

CONCEPTUAL ENGINEERING

Online Seminar 2021

#02 | Cass R. Sunstein (Harvard)

The Right Not to Be Manipulated

Abstract

Should there be a right not to be manipulated? What kind of right? On Kantian grounds, manipulation, lies, and paternalistic coercion are moral wrongs, and for similar reasons; they deprive people of agency, insult their dignity, and fail to respect personal autonomy. On welfarist grounds, manipulation, lies, and paternalistic coercion share a different characteristic; they displace the choices of those whose lives are directly at stake, and who are likely to have epistemic advantages, with the choices of outsiders, who are likely to lack critical information. Kantians and welfarists should be prepared to endorse a (moral) right not to be manipulated, though on very different grounds. The moral prohibition on manipulation, like the moral prohibition on lies, should run against officials and regulators, not only against private institutions. At the same time, the creation of a legal right not to be manipulated raises hard questions, in part because of definitional challenges; there is a serious risk of vagueness and a serious risk of overbreadth. (Lies, as such, are not against the law, and the same is true of unkindness, inconsiderateness, and even cruelty.) With welfarist considerations in mind, it is probably best to start by prohibiting particular practices, while emphasizing that they are forms of manipulation and may not count as fraud. The basic goal should be to build on the claim that in certain cases, manipulation is a form of theft; the law should forbid theft, whether it occurs through force, lies, or manipulation. Some manipulators are thieves.

The **Conceptual Engineering Online Seminar** series is co-organized by the Department of Philosophy of the University of Zurich and the Arché Philosophical Research Centre at the University of St Andrews. The meetings take place on zoom every Tuesday at 4-6pm Swiss Time/3-5pm British Time, from September 14 to December 14, 2021 (with 14 sessions in total).

Organizers

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WEB DETAILS

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