

Go Out and Play!

A Defense of Paternalistic Policies to Promote Graduate Student Well-being

by

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ABSTRACT

Studies suggest that graduate students experience higher rates of anxiety and depression than their peers outside of academia. Studies also show exercise is correlated with lower levels of anxiety and depression among graduate students. However, despite this evidence, nearly half of graduate students do not exercise regularly. Accordingly, I suggest universities consider adding an exercise requirement to promote graduate student well-being. One potential objection to this recommendation is that an exercise requirement is objectionably paternalistic. I answer this objection with two possible replies. First, there are reasons why the exercise requirement might not be paternalistic, and there may be sufficient non-paternalistic reasons to justify the policy. Second, there are reasons why even if the policy is paternalistic, it is not objectionably paternalistic, and may still be justified. I will offer reasons to consider paternalism in a positive light and why the exercise requirement may be an example of a good paternalistic policy. Because the exercise requirement might be justified on paternalistic grounds, there are reasons to consider other paternalistic policies to promote graduate student well-being.

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CHAPTER 1

INTRODUCTION

*"I have always believed that exercise is not only a key to physical health but to peace of mind ... Exercise dissipates tension, and tension is the enemy of serenity."*¹ Nelson Mandela (1995)

Growing up, when my siblings and I acted upset, anxious, lethargic, or annoying, my Mom or Dad often commanded us to "go out and play!" We did not always want to go outside, yet many people, including my parents would have agreed it was in our best interest to get out of the house and exercise. Recent studies suggest that graduate students have high rates of depression and anxiety, significantly higher than their peers outside of graduate school.² Studies also suggest that graduate students who exercise have better mental health and academic performance than those who do not.³

One solution to improving graduate student well-being might be to better inform graduate students of the positive correlation between exercise and well-being. But what if despite being given this information, some graduate students do not have interest in exercising, or do have interest in exercising, but lack the motivation or other resources to sufficiently exercise on their own? Might requiring graduate students to exercise be an

¹ Mandela, Nelson. *Long walk to freedom*. Hachette UK, (2013).

² Evans, Teresa M., et al. "Evidence for a mental health crisis in graduate education." *Nature biotechnology* 36.3 (2018): 282

³ Skead, Natalie K., and Shane L. Rogers. "Running to well-being: A comparative study on the impact of exercise on the physical and mental health of law and psychology students." *International Journal of Law and Psychiatry* 49 (2016): 66-74

effective and permissible solution to improving graduate student well-being? I believe the answer is yes.⁴

One might oppose the exercise requirement on a variety of grounds. One might dispute that exercise *causes* improvement to well-being; perhaps the causal relationship is the reverse—higher levels of well-being cause graduate students to exercise more. Philosophically, one might also adopt a theory of well-being, such as a strict desire satisfaction view, that nullifies the possibility that requiring someone to exercise against their will could improve their well-being. Others, however, might agree with theoretical and empirical assumptions that exercise promotes well-being, yet still object to the exercise requirement because it infringes on student's rights and is paternalistic. The paternalistic objection is where this paper will focus.

I will offer two defensive strategies to the paternalistic objection. The first strategy is to argue that the exercise requirement is not an instance of paternalism. With this strategy, we can take various definitions of paternalism, focusing on definitions from anti-paternalist scholars, and argue that based on these definitions, the exercise requirement is not paternalistic. This defense will be technical and appeal to definitional constraints on what acts are paternalistic. According to some anti-paternalists, if there are sufficient non-paternalistic reasons for a policy, then it is not paternalistic. One non-paternalistic argument is that graduate students who do not exercise are *causing harm* to other students or their educational institutions; if graduate students who do not exercise

⁴ The idea to investigate an exercise requirement came from discussions on paternalism and graduate student well-being with Peter de Marneffe.

are less cooperative or more likely to commit suicide, then we could argue they are harming their fellow graduate students and institutions.

A second strategy against objections of paternalism is to argue that the exercise requirement is paternalistic, but it is not objectionably paternalistic. In other words, in some circumstances, paternalistic policies are justified, and we have reason to believe that the exercise requirement is such a case.

