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Relational Autonomy and the Social Dynamics of Paternalism

John Christman

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Abstract In this paper I look at various ways that interpersonal and social relations can be seen as required for autonomy. I then consider cases where those dynamics might play out or not in potentially paternalistic situations. In particular, I consider cases of especially vulnerable persons who are attempting to *reconstruct* a sense of practical identity required for their autonomy and need the potential paternalist's aid in doing so. I then draw out the implications for standard liberal principles of (anti-) paternalism, specifically in clinical or therapeutic situations. The picture of potential paternalism that emerges here is much more of a dynamic, interpersonal scenario rather than a case of two separate individuals making decisions independent of each other.

Keywords Autonomy · Paternalism · Relational autonomy

The concept of autonomy figures centrally in analyses of the possible justification of paternalism, at least in many approaches. In the liberal tradition, in both its Kantian and its Millian modes, the autonomy of the agent is thought to be the focal characteristic that serves to bar or severely limit the range of justified paternalistic intervention available to concerned others. And the question of whether a person is autonomous, in this tradition, is considered as an individual state, a status the person has independently of the relations or interpersonal interactions she finds herself enmeshed in. But in recent years, several theorists have urged that we view autonomy *relationally*, at least in part, so that the question of whether a person is autonomous is very much tied to the character of the social and interpersonal relations in which she finds herself. This has significant ramifications, I will argue, for how we evaluate the justification of paternalism.

In the standard approaches to paternalism, the relation between the potential paternalist and the possible subject of paternalism is considered only along the dimension of the possible interference that paternalism involves. That is, the relevant questions for determining the justification of paternalism focus on the reasons that the paternalist has for interfering and the status of the subject of that interference, her status as a rational, autonomous adult with full access to relevant information, for example. What is not considered are the ways in which the actions of the potential paternalist affect this very status. In particular, there are cases where whether the subject

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of paternalism is (say) autonomous has to do with the actions of the paternalist (or paternalistic agency or institution). Recognizing the ways in which autonomy is often relational, or at least deeply affected by social and relational factors, significantly complicates the usual model of (anti-) paternalism that one finds in liberal political philosophy.

Typically, attention to autonomy in these settings has been contrasted with relations of care, the latter being seen as more attuned to the relational aspects of the self as well as to the responsibilities to others that are constitutive of many or all of our self-understandings. However, in the analysis here, I want to utilize the insights of those who see autonomy as itself relational in order to complicate the usual modes by which respect for autonomy circumscribes our tendencies toward paternalistic care.

These relational dynamics are especially relevant in cases where the potential paternalist and the subject of paternalism occupy different social landscapes, in particular where asymmetries of power are in evidence and these agents face each other across lines of culture, race, language and geography (and other dimensions of power). New and subtle forms of vulnerability that principles of anti-paternalism are proffered to be sensitive to, are especially relevant to the question of how the subject's autonomy is established and appraised and the role the potential paternalist has in securing or denying that autonomy.

In what follows I want to trace out these complications by looking at cases where the attitudes and actions of certain agents – potential paternalists (hereafter "the paternalist") – can directly affect whether the possible subject of paternalism (hereafter "the subject") is autonomous. In such cases, the question of whether paternalism is justified cannot be answered in the usual ways, where it is considered simply whether the person is autonomous, well informed, or rational and then determined thereby what limits there are to the justifiable paternalistic interventions available to the paternalist.

1 Fixing Attention: A Tragically Typical Case

Consider, for example, a vulnerable and traumatized young woman, Irina, who has just been "rescued" from a condition of forced prostitution in a foreign country. A social worker is working with her to determine, for example, what her options are regarding such things as whether to return home or remain in the destination country (where she is highly vulnerable to "choosing" to return to prostitution). The aid worker might have to decide whether to take actions against the current will of the woman on paternalistic grounds, for example admitting her into special programs that would allow her to stay in the host country or turning her over to immigration authorities. Many other questions might come up, for example whether the woman is addicted to drugs, to what degree she is psychologically traumatized by her experience (basically of being systematically raped over a long period), what physical dangers she might continue to face from her former pimps and traffickers, what social and language skills she might have to use in the host country, what her relations are to her family should she return home, and so on.

Such scenarios are sadly common. I simplify here grossly in order to focus on the (for us) central normative issue at play, namely whether the aid worker is permitted to pursue paternalistic strategies in negotiating these various options. Clearly questions surrounding the woman's competence, rationality, autonomy, and so on are relevant here. But what is not often noted in discussions of similar cases, is that the attitude of the aid worker him or herself is also highly relevant to whether the woman is autonomous, for certain attitudes will serve to undercut the subject's autonomy and thereby serve to allow paternalism (on the standard approach). This, I will suggest, is an unpalatable implication of those standard approaches.

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Let me be clear about the simplifications that are operative in putting forward this kind of case as a paradigm: First, I am considering a dyadic relation between two persons, while in fact cases of this sort will involve complex networks of agencies, social connections, cultural ties, and so on that make the picture of an "individual" deciding what to do overly simplistic. Second, I paint a picture of a victimized and vulnerable woman (the formerly trafficked woman) in order to raise issues of paternalism, but in fact many such women have highly developed survival mechanisms, defensive strategies, and other psychological resources at their disposal. Finally, I focus on the paternalistic reasons the aid worker has in trying to decide a course of action (though I will mention her attitudes toward the woman where relevant); but in most cases such a person will be guided by a complex array of motives and reasons and will be acting within a policy matrix that has its own guidelines and protocols, the prevalence of which may be impossible to sort out precisely in particular cases.

