En filosof snakker til en million mennesker

En samtale med Onora O'Neill.

Av Ingrid Hødnebø og Kalle Risan Sandås.

Onora O'Neill kan forståes, både som filosof og samfunnsdeltaker, som en syntese mellom det høye og det lave. I sitt filosofiske arbeid har hun, siden hun ble doktor under John Rawls, lagt vekt på å konkretisere abstrakte prinsipper. Hun interesserer seg særlig for anvendt etikk, politisk filosofi og vitenskapsteori. På den annen side, med Kant som teoretisk utgangspunkt, mener hun at vi ikke må være redde for å generalisere, abstrahere eller tenke globalt når vi håndterer viktige etiske og politiske spørsmål. Hun sier hun vil senke filosofien, men heve politikken.

O'Neill har tittelen baronesse av Bengrave, og er partipolitisk uavhengig medlem av House of Lords, samt rektor på Newham College, Cambridge. Hun har vært president for det britiske akademi siden 2005. Uten tvil tilhører hun et av de høyere sjikt innen britisk samfunnsliv, men til tross for det er engasjementet hennes rettet mot de svakeste. Hun argumenterer blant annet for en radikal bistandspolitikk, og hun er opptatt av å verne pasienter fra overgrep og manipulasjon ved tilbakeholdt informasjon.

Den fjerde mai i år kom baronesse Onora O'Neill til Universitetet i Oslo, for å dele synspunkter fra sitt arbeid med det kantianske autonomibegrepet. Hun holdt foredragene "Is Autonomy Morally Important" og "Rethinking Informed Consent". Filosofisk supplement fikk audiens i forkant av disse.

The first question is quite general; it concerns the concept of autonomy. Why, and in what way, does your work deal with this concept?

I suppose that the work I have done over the last five years has convinced me that the contemporary conceptions of autonomy are really very much that – contemporary. They have little to do with Kant's conception of autonomy, although they constantly site Kantian origins as a pedigree to prove their importance. Roughly speaking, I think that contemporary conceptions date from post World War II. Therefore some of them emphasize the mere independence of the individual. They are just quasi existentialists, or you might say pop existentialists. Sometimes they emphasize the rational independence of the individual, as in the many different conceptions of rationality that you find in the work of people from Harry Frankfurt and Charles Taylor onwards; it's reflective, it receives second order endorsement, and sometimes it's integrated into models of rational choice. One will see a particular view of what constitutes rational independence. But for Kant, of course, most of those models would have been heteronymous. Most of the principles that count as the twentieth century autonomous principles would have constituted heteronomy. Clearly that is something very different. A lot of my work tries to pull apart the Kantian from the

non-Kantian claims. It's as simple as that.

Do you see any dangers in a too wide conception of autonomy?

Yes, I do see dangers, because I think that there is a fallacy hidden there and which arises in the following way: relying on the old Kantian thought that autonomy is very important for morality, it goes by an illegitimate transition from the contemporary very weak and individualistic conception of autonomy to independence as the most important thing. We see this in many fields of work. I'll give you one example: in bioethics they have come to think that something called reproductive autonomy is very important – I would name John Robertson in the US and John Harris in the UK, but also many others – and the notion is being invoked as a sort of omnibus justification for a permissive view of new reproductive technology. So you don't need to say anything more than: "This is part of reproductive autonomy." John Harris goes so far as to say reproductive cloning would be fine. Now it seems that this is a good example of the dangers of contemporary uses of autonomy. One thing we know about human reproduction is that it is not an individual matter alone – there's a child if it succeeds.

Whilst we're on the topic of autonomy in applied ethics – why is a Kantian concept of autonomy more suitable than, say utilitarian principles of beneficence, in countering issues like hunger and underdevelopment?

I will start with talking about what I see as the problem for utilitarianism. It's roughly this: utilitarianism would be very interesting if it was possible, but it has four assumptions that I think are very difficult, and probably impossible. The first assumption that underlies utilitarian practical reasoning is that you can identify the options. But can you? Individuating options takes you straight into a terrain that utilitarians don't talk much about, which is the terrain of act descriptions. How many options are there in a given situation? Secondly, can you really work out the consequences of each of those options? Dubious. I mean the full consequences and not just the immediate consequences for yourself. Thirdly, if you can work out the consequences for all options, how are you to calculate the value of those consequences? That is quite essential for utilitarian reasoning. And fourthly, you have the easy step of maximizing. Utilitarianism looks beguilingly easy – almost like a moral algorithm – but I'm not sure it is.