Both defensive strategies against paternalistic objections are important. Depending on empirical and theoretical assumptions about exercise and well-being, on how an exercise requirement is implemented, and on what grounds objections to the policy are made, both strategies may be practically and theoretically useful. Exploring the first strategy provides information about different views on how paternalism should be defined and the motivations behind these definitions. Exploring the second strategy provides information about the advantages of paternalism, and all things considered, why potentially paternalistic policies such as the exercise requirement might be justified.

Overall, the second strategy appears to be a more preferred and comprehensive defense of the exercise requirement; this follows because on my view, following Jason Hanna and other defenders of paternalism, whether or not a policy is paternalistic does not give *pro tanto* reason to accept or reject a policy.⁵ There is nothing right or wrong with paternalism per se, but there are some paternalistic interventions that are effective and justified, and others that are not.

⁵ Hanna, Jason. *In our best interest: A defense of paternalism*. Oxford University Press, 2018.

After providing support for why the exercise requirement might be justified, I will conclude that given that the exercise requirement might be justified, other ostensibly less objectionable paternalistic policies to improve graduate student well-being might be justified—policies such as requiring graduate student mentoring programs. Accordingly, university administrators, faculty, and graduate students should consider implementing such policies.

This project focuses on graduate student well-being as the target, but many of the conclusions will have widespread applicability. While there is reason to be concerned with the implementation and effectiveness of any paternalistic policy, dismissing policies that could increase well-being simply because they are paternalistic appears unwarranted. Many policies people reject for reasons of paternalism might be better rejected for other reasons, and other policies should not be rejected at all.

The structure of this paper will be the following:

- 1. Motivate the topic: discuss evidence surrounding graduate student well-being and exercise and why we should care.**

I will summarize studies on graduate student well-being and graduate student exercise and well-being. While evidence for low graduate student well-being is not conclusive, multiple studies and anecdotal evidence provide reason for concern and proactive measures. For the purposes of the paper, I will assume that hedonism or something similar to hedonism is a true theory of well-being. While philosophical well-being theories differ, a hedonistic component plays an important role in most theories. Moreover, reducing anxiety and depression is one of the primary concerns in promoting graduate student being, and data collected in surveys contains these hedonic components.

2. Defensive strategy 1: the exercise requirement is not paternalistic.

I will investigate various scholars' definitions of paternalism, focusing on anti-paternalist definitions, and the context and motivation of these definitions. I will then give reasons why, given such a definition, the exercise requirement might not be an instance of paternalism. This involves either highlighting non-paternalistic justification for the exercise policy or hiding paternalistic reasons. Again, it is possible that graduate students who do not exercise are more likely to cause harm to others; if this is true, philosophers including John Stuart Mill and Joel Feinberg would accept this as a good reason for intervention. It is also possible that exercise improves cognitive performance and would cause graduate students to produce better academic work; this could also count as sufficient non-paternalistic justification for the policy.

3. Defensive strategy 2: the exercise requirement is paternalistic, but not objectionably paternalistic.

I will discuss reasons why the exercise requirement is not objectionably paternalistic. I will explore Jason Hanna's new book *In Our Best Interest*; Hanna makes a strong case that a policy being paternalistic is not a decisive objection against a policy. I will discuss positive aspects of pro-paternalism and why we should be open to pursuing paternalistic policies. I will anticipate objections to the exercise requirement based on works from Seana Shriffrin, Daniel Groll, and Joel Feinberg. These philosophers give valid reasons why paternalistic policies might be objectionable, but they do not provide *decisive objections* against paternalism or the exercise requirement.

My defense against potential objections will utilize work from philosophers such as Jason Hanna, Jeremy Blumenthal, Steven Wall, and Laura Specker Sullivan. These

philosophers endorse a context sensitive and interdisciplinary approach to paternalism, allowing philosophical theory to embrace economical, psychological, and political research when deciding on the permissibility of a policy. I will address the autonomy objection from anti-paternalists and argue that anti-paternalists who believe that autonomy objections are decisive are incorrect. People have good reasons to value control over their body and mind, but they also have good reasons to value their well-being. The exercise requirement only minimally limits student's control over their bodies and minds, and this minimal sacrifice may be worth the positive well-being effects gained from exercise.

