Autonomy

Version: 4

1 Connection to rest of the class

There's a lot to say about autonomy. Worse, it's one of my philosophical obsessions. I'm probably going to go overboard on detail, despite my best efforts.

Thus let me say a bit about what you should focus on to connect this up with the rest of the class.

One of the main themes of the class will be trying to find lines between acceptably getting others to do what we want and objectionably undermining their ability to be autonomous.

Thus this unit has 2 goals:

(1) Getting a sense of what autonomy is and why we care about it.
(2) Highlighting some of the ways our autonomy can be vulnerable to the actions of others and other forces.

We'll also go into depth on the distinctions between autonomy and concepts (Autonomy versus free will, Autonomy versus liberty) and introduce some terminology (2nd order desires) which will be essential for understanding the Crisp article in the unit on advertising.

2 The general idea

A law professor friend jokes to her students that if they ever fall asleep during a trial, the first words out of their mouth should be "Objection!" Then figure out what to say from there.

When classes were in person, I'd joke that if I ask you why something is problematic, the first words out of your mouth should be "Autonomy!" Then figure out what to say from there.

Whatever it is, autonomy is something with moral value. It is better for a person to be autonomous. Things which promote autonomy are better; things which impair autonomy are worse.[1]

2.1 The boss of you

It's tempting to look in a dictionary to answer what we mean by 'autonomy'. Don't. Or rather, if you do, take it as a starting point. Indeed, you can think of our task as trying to figure out what the dictionary should say. [2]

Before we go any further, I am required by law to point out that the word 'autonomy' comes from two Greek words:

αὐτο (auto) means 'self'.

For example, an automobile is 'self' 'mobile'. And,

νόμος (nomos) means law

For example, umm, nomological[3] necessity

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[1] These are pro tanto (as far as it goes) claims. Other things are valuable. The autonomy promoting option may not be the best because it is outweighed by other values.

[2] We should be careful when relying on the particular words used to express a concept in a language when trying to understand the concept. They can help. But they can also mislead. Languages are always embedded in a social-cultural context whereas the concepts (or at least the propositions) we express in a language are more universal.
Moreover, we often have concepts for things (or can conceptualize them) without having words that line up exactly. You could probably identify the artist behind a song which you've never heard before by the tonal quality of the guitar, the 808 settings, but not be able to articulate what it is you latched onto. If you don't like that example, consider how many different shades of color there are compared to how few words (non-computer) languages have for colors.

[3] A term I guarantee you will never hear again unless you take a class in metaphysics or hang around with really pretentious lawyers. For what it's worth nomological necessity usually describes possible ways the world could be which are consistent with the laws of nature. This is a much smaller set of possibilities than you get with logical necessity which covers all the ways a world could be that don't involve logical contradictions.

Thus 'autonomy' means something like 'self-rule'.[4] That doesn't help much. It just raises the next question: what does it mean to rule over yourself?

There are a bunch of slogans used to introduce the idea of autonomy. They're subtly different but point toward a similar idea. For example:

- Giving law to oneself.
- Ruling over oneself
- Creating yourself
- The author of your life story
- The capitan of the ship of your life

Every writer has their favorite version of this.

I'm the writer here, so you get my favorite. Think back to when you were a kid and some adult told you to do something you didn't want to do. Your indignant response was probably something along the lines of: You're not the boss of me. I like to think of being autonomous as you being the boss of you.[5]

Slogans aren't theories; knowing a slogan isn't understanding a thing. We can improve our slogan a bit by saying that you are the boss of you when your choices and actions reflect what you really want. That shifts the focus to what it means to 'really want' something.

2.2 Really wanting

Zombies don't make choices.[6] They are merely machines driven by inflexible brain-detection and brain-consumption algorithms. If it seems to a zombie that there may be brains around the corner to the right, it turns right. If a brain is in biting distance, it bites.

My dog makes choices. He decides whether to come when I call. He decides whether to sleep on the couch or bed. He decides whether to eat the dog food or hold out for something better.

However, my dog can't reflect on his choices, at least not in the way we can. He may take attitudes toward his past behaviors, as when he acts ashamed for barking at my friend's child after I get mad at him. But he can't sit back and think, "Do I really want to be the sort of dog that barks at children?" or "Do I really want to lose my furry little mind every time I see a squirrel?"

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[4] Just so we're not so English-bound, similar connotations exist in other languages. The Japanese words 自由, 自律, 自主, and 自治 all can be translated as 'autonomy'. 自 means 'self' similarly to 'auto'. The second character in 自由 is something like 'originates from' —so, it's literally, originates from the self. 自由 is usually translated as 'freedom' or 'liberty'. Though I've seen it used in philosophical work where our notion is intended. 自治 translates as 'self-government' usually (I think) in the political sense. [Admittedly it's been awhile since I was a Japanese major in college. I'd welcome corrections from any Japanese speakers]

[5] If you weren't as stubborn a child as me, feel free to substitute whichever slogan appeals to you in what follows.

[6] This applies to classic Romeo zombies. Newer incarnations (hah, get it? 'carn' from 'carne'? okay fine) like iZombie may differ.