It seems that you're implicitly criticizing the idealizations of the perfectly rational agent?

What is interesting is that utilitarianism taken as a theory involves these very extreme epistemic idealizations of what we can know. Taken in practice what you find is what I call 'humane utilitarianism'. They say: "We'll just take a few of the options, a few of the consequences and a sort of impressionistic view of their value; and then we get going." But if you're going to be a consequentialist – and everybody has to take consequences seriously, consequentialist or not – I think it's very difficult to explain why you take such an impressionistic view. Because, as a matter of fact, one thing we do know about social policy and political decisions is that you have a tremendous problem with the systematic character of consequences: threshold effects; the problem of the so-called unintended consequences; and, indeed, the problem of the unforeseen consequences. We have only to think of our developing understanding of environmental ethics to realize that the unintended and the unforeseen consequences cannot simply be wiped off the map. That is the first half of the question why I find utilitarianism very difficult to work with, that is unless it is done in an impressionistic way; but, then again, all the supposed advantages go down the drain if I'm so disposed.

The other side of your question was: "Why do I think that the Kantian approach is more promising?" If we are to think about ethics it is more useful to think about principles of action. And if we are to think about principles of action then we are on, at any rate, a Kantian terrain. The detailed question of how much of Kant we can make use of is a further question that I will be willing to deal with, but it's not as obvious or simple as one would hope. One might say: "Why not choose some other form of deontology?" When people say that to me what they usually have in mind is that they take human rights as their deontology. It is not that I am hostile to many of the claims that are made by the advocates of human rights, but as a theory it is defective in justification and clarity. First, because you are effectively appealing to certain documents which received a degree of international endorsement in 1948. And subsequently, it is a version of the argument from authority; and in philosophy we are not impressed by arguments from authority. This is the difficulty of just saying, "I appeal to human rights". It is also the case that sometimes, when people do appeal to it, they make a quite selective, quite specific appeal to certain human rights. I think that there is no such shortcut. If we appeal to human rights – but also if we appeal to versions of religious ethics – we have to be very careful that we are not tacitly appealing to an argument from authority. In my view the great excitement of Kant's argument is that he's aware of that. He is always saying that we must not appeal to

authority – such an appeal is deference; it is heteronomy in ethics. Maybe that promise can't be made good, but that to me is the excitement of Kant's agenda.

The next question is twofold: how is it to be a Kantian today? And - when applying Kantian ethics to modern liberal thinking - does it, and how does it, need to be revised to include the concerns of democracy, gender issues, labor issues and economic justice?

Today we would never wish to take Kant's political philosophy – his endorsement of republic institutions, as in his essay "Towards Perpetual Peace" - as the full and satisfactory account of justice, because, as you say, it accepts the lifelong dependence of certain people as unavoidable. In particular that is the case of women, of workers, and of what he calls "passive citizens". It is nevertheless striking that passive citizens received the protection of the law in Kant's philosophy. Therefore, in terms of that period, one sees why he counts as a liberal and not as a reactionary or absolutist, or anything like that. In terms of our social and political life these are big empty areas in Kant where he does not properly engage with certain realities. For Kant – unlike for some contemporary liberals – the principles of liberalism are not the fundamental principles. The principles of liberalism he derives through several steps. He has his account of indication of reason, which in turn leads him to the various forms of the categorical imperative. He then conceives of these as having an application to the externalities of action, which he calls 'the universal principle of justice' at the beginning of the Rechtslehre (The Science of Right). After this he starts deriving a few constitutional and institutional principles. I take it that the answer is that the institutional principles have to be derived in the light of the realities of a given epoch. The one respect in which Kant is ahead of many contemporary writers is that he takes the boundaries of states not as the boundaries of justice, but as the provisional boundaries of domestic justice. What he says about cosmopolitan justice is thin – it's not a great deal – but of course, we are only just moving beyond a period in which liberal writers have taken the domestic justice as the first preoccupation. They have then gone on from domestic justice to an account of international justice, which is, on the whole of it, not sufficient for the reality of a globalizing world. In this respect Kant is further ahead, but I would say that on the issue of the status of women and of workers, and in the importance of democracy he is less far ahead.

Speaking of globalization – or the interconnectedness of the world – does this make it easier for us to affect the capacities of autonomous actions of people living far away?