I will also address the "developmental" objection to paternalism and the exercise requirement. As Joel Feinberg and Tyler DesRoches have said, "our children will remain children"⁶ and "we'll never get the diapers off"⁷ if we do not allow people to fail and learn things on their own. Perhaps requiring graduate students to exercise thwarts their ability to develop an exercise routine on their own. Encouraging exercise might be more self-sustaining and a greater contributor to well-being than an imposed requirement. The developmental objection is an important one, but empirical research on exercise and habits, along with the thinking about the opportunity costs of development, provide reasons to be skeptical of this objection.

4. Conclusion.

I will review key points from the discussion and reiterate why the discussion matters. There is significant risk that graduate student well-being is disturbingly low, and the

⁶ Feinberg, Joel. "Legal paternalism." *Canadian journal of philosophy* 1.1 (1971):105

⁷ Conversations with Tyler DesRoches.

exercise requirement offers a potentially low cost and effective solution to the problem. I will suggest practical steps for implementing the exercise requirement and other paternalistic policies designed to help graduate student well-being. Peter de Marneffe's discussion of paternalistic policies relating to prostitution provides a helpful blueprint for how interventions and requirements can have different levels of strength and enforcement depending on normative and practical considerations.⁸ I will finish the discussion by examining how graduate student well-being and the exercise requirement relates to broader issues of well-being and paternalism.

⁸ De Marneffe, Peter. *Liberalism and prostitution*. OUP USA, (2010): 119

CHAPTER 2

MOTIVATING THE DISCUSSION

Recent evidence suggests graduate student well-being is disturbingly low. Summarizing findings of a 2018 mental health study published in *Nature Biotechnology*, co-author Nathan Vandeford says,

Our results show that graduate students are more than six times as likely to experience depression and anxiety as compared to the general population . . . it is only with strong and validated interventions that academia will be able to provide help for those who are traveling through the bioscience workforce pipeline.⁹

The study was not isolated to biotechnology department nor a specific country; the study included clinically validated scales of anxiety and depression. 90 percent of respondents were PhD candidates, with 56 percent of studying in the social sciences and 38 percent studying in the biological and physical sciences. In total there were 2,279 respondents representing 26 countries and 234 institutions.¹⁰

Critics of the study note it was a voluntary study offered to students via email and social media; therefore, students with mental health problems might have been more likely to report. An “over reporting” bias is a valid concern; however, it is also possible graduate students under reported mental health problems. There is often a negative stigma in our society about feeling bad and needing help; from that perspective, admitting you are hurting shows weakness or could be a self-fulfilling prophecy—the opposite of a positive daily affirmation. Aaron Krasnow, ASU Director of Health Services, believes

⁹ Evans, Teresa M., et al. "Evidence for a mental health crisis in graduate education." *Nature biotechnology* 36.3 (2018): 282.

¹⁰ Ibid: 282

this might be especially true among grad students because of their history of success, and considering they live in an academic environment where current and future success is expected. In Krasnow's opinion, over-reporting by those suffering is likely offset by under reporting from those who are not unaware or unwilling to admit they are suffering.¹¹

Supporting these *Nature Biotechnology* findings, later in 2018 Harvard University released a study of U.S. PhD Economics departments and also found evidence of unusually poor mental health among graduate students.¹² Most notably, they found that 18 percent of students experienced moderate to severe symptoms of depression and anxiety compared to a national population average of 3.5% for those aged 25-34. The study cites anxiety and regret about time management as one of the biggest contributing factors to poor mental health.

Again, there are reasons to question these studies, and how widespread and severe the problem can be debated. Frederik Anseel, a professor of organizational behavior at King's College, agrees more research should be done, but also advises universities to be proactive in addressing the issue. He says, "given that there are at least strong indications that a substantial group of people are suffering, wouldn't it be worthwhile to at least examine in your own organization what the problem is, and make sure that you have policies in place to deal with problems if they arise?"¹³

¹¹ Discussion with Aaron Krasnow.

¹² Barreira, Paul, Matthew Basilico, and Valentin Bolotnyy. "Graduate student mental health: Lessons from American economics departments." *Harvard University* (2018).

¹³ Flaherty, Colleen. "Mental Health Crisis for Grad Students." *New Study Says Graduate Students' Mental Health Is a "Crisis"*, insidehighered.com/news/2018/03/06/new-study-says-graduate-students-mental-health-crisis.

