
Evidence submitted to the House of Lords Science and Technology Select Committee

Inquiry on Behaviour Change

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About Us

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This evidence is submitted on an individual basis and does not reflect the views of Aberystwyth University or the Leverhulme Trust.

The research has considered the ethical and political implications of promoting soft or libertarian paternalist policies in the UK political context. This has included critical analysis of behaviour change policy initiatives used in the health, personal finance and environmental sectors, and is published in international peer-reviewed academic journals.

Our research has asked how behaviour change policies problematise the threshold between the UK state and its citizens. As such, we are able to provide research evidence which addresses the social and ethical considerations of this Inquiry (relating to questions 13 and 14).

1. When is it appropriate for the state to intervene to influence the behaviour of members of the public and how does this differ from when it is appropriate for the commercial and voluntary sector to intervene?

1.1 Our research has examined behaviour change interventions in different policy sectors and we have found that there exists a wide range of initiatives categorized under the rubric of ‘behaviour change’, but which give rise to quite different social and ethical questions, depending on their nature – whether they are aimed at conscious or sub-conscious behaviours, addictive or one-off choices, whether they require or presume consentⁱ. It has been noted that to some extent, all government action is oriented towards changing behaviour and that a recent enthusiasm for behaviour change does not signify anything new.

1.2 However, where we do see apparently radical departures from traditional forms of governing is in ideas about human irrationality underpinning the principles and practices of behaviour change policies. These ideas draw on insights in neurosciences, behavioural economics and social psychology, and are being enthusiastically embraced by policy strategists in the UKⁱⁱ.

- 1.3 We are concerned about the limited conceptions of personhood which are promoted in these new insights (e.g. that brain imaging technologies can be used as the definitive explanation of human behaviours, that humans are driven by hormonal, neurochemical, genetic or biological factors, that behaviour is determined by habits and social norms).
- 1.4 In consequence, policy initiatives need to be designed in light of the uncertainties, fallibilities and limitations of behavioural scientific explanations, which are subject to ongoing debate and contestation from within and beyond particular academic disciplines. Questions need to be asked about which disciplines and forms of evidence are valued above others and why.
- 1.5 Behaviour change policies therefore require sophisticated frameworks to ethically evaluate the nature of their interventions, and wider unintended consequences (see 1.6). This should go further than evaluating the 'return on investment' or value for money of particular campaigns, although these are important considerations in the spending of public funds.
- 1.6 We suggest that the design of behaviour change policies should include initial exercises to categorise ethical and social issues raised. Interventions need to be justified in terms of how open and deliberative they are (are diverse publics able to debate the interventions?), whether they target pre-cognitive, subconscious, or conscious behaviours (do people know their behaviour is being changed?), what kind of consent needs to be secured and how. Policy interventions which are found to be at the closed, subconscious, presumed consent end of the spectrum will require greater public and parliamentary scrutiny. Recent debates around presumed consent in organ donation offer a good example hereⁱⁱⁱ.
- 1.7 Moreover, the increasing popularity of behaviour change policy initiatives amounts to a 'behaviour change agenda' in public policy, and this raises further social, ethical and political issues around their wide-spread use. This is because it creates a "circularity problem" in government intervention: the government is aiming to change the attitudes, identities and behaviours of those same citizens who must then hold the government to account^{iv}. The wide-spread use of behaviour change initiatives necessitates analytical research which interrogates government interventions, and requires institutions which assist citizens in holding their government to account.
- 1.8 Behaviour change interventions need to be audited in ethical, political and social terms: what types of behaviour, identities and attitudes are being promoted, and in what ways can these be said to be beyond political contestation? What kind of behaviours and identities are being demonised or marginalised in these interventions and what are the potential side-effects of so doing? What types of behaviours/identities are absent from the intervention and why? Who gets to decide which behaviours are to be encouraged and which prohibited, and how are these decisions arrived at?
- 1.9 Questions about the appropriateness of commercial and voluntary sector interventions differ from those of government interventions, because it is the government's role to regulate, govern and arbitrate the behaviour change initiatives of non-state organisations. Where the boundaries

between state and non-state organisations have been historically blurred (e.g. in the commissioning of advertising agencies for social marketing campaigns, partnerships with lobbying and campaigning organisations), there needs to be strong chains of accountability in order to ensure that all behaviour change measures are justified and open to public scrutiny. Recent announcements about changes to the Change4Life campaign and narrowing the regulatory remit of the Food Standards Agency bring problems of accountability to light, giving rise to a peculiar situation in which the food and drinks industry itself will be funding behaviour change messages both for and against healthy diets.