Questions about what one really wants are for us. Zombies and dogs lack the ability to ask them. Versions of them are central to the experience of being human and take us to the heart of autonomy.[7]

Ultimately, each of us must live our own lives. I cannot initiate your actions; you cannot initiate mine. That's just baked into the human condition.

That's not to say we always do what we want to do. In cases of extreme coercion, manipulation, addiction, or habit, we are more like my dog. We initiate actions but they have no connection to what we really want; those actions are non-autonomous.

That said, we often autonomously do things which, taken on their own, aren't what we would want to do. Homework must be done, TPS reports must be filed, the dishes must be cleaned. These (usually) don't violate our autonomy. We do them because they are necessary means to getting the things we really want. We want to learn —okay, fine, graduate so we can get a good job— so we do homework. We do the busywork our boss assigns because we want the income and future career opportunities. We clean the dishes to avoid living in squalor. They are means to getting things we really want and no threat to autonomy.

2.3 Autonomy as a disposition and autonomous actions

Our focus in the class will be on ways other people and social forces can damage a person's autonomy. It's thus worth sketching out the relationships between autonomous people and autonomous actions. That will help us avoid a sense of contradiction when we talk about, for example, autonomous people acting non-autonomously.

This section may be confusing when you're first getting the hang of autonomy. Feel free to skip over it until you need it.

For a useful model of the autonomous person, it's helpful to think of a nice person. Nice actions are the sort of actions that a nice person would normally do. Similarly, autonomous actions are the sort of actions that an autonous person would do.[8]

2.3.1 Stability and fragility

One nice act doesn't make a jerk a nice person. Calling someone a nice person suggests a relatively stable trait. Suppose Indigo is nice on even numbered days and mean on odd-numbered days. In addition to avoiding her on the 1st of the month, we wouldn't call her nice. The trait isn't stable enough. Similarly, to be called an autonomous person, your actions need to be generally autonomous.

That said, we're talking about human beings. Everyone slips up sometimes. Nice people have bad days. One sleep-deprived stressful day doesn't make someone a non-nice person. Indeed, her gruff responses and obvious irritation surprise us because we think she is a nice person. For her actions to be are out of character, her character must be nice.

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[7] That's not to say they must be unique to us. We should be open to the possibility that other animals are capable of them. This is worth keeping in mind as we talk about the conditions of autonomy below.

[8] That's not an empty tautology. The point is that the concept of an autonomous person is the more basic concept. The concept of an autonomous action derives from the concept of an autonomous person.

Similarly, autonomy won't be overly fragile. We shouldn't have to always act perfectly autonomously to be called autonomous (I'm looking at you, Kant). Suppose you're tired and non-autonomously defer unthinkingly to someone else's demands. If you're generally an autonomous person, your autonomy hasn't been destroyed. But you have acted in a non-ideal way. That's why we may be able to criticize the person making the demands, especially if their goal was to get you to act non-autonomously.

2.3.2 Comes in degrees

Niceness comes in degrees. You might help someone up who has fallen but refuse to let them drink your water. That's somewhat nice but not not as nice as if you had offered them water too.

Similarly, autonomy isn't all-or-nothing.[9] You can be more or less autonomous in an action. Though the details get tricky

2.3.3 Across time

You can be more or less autonomous at different times in your life, just like a series of personal tragedies or being abused by others can sour you and make you less nice.

Indeed, if you couldn't be more or less autonomous, it would be hard to explain development. As we'll see, autonomy requires a bunch of psychological capacities. A newborn baby is completely non-autonomous. A 2 year old is starting to get there. When a 4 year old complains 'Mom! I can do it myself. You're treating me like a baby' she may have a point. Mom may be treating her as less automous than she is.

3 Common requirements of autonomy

We're concerned with the criteria of autonomy: when someone is autonomous. To sort this out, we'll want to talk both about the conditions and also the sorts of things which undermine autonomy.

As I've hinted, there's a ton of competing theories of autonomy. Thus let's start with common ground — things every theory will require.

3.1 Reasoning abilities

Rationality, on our understanding, is about consistency between beliefs, desires, and actions, along with certain norms of how to make decisions.

Rationality is a necessary but not sufficient condition of autonomy. Since autonomy is about trying to live in a way you think worth living, that implies consistency. It's worth noting though that we're probably going to need to have a sense of rationality which encompasses the emotional components of decision making. Consistency is not just a matter of being good at logic, it also involves consistency in how you feel about particular things.

More important here is rationality-in-action, i.e., the ability to practically reason. To act in accordance with what you value, you need to be able to reason about the options and about what you value. Thus

[9] Kant seems to doubt this. For him, autonomy is more like an ideal which we should strive for even if we know we will never achieve it.

autonomy on any theory requires abilities to identify logically sound connections between beliefs, values, and perceptions.

Parents of small children are often exhausted because human children acquire the ability to move around independently long before they acquire the ability to make good decisions about, for example, what does and does not go in one's mouth, whether silverware should go in electric sockets, safe knife handling, et cetera.

As you grow up, you get better and better at reasoning and making choices. You think, "Huh. I bet this fork would fit in that electrical outlet. But given the relative conductivity of the fork, air, and me, that would mean the electrical current would have to go though me to get to ground. Since things like my brain and muscles operate on carefully balanced electrical gradients, that could be bad for me. So I guess I won't try it out."