But focusing on these simplified aspects of such cases will help us raise the important normative questions that such aid workers and subjects will be considering and which policy instruments aimed at guiding such interactions must address. The fundamental components of the example include the fact that the paternalist is both a potential agent of interference (motivated by concern for the subject) but also is a person who expresses attitudes and provides resources (psychic and otherwise) that are themselves crucial for the subject's capacity to make decisions for herself.

2 Justifying Paternalism: The Standard Liberal Approach

Paternalism is generally defined as interfering with a person, against her will (or without her consent), motivated solely by the aim of advancing her good.[1] A fundamental tenet of liberal political philosophy is a general prohibition on, or at least strong disfavor toward, paternalism of this sort. This is justified in a number of related ways, such as the central place that respect for autonomy plays in much liberal thought, or the basic commitment to the protection of liberty, or the commitment to neutrality regarding conceptions of the good, all of which figure prominently in liberalism in its various guises (to various degrees).

Many distinctions can be made about the nature of paternalism. For example, we can differentiate between a paternalistic interference aimed at enabling the agent to find better means to her ends (weak paternalism) and interferences aimed at helping her achieve different ends (strong); we can separate acts of paternalism motivated solely by the subject's good and one's motivated by other aims as well (pure vs. impure paternalism). Finally, we can separate "soft" from "hard" paternalism: soft paternalism is meant to be justified by the belief that, because of a temporary impairment to a person's ability to act voluntarily or knowledgeably, the subject cannot see her own interests clearly and would consent to the paternalistic interference after the impairment is eradicated. Hard paternalism refers to the position that purports to justified interference even if the subject is not impaired and will never consent to the intrusion.[2] The standard liberal position on the matter is that paternalism should be limited to weak, soft paternalism and that indirect interference is preferable to direct intrusion upon a subject's choices. Hard paternalism is generally thought to be unjustified.[3]

Note, then, that the fundamental elements of the paternalistic situation, as we may call it, include the following:

[1] See, for example Dworkin 1972; Kleinig 1983, and Feinberg 1986.
[2] These distinctions are explained in Dworkin 2010.
[3] For exceptions to this, see Arneson 2005; Hanna 2011.

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- The motives of the paternalist: the proposed intervention must be motivated solely or primarily by concern for the subject's own good, either her prudential good or her moral good (though for now we can focus on her prudential good).[4]
- The nature of the paternalistic intervention: generally, acts count as paternalistic when they prevent a subject from acting or they withhold information or resources that would allow her to act in ways she currently intends to act.
- The status and condition of the subject: specifically, factors concerning the knowledge the subject has of the situation, the degree of voluntariness of her purportedly self-harming actions, and more generally her autonomy (either in general or with respect to these actions).

One thing to notice about these elements is that the two agents here (the paternalist and the subject) are considered separately. Of course they are reacting to each other, at least in that the paternalist is engaging in action or considering engaging in actions that will limit the liberty of the subject and may affect her in numerous other ways for good or ill. Moreover, he or she is appraising the status and condition of the subject in order to determine whether or not she is autonomous (or so we imagine). However, there is no assumption that the actions of the paternalist can affect that status as autonomous or not. At least that is the typical assumption in discussions of this issue.

Furthermore, with such factors in focus, the paternalist can obey the relevant anti-paternalist principle by simply leaving the subject alone. In fact, such a principle directs the paternalist to *not interact* with the agent in paternalistic ways. Respecting a person's autonomy means, in these situations, not taking action regarding the good of the subject, specifically because doing so would be counter to her expressed wishes or be in conflict with her ability to autonomously pursue her own values.

Indeed, autonomy is at the center of the dominant strand of liberalism and in how it sets the limits to justified paternalism.[5] Insofar as a subject is autonomous, to interfere with her without her consent to promote her good offends against her capacity to independently pursue authentically valued ends in her own way and in that way shows disrespect for her autonomy. As Joel Feinberg has put it, "a person's right of self-determination, being sovereign, takes precedence even over his own good."[6]

Now if an agent lacks autonomy, paternalistic intervention is thought to be justified, especially if it falls into the category of weak (and soft) paternalism. But the intervention in question is directly aimed at advancing the subject's good, not (necessarily or in the first instance) restoring her autonomy itself. Caring for the subject is called for if her lack of autonomy opens the doors of permission to direct interference to advance her good; otherwise, her autonomy closes that door.

[4] It may in many cases be very difficult to distinguish motives aimed at the person's moral improvement from those aimed at her personal or non-moral good; consider, for example, attempting to steer a person away from a life of prostitution on the grounds that it is so demeaning as to be unhealthy for her.

Also, I focus here on acts of paternalism and motives of paternalists as if these are separable elements. This is the standard approach, though some have argued that we must look at the compounds of reasons and actions to determine whether paternalism is justified in given instances: see Grille 2007.

[5] I refer here to strands of political thought inspired by Kant. The other, Millian, brand of liberalism fixes limits to paternalism by reference to the long-term good of the subject, as well as the value of individuality, arguing the such interferences typically make people worse off. This comes from either lack of knowledge of the good of the subject by the paternalist, the tendency to overstep, or the value of individuality itself – pursuing one's own good in one's own way. For discussion, see *On Liberty*; see also Arneson 1980, 1989.