2. When should this [intervention] be done by outright prohibition and when by measures to encourage behaviour change? Are some methods of producing behaviour change unacceptable? Which and why?

- 2.1 These are highly political questions for which straightforwardly technical or procedural answers will not suffice. Government intervention is always to some degree aimed at changing behaviour (e.g. through taxation, incentives, regulation), but the question of which kind of interventions are legitimate in particular situations requires political debate.
- 2.2 One key aspect of this debate is the relation between individual behaviour change and changing the environments in which people make decisions. These relate to fundamental political questions about fairness: who gets what, where and why? The risk of behavioural models of government intervention is that they 'responsibilise' individuals for the spatially and socially unequal contexts into which they are born.
- 2.3 Furthermore, focussing on individual behaviour change does not address the root inequalities facing people who make decisions – for instance, imposing conditional benefits sanctions on claimants who are competing with highly skilled graduates in a limited labour market may be an unfair use of behaviour change mechanisms. Another example is where supporting people to calculate their carbon footprints portrays the issue of climate change in terms of individual consumer choices, and plays down the role of difficult political decisions concerning investment in public transport, energy saving schemes and reliance on carbon-dependent economic sectors.
- 2.4 In this context, there remains an important role to be played by public institutions in ensuring that behaviour change interventions are met with strong governmental responsibility and action for the programmes being promoted.
- 2.5 Another consideration is the matter of the public acceptability of the behavioural norms being promoted. There is a danger that social groups with high levels of cultural capital will have a louder voice in the shaping of these norms and there may be important unintended side-effects to behaviour change interventions, including the marginalisation of certain 'other' norms or alternative behaviours.

- 2.6 This problem arises where the underlying social, cultural, political and economic context of norm-formation are not given due attention. In this scenario, behavioural norms are promoted as if the moral and ethical values they entail are universal, rather than historically and geographically specific. Behaviour change policy-makers therefore need to ask questions about how notions of the common good are arrived at, and who has been excluded from the processes by which norms are set.
- 2.7 Prohibition may be justified where there are strong democratic procedures to ensure that such interventions are publically acceptable, and where the potential side-effects and outcomes of prohibition have been adequately evaluated from a range of perspectives, including by socially marginalised groups.
- 2.8 Where interventions are aimed at ‘by-passing’ people’s tendency to make irrational (e.g. short term, spontaneous) decisions, policy-makers need to ask how certain behaviours have been constructed pejoratively as irrational, whether some forms of ‘more-than-rational’ behaviour have desirable outcomes, and whether compensatory behavioural measures will create more problems in the long run^v. Will the behaviour-change intervention support citizens in developing their capacity to make self-directed and other-regarding decisions in the future? Or does it promote a pessimistic view of citizens’ abilities to learn and change? Do the interventions reinforce a hierarchical and gendered division between emotions and rationality, based on partial readings of the neuroscientific literature?
- 2.9 Valuing ‘more-than-rational’ behaviour means giving space to ‘inexpert’ forms of evidence in behaviour change interventions – for instance, in the sphere of traffic safety and sustainable transport planning, by supporting residents to retrofit or redesign their own streets from the perspective of everyday, embodied and emotional experiences of road use rather than only from a rational planning and highways engineering perspective. The ‘DIY Streets’ approach from sustainable transport charity, [Sustrans](#) is a good example here of a behaviour change approach which values personal experience and builds the capacity of individuals and communities to act in the future.

3. Should the public be involved in the design and implementation of behaviour change policy interventions, and, if so, how? Should proposed measures for securing behaviour change be subject to public engagement exercises or consultation?

- 3.1 The question of how publics should be engaged in the design and implementation of behaviour change policy interventions is an important one, particularly given the sophistication of many such interventions, and interventions in spheres which have historically been regarded as private or personal.
- 3.2 It is important to separate out ethical and social issues around the mechanisms of behaviour change from the desired outcomes, or public goods being promoted, and public engagement activities should consider both means and ends.