Both *Nature Biotechnology* and Harvard studies offer recommendations based on their findings. Many of these recommendations focus on better communication and encouraging students and faculty to act in supportive ways that might improve their mental health. For example, Harvard researchers suggest universities “encourage and empower student initiatives to improve work conditions and collegiality” and “communicate with students clearly and frequently.”¹⁴ While these suggestions are informed and helpful, they are not highly specific and measurable. Moreover, while the studies tell us meaningful information about correlations, they give us less information about causal factors that might explain why graduate student mental health is relatively poor.

Researchers in the *Nature Biotechnology* and Harvard studies also both suggest universities should provide more accessible mental health services; this recommendation is seemingly part of a comprehensive solution, but neither study provides evidence that increased mental health services will cause more students to seek these services, nor do they provide evidence that seeking such services independently improves mental health. Even if we agree that seeking treatment at mental health services ameliorates poor mental health, we also want to prevent students from needing to seek these services in the first place. Therefore, we want to consider policies that might directly influence the causes of depression and anxiety. Moreover, mental health services are costly, and given most university budgets are likely to be cut in coming years due to Covid-19, universities need to consider less costly interventions.

¹⁴ Barreira. (2018): 6

If the well-being situation for graduate students is as problematic as the evidence suggests, then different types of interventions should be considered. Interventions like the exercise requirement might provide better well-being outcomes; moreover, they can provide research opportunities to discover causal factors related to well-being.

What is graduate student well-being?

There are two assumptions I will make about well-being that are relevant going forward. One is that well-being has a major hedonic component and the other is that well-being is measurable. This first assumption accommodates most well-being theories including the big three theories (hedonism, desire satisfaction, objective list), because most versions of these theories contain a hedonic component. Assuming hedonism is roughly true also makes sense because the data collected on graduate school well-being is made up largely of information about affective attitudes and feelings.

The second assumption, that well-being can be measured, is also important, because if policy makers are justifying paternalistic acts because they increase well-being, they should have a way to measure if these interventions are successful. Most well-being theorists agree that well-being is difficult to measure, and moreover, given that our base theory of well-being is hedonism, that it is difficult to measure pleasure and pain. Most current measurement techniques rely largely on subjective reports about affective states. Others believe well-being can be measured using proxies such as money, time spent socializing, and academic or professional achievements. Robert Sapolsky in his groundbreaking work *Behave*, uses cortisol levels as biomarkers to measure anxiety and stress in mammals. The increasing ease with which we can monitor compounds and

mechanisms in our bodies should bear fruit for studying well-being.¹⁵ Increased accessibility and capabilities of wearables such as fitness trackers and constant glucose monitors (CGMs), along with increased access to EEG and fMRI technology tracking brain activity, might make objectively measuring well-being more accessible and scientific in the future.

If well-being is measurable, then paternalistic interventions such as an exercise requirement may provide us with information about causal relationships related to well-being. Relationships between exercise and well-being might generalize across populations or be more context and agent specific. Studies that conduct research across large sample sizes of graduate students might show no “statistical significance” for certain variables at the population level, but that does not mean there are not real causal relationships occurring for specific individuals. Melanie Swan exemplifies this in her work on the “Quantified Self,” discussing how big data can be effectively used with a sample size of one person.¹⁶ By giving individuals increasing access to the details of their genetic code and biomarkers, new technologies give individuals the ability to understand and test how things like food, drugs, exercise, and sleep affect them uniquely.¹⁷

¹⁵ Sapolsky, Robert M. *Behave: The biology of humans at our best and worst*. Penguin, 2017.

¹⁶ Swan, Melanie. "The quantified self: Fundamental disruption in big data science and biological discovery." *Big data* 1.2 (2013): 85-99.

¹⁷ For example, I have measured my sleep cycles and heart rate with a Fitbit relatively constantly for the last two years. If I get at least 6 hours of sleep that includes 1+ hours of REM and 1+ hours of deep sleep, the baseline of my mood seems good and I can focus well on reading and writing. Anything under 5 hours and I feel more irritable and less able to focus. For others, these sleep numbers will differ, and moreover, the foods and exercise behaviors that effect their sleep and moods may differ.