Is it easier? Is it harder? If you read Kant's essay "Perpetual Peace", you will find a tremendous discussion of the interconnectedness of the whole world already in the eighteenth century. He is talking about trade. Trade is still one of the main ways in which we effect action at a distance: trade by the system of enforcement of rules, and trading by the financial institutions and so on. Today it's more extensive, but I think that one of the realities that we still have to bear in mind is the fragility of institutions. A great deal of contemporary politics – particularly the politics of the European Union and the United Nations - are based on naïve assumptions about the possibility of the affective political action at a distance. That's why I started writing under the heading of "Agents of justice". I wanted to write more about the variety of actors; of non-state actors, and the importance of not sitting there saying, "the states must do it all!" A huge portion of the states in the contemporary world is weak states – they're quasi states. A very large proportion of African states, and some Middle Eastern, Asian and still some Latin American states are extraordinarily weak when it comes to the delivering of what is assumed to be in the power of states to deliver. When I say "is assumed" I'm really referring back to the United Nations' and the European Union's stands, where states are to take on obligations to guarantee rights for citizens. Such a picture is naïve because it is inaccurate. I'm sure you sometimes look at the Transparency International Index, which is an index of perceived corruption – state by state. It tells you how difficult the situation is for these so-called states and for the governments that represent the state in many of these countries. Looking at this, you realize that if you are to say something effective you have to point not merely at where the power isn't, but at where it is. In my view we have to look more constructively at several classes of non-state actors. First of all, we have to look at the trans-national corporations. And then, if you look at global compact or other programs at which major corporations commit themselves to certain standards, we have to look to the churches and the religious organizations and the powerful NGOs (Non Governmental Organizations). All of these agents are in some places more effective than the states in which they operate.

You have shown an interest in aid and development projects. How can the concept of autonomy remedy paternalism within aid giving and development?

Remember the distinction that I drew between types of conceptions of autonomy. The way in which you could

support individual autonomy – which is the antitheses to paternalism – is only by capacity building. This is quite properly the focus of a lot of international aid today. The aid paradigm is not as paternalistic as used to be the case. Still, if people are starving, there's no doubt that you have to, in a rough-and-ready way, produce food. But when it comes to capabilities I'm very influenced by the thinking of Amartya Sen, and not so influenced by some of the other writers on capabilities, like Martha Nussbaum. Nussbaum has a very inflated list of important capabilities. I do not believe that in most human lives it is possible to achieve all those capabilities. She has, if you like, an Aristotelian or perfectionist approach. Sen, on the other hand, is always thinking about the basic capabilities that people need. I think his influence on the United Nations Development Program, and on the sorts of human development needed that is the appropriate emphasis. Now, I'm no absolutist about anti-paternalism. At a certain point I think you have to simply provide the food or you have to try for a peacemaking initiative, and these, to use an old metaphor, are not to be done without "breaking heads". That leads me to admire certain NGOs more than others. For example, I admire Medecins Sans Frontier very much. Their thinking is politically very hardheaded. And the same goes for Oxfam in their better efforts. But there are other NGOs, which are in a way dishonest, because they obtain money largely from governments of developed societies and they deliver certain objectives. They are, if you like, middlemen. For example, they receive food under the United States' World Food Program and they deliver food to a population under certain constraints. That is a perfectly respectively thing to do, but it's not so respectable to be always criticizing the states that enable them to operate.

What's the best argument a Kantian can give to the accusations that his or her concept of autonomy, universal rights and justice represent just another form of paternalism?

Kant provided some of our best arguments against paternalism, and the reason he is very skeptical about paternalism is because he – unlike utilitarians – think that we cannot form a determinate conception of other people's happiness. Therefore we cannot as it were undertake action to improve other people's happiness, except by thinking about what they view as making them happy. The Kantian conception of beneficence – as it is in the Metaphysik der Sitten – is that you cannot make people happy according to your conception of what should make them happy, but only according to their conception, which is fundamentally anti-paternalist. Although he had what we would regard as politically an obsolete view, in which some people where doomed to dependence, there are two things we should say about that: first of all, that was the political reality of the eighteenth century Europe. Secondly, in terms of 'beneficence' he does constrain it so that it is does not involve imposing your conception of your good on other people. Anti-paternalism is for Kant only a very small part of the antitheses of the Kantian autonomy. It's only the twentieth century conception of autonomy that sees paternalism as the antitheses. As the arguments work his view is anti-paternalist. It's much more difficult for utilitarians to be anit-paternalist. John Stuart Mill gave it a very good try – the best that will ever be.

