

## WEEK 6: PATERNALISM

### PATERNALISM

- Definitions of Paternalism may differ slightly but what is common to all definitions is the following:
  - o An action is paternalistic **when person A interferes with person B's freedom** and **"forces" person B to do something that Person B does not want to do but is in reality in person B's best interests**
- Common **examples** are:
  - o Forcing a child to take unpleasant tasting medicine that will make the child well again
  - o Forcing a child to attend school when the child would rather stay at home

### WHAT IS WRONG WITH PATERNALISM

- The usual **objections** to paternalistic acts are:
  - o They violate some individual **liberty**
  - o They work against personal **autonomy**
- Restrictions on the sale of alcohol in indigenous communities
  - o Why were these restrictions removed and disallowed?
  - o Why were they re-introduced?

### JOHN STUART MILL

- 19<sup>th</sup> century philosopher
- Author of *Utilitarianism*
- Author of *On Liberty*
- Classic outline of the issues raised by paternalism

### LIBERTY AND INTERFERENCE

- In the opening chapter of his essay *On Liberty*, John Stuart Mill cites his fundamental purpose in writing the essay
- The object is the **assertion of one simple principle**
- The **principle** is that the only the **only justification** for interfering with the liberty of another individual is the **prevention of harm to others**

### LIBERTY AND PATERNALISM

- Mill does not use the word paternalism however he discusses the concept at length
- **Mill argues against paternalistic interference with the liberty of another individual**
- He argues that the **other person's good does not justify our interference**

### CLARIFICATION

- Mill's discussion is a discussion focussed upon **sane, adult** individuals of **normal intelligence**
- Mill (like most of us) believes that **paternalism is frequently appropriate in the case of**
  - o Children

- The insane
- The intellectually impaired
- Mill *On Liberty* p.152

#### WHEN IS INTERFERENCE JUSTIFIED/NOT JUSTIFIED?

- Mill argues that we are **only justified in interfering** with the actions of another sane adult individual if that **individual's actions will cause harm to others**
- According to Mill we are **not justified in interfering with a sane adult** individual when doing so is in that person's own best interests
- The most Mill will allow us to do is **explain to the individual why he should act in this way**
- **Why?**
  - Mill has at least two reasons
  - The first is that **liberty** (or freedom) is such an **important** good that we can **only curtail it when we have very good reason**
  - **Harm to others** constitutes such a reason
    - So, the state is entitled to interfere with my liberty to kill others or cause them serious injury
  - Mill's position on this is spelt out in detail in Chapter 4 of *On Liberty*

#### MILL'S SECOND ARGUMENT AGAINST PATERNALISM

- Mill argues **against paternalism** on the ground that each (normal adult) individual is best able to **judge for himself** what is in his own best interests
- **"He is the person most interested in his wellbeing:** ... with respect to his own feelings and circumstances, the most ordinary man or woman has means of knowledge immeasurably surpassing those that can be possessed by anyone else.."(p.133)
- **Cf Adam Smith's Invisible Hand Argument**
  - Note there is a tension between *On Liberty* and Utilitarianism

#### PATERNALISM AND CORPORATE SOCIAL RESPONSIBILITY

- Do our views on **Paternalism determine** our position on **Corporate Social responsibility**?
- How do our **views on Corporate Social Responsibility** impact upon our **attitude to paternalistic interference**?

#### SHAREHOLDER VIEW

- The Shareholder (narrow) view of corporate social responsibility (Friedman's view) argues that the sole responsibility of business is to **increase its profits**
- The **ethical justification** for this view is provided by **Smith's Invisible Hand Argument**
  - In brief this is the argument that **society will be better off** if individuals are **left to pursue their own self-interest**
- This argument is **overtly anti-paternalistic**