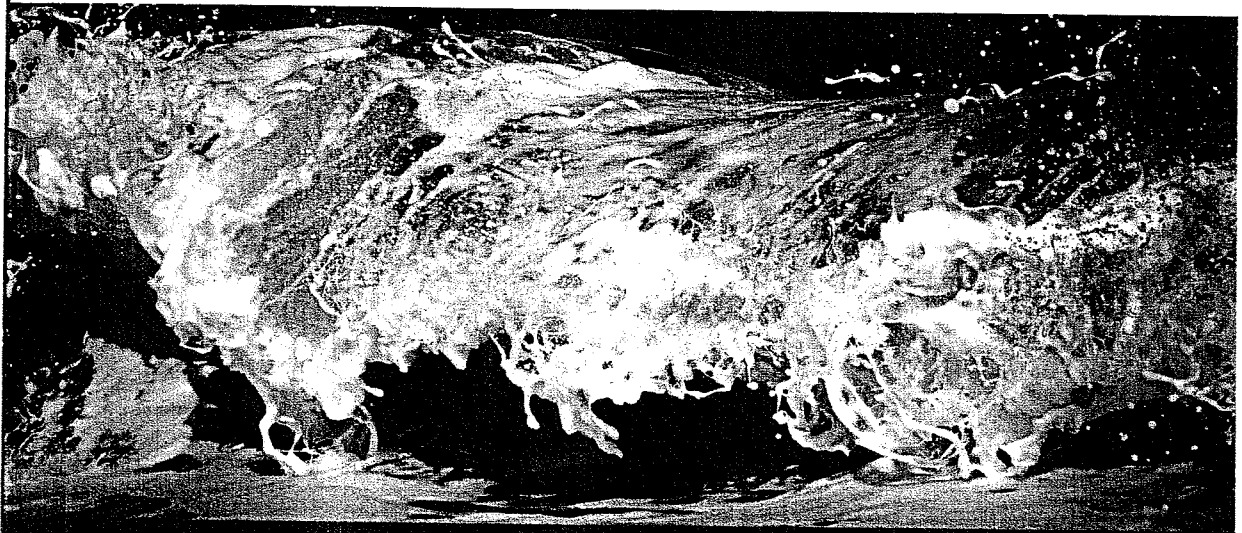
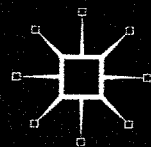


new waves
in philosophy



new waves in
ethics

edited by
thom brooks



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Knowing Their Own Good: Preferences and Liberty in Global Ethics

Lisa Fuller

If a person possesses any tolerable amount of common sense and experience, his own mode of laying out his existence is the best, not because it is the best in itself, but because it is his own mode.

—John Stuart Mill

Citizens of liberal, affluent societies are regularly encouraged to support various reforms meant to improve conditions for badly-off people in the developing world. Non-governmental and intergovernmental organizations, volunteer consciousness-raising campaigns, and even for-profit companies all solicit our economic and political support for causes such as: banning child labor, implementing universal primary education, closing down sweatshops and brothels, opposing the practice of female seclusion, and ending female genital circumcision. The same citizens are also encouraged to donate to aid programs that provide goods such as food, medicine, clean water, toilets, contraception and small business loans to the global poor.¹

But what if the relevant populations or individuals in the developing world do not support these particular reforms or aid programs? What if they would strongly prefer *other* reforms and programs, or would rank the various benefits that might be offered differently than seems reasonable to the Western, liberal supporters of these campaigns and organizations? Should support for these campaigns and organizations be withdrawn in light of this information? Or, given that these causes seem important to their supporters, are they justified in continuing to provide funding and other assistance to these groups? What is the proper liberal response here?

Consider an example: An enormous amount of time, effort, money and political will is currently used in the service of the twin goals of banning child labor and implementing universal primary schooling. UNICEF, Human Rights Watch, the International Labor Organization, *globalmarch.org* and a host of consumer campaigns all ask for our donations and political support mainly for advocacy and policy development work, but also for some direct assistance to families of child workers. The organization Stop Child Labour (SCL) describes its mission as follows: “SCL is based on the conviction that the Millennium Development Goals can only be achieved if all forms of child labour are eradicated and all children up to the age of 15 are given the opportunity of full-time education... The overall objective is to have every child protected from work and receiving formal, regular and uninterrupted education for at least 8 or 9 years by 2015” (Stop Child Labor, 2010).

The difficulty with these efforts is that there is now considerable social-scientific evidence to suggest that the global poor in some areas do not want child labor eliminated.² In particular, while most people value basic literacy and numeracy, many families are skeptical of the value of full-time, formal education for making either their individual children or their families as a whole better off, either in the short or in the long term (Narayan et al., 2000: 243–244; Murshed, 2001: 176). Many families simply cannot make ends meet without the extra wages. Others have lifestyles that make intensive formal schooling seem both irrelevant and difficult to accommodate – such as nomadic peoples who rely heavily on livestock for survival and wealth creation. Despite these kinds of concerns, efforts continue to be directed toward making it the case both that all children participate in full-time formal schooling for at least eight years of their lives, and that they no longer engage in significant amounts of paid work.

On the surface, it seems reasonable to suppose that, if *any* reforms should be supported by liberals, then it should be these. However, this type of problem case actually highlights a significant tension within liberalism. The tension becomes evident when we notice that, according to one widely accepted conception of liberty, “[p]rotecting or maximizing liberty seems to involve increasing the chances that individuals will be able to choose what they prefer,” but in these types of cases protecting the liberty of oppressed people results in the preservation and reinforcement of existing injustices that liberals find objectionable (Cudd, 2005: 175).