[6] Feinberg 1986, p. 61.

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Finally, it is *respect* for autonomy that grounds these restrictions on the part of the paternalist's potential interfering actions. This is different from *valuing* autonomy in that the latter might justify taking actions that advance, promote or enable the autonomy of the person. Respect, on the other hand, implies seeing her autonomy as providing limitations on how she is to be treated: respecting something and valuing something, generally speaking, differ in the relation these postures exemplify between people, respecting something means circumscribing actions by acknowledging the thing's importance; valuing something implies that one ought to bring the thing into existence, protect its existence, perhaps maximize its occurrence, or the like (again speaking quite generally).

This last point is important because the liberal principle of anti-paternalism is generally taken to be based on respect rather than valuation, at least in the broad Kantian strand of liberalism I am here examining. As we will see, this becomes complicated when one regards the interaction between the paternalist and the subject to be more nuanced and multi-dimensional than is typically considered.

3 Autonomy: The Standard Conception and the Relational Alternative

Autonomy can refer to particular decisions or to the status of the person generally.[7] Autonomy can also be seen as a matter of degree or as a threshold property. Insofar as autonomy marks the aspect of persons by which paternalistic interventions and moral respect is grounded, then it must be seen as an all or nothing affair (at least insofar as bars to paternalism and prescriptions of respect cannot vary in degree).

Briefly, standard approaches to autonomy see that characteristic as a mark of self-government, the ability of the person to guide her life from her own perspective rather than be manipulated by others or be forced into a particular path by surreptitious or irresistible forces.[8] Conditions for autonomy in this sense have typically included what have been called *competency* conditions and *authenticity* conditions. The former refer to the agent's ability to form intentions and engage in action voluntarily and with adequate information. These may also include requirements of rationality, motivational competence, emotional stability, and other conditions. For example, Diana Meyers argues that an array of competences that include critical rationality, imagination about one's options, and determination to carry them out are required for autonomy competency. Catriona Mackenzie also stresses the imaginative ability to see oneself otherwise, to consider taking paths other than the one laid out before one, as crucial for self-government.[9]

More complex are the requirements of what is here called "authenticity".[10] Requirements of authenticity simply attempt to determine when the values, desires, character traits, and so on that orient a person's choices and move her to action are truly her own in a way that coincides with the idea of self-government. Those who are acting voluntarily and rationally (in a narrow sense) but on the basis of values that they have been forced or manipulated into adopting, or

[7] This refers to the distinction between "global" and "local" autonomy. For discussion, see Dworkin 1989, 12–20, and Christman 1991. Diana Meyers makes a similar distinction between "programmatic" and "episodic" autonomy. See Meyers 1987.

[8] Writers who have analyzed the concept of autonomy in detail recently include Gerald Dworkin (1989), Alfred Mele (1995), Diana T. Meyers (1989), Bernard Berofsky (1995), and Marylin Friedman (2003). For surveys of such literature, see Christman 2002; Buss 2002; Oshana 2006, and Mackenzie and Stoljar 2000.

[9] Meyers 1987; Mackenzie 2000.

[10] This should not be confused with other uses of that notion in philosophy (such as in existentialism or in explicating the virtue of integrity) though some relation to those uses might be found.

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which arise out of pathological, oppressive, or overly constraining conditions are not acting as self-governing agents.

Many different accounts of this set of conditions have been given. For example, many follow Harry Frankfurt and Gerald Dworkin in requiring that the person be able to critically reflect on her first level motives and accept them as her own or in keeping with her deepest cares.[11] On my own view of these matters I have tried to stress the socio-historical nature of the self doing the reflecting (and the values and commitments that are its object). I stress how the autonomous person must accept her values and motives (and other life conditions) as part of an ongoing historical self-narrative, so that autonomy must be seen as diachronic in these ways. Hence, a person is autonomous if she can reflectively accept her condition in light of its history and ongoing narrative and do so without deep self alienation.[12]

Lack of autonomy can stem from many conditions on this model then. Compulsion, temporary or protracted mental disability, and addiction are most often mentioned as examples, as are brainwashing and manipulation of the psychic economy of the agent. These conditions undercut the person's ability to reflectively accept her first-order motives and/or the way that she has come to develop them. What is important in the standard models is that the reflection in question takes place (or would take place) individually. There is no necessary reference to interaction with others in specifying what is required for autonomy. In cases of potential paternalism, the autonomy of the person is considered apart from the paternalistic setting, where the competencies of the subject can be determined first and then questions of whether intervention is justified – largely on the basis of this first judgment – are taken up separately.

However, it has been claimed that such a view assumes an overly individualistic understanding of agency and value. The social nature of the self, some claim, points to other ways that agents can fail to (be allowed to) achieve autonomy, in that there are cases where certain external relations that are inherent in the practical self-understanding of the person by which she understands herself are disrupted or cut off. A person whose self-conception makes reference to a cultural, religious, or social role but who is permanently removed from the conditions in which such a role can be exercised, may lack the capacity for self-governing agency, and not only be unable to achieve his or her goals. The goals in question may no longer make sense in the new conditions, hence the person's practical identity by which he or she considers options, makes plans and considers questions of values is completely fractured.[13]

In response to such individualism, more recently various theorists of autonomy have argued that being self-governing in the relevant sense is not entirely an individual affair. Indeed, they argue, autonomy depends crucially on the nature of the interpersonal and social dynamics in which one finds oneself. Let us now turn to these views, then, before returning to the question of paternalism.