Thus the child who complains that their parent is treating them like a baby may have a point. A 4-year old is vastly more sophisticated and competent than a 1-year old. They are vastly more capable of autonomous action, though much less capable than a 30 year old. Thus in some cases their parent may err in not respecting their autonomy.

3.2 Knowing your own motivations

On any theory, autonomy requires some amount of self-knowledge. If you're going to be the boss of you, you need to know what the boss wants you to do.

To be autonomous, one must be able to understand her own motivations and alter them on the basis of reflection.

This runs into trouble. Freud was wrong about a lot. But he was right that our own motivations are often opaque to us. In at least some cases, we may be wrong about why we did something.

That should be no surprise. Our brains have been cobbled together by evolution out of what happened to work well-enough to survive in small groups during pre-history. Your brain is both the hardest-working and the laziest organ in your body. It takes shortcuts whenever it can. Usually those shortcuts are benign. But sometimes they oppose following our considered desires. That means we need to be aware when we are following such a shortcut.

On top of that, we often have mixed motives. Did you go to that restaurant because you were craving their tacos or because you had a crush on that cute bartender? When we know it was a little column A, a little column B, we might not know in what proportions.

Some writers attack ideals of autonomy by taking the requirement that you know your own motivations to an extreme. While those criticisms are probably rebuttable, we should acknowledge that ordinary lack of self-insight is a common barrier to autonomy. We are not born with user manuals for our minds. Indeed, such manuals would be pretty useless given the many layers of messiness revealed by modern psychology.

3.3 Emotional capacities

There are many attempts to draw a hard line between reason and emotion. Let's not fight that battle here. Most people have a sense that when we work out math problems or logic puzzles we are using reason and when a painting or piece of music moves us to tears we are using emotion.[10]

To decide what to do, you need to know how you feel about the options. This requires some degree of emotional self-knowledge. It's tricky to figure out exactly how that works in many cases. For example, when you make a list of pros and cons, there may be a judgment which relies on reasoning based on beliefs that something would be a pro. But the question of how much a pro it is can be more of a feeling.

More obviously, if you judge that a consideration against an option (a con) is that it may make you feel angry and depressed, you need to have a sufficient emotional vocabulary and ability to recognize those emotions.

3.4 Self-control

Autonomy requires a degree of self-control. In any difficult decision, there will be attractive things about several options. Once you've decided that you're going with option #1, you need the self-control necessary for resisting the urge to go with option #2.

This is why addiction is a paradigm enemy of autonomy. Someone suffering from an addiction has trouble sticking with the desire not to act on their addictive impulse. There is an interesting question about whether there can be autonomous addicts. For example, someone who completely understands the consequences of their addiction and is perfectly fine with them. This seems to be allowed on some theories (especially Procedural (formal) theories).

Even if some addicts are autonomous, others aren't. When they aren't, it's because the compulsion to use the drug (et cetera) overcomes their ability to act in the way they want. In such a case, it seems plausible to say that they failed to act autonomously because of a lack of self control.

3.5 Options

While most of our discussion centers on what has to be going on inside a person for autonomy, it's important to recognize that there's a lot about a person's situation which matters.

If you are locked in a small box, there's not much you'll be able to do. It will be difficult to live in a way which reflects your values.[11]

Similarly, the absence of options also threatens autonomy. If there's only one thing you can do, you'd have to have a very ascetic set of values for your actions to be autonomous.

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[10] Listen to many mathematicians talk about how they actually do math (versus what they write down in papers) and it's full of aesthetic and emotional terms. Then listen to composers and painters describe their process and it's full of principles, technical details, and well-thought out plans. That doesn't prove anything. But it does suggest that every human endeavor uses all our capacities in ways the are far more complicated than is usually assumed.

[11] There may be some opportunities for autonomy. For example, if you value things like being cool-headed, you may be autonomous in doing things to quell feelings of panic. Presumably, we can agree that your autonomy is still not what it could be outside of the box.
I do get the sense that some writers like Camus in *The Myth of Sisyphus* may try to find room to disagree.

3.5.1 Limits on required options

That said, a theory of autonomy will need to draw an upper bound on the number and kinds of options that are required for at least two reasons.

First, too many choices can actually make it harder to make decisions. Being unable to make decisions means being unable to act autonomously. Think of the paralysis you experience when you face a wall of laundry detergent options at the grocery store for the first time.[12]

Second, since autonomy is something morally valuable, people are worse off when they are less autonomous. But the idea that everyone ought to have every possible opportunity is overly idealistic. In current practical terms, it is impossible. Thinking that increasing the available options always makes things better also creates some weird moral obligations. We'd at least want to be able to prioritize the improvement of options for those who have the fewest.

3.5.2 Freedom from oppressive socialization

We are social creatures. What we see as options for us are largely determined by our upbringing and our society. Obviously, there are exceptions. Some people do make their own paths. But that's only in some areas of their lives.

Have you ever considered a career as a fire-service lookout?[13] That is, someone who lives in a cabin in the woods, watching for signs of wildfire. I'd guess you haven't. You haven't because you didn't know that was a career people can have. Thus you didn't know it was an option for anyone much less yourself.

If you're going to be the boss of you, the boss needs to make decisions between options. To do that, you need to know what options are available. Autonomy thus requires, at least, knowledge of what things are options for you.