This picture is complicated by the fact that traditionally the liberal emphasis on the preservation of liberty has been grounded in the

conviction that extensive liberty is necessary for people to effectively promote their own well-being. Indeed, John Stuart Mill argues that – beyond the provision of basic necessities – “pursuing our own good in our own way” is the most significant component in human well-being (Mill, 1998: 17). For Mill, “liberty consists in doing what one desires” and so is ethically significant both because it allows people to pursue those activities and courses of action that will improve their lives and because it is of additional value for individuals to live according to choices they have made themselves (Mill, 1998: 107). Another common liberal supposition is that, even though people occasionally make mistakes about what would make their lives go better, they are nonetheless usually reliable judges of their own good. Basically, each individual is thought to be the presumptive authority on what will make her life go best. The difficulty for liberals, then, is what to do when protecting liberty – and the well-being that it is thought to promote – conflicts with the goal of eliminating other social and political injustices.³

While this is not a new problem, it has been the subject of much recent debate among feminist philosophers whose work concerns the oppression of certain groups in developing countries – particularly women and the very poor. Several theorists, such as Susan Okin and Anita Superson, have attempted to resolve this problem by suggesting that many oppressed individuals have “deformed” desires. These desires are sometimes called “adaptive preferences,” since the preferences of oppressed individuals are said to have adapted to (or been formed by) the severe poverty and unjust social conditions in which they live. (Discussion of this problem in the feminist literature does not typically distinguish between “deformed desires” and “adaptive preferences.” Therefore, I also use these terms interchangeably here.) Preferences are said to be “adaptive” when they have arisen in response to circumstances of oppression. They are “formed without one’s control or awareness, by a causal mechanism one did not choose.... They have a typical ‘fox and grapes’ structure, that is, if the grapes are out of the agent’s reach, the agent’s preferences... will turn against the grapes, the agent declaring them sour anyway. If one’s preferences adapt to the circumstances [of injustice and deprivation] in this way, then the preferences of agents under conditions of deprivation will turn away from goods or even needs that, absent these conditions, they would want” (Cudd, 2004: 47). Examples of adaptive preferences provided by Okin and Superson include “the prostitute [who] insists that she really wants to sell her sexual services” (Superson, 2005: 114) and the woman

who thinks that participating in practices of veiling and covering is part of what it means to be a successful woman (Okin, 1994: 19–20). Okin explains that “we are not always enlightened about what is just by asking persons who seem to be suffering injustices what they want. Oppressed people have internalized their oppression so well that they have no sense of what they are justly entitled to as human beings” (Okin, 1994: 19).

One prominent strategy employed by those who invoke adaptive preferences is to argue that at least some preferences of oppressed individuals are in an important sense “not their own.” The general idea is that adaptive preferences are inauthentic in some way and so their fulfillment is unlikely to yield any improvement in well-being for those who have them. Essentially, it is argued that oppressed people have lost their presumptive authority in cases of adaptive preferences, which means that these preferences can be safely disregarded when fulfilling them would conflict with promoting other goals of justice. Finally, it is often argued that the provision of services and efforts for social reform should be organized around another conception of what is good for the oppressed people in question – one that does *not* take their adaptive preferences into account, and that is broadly consistent with other liberal aims.

The primary purpose of this paper is to argue against this strategy. Specifically, I argue that the liberal commitment to liberty requires that we support oppressed people in securing and promoting services and social reforms that badly-off people actually desire and endorse, even when these seem “unreasonable” to us. Further, in my effort to understand the views of those whom I argue against, it has become apparent that there are several competing explanations in the feminist literature for why adaptive preferences are morally objectionable, and so for why they justify disregarding oppressed people’s own assessments of what would make them better off. As a result, a further aim of this paper is to evaluate these distinct proposals in the hope of more fully articulating what the “badness” of adaptive preferences is thought to consist in.

This chapter has three sections. First, I present and assess several possible proposals for the suspect or objectionable nature of adaptive preferences. Next, having established which (if any) of these worries are justified, I return to the question of the appropriate liberal response to problem cases such as the one just introduced. In the final section, I answer two key objections to my view.

10.1 Adaptive preferences: what's the problem?

Proposal #1: Adaptive preferences are morally objectionable because they are formed in a manner outside the control of the agent who has them.

This proposal relies on the intuition that the fulfillment of preferences will only count towards well-being if those preferences are "authentic," that is, if they were autonomously formed. Since adaptive preferences are externally caused by processes of social conditioning that are outside our control or even awareness (such as social pressure, expectations, lack of opportunities), then they are not autonomously formed, and hence, not worthy of respect. On this view we needn't worry that, by disregarding or thwarting adaptive preferences, we are either failing to make their holders better off or actually making them worse off, since these preferences are not properly connected to the agent's real interests. What is suspect about adaptive preferences as indications of well-being is that they are non-autonomously formed. On this view, we can contrast adaptive preferences with "autonomous preferences" that have been subjected to critical reflection and either consciously chosen or consciously endorsed by the agent.

The problem with this view is that everyone has preferences that have been formed by social conditioning and circumstances, and so everyone has preferences that were formed in a manner outside their control. It also seems as if most people have preferences that have not been subjected to critical reflection and endorsement. However, these facts do not seem to be enough to render an agent's preferences "not her own" in the right way.