4 Relational Autonomy

Feminists have been especially vocal in the claim that the idea of autonomy central to liberal politics must be reconfigured or abandoned so as to be more sensitive to relations of care,

[11] See Frankfurt 1987 and 1992 and Dworkin 1989.
[12] See Christman 2009.
[13] Indeed, the literature on relational autonomy, discussed below, is largely motivated by such concerns. See, e.g., Mackenzie and Stoljar 2000 and Oshana 2006. Also of relevance here is the way that Jonathan Lear, examines the case of Plenty Coups, the leader of the Crow Indian nation in the U.S. whose traditional tribal way of life had been completely destroyed. On Lear's analysis, Plenty Coups's values, motives and social self-understanding was thereby fractured, making him unable to find a way forward until he was able to reconstruct a sense of social identity in a new setting. See Lear 2006.

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interdependence, and mutual support that define our lives and which have traditionally marked the realm of the feminine.[14] In recent work on the notion, theorists from various corners have developed conceptions that include specifications of proper social and interpersonal relations in spelling out what self-government means.[15] Relations defined by one's culture, religion or social role of the sort just mentioned – those central to the person's sense of self – would have to be supported in order for self-governing agency to be possible. Of particular relevance here are those theorists who require that competent, authentic choice requires being *recognized* by significant others as having normative authority, self-trust, or answerability.[16]

These conditions are meant to capture the ways that persons can be oppressed by others' not taking them seriously, by denigrating or dismissing their point of view. These are special vulnerabilities that being fully autonomous protects us against, and only some ways of being treated by others provide this protection. Especially relevant here are those cases where trauma, injury, psychological violence and other forms of malicious treatment have robbed people of their effective ability to reflectively settle on a life plan they consider their own. This may well come from being subject to coercive and violent treatment that so completely disorients one that decisions, for example, of whether to accept aid, trust others, leave one's captors when it seems possible, and so on are so difficult to make.[17] Those aid-workers, for example, who might try to enable such a person to regain his or her autonomy would need to provide personal and social support that helps the person re-establish this sense of self-trust that has been undercut in these ways.

Defenders of relational conceptions of autonomy stress the need to be recognized by others as having decision-making capacities, to be treated as agents with their own valid perspective, not merely as a palliative to help with decision-making but as a constitutive element of self-governing agency itself. This last point, concerning whether relational conditions are causally necessary or constitutive of agency itself has been much discussed.[18] I have argued, for example, that only insofar as a particular person sees herself as constituted by certain relations will protecting those relations be essential to autonomy. In other cases, being treated with respect, recognition (under some social descriptor), as a dialogical interlocutor, and so on can, I think, be considered as *contingently* necessary for the kind of competence required for autonomy, as long as this necessity is taken to be highly variable and context-dependent.[19]

Let us look more closely, then, at the ways that interpersonal and social dynamics affect (or for some, constitute) autonomy. For example, Catriona Mackenzie has argued that to be autonomous, in addition to being competent and reflective, one must be recognized as having "normative authority" over one's central values and commitments by surrounding others. The normative authority that Mackenzie points to is the ability to self-validate one's judgments and reflections in order to make one's desires effective in action. That is, normative authority involves being taken as the validating source (though not necessarily the origin) of one's values and judgments, one's practical identity.[20]

[14] See, for example, see Jaggar 1988, 29; for an overview, see the essays in Meyers, ed. 1997, Part 4. For general discussions of relational autonomy, see Mackenzie and Stoljar 2000.
[15] See, e.g., Oshana 2006.
[16] Mackenzie 2008; Benson 1994 and 2000, Govier 1993, and Westlund 2009.
[17] As Nicholas Kristoff writes about trafficked women who failed to escape their captors when they could this way: "The girls typically explain that they didn't try to escape because of a complex web of emotions, including fear of the pimp but also a deluded affection and a measure of Stockholm syndrome." (New York Times, April 19, 2012)
[18] See, e.g., Westlund 2009.
[19] For further discussion of this position, see Christman 2009, ch. 8.
[20] Mackenzie 2008. Page numbers immediately following refer to this text.

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Mackenzie argues that people may meet the individualist, procedural accounts of autonomy of the sort mentioned earlier but lack a level of normative authority that is required for her judgments to be truly their own. She presents as an example a case of a women who has just been abandoned by her husband and is deeply enmeshed in patriarchal norms, so that without her husband's presence she feels powerless and worthless; and as a result she is not inclined to choose what (to others) is the obviously optimal medical course. She lacks autonomy, Mackenzie claims, despite identifying with her wishes (to forego needed care) and reflectively endorsing them. Based on consideration of such persons, Mackenzie claims that "an agent's sense of herself as having a rightful claim to normative authority...[is] based on intersubjective recognition" by others. In this way, an agent's status as having normative authority over her values and decisions (what others have called "self-trust") has both "first-personal" and "relational" aspects (Mackenzie 2008, 514).

What we see here is a view that puts those giving aid to a person who lacks such self-trust into the position of helping to establish her autonomy as well as recognizing and respecting it, and then circumscribing his (the aidworker's) own actions out of such respect. The trust such an aidworker shows toward the subject's own capacities to make self-regarding judgments is required for such a vulnerable person to retain the sense of herself as a reflective judge of her own good.