Of course, this is one place where our ability to be autonomous is vulnerable to social forces upon us. The assumptions a society imposes on a person about what she can do affect autonomy.

I hope you won't be surprised to hear that society at large (and local/family culture) impose many assumptions about who can do what things. The who is unfortunately often based on race or gender.

Consider just one out of zillions of ways that socially imposed gender roles influence one's ability to autonomously choose a career. If you were raised as a boy in American society, you've probably never considered a career in nursing.[14] If you were raised as a girl in American society, you've probably never considered a career as a fighter pilot. If I am wrong about this, think about why. Was it a family member? A role model? Something you saw in a movie? The point is that the options we perceive for ourselves are often constrained by social assumptions.

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[12] This is gets different names in psychology, e.g., decision paralysis, overchoice, the paradox of choice.

[13] If you have, you'd better hurry. These jobs are rapidly disappearing.

[14] To be clear: I would absolutely love to be wrong about these claims. I'd love for our society to have improved more than I think. Unfortunately, my being wrong about specific claims does not show that there is no such thing as gender roles.

Obviously, none of us are immune to such socially imposed assumptions, so it is important not to blow this up. Autonomy does not require freedom from all social forces.

At the same time, autonomy provides a powerful basis for criticizing social forces which are oppressive. Many social forces operate asymmetrically by imposing greater constraints on some people rather than others—e.g., boys get told they can do anything, girls get told they will be great mothers and maybe also have a career. Those oppressive social forces are enemies of autonomy.

Finally, there's an implication of this which we can't pass by. I've been claiming all along that autonomy is something morally valuable for everyone. But what I just said suggests that autonomy is not in fact equally available to everyone. To be blunt, given the sexist, racist, and other discriminatory assumptions built into American culture, it appears autonomy is most available to white men. Though, to be sure, social assumptions about masculinity, et cetera, pose their own barriers to white males' ability to be autonomous. That may cast doubt on my claims that autonomy is valuable. Catriona Mackenzie and Natalie Stoljar write

> Although the ideal of autonomy once seemed to hold out much promise, in providing both a liberatory goal and a moral standpoint from which to criticize sex-based oppression, autonomy is now generally regarded by feminist theories with suspicion. Crudely stated, the charge is that the concept of autonomy is inherently masculinist, that it is inextricably bound up with masculine character ideals, with assumptions about selfhood and agency that are metaphysically, epistemologically, and ethically problematic from a feminist perspective, and with political traditions that historically have been hostile to women's interests and freedom. What lies at the heart of these charges is the conviction that the notion of individual autonomy is fundamentally individualistic and rationalistic. [3]

These are very real challenges which any theory of autonomy needs to face up to. I should mention that it's by no means obvious that the challenges can't be met. Indeed, this quote comes from their introduction to their excellent collection of essays which aim to rehabilitate autonomy along feminist lines.

3.6 Non-interference

On any theory, autonomy is vulnerable to other people's meddling. Coercion, manipulation, and trickery can prevent people from acting in accordance with what they value.

I won't say any more here since most of the rest of the semester will be devoted to trying to determine when various forms of interference undermine autonomy.

4 Autonomy and it's neighbors

When thinking about what something is, it's often helpful to start by getting clear on what it's not. Thus before we get into theories of autonomy let's talk about how autonomy differs from 2 of its neighbors: free will and liberty.

4.1 Autonomy versus free will

The first neighbor that needs to be distinguished from autonomy is the metaphysical concept of free will. You've probably encountered the question of whether and how people have free will somewhere before. It's a staple of many religious traditions (with huge differences in it's importance and interpretation).

Even hack screenwriters can spin questions about whether humans have free will into a movie or TV show plot.

Since you likely have some clue of what I'm talking about, let me go quickly through the problem of free will in 3 steps so we can see how autonomy differs.

4.1.1 Step 1: Deterministic physical laws

Step 1: The laws of physics are deterministic in that, given the right equations and parameters, you can know exactly what will happen in the future.

If you don't know what I'm talking about, read what follows. Otherwise skip ahead to Step 2.

Imagine I put you 5 feet away from a target and hand you a bow and some arrows. Imagine nocking an arrow, drawing it back, and releasing it at the target.

Nice shot!

Ok. Now I move the target back 100 feet.[15] Imagine hitting it with the arrow.

Great shot!

What did you do? That's right, you aimed higher. The arrow moved in an arc first going up and then coming down and hitting the target.

It shouldn't be a surprise that if we could eliminate all sources of variation (wind, arrow weight, smoothness of the release, et cetera), there is an equation that describes exactly how high to aim for the arrow to hit exactly the same point on the target. Given things like the pull of gravity, the drag of air on the arrow, and other things I would know if I had paid more attention in physics class, you can exactly predict where the arrow will hit. You can exactly predict this even before you head out to the range by just doing some math. That's what I mean by the laws of physics being deterministic. The world is, to paraphrase the Wu-Tang Clan, MREAM.[16]

4.1.2 Step 2: Maxine

Step 2: Suppose there is an immortal, supernaturally intelligent being who knows all the laws of physics. Let's call her Maxine.[17]

[15] If your bow is some crazy carbon fiber olympic recurve, keep moving the target back mentally until you have to start aiming above it.

