everyday frustrations involving planned obsolescence, of having a piece of technology break down after a few uses, having it rendered obsolete by newer models shortly after purchase, or by the number of subsequent purchases necessary to upgrade or maintain these technologies. For some, this represents an inevitable, albeit reluctant consequence of an increasing rate of technological change. For many others, the increased need to consume technological goods is fundamentally at odds with their conceptions of the good of life.

Planned obsolescence, which refers to the practice of limiting product lifespans to stimulate consumption, has been the subject of much critique since the 1960s (Boradkar 2000, 184). Critiques have focused on its environmental impact[1] and

[1] c.f. Papanek (1983), Adolphson (2004) & Guiltinan (2008).

its ancillary effects[2], its role in stimulating wants[3], and on the practice as an example of manufacturers treating consumers unfairly.[4] Prominent contemporary examples include the class action lawsuit *Westley v. Apple*, where tech giant Apple was brought to court over the use of short-lived, irreplaceable batteries (BBC, 2005), and debates on legislation regarding planned obsolescence in the European Economic and Social Committee (EESC 2013).[5]

For the most part, planned obsolescence has not received much treatment in the philosophical literature, and the discussion has tended to focus on the issues mentioned above. In this paper, I will set these aside to focus on what is to my knowledge, a new philosophical perspective on the problem – the effects of planned obsolescence on the realization of some conceptions of the good. The specific question this paper seeks to address is whether through tolerating the planned obsolescence of technological goods, the state risks compromising commitments to neutrality. To address this question, the paper will engage with the philosophical debate surrounding liberal neutrality, particularly in relation to the work of John Rawls[6], as well as relevant economic literature and perspectives on technology.

[2]c.f. Hull (2010).
[3]c.f. Mason (1985).
[4]c.f. Packard (1961), Giaretta (2005) & Guiltinan (2008).
[5]See also Apple Insider (2013) & The Guardian (2015).
[6]*A Theory of Justice* will be cited as TJ, and *Justice as Fairness: A Restatement* as JaF.

The question is motivated in part by a challenge posed by Verbeek (2010, 54):

> *"Political philosophy would need to find a way to deal with the implicit answers technologies give to the question of the good life."*

This paper's central argument, which I term the argument from neutrality, asserts that the planned obsolescence of technological goods makes it more difficult for people to maintain conceptions of the good that do not value consumption, giving the liberal state grounds for concern. To establish the argument, I propose that state action be held to a limited neutrality requirement. Although the argument can be generalized against the planned obsolescence of most goods, I will focus on ways in which technological goods apply as a special case.

Here is how the paper is structured: Section 1 will provide some background context to the argument. Section 2 involves the paper's main argument, the argument from neutrality. This is composed of a few parts. Section 2.1 will address why the state ought to be neutral. Section 2.2 will discuss how the state might feasibly practice neutrality by proposing a highly restricted version of liberal neutrality I term the limited neutrality requirement. Section 2.3 will justify the applicability of the liberal neutrality requirement to the issue, and describe the competing claims between two relevant conceptions of the good: commodity-based and less-commodity based conceptions of the good. In Section 2.4, I attempt to show how planned obsolescence has deleterious effects for people that hold less-commodity based conceptions of the good. This is followed by a discussion of some challenges for the applicability of the argument from neutrality in Section 2.5. Section

3 will highlight some implications of the argument from neutrality for policy. This will be followed by a brief conclusion.

Before proceeding, I will make some caveats. Firstly, in choosing to focus on the relationship between planned obsolescence and neutrality, I intend to support rather than undermine the value of existing critiques of planned obsolescence. Second, as principally a philosophical work, this paper's ability to deal with the empirical aspects of the question is limited. The final section on policy does not attempt to provide a conclusive answer, but merely to foreshadow some general directions for policy-making.

1. Context: Planned Obsolescence, Technological Goods and Economic Growth

1.1. Key Definitions

I will begin by providing some background context for the argument by first defining two central concepts: planned obsolescence and technological goods. Following that, I will describe the issue of planned obsolescence in relation to neutrality by exploring some justifications for the practice.

Planned obsolescence refers to the practice of rendering goods obsolete to encourage replacement. Slade (2006) defines planned obsolescence as the blanket term

for techniques used by manufacturers to artificially limit the durability of goods to stimulate repetitive consumption. Similarly, Bulow defines planned obsolescence as "the production of goods with uneconomically short useful lives so that customers will have to make repeat purchases" (Bulow 1986, 1). Planned obsolescence relies on the relationship between obsolescence and consumption - the end of a product's lifespan and its subsequent replacement.[7] A first method of practicing planned obsolescence is to impose physical limits on the durability of the goods produced. This includes:

- The use of less durable materials. This includes the use of fragile materials and materials that do not wear well with use.
- "Death dating", which refers to the practice of building a limited lifespan into a product (Guiltinan 2008, 20). An example would be the use of EEPROM chips in printers to render them obsolete after a number of prints (Dannoritzer 2010).
- Limiting the extent to which products can be repaired by failing to offer replacement parts, or by making repair too expensive to justify over replacement.

[7]Obsolescence refers to an "end-of-life" state that objects fall into for various reasons. These may include: style, wear and tear, technological progress, changes in social practices and maintenance costs (Packard 1961, 55, Slade 2006, 4 & Burns 2010, 45-49).

A second method involves the use of aftermarket strategies. Some examples include:

- Restricting the backwards compatibility of new products. An example of this is the use of different bit sizes for chargers in subsequent versions of mobile phones (Massaola 2008, 13-14). Alternatively, manufacturers can use incompatible software updates to render older iterations of a product obsolete (Maycroft 2009, 22-23).

- Staggering the release of technology. By serially introducing minor upgrades in subsequent models, manufacturers are able to maximize profits by getting customers to purchase more iterations of the product. As Surowiecki (2007) notes, each new feature in a product represents a new selling point for marketing and sales departments.

- Manipulating the fashion or "status" element of a product through marketing (Mason 1985, 459 & Packard 1961, 56).

For the purposes of the paper, I will set aside questions concerning the moral status of particular forms of planned obsolescence. Instead, I am interested primarily in the broader feature of planned obsolescence that Soete (2014, 138) refers to as the internal economic logic of innovations requiring the destruction the value of an old stock of goods.

This paper focuses on planned obsolescence as it applies to markets in technological goods. The definition of technological goods in this paper will use the

notion of "product" in Li-Hua's (2009, 20) definition of technology: the culmination of a set of techniques (instruments of labor), knowledge (science, skills and intuitions) and organization (social structures that coordinate techniques and knowledge) aimed at solving practical problems.