It is plainly too much to ask that we critically reflect upon every desire in order for that desire to be "our own." We have all sorts of desires and preferences that we never reflect upon, but nevertheless choose to fulfill on a regular basis – such as preferences for certain types of music, or company – and we regard their fulfillment as making us better off. Just because these preferences were formed by processes of socialization outside our control doesn't seem to make them inauthentic. And their fulfillment *does* seem to contribute to our well-being.

As Ann Levey argues, sometimes we form preferences for things or ways of life in response to restricted circumstances that we later come to genuinely value. In her words, "they take on a value that can transcend their origins" (Levey, 2005: 132). Her view is that some of what was instilled by external forces can become, over time, a genuine value

of the agent in whom they were instilled and so "to that extent must be considered along with other more reflectively held values" (Levey, 2005: 131). She gives the example of a woman who has been socialized to recognize full-time parenting as one of the "legitimate" options for a woman. Having chosen to be a full-time parent, she comes to hold the view that "a life spent nurturing is the best life for anyone" (Levey, 2005: 130). Levey argues that, despite the fact that her preference was initially caused by processes of socialization outside her control, "we can't ignore that these choices are ... part of [her] understanding of her own good" (Levey, 2005: 131).

In addition, it is clear that, even when we engage in critical reflection, we are typically only able to replace *some* undesirable preferences with ones we endorse *some of the time*. Some preferences are stubborn and resist our efforts to remove or change them. They are simply part of "who we are." But this merely partial capacity to shape our own preferences does not make us non-autonomous. In addition, the fact that certain preferences are not susceptible to change does not mean that their fulfillment does not make us better off. If this is how I am constructed, and this is what I want, then getting what I want makes me better off, even if I would like to be constructed in another way. For example, even if I would like to be the kind of person who does not prefer to be thinner, as a result of my socialization, I do prefer to be thinner. Therefore, I am better off by my own lights when my preference for thinness is satisfied, rather than frustrated. I will regard my life as going better when I am thinner, even as I wish I was the kind of person who did not so regard it.

So, if oppressed people have some (adaptive) preferences that have not been subjected to critical reflection and/or are immune from change, then this does not mean either (i) that their preferences are inauthentic or (ii) that they are non-autonomous. It also does not mean that fulfilling those (adaptive) preferences will not make them better off. We can assert that the preferences of autonomous people are worthy of respect, while at the same time recognizing that not all the authentic preferences of autonomous agents will be ones they have reflected upon or endorsed.⁴

Finally, Martha Nussbaum points out that the fact that preferences are adaptive doesn't in itself make them morally objectionable. She notes that some preferences formed "through adjustment to reality" are perfectly innocuous, or even sometimes a good thing (Nussbaum, 2000: 137). She writes:

We get used to having the bodies we do have, and even if, as children, we wanted to fly like birds, we simply drop that after a while, and

are probably the better for it. Again, someone as a child may want to be... the best basketball player in the world – but most people adjust their aspirations to what they can actually achieve. It seems these changes do involve the fox-and-grapes structure... We have failed to reach the grapes, and we have shifted our preferences in keeping with that failure, judging that such lives are not for us. But clearly this is often a good thing. (Nussbaum, 2000: 137–138)

Clearly, Proposal #1 does not give us grounds for thinking that the mere fact that some preferences are “adaptive” gives us good reason to disregard them.

Proposal #2: Adaptive preferences are morally objectionable because they are formed in response to oppression and unjust social conditions.

This second proposal does not take issue with all preferences that have been formed by forces outside the agent’s control. Instead, it singles out those preferences that are the result of oppressive, deprived or unjust circumstances, and roles, expectations and stereotypes that cause people to understand themselves as undeserving of respect or happiness, or as inherently inferior to others. Adaptive preferences are suspect on this view, not because they developed in a manner outside the agent’s control, but because they are the product of morally objectionable circumstances and social conditioning.

Drawing on the work of Sandra Bartky, Superson identifies three main reasons why desires deformed by oppression are suspect: (i) because oppressive social systems often involve the indoctrination, deception and manipulation of the oppressed, (ii) because deformed desires benefit the privileged and the established order of oppression, rather than the agents who have them, and that (iii) “at base, deformed desires involve a person’s not having appropriate regard for herself as an intrinsically valuable human being” (Superson, 2005: 110–111, 116).⁵ Her view seems to be that, as a result of (i) and (iii), the autonomy of oppressed people is undermined and so deformed desires are not “their own” for that reason. In (ii), the argument seems to be that the satisfaction of deformed desires does not benefit the agent who has them because they are directed at benefiting the privileged and the oppressive system as a whole. Thus, deformed desires have no connection to the agent’s well-being and so are not “her own” in a somewhat different sense.

Since it now appears that Proposal #2 is best understood as three somewhat different proposals, I address each one in turn.

Proposal #2(a): Adaptive preferences are morally objectionable because they are formed in response to unjust social systems in which the oppressed are indoctrinated, deceived and manipulated.

Superson is not claiming that there is an identifiable group or person who deliberately manipulates, indoctrinates, or holds back information from the oppressed. Instead, she indicates that these show up as “subtle forms of coercion” within the established order (Superson, 2005: 110). The view seems to be that the power structure, and those who benefit from it, instill false beliefs in the oppressed by means of messages expressed through social institutions such as the media, the courts and social expectations.