[16] Math Rules Everything Around me.
Sorry. I promise I won't ever do that again.

[17] Since this is a version of a thought experiment called Maxwell's demon

If Maxine also knows all the initial conditions (e.g., the position and momentum of each particle)[18] at the very beginning of the universe, then she would know the precise position and momentum of each particle at any point in the future.

That means, at the very beginning of the universe, she knew that the apple, dislodged by the scrambling squirrel, would bounce off the trunk at the precise angle necessary to hit the dog at 3.07 pm on Tuesday 9/1/2020.

Such is the magic of math.

4.1.3 Step 3: You are stuff

Look at your hand. It appears to be a solid object, right?

Just to be sure, find something else solid (desk, dog, consenting roommate) and very gently try to push your hand through it. You won't be able to do it. That's because both your hand and the other thing are made out of matter.

That gives us our third and final step, Step 3: Human beings are made out of matter.

4.1.4 The problem of free will

Putting steps 1-3 together, we have the problem of free will. Step 1 and 2 together mean that, way back at the beginning of the universe, Maxine knows exactly where every object will be will be right now. Given step 3, it follows that way back at the beginning of the universe, Maxine knows exactly where you will be right now.

You might have thought that your precise location right now was up to you. You might have thought that your choices were what brought you to that spot, at that time.

But notice that we didn't say Maxine knew anything about you, your desires, or your choices. Back at the beginning of the universe she knew a bunch of equations and the location and momentum of tiny bits of matter. By doing some math, several billion years ago, she pinpointed your location today without knowing anything about the stuff we normally think lies behind human action.

Welcome to the problem of free will.

There are 3 families of response: Deny that the laws of physics are deterministic (called libertarianism[19]); believe that our sense that we make choices and control our destinies is an illusion (determinism); or, invoke a blizzard of metaphysics to try to show that actually there's no conflict here (compatibilism).

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[18] Yes, I know. We'd have to wait a while for the fields to calm down and break some symmetries to get particles. If this disregarding of Peter Higgs bugs you, substitute "The complete laws of physics with a complete specification of the parameters on December 6 1832." for the beginning of the universe.
Note that if you agree that shifting to talk of 'the parameters' is coherent, I've also defanged several of your uncertainty principle based responses.

[19] No relation to the position in political philosophy.

We will not be talking about free will (Maxine knew we wouldn't). It doesn't have much importance for how we interact with each other (she knew I'd say that). Okay, that's a bit of a lie. It may be that the existence of autonomy requires that libertarianism or compatibilism be true. But since we can experience and live like our choices matter, we can set it aside here. (She knew I'd make this compatibilist claim)

4.2 Autonomy versus liberty

The more interesting and trickier line to draw is between autonomy and freedom/liberty. It's true that in normal English (and other languages) 'autonomy', 'freedom', and 'liberty' can be used interchangeably. But there are different concepts involved, so it will help to nail down the terms. I'm going to use 'liberty' exclusively to denote this neighbor.

Here's a rough definition

A person has liberty to (not) do x if and only if she is able to (not) do x

That may sound like the same thing as autonomy, but it is very different.

I'm going to argue that whenever we talk about liberty as something valuable ('Give me liberty or give me death'), the relevant concept is actually autonomy. If we isolate situations where a person has liberty but no autonomy, we'll be able to see that we don't really care about liberty or, at least, that we care about it only insofar as it allows us to be autonomous.

It's easy to miss this because liberty is a necessary condition of autonomy —it's impossible to act autonomously if you don't have the liberty to do so. But it is not a sufficient condition of autonomy —you have other stuff going on in addition to liberty in order to be autonomous.

Now, it's certainly true that liberty is a useful concept. We'll want to distinguish between things that people do and things that just happen to them.

For example, if you trip over a rock and fall, you didn't have liberty. Why does that matter? Suppose you trip over a rock and fall into someone causing them to spill their drink. Had you intentionally pushed them, they'd be right to be mad at you. If you tripped, at most they could grumble that you should watch where you're going.

Similarly, if I'm sitting next to you and have a spasm and wack you in the head, you can't blame me for hitting you. It wasn't possible for me to do otherwise. I didn't have liberty. Again, you can tell a story where I'm blameworthy for other things which it was possible for me to do/not do. If I had a history of arm-flailing spasms, maybe I shouldn't have sat next to you. Maybe I should've worn soft padded gloves to make any spasmodic whacks less painful. But if I had never had that happen before, I'm totally off the hook because I lacked the liberty to not hit you.

In these examples, there's nothing that looks at all like an intentional action. The trip and the spasm just happened. I wasn't in the loop any more than if someone had shoved me into you or taken my arm and whacked you.

Let's put the person a bit more in the loop. Consider someone who is sleepwalking. She gets out of her bed, walks downstairs, and sits down on the couch. Does she have liberty? Yes. Given our definition above, the question is whether it was possible for her to have done something else. Surely she could've stayed in bed a few minutes longer or gone to the kitchen instead.

It's no good protesting that she didn't do anything, she was asleep. Given our definition of liberty, as long as it was possible that a human behaved differently, that human had liberty. That said, you are onto something. You do need to be awake for your movements to be the thing we care about, namely, autonomous actions.[20]

4.2.1 Connection to consent

So far it looks like we could quibble over whether there really was an action —something a person does— to avoid saying that liberty was present in the tripping, spasmodic whacks, and sleepwalking cases. Now that we're all warmed up, let's turn to the real case.