A key aspect of this definition is the term "set". The term is used to imply that technological development in a given trajectory is dependent on the culmination of these factors, and is subject to change. This definition has an advantage over economic definitions that focus on technology as the transformation of inputs into a desired production outcome (Li-Hua 2009, 19), which overlook the socially embedded aspects of technological development. Furthermore, the argument pertains to consumer technologies - technological goods whose distribution takes place on the market for private consumption.

1.2. Planned Obsolescence and the Growth Paradigm

Some policy-makers find planned obsolescence to be a valuable, if not benign practice[8] (Boradkar 2010, 200), and policy has largely tended not to focus on issues of product longevity (Cooper 2010, ch10). This is due to strong economic arguments in favor of planned obsolescence. Setting these out will help us to understand and assess these justifications.

[8]For instance, planned obsolescence is not considered unlawful by U.S. antitrust laws (Boradkar 2010, 200).

The economic literature suggests two main benefits emerge from planned obsolescence at a macro-level: economic growth and technological progress. Firstly, planned obsolescence encourages repetitive consumption, contributing to economic growth. Economic growth provides society with benefits such as job creation and expanded consumer choice (Jackson 2011, 52). Underlying most motivations for the pursuit of economic growth is its ability to increase living standards (Purdey 2010, 4-5). A proponent of planned obsolescence would hold that the practice is justified insofar as it provides society with these benefits.

A second justification for planned obsolescence is that it promotes technological progress. Fishman, Gandall and Shy argue that if products are too durable, manufacturers lack incentives to invest in the development of new technological innovations (1993, 361), while others suggest that planned obsolescence fosters technological progress by incentivizing companies to improve both observable (Choi 2001) and unobservable (Strausz 2009) qualities distinct from durability. The thought is that planned obsolescence provides fertile conditions for innovation to take place. Decreased durability allows firms to reduce the value of an old stock of goods quickly, which incentivizes replacing this value through the creation and consumption of new goods.

Economic growth, technological progress and innovation are intimately linked in modern growth-oriented societies. Understanding Schumpeter's account of innovation as the driving force behind economic growth makes this connection clearer. Schumpeter argued that the driving force behind the growth of the economy is in-

novation. The economy grows when entrepreneurs destabilize an initial state of a market by introducing new innovations in production. These innovations replace old routines in production through a cyclical process termed "creative destruction" (Andersen 2011, 11-12 & Mckee 1991, 4-6). Innovation promotes growth through providing more efficient production methods through technological progress and through the creation of new goods for consumption.

In contemporary society, economic growth and political stability are crucially linked (Jackson 2011, Ch 4 & Ch 6). Purdey (2010, 4) refers to this relationship as the "growth paradigm", a global ideological commitment to growth as a priority for public policy that involves most of modern society's major institutions. On Schumpeter's account, once innovation stops so does economic growth (Jackson 2011, 96). Therefore, the modern state must be able to promote innovation to maintain political stability. Under these conditions, Schumpeter's theory moves from being a descriptive theory about the nature of economic growth into a set of market conditions that policy aims to foster.

However, the institutional orientation towards growth also affects the kinds of conceptions of the good favored by the market. On one hand, because creative destruction involves the replacement of old modes of production, it poses an existential challenge for firms on the market. If firms fail to continually innovate, they risk being made redundant by creative destruction (Mckee 1991, 6 & Jackson 2011, 96), resulting in market conditions where there is pressure to innovate

or risk being left behind.[9] Furthermore, the political focus on economic growth supports a particular conception of societal and technological progress that is measured by the ability to contribute to growth (Sarewitz 2009, 304-6). Technological progress under the growth paradigm becomes characterized by the production of new products for consumption (Scanlan 2005, 133). Returning to the definition of technological goods, an institutional focus on growth affects the way techniques and knowledge will be organized by the social structure. In this way, the development of technological goods in society becomes catered to the goal of encouraging consumption.

The state might seek to encourage, or at least tolerate firms practicing planned obsolescence insofar as it helps to generate economic growth and stimulate innovation. However, in doing so it feeds into a culture of consumption that may not be valued by all members of society and may not accord with their conceptions of the good life. In feeding into a culture of consumption, it risks crowding out these conceptions. This poses the main issue for this paper: whether the state is justified in maximizing or pursuing the goals of economic growth and technological progress through planned obsolescence, even at the expense of conceptions of the good held by members of society.

[9] Giaretta (2005) raises a similar point.

2. The Argument From Neutrality

2.1. Why Should the State be Neutral?

The previous section posed the main philosophical problem, which is that planned obsolescence exacerbates the way in which, against the backdrop of a political orientation towards economic growth, institutions come to favor conceptions of the good that value consumption. In arguing for why the state should be concerned with this problem, I will appeal to the idea of liberal neutrality, particularly in relation to the work of John Rawls.

The rough idea underlying liberal neutrality is that the state should allow citizens to pursue their own conception of the good. By doing so, it treats its citizens equally. A corollary of this idea is that social institutions should function as neutral arenas where citizens can pursue their own conceptions (Kymlicka 1989, 883). Underlying this is a central premise of liberalism, which holds that people in society possess unique but potentially conflicting conceptions of the good life (Rawls 1982, 160 & Miller 1989, 72). The guiding intuition behind the argument from neutrality is that for the state to favor some conceptions of the good over others constitutes a form of unfairness for those whose conceptions are discriminated against. I will attempt to provide three reasons why the state ought to practice neutrality: individual well-being, the risk of expressive harms to a citizen's self –respect and the value of a diverse society.

According to Patten (2012, 268), goods or activities do not make improve a persons' well-being unless those goods and activities are of importance in their conception of the good. One way of promoting well-being is by allowing people to pursue the conception of the good that they have (Patten 2012, 268). On the other hand, being made to consume goods or participate in activities that do not accord with their conception of the good is harmful to their overall well-being. A second way of promoting one's well-being is by allowing them to acquire a more valuable conception of the good. The state would have to provide adequate reason to do so, and in the short-term at least, risk harms to individual well-being by getting people to change their conception of the good (Patten 2012, 268).

Furthermore, the state risks expressive harms to a citizen's self-respect when it discriminates against their conception of the good, particularly when this discrimination is arbitrary and lacks adequate justification or reason (Wall 2010, 248). Self-respect, according to Rawls (TJ, 156), is found in the sense that one's life plans are worth carrying out. An important condition for one to find their conception of the good worthwhile is that others respect those plans of life (TJ, 156-7). Therefore, protecting the self-respect of members of society involves ensuring that their conceptions of the good are valued at both an individual and social level. State policy does not exist in a social vacuum, and conceptions of the good promoted by the state will affect how members of a society view themselves and one another (Wall 2010, 250). If a state discriminates against a conception of the good, both citizens who hold this conception and citizens who do not might take this as an expression that the state does not consider this conception of the good worth-

while. This has the further risk of alienating citizens who hold the disadvantaged conception.