The difficulty with this argument is that it suggests the oppressed cannot see how the injustices of the current order are reflected in the dominant attitudes and messages expressed within it. Superson’s view implies that the oppressed person cannot properly evaluate the value-laden messages being communicated to him in society. He also does not see that he may lack access to information that could cause him to re-assess his desires. The oppressed person is deceived, and has been so thoroughly indoctrinated that even “what Frankfurt calls [his] second-order volition” is, according to Superson, “itself deformed” (Superson, 2005: 115).

I do not find it plausible to describe functioning, adult people – even if they are materially deprived or otherwise oppressed – in this way. It does not seem reasonable to suggest that a large percentage of the world’s population is so much the product of power, deprivation and socialization that they cannot criticize and interrogate their own circumstances. Uma Narayan has argued persuasively against this line of argument as applied to Sufi Pirzada women from the community of Old Delhi. The practices of veiling and covering are prevalent there. Narayan points out that these women demonstrate “active agency” in how they negotiate compliance with these and other patriarchal structures, and that they do this in full knowledge that these structures are patriarchal (Narayan, 2002: 422). She observes that these women are “realistic in their assessments of their lack of power and shrewdly aware of the powers they do have to negotiate” (Narayan, 2002: 423). Further, many of them view their compliance with patriarchal structures as “compromises they make in order to secure the real stakes they have in life within the community” (Narayan, 2002: 422).

It is also evident that many poor and oppressed people recognize that they do not always have all the information they need in order to make effective decisions or to protect their interests. Badly-off people

in Egypt, Somaliland, and Vietnam all indicate that they very much value and desire access to radios, telephones, the Internet and newspapers (Narayan et al., 2000: 238–240). In particular, they realize that they are likely worse off if, for instance, they do not know (enough) about services to which they are entitled, or if they do not know how to seek redress for wrongs done to them (Narayan et al., 2000: 238). Thus, there seems to be plenty of evidence that oppressed people are generally aware of the unjust structures to which they are subject and that they may need more information in order to make themselves as well off as possible. I would add that they are in a much better epistemic position regarding their very particular material circumstances than virtually everyone who makes policy and aid recommendations from a distance. Thus, when they judge that certain reforms will not improve their level of well-being as they understand it, there are some grounds for thinking they are often correct, rather than that they are typically deceived or indoctrinated.

Proposal #2(b): *Adaptive preferences are morally objectionable because they principally benefit privileged members of society or the established, unjust social system.*

Superson claims that “[d]esires whose satisfaction benefits only or mainly the system [of oppression] are not truly one’s own” (Superson, 2005: 116, emphasis added). She therefore does not deny that there are some benefits to be had from satisfying deformed desires, but argues that these are “short-term and short-sighted” (Superson, 2005: 111). Also, she rightly notes that there are real harms associated with satisfying desires that are consistent with oppressive social structures. She appears to be suggesting that, while satisfying deformed desires may benefit the agent who has them, it does so in only a limited way, which is outweighed by the harms that she will suffer from ongoing oppression.

It is hard to see how, if satisfying a desire benefits me, it can still be said that the desire is not “properly” mine. Now, it could be that Superson thinks the agent is making a mistake, in the sense that she recognizes only the short-term benefits of satisfying some desires, and not the long-term harm of having other, more significant desires thwarted by her oppressive circumstances. But on this interpretation of the worry, the agent’s desires are still “her own” – she has merely failed to consult her full preference ranking before taking action, and so has ended up worse off overall. But ordinary mistakes of this sort don’t mark off deformed desires as any different from non-deformed ones.

However, if she is arguing that desires whose satisfaction also benefits the system of oppression or the oppressors *cannot* genuinely benefit the oppressed, then she is begging the question.⁶ It isn’t plausible to claim that whenever satisfying my desire also benefits someone else or reinforces a given social system – even if the system as a whole is worse for me than some alternative – it cannot also make me better off relative to my starting position. That is, it isn’t plausible unless one is already committed to the claim that desires with particular content (content that causes their satisfaction to create benefits not just for their bearer but also for an oppressive system) are incompatible with human flourishing or well-being. But this is just to specify some objective standard of well-being and declare those desires “deformed” that do not conform to it. Such a move does not demonstrate that adaptive preferences are suspect or objectionable – it assumes that they are.⁷

Proposal #2(c): *Adaptive preferences are morally objectionable because they involve a person’s not having appropriate regard for herself as an intrinsically valuable human being.*

The essence of this proposal is that a person’s desires cannot be his own so long as he sees himself as inferior to others, that is, so long as he does not recognize that his equal worth as a human being makes him as deserving of respect and happiness as more privileged members of society. Superson argues that such beliefs are both irrational and autonomy-undermining. She concludes that in order for an oppressed person’s desires to be her own she needs to rid herself of desires that have their basis in the established (unjust) social order, and instead assert her “individualism and moral worth” (Superson, 2005: 116). In addition, such a person will need to be “visionary,” by which Superson means that she will acknowledge her intrinsic value, and “be reflective from the ground up.... She will conceive of herself not only with different desires, but with different values and principles that both underlie and shape her desires.... She will question her ideal of a worthwhile life and the standards by which she judges her life” (Superson, 2005: 120).

As I understand this view, in order to be autonomous, a person who has adaptive preferences must both rid herself of those preferences and reconceptualize her values and the desires that flow from them. Presumably, it is those desires that *would* flow from a self-conception that acknowledges her equal worth as a person that are “her own,” that is, it is these desires that are properly connected to her well-being.