What are the specifics of an exercise requirement?

In his article “Moral Environmentalism,” philosopher Steven Wall says, “sensible public policy requires attention both to moral principle and practical concerns.”¹⁸ Given that universities have different cultures and traditions, it makes sense to take a context sensitive and flexible approach to the exercise requirement. While deciding whether an exercise policy is permissible might be done at the university or government level, implementing a specific exercise requirement might better be done at the specific program level.

Currently, *aerobic* exercise appears to have the strongest positive correlation with well-being and academic performance, so an aerobic exercise requirement would be a good place to start.¹⁹ The Mayo Clinic recommends a minimum of 150 minutes of moderate aerobic activity or 75 minutes of vigorous aerobic activity per week.²⁰ This would amount to less than 3 hours a week of required time, and many students can read during moderate aerobic activity on a treadmill or elliptical, so the net time cost of exercise could be much lower. I would recommend schools use Mayo Clinic guidelines as a base, and then allow students to tailor a personalized exercise plan with an advisor if possible.

Monitoring and enforcement of an exercise requirement should also be context sensitive. Governments and institutions have laws and “requirements” that receive

¹⁸ Wall, Steven P. "Moral environmentalism." *Paternalism: Theory and practice*. Cambridge University Press, (2013): 113

¹⁹ Skead. (2016).

²⁰ Mayo Clinic. <https://www.mayoclinic.org/healthy-lifestyle/fitness/expert-answers/exercise/faq-20057916#:~:text=Get%20at%20least%20150%20minutes,provide%20even%20greater%20health%20benefit.>

various degrees of enforcement based on their perceived importance and practical considerations, and the exercise requirement would be no different. As Peter de Marneffe notes in *Liberalism and Prostitution*, lightly enforced and lightly punished offenses for selling sexual services effectively allows women to retain the right to use their body for sexual services, even if selling such services is officially prohibited.²¹ Also, in line with many requirements, students who have strong physical or moral reasons to not submit to the exercise requirement could be exempt. I would suggest students establish a weekly log or journal to document exercise and briefly write down thoughts on how certain exercises or exercise patterns might relate to their academic productivity and well-being. Students could go over with a health advisor or mentor twice a semester to discuss and update their exercise plan.

While monitoring and enforcement may vary, the idea of a “requirement” is important, because it shows that a program values exercise as a relatively essential to component to a successful graduate student experience. Many professors require classroom attendance and rough drafts, even if such requirements are not enforced and count little in the student’s overall evaluation; these requirements demonstrate that professors value classroom participation and workshopping one’s writing.

²¹ De Marneffe. (2010): 119

Exercise and graduate student well-being

*“More and more the ideal of the well-trained and vigorous body will be maintained neck by neck with that of the well-trained and vigorous mind as the two co-equal halves of higher education for men and women alike”*²² William James (1899)

An exercise requirement for graduate students is an interesting well-being solution to investigate for multiple reasons. First, it is a relatively inexpensive and accessible solution for all graduate students. Almost all universities have indoor and outdoor exercise facilities, and nearly all graduate students have the physical capability to engage in exercise. Second, it is an ostensibly unique and controversial requirement. While Oral Roberts and other colleges have mandatory exercise requirements for undergraduates, there are no graduate programs I am aware of that have such a requirement.²³ If the requirement is shown to be effective in one graduate program, it might easily be scaled to other programs.

Third, the current poor exercise habits of many graduate students may highlight what philosophers Steven Stich and Dominic Murphy call, “disorders that result from an environment different from what mother nature intended.”²⁴ Throughout most of our evolutionary history, daily exercise was not a choice for humans, but necessary for survival, especially for young and middle-aged adults. We also evolved to conserve energy when activity was not needed for survival. Therefore, exercise might be essential to our well-being on one hand, but also something we are pre-disposed to avoid whenever

²² James, William. The gospel of relaxation. Scribner’s Magazine, April 1899. p. 501
<https://www.unz.org/Pub/Scribners-1899apr-00499J>

²³ Chang, Lulu. “Student at Christian College Protest Mandatory Use of Fitbits.” 2016
<https://www.digitaltrends.com/health-fitness/oru-fitbit/>

²⁴ Murphy, Dominic, and Stephen Stich. "Darwin in the madhouse: Evolutionary psychology and the classification of mental disorders." *Evolution and the human mind: Modularity, language and meta-cognition* 62 (2000).

possible. Modern technologies have made exercise rarely necessary to survival for those in the developed world and recent studies suggest less than 50 percent of graduate students engage in moderate exercise more than once a week.²⁵ Traits and actions essential to human survival from an evolutionary perspective do not necessarily correlate to well-being effects, but they are viable candidates to examine when groups of people have well-being problems.