A third reason why the state might seek to maintain neutrality is because of the value diversity brings to a society. This is an idea that goes back to the work of another liberal philosopher, John Stuart Mill (1909, Ch.3 & Rawls 2007, 311).[10] The Millian idea is that when a society fosters individuality by allowing people to pursue their conceptions of the good, they lead more fulfilling and happier lives. This in turn, allows them to contribute more fruitfully to society as a whole. The state might have an interest in being neutral between citizens' conceptions of the good to reap the benefits of a more diverse society.

2.2. Feasible Neutrality: The Limited Neutrality Requirement

Despite the intuitive appeal of liberal neutrality, it remains a controversial thesis. Considerations that weigh against neutrality include perfectionism, which crudely stated, holds that the state should pursue what it takes to be legitimate goals even at the expense of some conceptions of the good.[11] Liberal neutrality is also critiqued for its viability as a normative principle – can the state really act neutrally?[12] Even so, can it be neutral between all conceptions of the good?[13]

[10] See also Rawls (2007) and Reynolds (2013) for further discussion of the relationship between Rawls' liberalism and Mill's.

[11] C.f. Raz (2009)

[12] One argument states that for the state to act according to a neutrality principle would be to act non-neutrally c.f. Nagel (I973).

[13] For example, one position holds that there is no social world in which important conceptions of the good cannot be discriminated against (JaF, 152fn).

Strong critiques of neutrality led former advocates such as Rawls to reconsider its importance. In Rawls' early work such as *A Theory of Justice*, neutrality was given a larger role, and perfectionism was mostly rejected (TJ, 285-292). However, in later works, neutrality became confined only to constitutional essentials and matters of basic justice (JaF, 152-154). In Rawls' later writings, perfectionism is assigned a subordinate role to the principles of justice. The state has free reign to pursue perfectionist policies so long as it does not create injustice or arbitrarily bias some conceptions of the good.

Rawls' concession might not satisfy our intuitions regarding the value of neutrality. In light of the rejection of neutrality as a consensus position (Patten 2012, 249), fleshing out a feasible account of neutrality that helps to systematize our intuitions requires some setting up. I intend to propose a neutrality requirement with a limited domain that can sidestep some of the main critiques of neutrality. The arguments for the neutrality requirement are adapted in part from Wall (2010) and Patten's (2012) discussions of liberal neutrality. The neutrality requirement proposed is:

> Limited Neutrality Requirement: **(1)** Apart from considerations of justice, **(2)** the state has a pro-tanto reason to be **(3)** neutral with respect to its treatment of **(4)** rational conceptions of the good **(5)** actually held by its citizens.

To establish the limited neutrality requirement, I will first consider points **(2)** and **(3)**, which concern how the state ought to practice neutrality. I will start with

(2), which concerns the weight of neutrality within the domain of values that a society might possess. According to Patten (2012, 252-253), neutrality can be conceived of as either "upstream" or "downstream" from other values. Upstream accounts of neutrality depict it as a value that is hierarchically prior to other values (Patten 2012, 252). In such an account, neutrality places limits on other values that come into conflict with it. It features as a fundamental value, which other values are measured against. Most critiques of neutrality focus on its upstream form. Neutrality maintained for its own sake is particularly vulnerable to both the perfectionist and normative critiques, which is why we might seek a restricted form of neutrality.

Neutrality can also be conceived of as "downstream" from other values. In such an account, neutrality does not provide an overriding limit on policy but instead, gives the state a pro-tanto reason to be neutral. This must be weighed up against its other fundamental values. Instead of being neutral for its own sake, downstream neutrality is maintained for other non-neutral reasons (Patten 2012, 252). For instance, a theocratic state whose general population is divided heavily across several religions might choose to practice neutrality between these religions to maintain political stability, in spite of its fundamental religious commitments. However, in weighing neutrality against other values, the state must also weigh up the costs of breaching neutrality mentioned earlier.

Next I will consider **(3)**, which concerns how the state considers neutrality. Generally, neutrality can be thought of in roughly three forms (Patten 2012, 254):

neutrality of intentions, neutrality of effects and neutrality of treatment. I will argue for neutrality of treatment by demonstrating some weaknesses of the other two conceptions of neutrality as a basis for the neutrality requirement.

Firstly, neutrality of intentions concerns whether the aims or justifications of a given policy are neutral between conceptions of the good. Briefly, the problem with a requirement based on neutrality of intentions is under-reach. Such an account can often fail to pick up on cases where policy with neutral aims or justifications can intuitively seem objectionably non-neutral (Patten 2012, 255-256), and it can be difficult to determine what constitutes an appropriate intention for a given policy (Miller 1989, 76). A seemingly neutral reason might lead to a non-neutral outcome. For example, the state might seek to establish a religious center for one religious group for the overall social benefit that the center might bring. The reason that the state gives is neutral - it is not relying on a judgment about the intrinsic worth of this particular religion. However, it intuitively seems like a case where the state is being unfair to other groups by not helping them establish new places of worship.

Another way of thinking about neutrality could be in terms of neutrality of effects.[14] Neutrality of effects concerns whether a policy produces unequal effects on different conceptions of the good (Patten 2012, 255-257). Unfortunately, neutrality of effects has the problem of over-reach. Under such an account, no policies would be considered neutral, as the effects of most if not all policies have some

[14]Kymlicka (1989) refers to this as consequential neutrality

bearing on the outcomes of competing conceptions of the good (Patten 2012, 256).

Patten's key proposal is that state neutrality should concern neutrality of treatment, which is the view I shall adopt (Pattern 2012, 257):

> Neutrality of Treatment: The state violates this requirement when its policies are unequally accommodating of some conceptions of the good than they are of others.

The idea behind neutrality of treatment is that a state ought to be neutral between different conceptions of the good with respect to inputs, rather than outputs (Patten 2012, 257). In other words, the state practices neutrality by extending equal levels of assistance or hindrance to rival conceptions of the good. This is what distinguishes neutrality of treatment from neutrality of effects. What "accommodation" in this account means is that rival conceptions of the good are given an equal chance to be realized. Consider a tax on two different conceptions of the good as an example of neutrality of treatment. If the state taxes goods necessary for one conception at a higher rate than the goods required for another conception, it is said to be less accommodating to the first conception. This does not concern whether the state's aim is to make one conception of the good more desirable than the other (intentions), nor does this say anything about the outcomes for either conception (effects). The unfair taxation might not track whether the state is acting non-neutrally, particularly if the two conceptions of the good remain just as popular as they were prior to the tax.