This is a bit ironic because utilitarianism is mostly associated with liberal tradition?

It's interesting, isn't it? But I think that it is a contingent matter. It's contingent on the overwhelming influence of Mill within contemporary liberalism, and even among the people who are not utilitarian. Why is Mill's influence so very great? That question is extraordinarily interesting. One of the things that I suspect, and this would be a very big philosophical program – one of you must do this one day – is that most contemporary liberals, even if they are not utilitarians, have a theory of action that is closer to Mill than to Kant. They think that their account of motivation is preference based. I think that's what's doing it. That means they have to work very hard in order to show why liberal institutions are always better than paternalistic institutions, because the natural trajectory of utilitarianism – as we can see in Bentham– is towards paternalism. If we look back at the political philosophy forty years ago, before the enormous influence of John Rawls, what we can see in the welfare states of North-Western Europe is exactly benthamite utilitarianism. Remember a wonderful phrase of Betham's: "We shall rear the fabric of felicity by the hands of reason and of law." Now, that could do for Norway, couldn't it? It could do for the UK. And that is paternalism.

Speaking of liberals makes me think of the relation between particularistic and universalistic models of ethics. Do you find that the debates between communitarians and liberals, which raged throughout the eighties and nineties, has lost some of its relevance today, or is it still hot stuff that needs to be further debated?

I tend to think that it's fading from the scene. The reason I think it is fading is that we are so clearly a globalizing world. You notice that I do not say globalization, which

sounds as if it were complete: it's globalizing. And in a globalizing world I think the communitarian perspective has a great deal of difficulty explaining why my framework of thought, or our framework of thought in our community, is to be preferred, and when it is to be preferred. My own reading of communitarian arguments is that many of them were confused about abstraction. They saw abstraction as the enemy. What did they think was the alternative? Well, presumably, specificity, because the alternative to abstraction is not on the whole particularity, which is a very specific position. They thought that somehow there was something wrong about abstraction. But even the position of the leading communitarians is of necessity couched in relatively abstract terms. Abstraction is unavoidable, because language and thought is indeterminate. I can see why the communitarians got into problem because they were simultaneously criticizing abstraction and relying on it. They had some effect in criticizing specific constructs that are not abstractions but idealizations in that they built in predicates that are not met by ordinary human beings or ordinary societies. In so far as certain liberal tendencies are thought – for example Libertarian thinking – my view would be that an idealization always has to be justified. If you're going to say: "Let us assume that we have a complete transitive preference ordering." I would ask: "Why assume this? Is it true? Is it false?" In that respect I think that the communitarian impulse has in some ways been absorbed into liberalism. They weren't so far away as they pretended. The communitarians were often associated tacitly with a form of stateism, which was more damagingly for them. They didn't like that. They said: "No, no. Community!" In fact, the community they had in mind was often a rather large community. Interestingly Rawls refuses that he is a stateist. He says that he is talking about liberal peoples. Sounds rather communitarian? When you read him closely I think he makes these very strong assumptions about boundaries, which are that we assume a fellow citizenship within certain boundaries where people enter their society by birth and leave it by death. All those assumptions - very tough assumptions - are not a million miles from those that communitarians work by. So the debate between liberals and communitarians seems to me to have dispersed. There are now rather debates about specific things, like the limits of tolerating intolerant views, or the proper response to immigration, or the degree of public support for religious institutions.

You seem to be aware that the debates between communitarians and liberals tended to turn into stalemates?

Yes. And I think that the stalemate reflected fundamentally two things. Namely, there was more agreement between them then they liked to pretend. This was largely because many of the communitarian writers were, if I can put it this way, communitarians with liberal content. Equally, many of the liberal writers were liberals with state boundaries. So they were more similar than they thought. In a certain sense globalizing is making everybody rethink to a degree what principles can hold and with what scope they can hold. I hope that we will have more and better debates about that nineteenth century roman-catholic ideal of subsidiarity, which is quite an important one. It was very much imbedded in the constitution of the European Union, but not very respected.

You are influenced, and relate your own work, to the philosophy of John Rawls.

Yes.

In the most general way, how does your own work differ from that of Rawls'?