An exercise requirement might be an interesting research project and effective at promoting well-being for many graduate students, but this alone does not make it an optimal and ethically permissible policy. There should be evidence that a requirement is equally or more effective than alternative solutions such as nudging, encouraging, or providing information. It is also possible that anti-depressant medications or cognitive behavioral therapy have an equal or greater effect on well-being than exercise. Moreover, one needs to show that a requirement is ethical and does not impermissibly infringe on student's rights to control their minds and bodies—it needs to stand up to anti-paternalist attacks.

First, empirical evidence suggests that in comparison to encouragement and recommendation, a requirement might be the most effective solution to get graduate students to exercise. In the longitudinal study “Motivational and Evolutionary Aspects of Physical Exercise Training Programs,” psychologists Joao Rosa et. al review evidence that suggests people fail to stick to exercise routines despite believing in the benefits of exercise. Summarizing the problem, they say,

²⁵ Skead. (2016).

People in technologically developed societies understand the benefits of physical exercise as a healthy behavior (Crombie et al., 2004), yet they have amongst the highest inactivity rates (Dumith et al., 2011). This paradox is revealing of a strong, yet poorly characterized mechanism underlying the current lack of motivation and engagement in physical activity (Dishman, 1994; Sallis and Owen, 1999; Wilson and Brookfield, 2009). As many as 50% of people who start an exercise program will drop out during the first 6 months (Wilson and Brookfield, 2009). Eight weeks are needed for an initiate exerciser to become a regular exerciser, but even after 6 months, the motivation of initiating exercisers remains significantly lower than long term regular exercisers (Rodgers et al., 2010). Low levels of motivation and self-efficacy, time-shortage, low familiarity with exercise, and poor social and cultural support are considered the primary reasons why individuals fail to adhere to physical exercise programs after they begin.²⁶

Rosa et. al's work highlights that social interaction and social groups are motivating factors to initiating and maintaining exercise. Important to note is that actual exercise need not be done in groups for the social motivation to have influence. Physical exercise done in groups might add to motivation, but individual exercises such as running or swimming can also derive from social motivation—the desire to be fit when seen in a group, or a belief that one's social group values exercise. A graduate program cohort is a viable candidate to provide this social motivation to exercise.

²⁶ Rosa, João PP, et al. "Motivational and evolutionary aspects of a physical exercise training program: a longitudinal study." *Frontiers in psychology* 6 (2015): 648.

Further evidence that a requirement might be the best way to develop good exercise habits comes from the study “Predicting habit: The case of physical exercise.”

Bas Verplanken and Ole Melkevik discuss their research, saying

It seems to us that the success of establishing regular exercising lies in the way these activities are built into a person's everyday life. If one has to think and deliberate whether or not to exercise, one is vulnerable to the many ad-hoc rationalizations, hassles, and moods that may lead to a decision not to exercise that day or that week. We thus would argue that the habit concept is particularly relevant for the initiation of and adherence to exercising. A strong habit to exercise, in our view, thus implies the fact that regular exercising is self-evident, does not require thought or deliberation to initiate, and is incorporated as part of a person's daily or weekly activities.²⁷

There are reasons to believe a requirement might be the best way to get graduate students to exercise, but evidence is also needed that exercise will translate into improved well-being. In their 2016 study “Running to Well-being,” Natalie Skead and Shane Rogers did a comparative study on the mental health effects of exercise on law and psychology students at the University of Western Australia.²⁸ They found positive correlations between mental health and aerobic exercise for all students, with a more pronounced effect for law students. Law students on average reported more stress and mental health problems, so this provides evidence that exercise might be more causally efficacious for those most vulnerable to mental health problems.