Patten describes three general strategies for policy to act on neutrality of treatment: privatization, generic entanglement and evenhandedness (Patten 2012, 259-260). I return to these strategies when making some policy suggestions in the final section of the thesis.

I will next address points **(1)**, **(4)** and **(5)**, which constrain the domain of neutrality. The neutrality requirement proposed is not one of across-the-board neutrality, but one with a restricted scope.

The first constraint to consider is **(1)**, which concerns the permissibility of the relevant conceptions of the good. The aim of the Rawlsian project is to arrive at an account of society as a fair scheme of social cooperation (JaF, 5). To do this, he asks the question: what principles would we select from an impartial standpoint to ground a just societal arrangement (Kukathas & Pettit 1990, 36)? For Rawls, the principles of justice chosen provide the basis for the unity of society and the allegiance of its citizens (Rawls 1982, 160). People, according to Rawls, are presumed to possess two highest-order moral powers (TJ, 491 & Rawls 1982, 165). The first is a capacity for justice, which allows them to accept that an affirmed conception of justice places constraints on their actions. The second is a capacity to rationally pursue a conception of the good. Exercising the two moral powers are for Rawls, interests of the highest-order for people (Rawls 1982, 165). The ability of people to recognize that justice places a limit on their pursuits means that the principles of justice can stand independent of and prior to individual notions of goodness that citizens hold (Rawls 1982, 160). On the Rawlsian account

therefore, an important limit on the kinds of conceptions of the good permissible are that they do not violate principles of justice that govern society.

The next constraint on the domain of neutrality is **(4)**, which restricts neutrality only to rational conceptions of the good. For a state committed to neutrality based on equal respect for persons, rational conceptions of the good are of the utmost value. According to Miller (1989, 96) for neutrality to be grounded in equal respect for persons, it must be possible to see how someone could reasonably adopt a particular conception. Furthermore, these conceptions should not be contradictory, or explicitly involve the rejection of other conceptions. Rawls attempts to capture the special nature of rational conceptions by considering them a "maximal class of conceptions". They are superior to all non-rational conceptions of the good, but are neither inferior nor superior to others within the same class – they are taken to be either equivalent or incommensurable (TJ, 359).[15] The Rawlsian account can therefore be said to be pluralist regarding the choice between rational conceptions of the good at the very least.

According to Wall (2010, 235), value pluralism is committed to the claim, amongst others, that the choice between some conflicting goods is not entirely rationally determined.[16] For example, choosing between a set of incommensurables might come down to reasons such as one's dispositions, inclinations or the exercise of one's practical wisdom. Doing so involves not only articulating the importance of

[15] C.f. Chang (1997) for more thorough discussions of incommensurability.

[16] In contrast, Regan (1997) argues that any sufficiently well defined items can be compared solely across the final value of "good".

the goods in question, but also about the sense and shape of one's life plans, and how the goods fit within that context (Raz 1997, 112 & Taylor 1997, 183). Alternatively, a choice between incommensurable goods might come down to strongly held beliefs that might be derived communally or individually. I do not intend to commit to an account of agency with respect to the choice between incommensurables, but merely seek to propose that the basis for choice between incommensurable options, such as differing but equally rational conceptions of the good, is tied to an important exercise of one's autonomy.

Rawls claims that for every rational conception of the good, its "real and apparent good coincide" (TJ, 358). This however, needs to be unpacked because of the equivocal nature of the term good. According to Korsgaard (2012, 4-5), the term "good" can be understood in two ways. The first is an evaluative sense, in which an entity's goodness is determined by the possession of properties necessary to serve its function. Good can also be understood in a final sense, referring to a final end that is desirable for its own sake. What I take Rawls to mean when saying that the real and apparent good coincide is that the evaluative (apparent) and final (real) good are relative to someone's rational conception of the good - they are *goodness for* that person.

According to Wall (2010, 233), perfectionism and neutrality are consistent so long as neutrality is restricted to ideals that are equal or incommensurable in value. Therefore, restricting the scope of neutrality solely to the maximal class of rational conceptions provides a way of sidestepping the perfectionist critique of neu-

trality. By considering only rational conceptions in neutrality allows for forms of perfectionism where the state might seek to encourage citizens to pursue rational conceptions over non-rational ones. However, when the state chooses to promote one rival rational conception of the good over another, its decision to do so rests on a degree of arbitrariness, as rational conceptions are equal or incommensurable. This can be considered unfair, as the state arbitrarily discriminates for or against some members of society in such cases.

Point **(5)** places a final limit on the domain of the requirement, which is that the state cannot feasibly accommodate every conceivable conception of the good, but should at most extend to those actually held by members of society. There are infinitely many conceivable rational conceptions of the good, and creating policy to accommodate every possible conception would be highly unfeasible. Neutrality concerns balancing claims on social resources between competing conceptions of the good, and the state can only do this between conceptions of the good that are relevant to its polity. I agree with Miller (1989, 96) that this is an important point if neutrality is to be practicable

2.3. The Limited Neutrality Requirement and Planned Obsolescence

The limited neutrality requirement provides a framework for the state to assess competing claims between a restricted set of conceptions of the good. To demon-

strate that the planned obsolescence of technological goods presents a problem relevant to the requirement, two conditions must be met. Firstly, the relevant conceptions of the good meet the criterion of the requirement - those that are permissible, rational and actually held. Second, we must know what the competing claims between these conceptions are.

I will contrast two relevant conceptions of the good life. I will first describe conceptions of the good life that planned obsolescence advantages. I refer to these as commodity-based conceptions of the good. Following that, I highlight some ways of life that do not value the consumption that planned obsolescence encourages. I refer to these as less-commodity based conceptions.

Returning to points made in Section 1, planned obsolescence contributes to economic growth and technological progress. Economic growth has the capacity to increase the standard of living through job creation, expanded consumer choice and political stability. This is valued on the one hand by a societal conception of the good that views the benefits that emerge from economic growth and technological progress as indicative of the good for society. According to Frank (1997, 1843), although people adjust their levels of satisfaction quickly to a given standard of living, satisfaction is gained from an ongoing increase in the standard of living. The faster the economy grows, the more satisfied people seem to be.

There is also a related consumer conception of the good that values the expansion of consumer choice. This appeals not only to self-proclaimed “technophiles” interested in technological development or ”neophiliacs” (Campbell 1992, 54-55)

who chase the newest gadgets, but also to the average consumer who merely enjoys expanded consumer choice. The development of new technological goods is exciting and indicative of technological and social progress for many people.