In a similar vein, Joel Anderson and Axel Honneth have developed a view of autonomy that stresses the need for social recognition in order to ensure that agents' vulnerabilities to threats to their self-respect are obviated. Anderson and Honneth argue that in order to maintain proper levels of self-respect (those required for effective autonomy), one must think of oneself as of equal moral status with others. They claim that in at least three spheres, certain forms of social recognition relations – ones that establish self-respect, self-trust, and self-esteem – are required for individuals to avoid particular vulnerabilities to which citizens in current contexts are systematically subject, vulnerabilities which their autonomy is meant to protect them against. As they put it, proper relations of self- respect, trust and esteem are needed so that "full autonomy – the real and effective capacity to develop and pursue one's own conception of a worthwhile life – is facilitated by relations-to-self (self-respect, self-trust, and self-esteem) that are themselves bound up with webs of social recognition".[21]

There are other lines of argument in the literature that follow a similar path.[22] What is notable, however, is how interpersonal dynamics both facilitate and establish the autonomy of the person. Such dynamics are pictured here as a dyadic interaction, though of course more might well be needed for the establishment of the self-trust in question. A person may need to be generally recognized socially as having the status of a normative authority in the relevant sense for self-government to be effective.

To drive this point home, consider the opposite end of the spectrum, where *anti-social* attitudes are expressed toward persons in their efforts to maintain self-governing agency. An implication of the relational models here described will be that in some cases, what robs persons of their status as agents is the failure on the part of surrounding others to acknowledge their standing as answerable for their own judgments. In some of these instances, persons who fail to govern their lives effectively and independently are robbed of that privilege by the odium of their social circumstances, in particular the oppressive attitudes of many who may have power over them.

In this vein, Paul Benson has explored the ways that prejudicial and biased attitudes directly threaten people's capacity for autonomy. What is called "stereotype threat" is the general vulnerability experienced by some racial and ethnic minorities (and others) to being perceived

[21] Anderson and Honneth 2005, 137. See also Honneth 2001

[22] For example Benson and Grovier emphasize recognition of self-trust (Benson 1994; Grovier 1993) while Westlund stresses "answerability" (Westlund 2009).

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as an exemplar of negative stereotypes about one's group. This has been shown to impair performance and diminish one's sense of self worth. What Benson argues is that these effects bring to light the socio-relational aspects of identity as well as the fragility of those relational aspects in conditions of power asymmetries and social vulnerability.[23] Susan Sherwin makes a similar point when she writes, "Relational [accounts of autonomy] ... help us to see how socially constructed stereotypes can reduce both society's and the agent's sense of that person's ability to act autonomously. Relational theory allows us to recognize how such diminished expectations readily become translated into diminished capacities."[24]

One important distinction that is relevant here is between actually *receiving* external recognition of one's decisional capacities and authority and having a *sense* of such recognition. The latter can occur even in the face or denigration and social opprobrium. One reason for saying that (relational) autonomy merely requires the sense of social recognition is that it accounts for cases like the runaway slave (in the ante-bellum southern U.S. for example) who lives among people who regard her as subhuman and who would not grant her the recognition in question. Yet, she displays enormous courage and self-determination in her heroic efforts to ignore such attitudes and find her way to safety and freedom. Such a person has internalized a communal recognition of her status as a person which is not currently available to her, a community of fellow slaves and others who would not harbor the racist hatred surrounding her. That sense of recognition as a requirement of autonomy still renders that status as relational since the internalized communal self-conception operative here is still social and partly constitutes the person's ability to effectively pursue her goals.

Of course, those who are sufficiently cut off from such supporting community voices may well lose this ability and suffer from a lack of self-efficacy needed for self-government. In such cases of extreme vulnerability, it may be incumbent on those who interact with the person to help restore a sense of self worth and self-trust, insofar as they are concerned with her autonomy. In the case of Irina considered earlier, for example, the way she is treated by the aid workers will very much determine her autonomy, both in the sense of providing resources necessary for her self-government but also expressing forms of respect and recognition that her own capacity for effective agency requires. (I say more on this below.) In these and other similar cases, interpersonal relations will matter crucially in the establishment of the person's autonomy.

With this in mind, let us now turn back directly to the issue of paternalism to examine the ways that respect for *relational* autonomy alters the standard approach as earlier outlined.

5 The Relational Dynamics of Paternalism

Earlier I asked us to consider a person who has escaped sex trafficking who is in the purview of aid worker(s) trying to decide (with her) on a course of action that will reinstate her status as self-governing, social agent in a healthy and safe environment. What is often true of such women and girls (they are almost exclusively female) is that they are in a foreign country with little or no local language ability, they may be recovering from drug addiction, and they often must deal with the traumatic memories of their recent experiences as prostitutes (experiences that dramatically violated their previously established moral self-understandings). Fear of reprisals from traffickers as well as law enforcement personnel is often common.[25]

[23] "Stereotype Threat and Relational Autonomy", paper presented at APA Central Division Meetings. February, 2012.

[24] McLeod and Sherwin 2000, 79.

[25] For an overview of the phenomenon (from the perspective of an activist), see Bales et.al. 2009.

