

# 'PATERNALISM AND GROUPS' WORKSHOP

PATERNALISM, HEALTH, AND PUBLIC POLICY PROJECT

<https://paternalismhealthpublicpolicy.org/>

**DAY ONE: 16<sup>TH</sup> JUNE**

Location: Big Data Institute, Lower Ground Seminar Room 1

11.30 – 11.50	Tea and Coffee	
11.50 – 12.00	<b>Welcome and Introduction</b>	
12.00 - 13.15	<b>Kalle Grill</b> Umeå University	<i>Justifying Group Paternalism – An Argument from Complexity</i>
13.15 – 14.00	Lunch	
14.00 - 15.15	<b>Stephanie Collins</b> Monash University	<i>Parliamentary Paternalism</i>
15.15 – 15.45	Break	
15.45 - 17.00	<b>Jonathan Quong</b> University of Southern California	<i>Paternalism, Disagreement, and Groups</i>
17.30 - onwards	Dinner and Drinks (all welcome!)	<a href="#">White Hart Pub</a> (12 St Andrew's Road, Headington, Oxford, OX3 9DL)  About a 20 minute walk from the workshop (taxis can be arranged if needed). See attached map.



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## DAY TWO: 17<sup>TH</sup> JUNE

Location: Richard Doll Building, Lecture Theatre

8.45	Tea and Coffee	
9.00 - 10.15	<b>Mark Fabian</b> University of Tasmania	<i>Democratising measurement: or Why thick concepts call for coproduction</i>
10.15 - 10.45	Break	
10.45 – 12.00	<b>Daniel Groll</b> Carleton College	<i>Paternalism and Oppression</i>
12.00 – 12.30	Lunch	
12.30 – 14.30	<b>Roundtable</b> Discussants: <b>Rachel Pechey</b> University of Oxford <b>Pete Scarborough</b> University of Oxford <b>Mark Sheehan</b> University of Oxford	<i>Food Taxes</i>
14.30	End	



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## ABSTRACTS

**Kalle Grill** (Umeå University): *Justifying Group Paternalism – An Argument from Complexity*

I distinguish and compare three normative approaches to liberty-limiting and health-promoting policies by the role they award respect for what people will or want for themselves. The propaternalist approach is to evaluate such policies based on their effects on interests, with no independent regard for people's will. The principled anti-paternalist approach is to reject all unwanted health-promotion. This might either mean rejecting all paternalistic policies, or filtering out all paternalistic reasons for policies. The moderate liberal approach is to attribute independent but defeasible moral importance to people's will. This means that interests and wills are weighed or balanced against each other in moral evaluation or deliberation.

I propose that the propaternalist approach is, for most liberals, insufficiently respectful of what people currently want for themselves. I propose that the principled anti-paternalist approach is either both arbitrary and insufficiently liberal, or else too complex to be useful in many real cases of public health policy, such as to evaluate vaccine mandates during a pandemic. The moderate liberal approach, meanwhile, is both respectful and applicable.

**Stephanie Collins** (Monash University): *Parliamentary Paternalism*

Much legislation seems to be paternalistic. Yet when we look inside a legislature, it's hard to know where to locate the beneficent motive (or reason, justification, or intention) that is essential to paternalising. After all, legislators have wildly divergent motives. This paper begins by posing problems for 'common intent' and 'aggregative' approaches to determining the motives of the legislature. It then proposes a new account, the 'rational unity' account. On this account, the motives of a legislature are determined by the legislature's procedures and structures. I apply this account to the Australian parliament and explain how the Australian parliament paternalised in recent excise tax legislation.

**Jonathan Quong** (University of Southern California): *Paternalism, Disagreement, and Groups*

Some claim that paternalism necessarily involves attempting to benefit someone against their expressed or assumed preferences. More strongly, Jonathan Parry has argued



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that is it always presumptively wrong to benefit someone against their competent wishes. This, I argue, is false: there are many cases where we do not wrong someone by benefitting them against their competent wishes. This is true, I suggest, because paternalism's distinctive wrongness involves the paternalizer acting on the basis of a negative judgment about the paternalizee. Benefitting someone against their wishes need not involve this kind of negative judgment. I argue that this alternative construal of paternalism has significant practical implications for acts that involve benefits to groups.

**Mark Fabian** (University of Tasmania): *Democratising measurement: or Why thick concepts call for coproduction*

(By Anna Alexandrova (Cambridge) and Mark Fabian (Cambridge then but now University of Tasmania))

Thick concepts, namely those concepts that describe and evaluate simultaneously, present a challenge to science. Since science does not have a monopoly on value judgments, what is responsible research involving such concepts? Using measurement of wellbeing as an example, we first present the options open to researchers wishing to study phenomena denoted by such concepts. We argue that while it is possible to treat these concepts as technical terms, or to make the relevant value judgment in-house, the responsible thing to do, especially in the context of public policy, is to make this value judgment through a legitimate political process that includes all the stakeholders of this research. We then develop a participatory model of measurement based on the ideal of co-production. To show that this model is feasible and realistic, we illustrate it with a case study of co-production of a concept of thriving conducted by the authors in collaboration with a UK anti-poverty charity Turn2us.

**Daniel Groll** (Carleton College): *Paternalism and Oppression*

Sometimes people genuinely want to help other people. Sometimes those other people don't want to be helped. If the would-be helpers persist then they act paternalistically. Liberals typically think there is something morally suspect about paternalism even when it would be successful, i.e. even when it would make the targets of the intervention better off. They usually offer two reasons for thinking this: paternalism violates the target's autonomy or it is objectionably insulting to the target. The traditional liberal view has faced considerable pushback in recent years from liberal anti-paternalists who have offered arguments that purport to show that paternalism is not in principle objectionable.



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The back-and-forth between liberal paternalists and liberal anti-paternalists usually focuses on what I call *a generic target*, by which I mean anyone – or any group of people – who would benefit from some kind of paternalistic intervention, without regard for the particulars of their situation beyond the fact that they could use some help. We know nothing about the targets except that they are, on the face of it, choosing against their own interests.

The focus on generic agents or groups is, I argue, a mistake when thinking about the moral status of paternalism. *Who* is paternalizing and *who* is the target of paternalism can – indeed often does – matter when it comes to morally assessing a paternalistic intervention. In particular, I aim to show that paternalistic interventions directed at oppressed groups face justificatory burdens that paternalistic interventions directed at generic targets do not. Moreover, I offer an analysis of what it is about the dynamic between a paternalist and an oppressed group that generates these further justificatory burdens.



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