It is important to distinguish between the practice of planned obsolescence and the outcomes it fosters. The practice itself is not necessary to holding commodity-based conceptions. Instead, planned obsolescence presents a method of maximizing the production of goods valued by these conceptions. People might reasonably see it as a valuable practice or at the very least, a necessary evil to catalyze innovation. If one believes that technological progress is defined by the creation of new technological goods, obsolescence not only represents the loss of existing goods, but also the creation of new technologies. There are rational justifications as to why many people hold commodity-based conceptions of the good.

I will now consider less-commodity based conceptions of the good. I will use two examples: slow consumption and downshifting, and will provide some reasons why people would hold these conceptions to show that they are rational alternatives.

A first less-commodity based conception of the good is slow consumption. Slow consumption is a movement that values slowing the rate of consumption by enhancing product durability and providing careful maintenance (Cooper 2005, 55). Examples of initiatives that stem from slow consumption include Slow Food, a social movement with a global following that formed out of criticism of fast-food culture (Cooper T 2005, 55), as well the Eternally Yours Foundation, a collec-

tive of designers, philosophers and thinkers that seek to improve the way objects impact the environment (Boradkar 2010, 208 & Verbeek 2005, 219).

Slow consumption may be done for reasons of environmental sustainability, the perceived virtue of "slow-ness", or a preference for a slower pace of life (Cooper 2005, 53-4). There are intuitively rational justifications for why one would choose to be a slow consumer.

A second example of a less-commodity based conception of the good is downshifting. Downshifters seek more meaningful lives by decreasing the amount of time devoted to work, leaving more time for other pursuits (Levy 2005, 176). People choose to downshift for several reasons: increased leisure time, desire for a better work-life balance, time with loved ones, or personal development (Schor 1999, Ch 5, Juniu 2000 & Nelson, Rademacher & Paek 2007). Pursuing downshifting involves a lifestyle change that features significantly shorter working hours, but comes at the cost of having reduced income and spending power (Schor 1999, 114).

To demonstrate that downshifting is rational, I propose some trade-offs that society has to make in exchange for economic growth and by implication, technological progress. Firstly, economic growth, generally measured in Gross National Product (GNP), is a measure of total economic output. This is generally indicative of a rise in the absolute standard of living but does not guarantee that there will be increases in relative standard of living. Furthermore, a rising absolute standard of living is accompanied by a rising cost of living (Schor 1999,

100). Increased working hours mean that keeping up with consumption comes at the expense of other goods that might feature heavily in one's conception of the good, such as leisure time, and may bring increased levels of stress (Nelson, Rademacher & Paek 2007, 141). Additionally, while some achieve financial success through innovation, others will be made redundant (Freeman 2000, 162). One might not particularly enjoy increased levels of job insecurity that come with increased technological progress or desire sacrificing free time to learn job skills that may be rendered obsolete in future. Downshifters may perceive keeping up with work-and-spend culture as a Sisyphean task[17], and choose to opt out of the rat race to pursue lives they find more meaningful, which seems to be a rational justification.

So far, I have made a case for commodity and less-commodity based conceptions of the good that are both actually held by citizens and supported by rational justifications. I will next give permissibility a brief treatment. It is not immediately clear how the pursuit of the either commodity-based or less-commodity based conceptions of the good breach of principles of justice, unless we conceive of them in extreme forms that explicitly involve precluding others from pursuing their own conceptions of the good. If the conceptions were incompatible with justice, it would not be an issue for neutrality. As such, we need only deal with softer, everyday versions of the relevant conceptions that are intuitively compatible with principles of justice.

[17]Levy (2005) questions whether opting out of work is the best way to find a meaningful life, as opposed to finding work that is meaningful.

Having now established the relevant conceptions of the good, I will describe the competing claims at stake in planned obsolescence. Given that the conceptions proposed are rational, their holders will require social primary goods to pursue them. In the Rawlsian framework, social primary goods refer to goods that are normally needed to pursue rational plans of life (TJ, 230). These include:

> (i) Basic rights and liberties.
>
> (ii) Freedom of movement and free choice of occupation, which allow the pursuit and revision of a variety of ends.
>
> (iii) Offices and positions of authority and responsibility.
>
> (iv) Forms of income & wealth necessary to achieve a wide range of ends.
>
> (v) Social bases of self-respect, understood as those aspects of basic institutions necessary for citizens to have a lively sense of worth as persons and advance their ends with self-confidence.

The possession of technology is linked to a cluster of social primary goods. This provides the context for understanding why technological goods are consumed. I will highlight two absolute benefits, productivity benefits and the access technology provides. Aside from these, the possession of technological goods is also of relative benefit, which makes them latently positional goods.

The first benefit associated with technology is the potential for increased productivity. In many cases, technological progress provides society with more efficient

modes of production. In general, productivity refers to the conversion of inputs (such as time, labor or resources) into a set of outputs (such as goods or services). Technology increases productivity by reducing the inputs required to achieve a given output. The productive capability generated by technology provides people with the ability to generate income and wealth necessary to pursue their ends. This fits with good (iv). This increase in productivity might also be seen as a way of making work more efficient, giving people time to dedicate to other pursuits.

A second benefit provided by technology is that it provides access to a technological world. In modern society, technological literacy is necessary for many forms of social participation. These include communication, and skills necessary for employment in many industries. This aligns with good (ii) as it concerns the kinds of occupation feasibly pursuable. This aspect of technological goods can also be seen as means to some social bases of self-respect, which aligns with good (v). In a society that is increasingly technological, some forms of meaningful participation involve the use of technology

Aside from the "absolute" advantages that one can gain from possessing technological goods, the pursuit of technology can be of positional advantage. Technological goods can be thought of as incidentally positional goods - goods that are desired for their intrinsic qualities, but whose value is negatively affected with frequency of use (Hirsch 1976, 21-22 & Brighouse & Swift 2006, 478-9). A characteristic of positional goods is that their ownership is mutually offsetting. Once another possesses the same good, its positional value is diminished. It is in the na-

ture of these goods that they cannot be made available to all members of society, as the total supply of positional goods will necessarily fail to meet total demand (Claassen 2008, 1022 & Hirsch 1976, 20).

It has been suggested that positional consumption occurs due to status envy (Hirsch 1976, Schor 1999), to demonstrate equality with one's peers through consumption (Lichtenberg 1996), or to gain a competitive advantage (Frank 1997, 1999 & 2008). Despite disagreement about the psychological roots of positional consumption, it is generally agreed that it takes place against a frame of reference which people compare their levels of consumption. This is the idea of "keeping up with the Joneses". A way of interpreting the positional aspect of technological goods within the primary goods framework is to consider the relative advantage derived from their possession as means to certain social bases of self-respect (Kosch & Pogge 2007, 116-117), as well as means to other important primary goods, such as certain "offices" or choice of occupation that require the possession of technological goods for positional advantage.