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The question of the autonomy of such persons involves, among other things, whether they can determine a renegotiated value orientation that can carry them through to a new life path. This may mean, for example, submitting to treatment, moving to a culturally familiar (but still newly found) community, and finding meaningful work and life sustaining activities. These steps are relevant to the restoration of autonomy competences as well as achieving the conditions of enjoying authentic value formations and life options, as dictated by the requirements of autonomy alluded to earlier. What relational theorists maintain is that part of the mechanism for achieving such a renewed self-understanding is aid and understanding from significant others and social agencies, aid which involves mutual trust, respect and understanding. Let us return, then, to the case of Irina to trace out the implications of taking autonomy as relational in characterizing the limits autonomy puts on paternalistic intervention.

First, the question of autonomy competences arises: does Irina suffer from addictions, health and nutritional deficits, or other impairments that need immediate attention? Further, does she exhibit signs of emotional trauma that impede her ability to think through her options and weigh their importance for her?

Let us imagine, for now, that the answers to these questions are generally negative. And consider that Irina is giving signals that if she is allowed to, she may well return to the brothel where she worked earlier. The question for the aid worker here is whether to intervene, without her consent, to prevent her from doing so. Now one basic question would be whether such a return is against her basic interests. Of course, some argue with some persuasiveness that sex work for a person in Irina's situation is always detrimental to her basic interests; but whether that is generally the case, we can assume here that doing so would expose her to abusive and destructive conditions that will likely include violence, further drug addiction and severe health risks. The question the case worker must face, then, is whether Irina is autonomous and hence whether her apparent choice to return to that situation must be respected or not.

Recall the standard approaches to both autonomy and paternalism. Under such models, the aid worker must evaluate Irina as to whether she meets the competency and authenticity requirements for autonomy. If so, then it might be asked whether indirect paternalism might be available, say by arresting her pimp or by making it more costly for Irina to get back to her former life as a prostitute. If those options appear to be unavailable, then it appears that the hard paternalist option of taking steps to directly limit her liberty in ways that conflict with her (possibly autonomous) desires regarding her own welfare is all that is available.

But now consider the various ways that autonomy was seen in relational terms. That adds to the repertoire of questions about Irina the aid worker must ask as well as options to consider within the paternalistic scenario. On that approach, authenticity is seen as having interpersonal and social elements, where recognition of a person's capacity for self-trust and normative authority must be expressed. In that case, the aid worker's actions have a constitutive role to play in the structure of Irina's potential autonomy, not merely as a means for determining whether she is autonomous (in the traditional individualist sense). If the paternalist withholds such recognition or fails to engage with Irina in mutually trusting and respectful ways in order to come to a cooperative decision based on dialogically structured reflection, Irina may fail the test for autonomy if viewed through a relational lens.

More strongly, if the worker engages in dismissive, denigrating, or condescending behavior toward Irina, this will *undercut* her ability to reflectively weigh her options in light of her values (and their historical transformations) in self-trusting and efficacious ways. Just as recognition of these capacities was acknowledged as necessary for a person to effectively exercise them, denigration undercuts that ability. Again, Irina will fail the test for autonomy insofar as that status is considered as constituted, in part, by these sorts of interpersonal dynamics.

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This complicates the directives of general anti-paternalism we have been considering. For leaving Irina alone, neglecting her needs for engaged dialogical reflection on her options and values, leaves her non-autonomous, and thereby removes the normative check on paternalistic intervention that our aid worker is guided by. Viewed through the language of *respecting* autonomy (where one finds it), the paternalist can avoid violating the general anti-paternalistic directive by withholding the very treatment that is needed for autonomy to emerge.

Alternatively, a duty to actively engage in interaction whose aim is to secure the possibilities for autonomous pursuit of valued aims would issue in different behavior; it would obligate the aid worker to actively value the nascent autonomy exhibited by Irina and take steps to cooperatively produce that status in her. This obligation is not based on the narrow concept of *respect* for autonomy mentioned earlier but rather on a commitment to *value* autonomy and hence to engage in actions that help secure and maintain where possible.

For these reasons, viewing autonomy relationally yields a different set of anti-paternalistic directives, ones which include obligations to interact in autonomy-facilitating ways. The question of whether to surreptitiously intervene into Irina's initial proclivity to return to prostitution is complicated by these ancillary obligations. The potential paternalist here must ask what actions would help produce a reflectively acceptable life narrative for Irina given her evolving practical identity (and its history); cooperatively participating in dialogue and dynamic reflection on those values will be required to aim for such a result. Simply dealing with Irina at arm's length – something that standard anti-paternalism might direct the aid worker to do – will not fulfill this obligation.

The analysis I develop here has been traced by others, albeit with other notes of emphasis and guiding orientation.[26] For example, this approach was anticipated by Jodi Halpern in her model of clinical empathy that she contrasts with the "detached insight view" that she says dominates standard clinical practice.[27] Empathy is crucial in clinical and other aid settings, she argues, because of the ways that people discern the attitudes of those with whom they interact, especially those who have decision-making power regarding their welfare. Halpern bases this claim on a model of autonomy that rejects the "self-standing" view of reasoning in favor of a dialogical, socially constituted conception of the self. As she puts it, "non-interference is, in fact, not benign, because the mental freedom to imagine one's own future often comes not from some process inside one's head, but from processes in the social world. It is through emotional communication starting in early infancy that we develop a sense of agency and efficacy, a life-long process."[28]

In addition, what Halpern emphasizes is the way that certain "catastrophic emotions" can impair a person's ability not only to reflectively appraise and weigh her life options and values but also to interact with others with whom the person's dialogically structured reflection might be able to facilitate such self-appraisal. Halpern looks at cases where extreme distress – what she describes with the term "suffering" – has these effects. "Suffering creates special conditions that make an interpersonal model for regenerating autonomy preferable. In suffering, expectations about the reliability of the world and of one's capacity to achieve any of one's goals can be destroyed."[29] In a way that parallels the conclusions I reached a moment ago, Halpern argues that carers owe to their clients and patients a level of attention and interaction that goes beyond detached protection and traditional anti-paternalism.[30]

[26] See, for example, Mackenzie et al. 2007; Halpern 2001; Sherwin 2000, and Salmon and Young 2009.