> Robbery: Scarlet is walking down the street. Violet pulls out a gun, points it at Scarlet and demands "You're money or your life". Scarlet hands over her purse.

Did Scarlet have liberty to refuse to give Violet her purse? Absolutely. She could've chosen to get shot. It was possible for her to act in a different way. It's true that very few people would choose that option. But that doesn't mean it wasn't an option.

Now, finally, we can see why the line between autonomy and liberty matter. Consider:

> Bathroom: Scarlet has consumed way too much coffee. The bathrooms of the coffee shop are gross and Scarlet fears putting her purse down on anything. Tired of watching her squirm, her friend Green says "Just give me your purse and go". Scarlet hands over her purse.

Scarlet has liberty in both Robbery and Bathroom. But there's obviously a moral difference between them. Violet does something wrong in taking Scarlet's purse; Green does not. Therefore liberty cannot explain the moral difference.

What makes the moral difference between the two cases? While she had liberty to refuse in both, in Bathroom she was fine with handing over her purse. In Robbery she was not fine with it. She agreed to Green taking her purse; she didn't agree to Scarlet taking it. She gave consent to Green but not to Scarlet

Consent is magic. It turns rights violations into things that are fine. If someone takes your stuff without it, they do something wrong, viz., theft. Without consent, having sex with someone is a horrible rights violation; with consent, it's (hopefully) a fun afternoon. We can see this in the law.

> Section 26.01 Larceny
> [A] General Rule –the trespassory taking (caption) and carrying away (asportation) of the personal property of another with the intent to permanently deprive the possessor of the property.
> [B] Trespass – A "trespass" is the dispossession of another's property without his consent, or in the absence of justification for such nonconsensual dispossession.

The Model Penal Code definition of the crime of larceny—theft—implies that a person cannot commit theft if the victim gives them the property consensually (Except where fraud is involved).

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[20] You might go in the other direction and start building these things into liberty. You'll be ending up with autonomy just with a different name. But it's not clear why you'd do that since you'd now lose the ability to draw the important line we'll need in a minute with the robbery case.

So where does consent get its magic? All together now: Autonomy!

We've finally found some autonomy. Even better, we have a sense of how liberty, consent, and autonomy work together. Let's go back to the slogan we started with. To be autonomous is to be the boss of you. That means generally being in control over what you do and what happens to you. When you consent to someone else doing something to things that you properly control, you are saying that their actions are compatible with what you want. When liberty is absent, the boss is prevented from controlling what she ought to be able to control.

4.2.2 Why liberty vs autonomy matters

Why liberty vs autonomy matters

One reason it's important to distinguish between liberty and autonomy is that the autonomy requires more of us.

When we are concerned that people have liberty, we are concerned that they are able to make choices. But who cares about that? Is it really better that the robber allows you to choose between your money and your life rather than just running off with your wallet?

When we are concerned that people have autonomy, we are concerned that they are able to act on reasons (beliefs, values, desires) that are genuinely their own. Even though the robber doesn't violate your liberty, she violates your autonomy by forcing you to make a choice you don't want to make.

5 2nd order desires

One more stop before we get to theories. It will help to distinguish between different kinds of desires. This will help later when we talk about how advertising affects autonomy.

Unfortunately, while the concepts here are pretty clear, the terminology is confusing. Since it is standard and will be used by our authors down the line, there's no way around it.

Desires have objects. They are directed at things. I want a taco. What's the object? That is, what is it that I want? Presumably, I want the future to contain me eating a taco.

5.1 First order desires

The objects of many desires are things outside our own heads. The objects can be concrete, like my desire for a taco or the 50 lb bag on my hardware store shopping list.[21] They can be more abstract, like the desire for success. The objects can even be absurd, like the desire for the number 8. All of these are (here comes the terminology) first order desires. It's hard to say what they have in common other than that there is only one thing a first order desire cannot have as it's object: another desire.

5.2 Second order desires

[21] Or my desire to weave terrible jokes into examples.

The object of a second order desire is another desire. When you want to want something that's a second order desire. When you don't want to want something, that's also second order desire.[22]

The simple test for whether a desire is first order or second order is to ask whether the object is another desire. If it is, you've got a second order desire. If it's not, it's first order.

When the difference is put this way, it's abstract. That makes it both hard to get the hang of and hard to see the point. To make this clearer and illustrate why we need this distinction, think of situations involving making yourself do stuff and resisting temptation.

When you started reading this, did you really want to be reading about autonomy? Wasn't there something you rather be doing? You probably negotiated with yourself —"Okay self, 10 more minutes of TikTok and I'm gonna study." Maybe you promised yourself additional doses of odd dance crazes for doing a certain amount of reading. Maybe you reminded yourself that your professor's writing style is so weird it's occasionally entertaining.[23] You were trying to get yourself to want to read this. You wanted to want to read this.

In our terminology, you lacked the first order desire to read this. Because of other (first order) desires about getting good grades, et cetera, you had the second order desire that you wanted to want to read this.