Here again, an overly demanding view of autonomy is doing most of the work. As Lisa Schwartzman points out, “even desires that hold little

advantage for the oppressed person might be impossible to eradicate by sheer force of will" (Schwartzman, 2008: 178). Surely a person doesn't need to eliminate all desires that originate in roles and circumstances defined by oppressive power structures in order to be autonomous? On this account, Western women who desire to wear make-up are not autonomous. This is implausible.

Another, more significant, problem here is that on this view a person's well-being would be promoted by fulfilling those desires that she *would have* if she were "visionary." As such, the oppressed person can be said to be made better off when she receives "benefits" that would fulfill entirely hypothetical desires – desires that have no connection to her actual self-conception, values, or understanding of her own good. However, it seems very counterintuitive to suggest that aid programs or social reforms that fulfill these "ideal" preferences could make someone better off. From the perspective of the oppressed person in question, it looks like either (i) she is in the same position as she was before, or (ii) if these reforms actively discourage or thwart her ability to choose what she prefers, then she is worse off than she was before these "benefits" were provided.

Consider the example of Srey Mom. Sold into prostitution several years ago, Srey Mom was working in a Cambodian brothel until a well-meaning journalist settled her debts to her brothel-keeper, thereby freeing her. However, a few months later, the journalist discovered that she had returned to the same brothel. As Harriet Baber notes, she "apparently came to prefer her cell phone, her jewelry, and the city lights to life in a poor, rural village from which she was abducted" (Baber, 2007: 120–121). She has "tried it both ways" and prefers prostitution to her other options for employment: sweat shop work, digging potatoes, or working in the rice paddies. Now, suppose that the brothels were shut down as a result of government reform and she had no choice but to return to her village. On Superson's view it looks like we should say that she is better off, but by her own lights she is now worse off than before. However, if we assume that she is autonomous (applying a less demanding standard for autonomy than Superson), and we know that she is fully informed about the options, then I submit that we have no reason to doubt her self-assessment. She really is worse off.

Finally, it is hard to see how someone's having less than adequate self-respect, or failing to appreciate his intrinsic value as a person, makes it the case that fulfilling his existing desires will not benefit him. While we might suppose that his having less than adequate self-respect is bad in some other way, it is hard to see how this is bad *for him*, if he is able

to satisfy his existing (adaptive) preferences and he has no desire to change the way he sees himself. It is conceivable that oppressed people would be better off if they had been socially conditioned to have a higher regard for themselves, and so to demand better treatment. But this depends on their ability to actually obtain better treatment once they demand it.

The verdict

Ultimately, the various proposals for why adaptive preferences are inauthentic – and so can be safely dismissed – are not persuasive. Therefore, we cannot infer from the fact that some preferences of oppressed individuals seem unreasonable to us, that these are not truly "their own." And, if it is no longer legitimate to appeal to adaptive preferences as a basis for disregarding what oppressed people want, then to do so is straightforward paternalism, and so is unjustifiable in all but the most extreme cases.⁸

It therefore appears that the original difficulty cannot be avoided by appealing to adaptive preferences. We are stuck with a conflict between protecting the liberty of oppressed people and promoting reforms aimed at eliminating a variety of injustices. If adaptive preferences can be authentic, and their satisfaction can make their bearers better off, then sometimes trade-offs will have to be made between fighting oppression and improving the well-being of people socialized in oppressive conditions. The trade-offs are necessary because often-times satisfying adaptive preferences *does* seem to reinforce oppression. For instance, it may be that making formal education for girls mandatory up to the age of 15 would cause rapid progress to be made in terms of women's social and economic equality in many developing countries. But enforcing such a policy makes it more difficult for some poor families to improve their lives in other ways – such as allowing their daughters to marry or work instead, if that is what they (the daughters) would prefer. And it seems harsh to make already very badly-off people worse off in their own estimation for the sake of pushing through progressive reforms more quickly.

This example nicely reveals what the "badness" of adaptive preferences really consists in, namely, that when oppressed people choose to satisfy these preferences, these choices may slow the pace of what most liberals would regard as positive social change in their societies. The claim that certain preferences are "adaptive" (and so protecting the liberty to pursue them is not strictly required) clears the way for various liberal reforms to be instituted at the expense of the oppressed people who have them.

These reforms, such as those targeted at greater economic and political equality for marginalized groups, may very well bring it about both that the societies in question become more just, and that the generations raised in these reformed conditions live better lives than their ancestors. The current generation, however, are not made better off by having their preferences ignored or thwarted. Rather, they are made to sacrifice some of their well-being so that others may do better in the future. It may be the case that some of these trade-offs are justified, but people who would make those arguments must *recognize and account for* the costs they propose to inflict on very badly-off people, instead of explaining them away via convenient claims about adaptive preferences.⁹

10.2 What does this mean for global ethics?

I now turn to the implications of my analysis for global ethics. What is the proper response of liberals who think that, for instance, banning child labor worldwide would be a good reform, but who understand that this program faces opposition from poor families in the developing world? As liberals, I argue that we ought to take as our working hypothesis that even people who have been subjected to material deprivation and oppression are as capable of assessing their own interests as well as anyone ever is, which is to say, somewhat imperfectly. We should also keep in mind Mill's observation that, when others decide what is good for us, they are very likely to be wrong. Therefore, we should be wary of supposing that we know better what programs and reforms will make the global poor better off than they do themselves. The upshot of this approach is that liberals should concentrate their resources on those programs and reforms that poor communities value most, as well as those measures aimed at improving their ability to access information and make informed decisions. Such support would allow poor and oppressed people to consider their preferences in light of relevant information, while at the same time protecting their liberty, understood as "increasing the chance that they will be able to choose what they prefer."