- 3.3 New trends in participatory governance, new localism and public engagement and deliberation experiments offer innovative and exciting ways to engage the public. However, they also have limitations. Firstly, it is important to recognise that diverse publics exist, and that the government plays a role in constructing what counts as public or private action and responsibility. Secondly, public engagement activities cannot be seen as an alternative to democratically-accountably policy-making, and effective parliamentary debate on issues as important as how citizens should behave.
- 3.4 The issue of public engagement also rehearses significant debates around the appropriate balance between public opinion and expertise. ‘Citizen’s Juries’ have experimented with public encounters with expert evidence. However, established medical ethicists and new working groups on neuroethics and behaviour change may not provide a complete picture of the social and ethical issues surrounding behaviour change interventions, and non-scientific perspectives should also be sought, building on centuries of research and deliberation on the more philosophical aspects of ethics, fairness and justice
- 3.5 Our research has shown that the new scientific insights underpinning behaviour change interventions are highly contested, and in many cases, highly speculative ways of knowing human behaviour. The scientific evidence does not provide unambiguous answers to the political and ethical question of how we should live and what ought to be done. Arts, humanities and critical social scientific research contribute to these concerns and are currently marginalised in terms of both funding and visibility in debates on behaviour.
- 3.6 Given that the evidence behind behaviour change interventions is sophisticated and technical, the wide-spread use of behaviour change by governments needs to also be met with support for diverse citizens to understand, discuss, reflect and critique those knowledges mobilised in justifying behaviour change.
- 3.7 Related to this sense of an equitably educated citizenry, is the need for the public regulation of what has become a veritable ‘behaviour change industry’. Due consideration is required of the mechanisms and institutions which will be required to hold such an industry to account democratically, through governmental organisations which have public mandate to govern. Checks and balances will be required on the use of marketing, advertising and other commercial principles and agencies in the promotion of behaviour change interventions.

4. Do considerations differ in the case of interventions aimed at changing addictive behaviours?

- 4.1 Addictive behaviours may appear to provide a special case in terms of behaviour change interventions, and organisations supporting those with addictions will be best placed to respond to this issue. However, the analytical approach forwarded by our research gives some indication as to the contested nature of the social and ethical issues raised.
- 4.2 If we are as a society, to give credence to psycho-dynamic and bio-physical explanations of human behaviour, then we must surely see a wider range of actions and decisions as habitual, in

some senses addictive, and at the least, driven by embodied desires – for instance, an addiction to consumption, carbon, oil, sugary and salty foods, each other.

4.3 Planning interventions for specifically addictive behaviours must therefore be understood not only in terms of medical accounts of addiction but also in light of sociological, historical and political accounts of which particular bodily desires are constructed as socially and publically acceptable at certain times and in certain places, including how they are construed as “diseases of the will”^{vi}.

4.4 Decisions to prohibit and govern these ‘consuming passions’^{vii} are ethical and political judgements specific to particular contexts, and not universal values which can be held beyond political contestation – the moral virtues associated with abstinence and willpower evoked in debates around civic character – whilst apparently common sense and commendable – are culturally-specific constructions, with damaging side-effects for those citizens seen as falling short of such virtues.

4.5 As such, whilst issues of legalisation may appear to be publically unpopular, equal credit must also be given to the social harms of policies on addiction, for instance in terms of fairness to individuals in the unequal contexts in which they make decisions and develop habitual behaviours, fairness to the collective society, and consideration of the international impact of prohibitive policies such as the so-called ‘war on illegal drugs’.

4.6 Broadly speaking, the behaviour change agenda seeks to redefine our notion of ‘harm to others’, strengthening the legitimacy of state action which arbitrates between competing and conflicting personal preferences. Consequently, behaviour change interventions (including those relating to prohibition and addiction) need to be evaluated in more extensive terms, according not only to the effectiveness of changing an individual’s behaviour, but also in light of the possible harms to and impacts on others. This means taking issues of intergenerational and international fairness into account in the measurement of behaviour change outcomes.

ⁱ Jones, R., Pykett, J. and Whitehead, M. In Press. “Governing Temptation: changing behaviour in an age of libertarian paternalism” *Progress in Human Geography*

ⁱⁱ Pykett, J. In Press. “The New Maternal State: the Gendered Politics of Governing through Behaviour Change” *Antipode*

ⁱⁱⁱ Jones, R., Pykett, J. and Whitehead, M. In Press. “The Geographies of Soft Paternalism in the UK: the rise of the avuncular state and changing behaviour after neoliberalism” *Geography Compass*

^{iv} Weiss, J.A. and Tschirhart, M. 1994. “Public information campaigns as policy instruments” *Journal of Policy Analysis and Management* 13 (1): 82-119.

^v Whitehead, M., Jones, R. and Pykett, J. “Governing irrationality, or a more than rational government? Reflections on the re-scientisation of decision-making in British Public Policy.” *Working Paper, Aberystwyth University*

^{vi} Valverde, M. 1998. *Diseases of the Will. Alcohol and the Dilemmas of Freedom*. Cambridge: Cambridge University Press

^{vii} Hunt, A. 1996. *Governance of the Consuming Passions: History of Sumptuary Law*. Basingstoke: PalgraveMacMillan.