[27] Halpern 2001.

[28] Halpern 2001, 116.

[29] Halpern 2001, 112. "Suffering may impair people's self-efficacy as well as their ability to imagine goals for the future. Yet these two things are essential for exercising autonomy." (*ibid*, 104)

[30] She writes, for example, that "physicians have a duty to seek to understand of the specific affective worlds of their patients, especially when they are suffering." (*ibid*, 122)

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As I have argued elsewhere (following others in the literature), self-governing agency must allow for the ways that we think with and through our interactions with significant others. What we can call "cooperative reflection" points to the ways in which, even in normal contexts, we reflect on our individual situations in a dialogue with others, both present to us and imaginatively, so that the kind of authentic (non-alienated) self acceptance which I claim autonomy requires presupposes that we are able to interact with those significant others in ways that facilitate such dialogically structured reflection.[31]

Of course, difficulties in negotiating paternalistic terrain in these cases will remain. For example, it may by unclear what should be done if there is abiding disagreement between the aid giver and subject about the wisdom of her decisions. The standard liberal position on this issue, which is still at work here, is that paternalism is not justified if the only issue is the substantive value judgments of the subject. The carer in such cases must be especially judicious in separating his or her own judgment about the wisdom of those value commitments (for a life of selling one's sexual services for money, say) and the support that must be provided to the subject to effectuate her autonomy itself in making those judgments. Further, when this process ends and the subject's capacities for effective agency have been sufficiently established will also be a matter of judgment. Presumably, the person will find or be helped to find a social support system outside of the clinical context which will take over in the process of recognition and respect that, as is the case for all of us, provides the social reinforcement required for agency in general.

6 Conclusion

As I mentioned earlier, attention to the relational aspects of selves as well as the importance of interpersonal responsibilities and relationships have often been put forward as motivation for an *alternative* to an autonomy-centered ethical framework. Specifically, care ethics has been offered as a contrast to the rights-based, autonomy-focused, approach to clinical settings. Feminists and others have developed such alternatives in rich and powerful ways, both in general and as applied to clinical contexts.[32] Such views expanded the terrain of moral thinking in ways that depart from the narrow individualism and strategic interactionism presupposed in traditional autonomy-based views.

The work I have discussed here, however, has not abandoned the language of autonomy in attempting to articulate the ways that general anti-paternalism guides our clinical practice and social world in liberal democratic settings. Much remains to be wary of in autonomy-based approaches to such policies and practice, but the work I discuss here attempts to revise the core notions in those approaches in ways that avoid their most prominent pitfalls and hopefully retain their evident virtues.[33]

The components of the argument I develop here are stated in quite general terms. They admittedly lack specific recommendations concerning policy or practice. Hopefully, however, they point in a promising direction concerning the revisions to the general understanding of paternalism dominant in liberal philosophy generally and bioethics and health policy

[31] My view is developed in Christman 2009. However, this dialogical view of the self borrows much from many other highly developed theories, such as that of Charles Taylor (1989), Jürgen Habermas (1998), and others.

[32] Classic works include Noddings 1984 and Ruddick 2002, among others.

[33] For example, continuing to see personal autonomy as a core value protects against certain abuses of caring relationships, such as the over-burdensome nature of responsibility for others that relations of care sometimes entail. For discussion, see Friedman 2003, chs. 4 and 6.

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in particular. I hope to have drawn particular attention to the ways the certain sorts of vulnerabilities raise new and challenging issues for the application of standard norms of anti-paternalism, in particular when seen in the light of more complex understandings of the self and autonomy.

I have focused on a particular kind of subject of potential paternalism – an immigrant who has suffered trauma and is attempting to renegotiate her own practical identity in a new setting. Such a person raises a plethora of complex issues surrounding the line between helpful and respectful assistance in carrying out her wishes and intrusive paternalism in imposing an external conception of the good upon her unwillingly. The special vulnerabilities such a person is subject to, as well as the complexities of her attempts to reflectively determine her own value orientation, make drawing such a line tremendously challenging. Standard models of autonomy and paternalism that ignore the subtle interpersonal dynamics between care giver and subject will blur our vision of the special nature of the obligation to care (and prohibitions on undue paternalism) that such situations introduce. Relational models of autonomy are better equipped to sensitize care workers to those interpersonal dynamics.

For instance, the foregoing analysis can be seen as the basis for an argument for the following alterations in the standard interpretation of anti-paternalism:

- Attention to the autonomy (or lack thereof) of vulnerable persons in determining the proper limits to paternalism should not privilege a hands-off approach to care work.
- Greater focus must be put on the ways that *anti-social* attitudes (racism, cultural denigration, etc.) can affect the autonomy of vulnerable persons and groups.
- Autonomy must be *valued* as well as *respected* in clinical practice if adequate attention is to be paid to the ways interaction with vulnerable others can facilitate the development of their autonomy. That is, it is important to see autonomy as something we value and promote and not merely something we respect at a distance.
- Specific clinical guidelines should be developed (which are only alluded to here) that will aid care workers in their attempts to cooperatively reflect with their clients about the values, options, and choices facing them.