This may mean that we end up supporting social reforms and aid programs that we would not want for our own society, or that appear to us to be less important than potential alternatives. For instance, evidence suggests that the poor feel deeply humiliated and excluded by their inability to participate in religious activities or social and cultural events because they cannot afford the expected donations or gifts. They also highly value the ability to provide weddings and funerals

for family members (Narayan et al., 2000: 27, 35, 38–39). As a result, they would likely welcome aid programs which provide low- or no-interest loans or that provide matching funds in order to fulfill these responsibilities and participate in social life in these ways. Indeed, it seems likely that some communities might rank such programs more highly than, for instance, free clothing distribution (Narayan et al., 2000: 39). Or they may well prefer that we use our political will to reduce police brutality and increase their physical security – including enforcing regulations against abuse of child laborers – rather than banning the practice of child labor outright (Narayan et al., 2000: 278–279). While it may seem to us that other services or reforms are more basic or urgent, I think we should nevertheless take seriously the rankings of the global poor and respect the fact that they regard certain interventions as more worthwhile or more urgent than others. While we might judge that the poor and oppressed deserve all of these benefits, we nevertheless must choose which programs and reforms we will support with our limited political will and financial resources. Accordingly, we should utilize our resources and political support in the following kinds of ways:

1. Support programs that give oppressed people increased access to information, such as access to technology (cell phones, radios, the Internet etc.). This does not impinge on their ability to make decisions according to their own priorities, but instead makes it less likely that they will make choices that do not end up satisfying their desires. This would also make them less vulnerable to those (usually more powerful) individuals or groups who would take advantage of them.
2. Use our resources to support those reforms and aid programs that the oppressed themselves regard as among the most important, with special emphasis on those opportunities for education that they deem valuable. In rural Ethiopia, for instance, there has been some positive response to alternative education pilot programs that adjust the school day and the school calendar to the needs of families who require children to herd animals or bring in the harvest (Pereznieto and Jones, 2006: 5). Education is of particular importance since it increases people's ability to seek out and take advantage of opportunities for improving their well-being in ways that they find appealing.
3. Refrain from supporting coercive policies intended to thwart adaptive preferences, that is, avoid supporting unjustified paternalism.

10.3 Objections

In closing, I briefly address two significant objections to my view.

1. I noted in the previous section that, once it is recognized that the appeal to adaptive preferences cannot justify interfering with the liberty of oppressed individuals, then preference-thwarting, paternalistic policies aimed at improving their welfare or social position are no longer generally justifiable. However, I did not rule out the possibility that paternalistic action might be justified in *extreme cases*. A critic of my view might well object that living for any prolonged period in a condition of severe poverty (perhaps below the commonly cited \$1/day international poverty line) certainly qualifies as an extreme circumstance. Similar claims might also be made about the "extreme" nature of working in a brothel or sweatshop, or any of the other circumstances that liberals find objectionable. Accordingly, such a critic might conclude that my arguments are not relevant to the vast majority of developing-world reforms and aid programs that Western liberals are asked to support.

I disagree. I introduce this qualification because I do not wish to make the exceedingly strong claim that there are *no* cases of adaptive preferences that warrant paternalistic intervention. Instead, I want to argue that the number of cases in which paternalistic intervention is warranted is extremely small. I have argued above both that the satisfaction of adaptive preferences or deformed desires can make their bearers better off and that most individuals with such preferences cannot reasonably be characterized as non-autonomous. In my view, people who are by-and-large functioning, adult members of their societies are the presumptive authorities on their own well-being; they are not suitable "targets" of paternalistic policies and reforms, even though they will sometimes make mistakes about what is good for them. They are functioning members of their societies whose liberty ought to be respected. By "functioning members of their society" I mean those people who are able to carry out ordinary responsibilities and activities such as holding jobs, looking after children, attending or performing religious observances and accessing social services (when informed about their availability). Such individuals will normally be integrated into their communities, in that they have friends, relations, neighbors or others with whom they interact regularly. Finally, functioning individuals will not be completely isolated from the world beyond their immediate community, in that they will be able to access news of the world via TV, radio, word of mouth, and so

on. Basically, for someone to count as a functioning member of her society, she must be capable of generally getting on with her life (most of the time), even though her life may be lived in very impoverished and challenging conditions.

On my account, "extreme cases" – in which paternalistic intervention could be justified – will be rare in any society. These will be cases in which someone has been subjected to ongoing psychological and/or physical abuse, and has been kept almost completely isolated from the outside world. Such people, are totally under the power of particular others who dominate them and control virtually every facet of their lives. An example of such a person might be Elisabeth Fritzl, the daughter of Josef Fritzl, the Austrian man who kept her prisoner in a cellar apartment for 24 years, raping her repeatedly (Boyes, 2009). It is likely that such individuals have limited autonomy and capacity for choice. It is also likely that such individuals have too little information about themselves and the world for them to form preferences that reflect what they – rather than their abusers – really think will benefit them. Whether or not this is the case in any particular instance will be a matter for professional assessment. However, this description does not fit many people from anywhere, much less *most* people who live in poverty or other difficult circumstances in the developing world. Hence, my qualification that support for preference-thwarting, paternalistic reforms may be justified in extreme cases does not "open the floodgates," but instead allows that in certain very restricted circumstances it may be acceptable to support programs and policies of this type. For instance, it seems unobjectionable for liberals to support programs designed to remove teenagers from child prostitution (by force if necessary) or extricate adults from sexual or debt slavery. Notice, however, that these are relatively non-controversial cases, and so it is perfectly consistent to support this type of paternalistic intervention and at the same time insist that affluent, liberal Westerners should direct their resources towards those reforms and programs that the poor and oppressed value most.