²⁷ Verplanken, Bas, and Ole Melkevik. "Predicting habit: The case of physical exercise." *Psychology of sport and exercise* 9.1 (2008): 15-26.

²⁸ Skead. (2016).

Even if exercise is effective at reducing anxiety and depression, there may be more effective treatments such as pharmaceuticals and psychotherapy. A meta-analysis on the effects of exercise vs. traditional anti-depressant and anti-anxiety treatments has been done by Andreas Stohl.²⁹ One adult study showed 16 weeks of group exercise was equally as effective as the medication sertraline; however, the exercise group had a 10 month relapse rate of only 8% compared to 38% for sertraline group. Other studies show mixed results between exercise, psychotherapy, and medication, and Strohle points out methodological shortcomings of many studies and the need for more research. However, based on Stohl's analysis, the availability of medication or other treatments does not appear to give decisive reasons against considering the exercise requirement to boost graduate student well-being. Moreover, requiring medication or psychotherapy for all or some students is likely to be practically and financially less feasible than requiring exercise.

In summary, there are reasonable empirical grounds to believe that an exercise requirement is a justifiable policy to promote graduate student well-being. This follows because 1) there is evidence that graduate student mental health and well-being is disturbingly low. 2) There is evidence that exercise is positively correlated with mental health and well-being. 3) There is evidence suggesting a requirement might be the most effective way to get students to exercise. 4) There are no decisively better substitute policies for improving graduate student well-being.

²⁹ Ströhle, Andreas. "Physical activity, exercise, depression and anxiety disorders." *Journal of neural transmission* 116.6 (2009): 777.

These reasons appear necessary, but not sufficient conditions, for administering an ostensibly paternalistic interventions such as an exercise requirement. For example, when considering a seat belt law, if there is 1) evidence that many people are dying or being seriously injured in car accidents, 2) evidence that wearing seat belts positively correlates to less deaths and injuries, 3) evidence that the most effective way to get people to wear seatbelts is by legally requiring them too, and 4) no more effective and feasible option than seat belts to increase vehicle safety, then there are necessary grounds to support the seat belt law.

But such conditions are not sufficient for justifying a policy, because requirements such as seat belts have consequences not captured by the causal relationship between seatbelts and safety; they also involve limiting people's liberty, which imposes additional costs of adherence and enforcement. Here is where objections of paternalism enter. Even if empirical assumptions about exercise and well-being are sound, there may be people who do not benefit from exercising. Moreover, even if all students would benefit, universities might be impermissibly infringing on students' rights to make their own decisions about their mind and body. Accordingly, the exercise requirement, despite its ostensible appeal for improving graduate student well-being, may nonetheless be paternalistic and unjustifiable. I will now turn to the paternalistic objection.

CHAPTER 3

DEFENSIVE STRATEGY 1: THE EXERCISE REQUIREMENT IS NOT PATERNALISTIC

The simplest way to defend the exercise requirement against the objection that it is paternalistic is to argue that the requirement is not an instance of paternalism. Based on definitions of paternalism from philosophers with anti-paternalist sentiments such as Daniel Groll and Seanna Shiffrin, there are a variety of explanations for why the exercise requirement might not be paternalistic. According to Daniel Groll, when people think of paternalistic acts, they generally think of acts that meet a “contrary to will criterion,” where an agent acts “against the will of the paternalized subject.”³⁰ Moreover, Groll promulgates the idea that the paternalized actor must be motivated by a belief that the consequences of the act are in paternalized subject’s best interest.³¹ Accordingly, to label a policy paternalistic, one must take into account the motives of those supporting the policy and the will of the subjects affected by the policy.