By reducing product durability, planned obsolescence increases the rate of replacement. This increases the rate at which people must consume technological goods to access the associated social primary goods. On a larger scale, planned obsolescence also increases the rate of technological change through perceived progress. Once again, this increases the rate at which people must replace existing technological goods. The competing claims between the relevant conceptions of the good therefore concern the rate at which one must consume technological

goods to access the associated benefits.

2.4. The Effects of Planned Obsolescence on Neutrality

Having now established that there are relevant conceptions of the good that do not value planned obsolescence, I will now show how the planned obsolescence of technological goods makes it difficult to maintain these conceptions. I argue that planned obsolescence makes it difficult for these members of society by exacerbating problems at the level of firms and consumers.

I will first show how planned obsolescence feeds into a collective action problem for firms, beginning with some general comments about the adversarial nature of markets. Heath (2014, 6) and Norman (2015, 41) describe markets as institutions that are deliberately adversarial. They are designed such that society reaps the benefits derived from firms competitively pursuing individual ends. A feature of adversarial competition is that advantages competitors gain from a strategy creates disadvantages for everyone else, incentivizing them to follow suit. Consider the example of performance enhancing drugs. When one athlete brings steroids into the sporting arena, it is difficult for the others to resist doing the same. To act otherwise might mean losing the competition (Heath 2014, 112). Similarly, planned obsolescence, as a profit-maximizing strategy, allows firms to maximize their competitive advantage. In contemporary markets, market performance is positively correlated with the intensity of a firm's rate of product change (Hua

& Wemmerlöv 2006). Firms wanting to stay competitive are therefore likely to adopt planned obsolescence as strategy for getting ahead in the market if it is unregulated.

The economic literature typically posits planned obsolescence as a rational strategy for firms in competition (Grout & Park 2005), and also in monopolistic and oligopolistic markets (Bulow 1982, Waldman 1993 & 1996).[18] The first explanation that economic theory gives as to why firms practice planned obsolescence is the saturation of the market that occurs when a new model of a product is released. The new product reduces demand for the older model, and lowers its cost. Simultaneously, the presence of the older model on the market affects the firm's return on the newer model. As such, economic analysis recommends that companies stop the production of the older model, which is a process known as cannibalization (Boradkar 2010, 200). It is costly for firms to continue to produce the older model and associated products that promote its continued use, and this simultaneously affects the profits that get from purchases of the newest model.

The second reason why planned obsolescence is advantageous for firms is the existence of an information asymmetry between the firm and consumers. Information does not always flow freely in a market. It takes considerable effort to obtain complete information about the range and quality of goods. Furthermore, buyers and sellers have an incentive to withhold information, as doing so increases their market power (Satz 2010, 28). According to Maycroft (2009, 17), manufacturers

[18] An important note is that markets where planned obsolescence is practiced are not perfectly competitive.

devote significant resources to finding out when objects are likely to fail, and to assessing the probable lifespans of objects. The average consumer might not have access to such information. In the case of planned obsolescence, firms have an incentive to withhold information regarding product durability, the cost of repair, and when replacement models are released.

When firms on the market practice planned obsolescence, for a firm to unilaterally opt out of doing so puts it at a disadvantage. What results is a situation that the market cannot self-correct for. The competition between American automobile heavyweights Ford and General Motors (GM) in the 1920s is a historical example of this (Slade 2006 Ch 2). In the 1920s, GM introduced annual model changes as a business model, which incentivized customers to purchase new cars annually through the introduction of stylistic changes. Prior to this, Ford had achieved success through the hardy Model T, which was built on Henry Ford's vision of a utilitarian product that would last a lifetime (Slade 2006, 32). The introduction of the annual stylistic change proved to be hugely successful for GM, which came at Ford's expense. To keep up with GM, Ford eventually moved to a similar change-oriented business model in the late 1920s, beginning with the introduction replacement-driven models such as the Model A (Slade 2006, 45).

In addition to illustrating the adversarial nature of market competition, the Ford and GM case also demonstrates a distorting effect that planned obsolescence has on production. That technological goods are replaced frequently is considered a relatively trivial matter-of-fact in the modern day, particularly in the automobile

industry where variations on the annual model change are still practiced. However, at the time of its introduction, the annual model change was a revolutionary business strategy. The effect that the Ford and GM case demonstrates is that planned obsolescence skews production towards the creation of goods that suit increased replacement, restricting the alternatives that people with less-commodity based conceptions of the good have to choose from.

The shift in the American automobile industry from the Ford and GM case can be thought of as a kind of misdirection of production. In *The Acquisitive Society*, Tawney argued that the disproportionate exercise of economic power by wealthy classes meant that resources which could be dedicated to the creation of goods that might be more beneficial to society as a whole were instead used in the production of luxuries that could only be enjoyed only by some (Tawney 1982, 38-39). This was a phenomenon he termed the misdirection of production.

The claim I am making concerns the range of goods produced. The market is "misdirected" in that pressure to keep up with business models that promote increased consumption incentivizes firms to create goods with frequent replacement in mind. In relation to the definition of technological goods, planned obsolescence forces firms to organize their techniques and knowledge towards the creation of products more compatible with commodity-based conceptions of the good. The distinction between Tawney's account and this misdirection is that people might be able to enjoy what is produced, so long as they change their conception of the good. Economic growth encouraged by planned obsolescence may provide con-

sumers with a greater variety of technological goods, but not necessarily the kinds that would be enjoyed in less-commodity based conceptions of the good.

The planned obsolescence of technological goods also feeds into a set of challenges for consumers, which make it harder to maintain less-commodity based conceptions of the good. The first are costs tied to missing out on the benefits provided by technology. The second is a consumer collective action problem particular to the positional aspect of technological goods.

A first problem for consumers is that one might miss out on the chance to participate in valuable activities that come with technological progress. Consider the example of students requiring personal tablet computers for some mandatory school activities. Given the link between technology and productivity, parents can in general, improve their child's chances at doing better in school, or at least improve on some aspect of their child's educational experience if they are willing to spend more on the latest tablet computer. The access benefit of technology allows them to participate meaningfully in these activities so long as one's technology is compatible. One form of planned obsolescence in technology involves restricting the forward compatibility of old models. There will be cases where an average family is faced with the prospect of either spending within their means and forgoing the latest iteration of the tablet computer, or going out of their price range to provide their child with the means of participating in these valuable activities. One might miss out on valuable aspects of social life when in possession of obsolete technology, which incentivizes people to purchase the latest technological goods

to participate meaningfully in some activities. Where planned obsolescence is concerned, the rate at which one must purchase new technological goods to keep up is increased, making it more difficult to maintain conceptions of the good that value austerity.