2. A different objection to my view might be motivated by certain examples I have introduced, such as the example of daughters in poor families choosing to work or marry instead of going to school, or poor families favoring regulation of child labor rather than its abolition. A critic might object to my contention that we typically should respect the wishes and priorities expressed by poor families in such cases, since it matters *who* expresses these wishes and *why* they are put forward. The

difficulties with this type of case are admirably articulated by Debra Satz in her discussion of child labor. She notes that:

This gap between chooser and chosen for in the market for child labor opens up the possibility that children's interests will be discounted. Surrogate decisionmaking is a morally fraught arena, especially in the case of young children, who often cannot even articulate their own interests... The costs of child labor can extend far into the future... It is not clear that these costs are taken into account, even by well-meaning parents.... Child labor can also manifest and perpetuate inequality within families. Some families sacrifice a working child for the sake of other children or family members. They may, for example, keep girls out of school to care for younger children while the mother works outside the home. The bias in favor of some children within a family over others is troublesome. (Satz, 2003: 299–300)

With regard to surrogate decision-making, Satz is pointing out that decision-makers may either (i) lack information about the benefits of alternative courses of action, or (ii) value the children's interests less than their own or those of other family members.¹⁰

1. In the case of well-meaning parents who simply lack information, the solution here is not to overrule their decisions, but merely to ensure that they have adequate information at their disposal. There is no need to infringe upon liberty in cases where providing additional information allows poor and oppressed people the opportunity to effectively assess their own situation.
2. I agree with Satz that interests can conflict within families, and both these conflicts and more widespread social inequalities should be taken into account when data are collected about the preferences of the poor. Even within families it is not always the case that each member knows – or cares about – what will most benefit other members. As much as possible, then, reforms should not be supported where the data suggest that some people prefer certain things *for others* rather than for themselves. In addition, data should not merely reflect the views of those who are most powerful within families or communities. Where it is not possible to collect data that reflect the preferences of all affected parties, as is often the case when surrogate decision-making is at issue, we might correctly decline to support reforms and programs that look

suspiciously advantageous to decision-makers and/or especially disadvantageous to those whom they are meant to represent. However, withholding support when we have reason to believe the relevant person's interests are not adequately represented has nothing whatever to do with the presence or absence of adaptive preferences. Instead, we would decline to support these programs on the basis that some family members seem to be taking advantage of others who are weaker than they are. My view does not require that we endorse or support such decisions and preferences, provided that there is evidence to corroborate the claim that self-interest or other objectionable motives are common motivations for surrogate decision-makers in the particular contexts at issue. Alternatively, in cases in which it is unclear whether surrogate decision-makers are acting in the best interests of their charges, we could follow Satz's suggestion and support programs and reforms that "aim at changing the external context of family decisionmaking" rather than supporting coercive policies (Satz, 2003: 305).¹¹

Even where we suspect that the judgments of surrogate decision-makers may be tainted, we should be careful to call for evidence before supporting any coercive or paternalistic reforms, since we also have reason to believe that our own intuitions and judgments may be seriously flawed. For example, in the case of child labor, there is evidence that most impoverished parents "would generally prefer not to place their children in exploitative situations," and that "the alternative to child labor is [generally] very harsh," including malnutrition and severe hunger for poor families (Murshed, 2001: 170; Pierik and Houwerzijl, 2006: 207). Further, it has been shown that, in a great many cases in which child labor has been abolished or banned, children do not subsequently enter full-time education, but instead resort to other (often clearly more harmful) occupations in the informal sector where they are also more vulnerable to abuse (Murshed, 2001: 183; Pierik and Houwerzijl, 2006: 194–195). Finally, the education available to the children of many impoverished families is often of very low quality, which may explain why the parents do not place a high value on it. Members of poor communities in India reveal that some teachers only show up at their local school two days a week, while poor Sri Lankans and Brazilians are concerned about the shortage of teachers and classrooms as well as the general lack of security and cleanliness in their schools (Narayan et al., 2000, 243–244). All of this suggests that, in the case of child labor, the information available to poor families is indeed better than the information available to

affluent Westerners, and so their assessments of the best ways to benefit their children given their situation are likely to be more accurate than ours. We may have difficulty imagining a scenario in which it would be better for a child to work rather than attend school, but this just reveals our lack of information and imagination. It doesn't indicate that there is a fundamental problem with the judgment or preferences of poor individuals who are actually in these circumstances. As this example illustrates, we ought to be *much more wary* of our own judgments about which reforms and services will improve the lives of the global poor, and *much more trusting* of their own assessments of what is good for them when we consider how to deploy resources for their benefit.