Rawls was my doctoral supervisor. I did my PhD with him, but probably for the fifteen years after my PhD I didn't engage with his work. In one sense I had written a PhD on Kant. Rawls was in fact a very interesting historian, of particularly ethics and political philosophy. He lectured on this every year. He deeply read not merely Kant, but also Sidgewick, Bradley, Mill and a whole range of nineteenth century writers that influenced him very much. He was more responsible than many people at that time were about reading these authors carefully, in fact sometimes so carefully that he was reluctant to publish anything of his work. This is a pity because he had very interesting work on Kant, but he only published one essay on him, which was called "Themes in Kant's Moral Philosophy" and is in his collective papers. I was very much on that side of Rawls' work. I was taught Theory of Justice and attended seminars that he was giving while he was completing it. But I began to think: "This is becoming so influential, and yet it has some very problematic features", only somewhat later. I wouldn't say that I've been a systematic critic of Rawls, but two areas I have thought about a lot: first of all, his method, and in particular his reliance on certain idealizations, such as the original position and non-envy. The second big methodological thing is: constructivism. What is Rawls' version of Kantian constructivism? How is it different from Kant's? And I worked quite a lot on that eight or ten years ago. In the late nineties I also worked on his latent statism, which he of course denies after the publication of The Law of Peoples. It was a sort of apparent

and curios thing that Rawls' writing in the nineties gives exactly the same approach to international justice as had been adopted fifty years before in the post World War II settlements. It's very curios that his response, as someone whom is seen generally as a liberal, is so institutionally conservative fifty years later. In some ways those assumptions about boundaries were more important to the construction of his political philosophy than he himself had realized at the time. So those are the ways, or some of the ways, in which I've engaged in his work. I've never really engaged with the difference principle, but perhaps I should have, because I do increasingly accept Nozic's criticism of it. Namely that if you are a liberal you cannot easily go for what Nozic calls a 'patterned conception of justice'. That is, where you say, "here's the right distribution". This is so because your whole theory is designed to constrain people's action in some ways and not constrain them in other ways. And you cannot demand that the constraints systematically yield a pattern, namely the floor as high as possible. This sort of incoherence is built into a great deal of contemporary thinking about distributive justice and equality. It is an assumption that you can be proceduralist at one level and target oriented at others.

You mentioned some of your current work. Could you tell us a little bit more about it?

I've gotten very interested in what you might call the ethics of communication, by which I do not mean communicative ethics, as in Habermas. The question to my mind is that so much that we do is done with words. We speak, but we have also developed other important actions in the realm of speech. We concern ourselves with information-ethics, like freedom of information, data protection, requirements for transparency and accountability. All of these areas have been built up in the last twenty years. Still, when you look at it, many theorists often do not focus on speech acts, but ostensibly on speech content. They say: "This sort of information is private and this sort of information must be public." They emphasize very limited speech acts, which do not involve communication with others, like disclosure, or dissemination, or transparency itself. This is done at the expense of thinking properly about an ethics of speech acts. What is interesting is that J.L. Austin in How to Do Things with Words gestures towards the possibility of an ethics of speech acts, but he said he wasn't going to do it. He was more interested at that stage in the feasibility conditions for speech acts, and whether they were what he calls feliciters - that is, whether they are successful. He concentrates on all the ways in which speech acts go wrong – mistakes, accidents, slips of the tongue – which are interesting things. But there are questions about the ethics of speech that are interesting beyond this. I've, for instance, been writing on interpretations of press freedom. I hope to get some of that material published a bit more systematically in the next two to three years. This is what I'm mainly doing at the moment. I concentrate on sets of communicative obligations, or obligations on communicative transactions ranging from different ways in thinking about privacy, different ways in thinking about accountability and different ways in thinking about trust.

You have given talks to a lot of people on the topic of trust. (The Reith Lectures (BBC-radio. Red. anm.)) What was that like?

Yes, the Reith Lectures! That was for me a very big opportunity because philosophers rarely get a chance to talk to a million people. And it was a success! I worked very hard on how I communicated in those lectures. I have found myself at the center of an enormous range of discussions in the last three years since the lectures were given. Every day I meet people saying, "I heard your lectures. I liked them." My favorite letter was from a lady of 92 years old, in her nursing home. She said: "I listened to your lectures every week. I could not have expressed it quite as well myself, but I agree with everything you said. After every lecture my friends and I – we are all over ninety – had a discussion of the given lecture." And I thought, "That is perfect. What more do we want in this world?" That is lovely.