Planned obsolescence also can also serve to exacerbate positional competition around the acquisition of technological goods. Consider a more extreme example of the previous case, in which the tablet computers are required for a graded activity necessary for admission into the top class. Here the value of possessing the computer is assessed vis-à-vis others. Assuming that every parent wants their child to do the best that they can at school, they are incentivized to purchase the latest computer for their child. The problem is that every parent is faced with the same situation, but not every student can get into the top class. To give their child the best chance, parents seek to buy the most advanced tablet computer.

What results is a consumer collective action problem, in which parents purchase the positional good to avoid their children being overtaken by their peers. On an individual level, it seems rational for one to buy positional goods out of defensive concerns. This creates positional externalities, which manifest as pressure on parents who do not necessarily value a consumption-focused conception but still want their children to perform academically. These externalities are consequences that not only affect those that consume positional goods, but also those who do not, which makes opting out of positional competition difficult (Frank 2008). There are pressing material concerns for the slow consumers and down-

shifters involved in positional competition that make it difficult to maintain their conceptions of the good (Schor 1999, 100). In such cases, relative deprivation in terms of commodities can lead to absolute deprivation in terms of opportunity (Sen 1983, 153). To avoid the consequences that come with failing to keep up with positional competition, one must be able to consume on par with one's peers.

Planned obsolescence increases the rate at which technological goods must be replaced. In doing so, it increases the iterations of positional competition over these goods. For the slow consumer or the downshifter, this results in increased pressure to forgo valuable goods such as leisure or time with family for longer working hours to afford to purchase the latest technologies.

2.5. Challenges to the Argument from Neutrality

In this section, I will describe some challenges to the argument from neutrality. The first challenge is whether the planned obsolescence of technological goods poses a genuine concern for state neutrality. Addressing this requires further elaboration on neutrality in relation to markets.

Some libertarians claim that the market functions as a neutral device for two reasons (Miller 1989, 74). Firstly, it is neutral as a means of providing goods as it circumvents judgments about the intrinsic value of the goods exchanged. Second, it is neutral with respect to the relationships that people establish in exchanges – free markets do not discriminate between those who can partake in exchanges.

One defense of planned obsolescence along these lines states that firms engage in the practice merely in response to people's desires for prices, styles and features (Evans & Berman 2004, 212). Without high levels of product turnover, people would be disenchanted by the lack of consumer choice. Competition requires firms to offer the best products possible, and this involves catering to the desire for rapid product change. According to this account, planned obsolescence results from a neutral institutional procedure where firms respond to consumer demand for new goods. Such a position would hold that the difficulty for some to pursue less-commodity based conceptions of the good is merely a natural outcome of market forces.

However, this neglects aspects of the market that are suggestive rather than responsive. Economic systems are not merely institutional devices for the satisfaction of society's current wants and needs, but play a role in shaping the kinds of wants that people have (TJ, 229 & Galbraith 1976, 218). They are not entirely neutral, given that the underlying regulations that shape markets will affect the kinds of conceptions that can feasibly be pursued by citizens. According to Miller (1989, 93), markets are likely to discriminate against conceptions of the good that are not commodity-based. People who wish to pursue non-commodity based ends along with commodities are likely to have sacrifice the former to enjoy the latter. These people will be handicapped in their pursuit of the good life because of the institutional framework within which they pursue their conceptions (Miller 1989, 94). The effect of planned obsolescence on the misdirection of production is illustrative of a feedback structure in the market. The need to keep up with com-

petitors who practice planned obsolescence results in the market producing less-durable goods, leaving consumers to choose between goods that may not accord with less-commodity based conceptions. Furthermore, corporate R&D is generally targeted towards the wealthy that have a larger market share (Woodhouse & Sarewitz 2007, 140 & Woodhouse 2009, 413). The creation of new goods works to favor commodity-based conceptions of the good over less-commodity based conceptions, whose holders tend to have less spending power.

As an institution, the market is structured to produce outcomes that are favorable to maintaining commodity-based conceptions of the good. Planned obsolescence exacerbates the way in which the market structurally discriminates in favor of these conceptions. For the state to treat commodity and less-commodity based conceptions of the good neutrally will require it to play an active role in ensuring that both conceptions are equally accommodated. According to Miller (1989, 96) enhancing the prospects of those who hold less-commodity based conceptions of the good in the market will involve impinging slightly on the prospects those who hold commodity-based conceptions. The balancing of such claims is inherent to the practice of neutrality. Although it would be implausible to suggest that regulating planned obsolescence will prevent people who hold commodity-based conceptions of the good from pursuing their conceptions, it is likely to affect their ability to maximize it.

Refusing to act on planned obsolescence would mean that the state allows its institutions to favor the maximization of commodity-based conceptions of the good at

the expense of less-commodity based conceptions. It therefore fails to be equally accommodating between these conceptions, which constitutes a breach of the limited neutrality requirement.

The argument from neutrality might also leave some unconvinced because the limited neutrality requirement only provides a pro-tanto reason for neutrality. If the state has to weigh neutrality against other values in policy-making, could the neutrality breach from planned obsolescence be justified? For example, if maintaining economic growth is so crucial to the functioning of modern society, some might see that as a reason that trumps the argument from neutrality.

I concede that there are cases where it is necessary to stimulate the economy through increased consumption. The pro-tanto nature of the requirement proposed allows for cases where restricting some conceptions of the good is needed to establish conditions necessary for justice. For instance, the need to secure basic living standards for citizens through stimulating consumption might be an acceptable breach of the neutrality requirement. The neutrality argument therefore, has different implications for states at varying points of economic growth. In cases where growth through increased consumption is necessary, other considerations such as the environmental argument or considerations of justice might have to come to guide policy instead. However, in cases where this is not so, the neutrality requirement takes effect.

The onus of proof falls on the argument's detractors to show that curbing planned obsolescence affects economic growth to such an extent that undermines political

stability. If there is reason to believe that economic growth will not be affected significantly by curbing the negative effects on neutrality posed by the planned obsolescence of technological goods[19], then the state ought to prioritize acting on the neutrality requirement, given the risk of potential harms to the well-being and self-respect of citizens. A further point against this objection is to question the kind of political stability aimed at through permitting planned obsolescence. Insofar as planned obsolescence intensifies positional consumption of technological goods, it feeds into a form of social conflict by intensifying the struggle for social goods. According to Hirsch (Hirsch 1976, 185), positional competition results in the displacement of "Smithian harmony with Hobbesian strife". If planned obsolescence serves to exacerbate conflict akin to that of a Hobbesian state of nature in the market, we might question whether it does really promote political stability of the sort worth pursuing.

If the argument from neutrality holds, then policy that fails to account for rapid innovation through planned obsolescence without compensating policies for people who hold less-commodity based conceptions constitutes a breach of the neutrality requirement. If we find the plurality of conceptions of the good valuable, the challenge that remains for policy is to find ways to compensate for biases in the market.