Wouldn't it be nice if temptation wasn't a thing? It would be great if deciding what we want was all that'ss required for single-mindedly pursuing that goal. Alas, temptation, weakness of will, and other failures to pursue what we've reflectively decided we want are parts of human life.

Think of being on a diet. As soon as you decided you needed to lose weight you completely stopped thinking cookies are delicious. You had no craving that you needed to distract yourself from. Yeah right.[24] When you thought about cookies you found yourself wanting a cookie.[25] That's the pesky first order desire. At the same time you wanted to not want the cookie. That's a second order desire.

There are 2 flavors of second order desires. Frankfurt writes

> Someone has a desire of the second-order either when he wants simply to have a certain desire or when he wants [wholeheartedly] a certain desire to be his will. [Freedom of the Will, 16]

We've talked so far about the first kind: desires about other desires which you want to have or get rid of.

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[22] However, wanting you to want me is still a first order desire (the object is a desire but not one of mine). Needing you to need me is similarly first order. Love (for) you to love me is….
(I'll stop showing my age now)

[23] I can dream can't I?

[24] I envy those of you for whom this isn't a lie.

[25] The fact that you now want a cookie is an example of the 'white bear problem' in psychology. Sorry. Wegner, D. M. (1989). *White bears and other unwanted thoughts: Suppression, obsession, and the psychology of mental control.* New York: Viking/Penguin.

The second kind are central to autonomy on Frankfurt's theory. We'll talk more about that claim later. But it's worth getting their name into the mix: when you want another desire to be the desire you act on, that's a second order volition.

5.3 Donuts

Let's put all this together in one example, represented by Fig !figure(donuts).

You are on a diet. You know that donuts, while delicious, are not conducive to losing weight (D1).

You also know that when you walk by the donut shop tomorrow morning and smell the glazed goodness on the breeze, you will want to go in and buy a donut (D2.)

Fig !figure(donuts)

Desire #	**When**[26]	**Type of desire**	**Desire**
D1	Now & Donut-adjacent	1st order	Want to lose weight
D2	Donut-adjacent	1st order	Want to buy donut
D3	Now & Donut-adjacent	2nd order	Want to not want to buy donut
D4	Now	2nd order volition	Want the desire not to buy the donut to win

Right now, safe from tempting aromas, you think that the better thing for you is to not eat donuts so that you can lose weight (D1). Thus you have the 2nd order desire D3 —you want to not want to buy the donut.

Thinking about the situation you'll face, you know that in the presence of donuts a battle will rage inside you between the desire to buy the donut (D2) and the desire not to have that desire (D3).

So far we just have conflict. According to Frankfurt, autonomy comes in with the 2nd order volition (D4). Hopefully this makes sense. Autonomy is about living in accordance with what you really want. Thus the driver of autonomous action will be tied to a special desire about how conflicting desires get resolved.

6 Theories

We don't need a full theory of autonomy for our purposes in this class. That's a good thing since there are a lot of theories of autonomy out there. But sketching a couple of families of theory may help flesh out the idea of autonomy. Procedural theories emphasize the way you make decisions about what to value and how to act. Substantive theories emphasize what it is you value and what it is you do.

6.1 Substantive theories

[26] This column may be confusing. Presumably, though this would require argument, you still have all 4 desires when confronted with the donut —the anti-donut desires don't disappear and only reappear with guilt. What I'm trying to represent with this column is the way that in the moment you don't feel moved by the anti-donut desires and may feel like you've forgotten them.

It will be helpful to start with a type of theory that isn't much in vogue these days. The problems these theories face will help us see the pressures that shape more plausible theories.

Feinberg writes that

> The kernel of the idea of autonomy is the right to make choices and decisions —what to put into my body, what contacts with my body to permit, where and how to move my body through public space, how to use my chattels and physical property, what personal information to disclose to others, what information to conceal, and more. [Ref]

If follows from this that the autonomous person will care about certain things. On Feinberg's view, a person who had no preferences or concerns about what went into their body would not be autonomous. A person who didn't care who touches them and how would not be autonomous.

This makes autonomy a matter of satisfying a list of conditions. If those conditions are met, you are autonomous. I'll call accounts like this substantive theories since they explicitly set out the substance of what constitutes autonomy.

6.1.1 Problems for substantive theories

While they are easy to get the hang of, substantive theories aren't really in favor these days for a variety of reasons. Let's quickly discuss two.

6.1.1.1 Lack of explanatory power

By focusing on the concrete manifestations of autonomy, substantive theories don't really explain what autonomy is.

Pretty much everyone could agree that the things on Feinberg's list harm autonomy. It's certainly true that if you are prevented from going where you want, controlling your property, or preventing others from touching/hurting you, you are unlikely to be autonomous. But what we need to know is why those things are on the list; a list doesn't give us much insight into autonomy.[27]

To see why that matters, consider how we figure out what's covered by the 'and more' in the quote above. Is the ability to receive the level of education you desire on the list? Is the ability to have an abortion on the list? Keeping your web browsing history private? How about the ability to legally marry the person you choose?

The job of a theory of autonomy is to help answer questions like these. It's true that Feinberg and other substantive theorists do have more resources to give this sort of answer than I'm letting on. But such theories will always face heavy pressure from this direction.