Notes

1. I would like to thank audiences at the University of Illinois, Urbana-Champaign and the conference in honor of L. Wayne Sumner at the University of Toronto for their valuable feedback on earlier versions of this chapter.
2. For the purposes of the example, I restrict "child labor" to paid and unpaid labor performed by children under the age of 15 that interferes with their ability to go to school full time. I am not considering the worst forms of child labor such as child prostitution, pornography, use of children as soldiers, or as bonded labor.
3. By "liberty" I mean the ability of a person to do what she wants or prefers without encountering various types of restraints or impediments, such as interference by other agents or insurmountable practical obstacles. I take this to be a relatively uncontroversial definition.
4. I have in mind here a view of autonomy in which an autonomous agent will have the ability to change and/or endorse some of her preferences, but not all. This capacity, combined with adequate information and the absence of certain psychological pathologies, would qualify someone as autonomous. However, providing a detailed defense of this view is beyond the scope of this chapter.
5. Superson actually identifies a fourth difficulty with adaptive preferences, namely, that "deformed desires often conflict with a person's *own* desire to promote her welfare" (Superson, 2005: 111). I don't discuss this additional concern here because I argue against a similar claim later on (see my discussion of Proposal 2(b)). In brief, I argue that it is illegitimate to assume that the satisfaction of deformed desires does not contribute to the welfare of those who have them.
6. This point is persuasively articulated by George Sher in his discussion of adaptive preferences, although he is not responding to Superson's view in particular (Sher, 1997).
7. It is probably evident that I favor a generally subjective account of welfare. I cannot adequately defend this view here. For a persuasive defense of this type of view, see Sumner (1996).

8. A more detailed account of what counts as an "extreme" case is provided in the final section.
9. The implication of this verdict is that views that characterize adaptive preferences as somehow inauthentic or autonomy-undermining are guilty of misdiagnosing the problem. To my knowledge, only Ann Cudd explicitly characterizes the problem in a manner consistent with what I have said here. While I ultimately disagree with her conclusions, her insightful arguments address the real difficulty. See Cudd (2004).
10. There are, of course, many cases in which surrogate decision-making is not an issue – such as the example of Srey Mom discussed above – since the relevant preferences are expressed by adults and concern primarily their own welfare. This objection does not apply in those cases, and so, even if it were successful, it would only impact my view in instances where one agent is making decisions about the welfare of others.
11. The example Satz cites is the Programa de Educación, Salud y Alimentación in Mexico, where mothers are paid for ensuring that their children attend school, thereby lessening the family's need for the wages the child would otherwise earn.

References

- Baber, H. E. (2007) Adaptive preference. *Social Theory and Practice*. 33: 105–126.
- Boyes, R. (2009) Josef Fritzl's upstairs, downstairs families united for new life in the open, March 20, 2009. Available at <http://www.timesonline.co.uk/tol/news/world/europe/article5941388.ece> (accessed October 17, 2010).
- Cudd, A. E. (2004) The paradox of liberal feminism. In A. R. Baehr (Ed.) *Varieties of Liberal Feminism*. Lanham, MD: Rowman and Littlefield, pp. 37–61.
- Cudd, A. E. (2005) Missionary positions. *Hypatia*. 4: 164–182.
- Levey, A. (2005) Liberalism, adaptive preferences and gender equality. *Hypatia*. 20: 127–143.
- Mill, J. S. (1998) *On Liberty and Other Essays*. Oxford: Clarendon Press.
- Murshed, M. (2001) Unraveling child labor and labor legislation. *Journal of International Affairs*. 55: 169–189.
- Narayan, D., Chambers, R., Shah, M. K. and Patesch, P. (2000) *Voices of the Poor: Crying Out for Change*. Oxford: Oxford University Press for the World Bank.
- Narayan, U. (2002) Minds of their own: choices, autonomy cultural practices and other women. In L. M. Antony and C. E. Witt (Eds) *A Mind of One's Own: Feminist Essays on Reason and Objectivity* (2nd edition). Boulder, CO: Westview Press, pp. 418–432.
- Nussbaum, M. (2000) *Women and Human Development*. Cambridge: Cambridge University Press.
- Okin, S. M. (1994) Gender inequality and cultural differences. *Political Theory*. 22: 5–24.
- Pereznieto, P. and Jones, N. (2006) Educational choices in Ethiopia: what determines whether poor children go to school? Young Lives Policy Brief. 2: 1–12. Also available at <http://www.younglives.org.uk/files/policy-papers/educational-choices-in-ethiopia-what-determines-whether-poor-children-go-to-school/view> (accessed February 10, 2011).

- Pierik, R. and Houwerzijl, M. (2006) Western policies on child labor abroad. *Ethics & International Affairs*. 20: 193-218.
- Satz, D. (2003) Child labor: a normative perspective. *The World Bank Economic Review*. 17: 297-309.
- Schwartzman, L. (2008) Can liberalism account for women's adaptive preferences? *Social Philosophy Today*. 23: 175-186.
- Sher, G. (1997) Our preferences, ourselves. *Approximate Justice: Studies in Non-Ideal Theory*. Lanham, MD: Rowman and Littlefield, pp. 111-126.
- Stop Child Labor (2010) Available at <http://www.stopchildlabour.eu/africa-tour2008/info/about-the-campaign> (accessed: October 8, 2010).
- Sumner, L. W. (1996) *Welfare, Happiness & Ethics*. Oxford: Clarendon Press.
- Superson, A. (2005) Deformed desires and informed desire tests. *Hypatia*. 20: 109-126.