[19]Cooper (2010), Schor (1997) and Frank (1999) believe that decreasing consumption may not have adverse consequences in the long term. This is due to increased savings and labor applied to services rather than production.

3. Suggestions For Policy

This section will provide general directions for policy-making that follow from the argument from neutrality.[20] A first way of dealing with planned obsolescence is to restrict the practice. This is one approach adopted by the French government. According to article L213-4-1 of the French consumer code (*Code de la Consommation*), planned obsolescence is punishable with a two-year prison sentence and a large fine proportionate to the benefit gained. This law targets instances of planned obsolescence as a fraudulent practice, but may fail to pick up on borderline cases where planned obsolescence does not clearly constitute fraudulent behavior. A second way that policy might intervene is by making it feasible for firms and consumers to opt out of the relevant collective action problem. I will focus more on policies of this sort, and will use the general strategies of privatization, generic entanglement and evenhandedness suggested by Patten (2012, 259-260) as a framework to consider some suggestions in line with neutrality of treatment.

I will first consider privatization policies. Such policies involve the creation of rules and mechanisms that do not favor any particular conception of the good (Patten 2012, 259). One policy is to improve the flow of information within the market by requiring that manufacturers provide consumers with more information

[20]Though I do not have the space to address this, a consideration to bear in mind is the paradox of conservative justice. This states that reforming imperfect institutions and policies is likely to be disadvantageous for citizens whose prior commitments and life plans were made in line with the previous rules. C.f. Feinberg (1973) & Hamilton (2015).

about their purchases (Cooper 2010, 226-228).

A specific example of such a policy is an amendment to the French environmental code adopted in July 2015 aimed at "fighting against planned obsolescence of manufactured products through consumer information" (Art. 541-1, *Code de l'environnement*). These laws require manufacturers to provide information regarding estimated life spans of products and how long spare parts are available (The Guardian 2015). The policy aims at resolving the problem by the reducing the information asymmetry between firms and consumers. Requiring firms to provide information regarding both the lifespans of products and the availability of spare parts holds them accountable in both the design and aftermarket phases of product development. By making consumers aware of the lifespans of their products, it is hoped they will be able to make informed choices regarding their purchases.

Changes to the market through such legislation should in theory, be able to reduce not only the supply of less durable goods, but also reduce consumer demand for them by increasing the ability to make informed choices. However, people might knowingly continue to purchase planned obsolescence goods even in light of more information. The efficacy of such an approach to resolve planned obsolescence is thus contingent on an accompanying change in consumer preferences.

An additional challenge for the privatization approach is that to survive in the market, firms will comply with the law but not necessarily with the spirit in which the laws are made (Norman 2015, 44). In striving to get by, firms might skirt as

closely as possible along the boundaries of acceptability. This might undermine the effectiveness of strategies that rely on the market to resolve the competing claims between commodity and less-commodity based conceptions.

A second general strategy for policy is generic entanglement. Generic entanglement involves the state providing goods desired by all conceptions of the good (Patten 2012, 260). In the case of the technological goods, this means ensuring that access to the relevant primary goods is not hampered by the distribution of technologies on the market.

One general entanglement policy would be for the state to provide important technologies for public use. One way of doing this is to provide the latest technology for public use in local libraries and providing classes for people to learn how to use these technologies. An example of this is the provision of 3D printers, advanced music gear and graphic design software for free use in libraries in the city of Melbourne.[21] This approach would help to ameliorate some of the objective costs incurred when one fails to keep up with the latest iterations of technological goods. A further consideration for the state might be that planned obsolescence makes it more costly for the state to pursue the goals of providing public access to the latest technologies. Therefore, this may provide a case for the state to regulate planned obsolescence on perfectionist grounds.

Another policy might be to reduce the positional aspect of important technological

[21] http://www.melbourne.vic.gov.au/community/libraries/create-play/pages/creative-facilities.aspx

goods at critical stages of life. Returning to the competitive example of the tablet computer posed in the previous section, the state might seek to ensure that the positional aspects of important technologies play less of a role in determining access to important goods such as education. This might be done through standardizing the kinds of technology to be used in important examinations or schools in general. Such an approach would help to offset any unfairness incurred by members of society who fail to keep up with purchasing the latest technology.

The third type of strategy the state could pursue is evenhandedness. This involves actively providing for or uniquely accommodating less-commodity based conceptions of the good, such that these conceptions are given an equal chance of success.

A first way of providing unique help to slow consumers or downshifters is for the state to set increase product design and manufacturing standards for such that where relevant, firms be required to manufacture products that can be repaired or mandate that firms provide adequate levels of aftermarket repair services to consumers. Alternatively, the state might require firms to provide mandatory warranties over a longer period. However, an unintended consequence of such an approach is that it may increase the cost of technological goods.

A second way of providing unique help to slow consumers or downshifters is for the state play a role in the R&D of public goods.[22] A relevant way of doing this is to encourage the use of open-source technology. The state can play a role

[22]c.f. Woodhouse and Sarewitz (2007, 144).

in the development of open-source technology by setting appropriate intellectual property (IP) laws to protect people from exploiting open source technology.[23] Furthermore, it can also play a direct role in purchasing and developing open-source technology. Open-source technology allows the layperson to contribute freely in the development of technology. In such cases, technological progress is not necessarily tied to increased consumption. Furthermore, by making people actively engaged in the improvement of their technologies, such an approach makes it possible for people with less-commodity based conceptions of the good to enjoy technological progress without necessarily having to consume more technological goods.

This section has attempted to foreshadow some directions for policy interested in ameliorating planned obsolescence in light of the argument from neutrality. Actual policy might involve a combination of the suggested ideas or implementing other ideas relevant to the local context.

[23] c.f. Chon (2007) for a discussion of how IP laws can be used to protect the interests of less-advantaged groups.

Conclusion

This paper has argued that the planned obsolescence of technological goods should be a matter of concern for the state, because failing to do so compromises commitments to neutrality. This was achieved by appealing to the idea of a limited neutrality requirement on policy. Additionally, some positive suggestions for policy were made in the final section. In response to Verbeek's challenge, one way to deal with the implicit answers technologies give to questions about the good life is to actively ensure that production does not skew towards the creation of technologies that favor only some conceptions of the good. The argument from neutrality provides what is to my knowledge, a new perspective on an issue that has been discussed from other angles, and provides a framework to consider an important issue for a technologically oriented world. In addition to these contributions, I think the paper provides some useful discussion for those interested in a range of philosophical issues, particularly those interested in discussions of liberal neutrality, the relationship between technology and the good life, and market neutrality.

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