6.1.1.2 Diversity and autonomy

[27] Indeed, I'm being a bit unfair in picking on Feinberg like this. The quote comes from one book in his massive (and excellent) 5 volume work on the philosophy of criminal law. The work was long enough without also giving a full theory.

Different people value different things. Even when you and I both value the same thing we may differ on how much weight we give it. For example, most people value freedom from being told what to do. But the response to being told to —hmmm, let's find a nice non-controversial example— wear a mask during a pandemic can range from mild irritation to towering purple-faced rage. That reflects different weights on freedom from interference and different degrees of concern for the welfare of others.

Obviously, this doesn't mean we have to respect all sets of values equally —sorry, sociopaths and serial killers.[28] Setting such outliers aside, we should acknowledge that there are many different ways to live a decent and fulfilling human life.[29]

Autonomy is supposed to be something that's valuable for everyone. That puts it in tension with the extent to which our values and ways of thinking are bound up with our culture and historical moment.

Thus there is a genuine tension between autonomy and the diversity of human ways of life. I don't think anyone has demonstrated this can't be resolved; nor do I think anyone has resolved it.

That said, substantive theories are spectacularly bad at dealing with this question.[30] For one, the list they give will no doubt be culturally specific. Different cultures and different time periods value privacy differently. If a substantive theory says you need a certain degree of privacy to be autonomous, it's right off the bat saying that anyone in a culture / time period that puts less value on privacy can't be autonomous. Worse, given the problem with lack of explanatory power, it doesn't have many resources to back up this claim. I don't mean to say that these theories are necessarily committed to cultural chauvinism, but they're always going to be playing defense on such charges.[31]

6.2 Procedural (formal) theories

Substantive theories give a list of desires and abilities (et cetera) that make you autonomous. By contrast, procedural theories (sometimes called formal theories) don't say that you have to have any particular set of desires or abilities. Instead, they make autonomy a matter of how your desires are structured and how you have come to them. Being autonomous is a matter of thinking in certain ways about what you really want and ordering your desires accordingly in the absence of undue interference from the outside.

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[28] I'm again asserting something in need of support. Whether one can be autonomously immoral is a real question. On procedural theories this is often possible. Substantive theories will usually (at least implicitly) rule this out. Other theories differ.

[29] Hopefully I've said enough to make this seem plausible. Again, I have not really argued for it. That said, I doubt anyone would reject this claim. Instead, the question is about how many different ways there are. Answers can range from zillions to only those compatible with, e.g., certain religious strictures.

[30] A substantive theory could say that there are multiple lists that are covered by autonomy. But again we'd run into the problem of saying how all the lists all relate to the same thing —how they are all about autonomy— especially given that they are incompatible.

[31] We should be open to the possibility that a culture fails to value what it should. Cultures are human institutions. As such they shouldn't be immune from critique. But that's always a huge and difficult claim that requires a ton of heavy lifting with great sensitivity toward the evils similar attempts have wrought (a lot of classes / thinking about, e.g., colonialism will be prerequisites to this conversation). It's thus a concern that this is one of the few obvious options open to substantive theories.

Harry Frankfurt's view is the O.G. of procedural theories. As I mentioned earlier (Second order desires), he thinks second-order volitions are central to autonomy. When you sort out how much you care about different things, you commit yourself to making choices and acting in accordance with those values. You want your future self to act in ways that reflect those values.

There's a lot more to the view. But notice that I've said absolutely nothing about what you aren't allowed to want (other than that your desires be consistent, which is a bigger constraint than it might at first seem).

6.2.1 Problems for procedural theories

One of the biggest pressures on procedural theories is that they have trouble making claims about what people should value. This is the flip side of the problems we saw for substantive theories which are all about such claims.

That's no surprise. Part of the point of making theories is to illuminate the various pressures, lean too far one way and you'll discover the pressures pushing in the other direction.

6.2.1.1 Autonomous addicts

At the extreme, addicts are compelled to do something which they don't want to do. Thus addiction is paradigm case of non-autonomy.

If your theory of autonomy leaves room for addicts to count as autonomous, that seems like a good reason to worry that the theory is not capturing the concept.

Because procedural theories make autonomy a matter of how you come to value things and put no constraints on what you value, they on their face seem to allow for the possibility of autonomous addicts.

Suppose Blue has two goals in life:

(A) Get elected Senator and have a successful political career.

And

(B) Use a lot of heroin.

If Blue didn't care about a future career and was willing to accept the possibility of seriously injuring herself or dying to follow her dream (B), then it looks like there would be no problem on a procedural account of autonomy.

This might not be a problem. Maybe we want room for somebody to autonomously choose to be an addict. But that would have to overcome addiction's traditional status as an enemy of autonomy.

6.2.1.2 Arbitrariness

Another important set of problems for procedural theories comes from the fact that they give special significance to certain desires. On Frankfurt's account, autonomy depends on second order volitions. But these are still just desires. Why should they count any more or less than others?

Arbitrariness

More importantly, as Marilyn Friedman points out, it's not clear why we should assume that one's considered desires and values represent what she really wants. This is especially pressing when we take the problems posed by oppressive socialization seriously (Freedom from oppressive socialization). It seems possible that a person who has shaped her self conception on the basis of values imposed upon her by society could glimpse what she really wants in the first order desires that she doesn't endorse and actively represses.