Hence even if we regard autonomy as at the foundation of principles of anti-paternalism, those principles change significantly if we abandon the overly individualistic understanding of self-government we inherit from these standard approaches. I have laid out the broad contours of those relational views here, but the commonalities they share should move us to shift our understanding of the ways that valuing such self-government guides our interaction with others in a world populated by power differences, multiple forms of vulnerability and victimization, and specific obligations to care for each other.[34]

References

—— (2000) "Feeling crazy: self-worth and the social character of responsibility" In: MacKenzie, Stoljar (eds) 72–93

—— (2010) "Paternalism" Zalta E (ed). Stanford Encyclopedia of Philosophy. (http://plato.stanford.edu/)

——(2002) Autonomy in moral and political philosophy. Zalta E (ed). The Stanford Encyclopedia of Philosophy, (http://plato.stanford.edu/)

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Anderson J, Honneth A (2005) Autonomy, vulnerability, recognition, and justice. In: Christman J and Anderson C (eds). 127–49
Arneson R (1980) Mill versus paternalism. Ethics 90(4):470–489
Arneson R (1989) Paternalism, utility, and fairness. Rev Intgernationale Philosophe 170:409–423
Arneson R (2005) Joel feinberg and the justification of hard paternalism. Legal Theory 11:259–284
Bales K et al (2009) Free the slaves: the secret world of 27 million people. One World Press, Oxford
Benson P (1994) Autonomy and self-worth. J Philos 91(12):650–668
Berofsky B (1995) Liberation from self. Cambridge University Press, Cambridge
Buss S (2002) Personal autonomy. Stanford Encyclopedia of Philosophy (http://plato.stanford.edu/)
Christman J (1991) Autonomy and personal history. Can J Philos 21(1):1–24
Christman J (2009) The politics of persons. Cambridge University Press, Cambridge
Dworkin G (1972) Paternalism. Monist 56:64–84
Dworkin G (1989) The theory and practice of autonomy. Cambridge University Press, Cambridge
Feinberg J (1986) Harm to self. Oxford University Press, Oxford
Frankfurt H (1987) Freedom of the will and the concept of a person. The importance of what we care about. Cambridge University Press, Cambridge
Frankfurt H (1992) The faintest passion. Proc Addresses Aristot Soc 49:113–145
Friedman M (2003) Autonomy, gender, politics. Oxford University Press, Oxford
Grille K (2007) The normative core of paternalism. Res Publ 13:441–458
Grovier T (1993) Self-trust, autonomy and self-esteem. Hypatia 8(1):99–119
Halpern J (2001) From detached concern to empathy: humanizing medical practice. Oxford University Press, Oxford
Hanna J (2011) Paternalism and impairment. Soc Theory Pract 37(3):434–460
Honneth A (2001) Grounding recognition: a rejoinder to critical questions. Inquiry: 499–519
Jaggar A (1988) Feminist politics and human nature. Rowman and Allanheld, Totowa
Jürgen H (1998) The inclusion of the other: studies in political theory. MIT Press, Cambridge
Kleinig J (1983) Paternalism. Rowman and Allenheld, Totowa
Lear J (2006) Radical hope: ethics in the face of cultural devastation. Harvard University Press, Cambridge
Mackenzie C (2000) Imagining oneself otherwise. In: Mackenzie C, Stoljar N (eds). 124–50
Mackenzie C (2008) Relational autonomy, normative authority and perfectionism. J Soc Philos 39(4):512–533
Mackenzie C, Stoljar N (eds) (2000) Relational autonomy: feminist perspectives on autonomy, agency, and the social self. Oxford University Press, New York
Mackenzie C, McDowell C, Pittaway E (2007) Beyond 'do no harm': the challenge of constructing ethical relationships in refugee research. J Refugee Stud 20(2):299–319
McLeod C, Sherwin S (2000) Relational autonomy, self-trust and health care for patients who are oppressed. In: Mackenzie and Stoljar (eds). 259–79
Mele A (1995) Autonomous agents: from self-control to autonomy. Oxford University Press, New York
Meyers DT (1987) Personal autonomy and the paradox of feminine socialization. J Philos 84(11):619–628
Meyers DT (1989) Self, society and personal choice. Columbia University Press, New York
Meyers DT (ed) (1997) Feminists rethink the self. Westview Press, Boulder
Noddings N (1984) Caring: a feminist approach to ethics and moral education. University of California Press, Berkeley
Oshana M (2006) Personal autonomy in society. Ashgate Publishing, Ltd., Hampshire
Ruddick S (2002) Maternal thinking. Beacon, Boston
Salmon P, Young B (2009) Dependence and caring in clinical communication: the relevance of attachment and other theories. Patient Educ Couns 74(3):331–338
Sherwin S (2000) A relational approach to autonomy in health care. In: Boetzkes E, Waluchow WJ (eds) Readings in health care ethics. Broadview Press, Lancashire, pp 69–85
Taylor C (1989) Sources of the self: the making of modern identity. Harvard University Press, Cambridge
Westlund A (2009) Rethinking relational autonomy. Hypatia 24(4):26–49

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