Groll introduces the thought experiment of Eleanor, the owner of a large company, who considers implementing a no trans-fat policy in the cafeteria motivated by her concern for her employee’s well-being.³² Eleanor asks her employees if they support such a policy and they unanimously oppose the policy. Eleanor does not believe the employees have good reason to oppose the policy and goes ahead and implements the policy. Groll says Eleanor’s behavior is paternalistic and unjustified. It is paternalistic because it goes against the wills of the paternalized subjects and is based on Eleanor’s

³⁰ Groll, Daniel. "Paternalism, respect, and the will." *Ethics* 122.4 (2012): 696

³¹ *Ibid*: 695

³² *Ibid*: 712

aim to promote their best interest. The act is unjustified because the employees' wills should be "structurally decisive" in matters concerning their well-being. A feature is structurally decisive if it completely overwhelms or nullifies other reasons that might justify the action. In this case, Eleanor's employees' desire to keep trans fats in the cafeteria, overwhelms Eleanor's reason to promote their well-being. Groll qualifies his claim by saying that subjects must be deemed competent when expressing their will; if a subject is not fully competent, then their will might still be substantially decisive; to be substantially decisive means one's will is still a factor in deciding whether an intervention is permissible, but it does not carry overwhelming or "structurally decisive" weight.³³

Based on Groll's discussion, one could see how the exercise requirement could be deemed paternalistic and unjustified. However, Groll's discussion also offers a blueprint to argue that the exercise requirement is not paternalistic. Returning to the example of company owner Eleanor, Groll says

If Eleanor's decision, even if made after consulting her employees, was determined by concern for her bottom line, or in an attempt to decrease health-care costs for her business, or, as a matter of conscience, to extricate her company from contributing to what she sees as unacceptably unhealthy eating practices, then I suspect many of us, myself included, would say that Eleanor does not act impermissibly in implementing the policy. Indeed, if any of these are her reasons, Eleanor would not be acting paternalistically at all.³⁴

³³ The competency qualifier is common to other anti-paternalist thinkers including, John Stuart Mill and Seanna Shiffrin. I will further investigate the issue of competency later in this section.

³⁴ Groll. (2012): 713

Accordingly, if university administrators adopt the exercise requirement because they believe it will promote academic success, decrease suicide risk, or increase university prestige, then based on Groll's paternalistic criteria, the exercise requirement is not paternalistic.

Empirically, there is evidence that liability risk related to suicide risk and poor mental health is a significant problem for universities.³⁵ Moreover, a 2016 study of nursing and kinesiology students supports the claim that increases in aerobic exercise can lead to better academic performance.³⁶ Accordingly, university administrators may have sufficient non-paternalistic reasons to promote the exercise requirement, and if they are motivated by these reasons, given Groll's definition of paternalism, the exercise requirement is not paternalistic.³⁷

However, valuing non-paternalistic over paternalistic reasons necessarily can be problematic. By saying Eleanor's act is justified only if she disregards or discounts her employees' well-being, Groll seems to be creating a moral hazard for how employers make policy decisions.

While I see this as a weakness, other might see it as a strength, as Groll's analysis justifies a division of labor or a compartmentalizing of duties which some might find appealing. Perhaps it is the responsibility of employers and university administrators to

³⁵ Lapp, Daryl J. "The Duty Paradox: Getting it Right After a Decade of Litigation Involving the Risk of Student Suicide." *Wash. & Lee J. Civil Rts. & Soc. Just.* 17 (2010): 29.

³⁶ Bellar, David, et al. "Exercise and academic performance among nursing and kinesiology students at US colleges." *Journal of education and health promotion* 3 (2014).

³⁷ Improving academic performance could be a paternalistic or non-paternalistic motive. If it is motivated by concern for what is best for the student, it is paternalistic, but if motivated by fulfilling one's job title and increasing university knowledge production then it could be non-paternalistic, following Groll's definition.

promote professional and academic goals, assuming they do not intentionally harm students or employees against their will. However, it might not be their duty or right to promote employee or student's well-being. While this division of labor between academic education and promoting well-being might appeal to some, it might not represent the educational mission of many universities. For example, the Arizona Board of Regents, responsible for policy at Arizona State University, University of Arizona, and Northern Arizona University, ostensibly takes a more comprehensive approach to student education. Under the "philosophy" section of student conduct manual, it states, "the aim of education is the intellectual, personal, social, and ethical development of the individual."³⁸ Accordingly, if university administrators follow Groll and privilege non-paternalistic professional and educational reasons over paternalistic well-being considerations to justify policies, they may have a more difficult time fulfilling their stated goals of comprehensive student development and promoting well-being.

Harm provision

Another non-paternalistic reason for promoting the exercise requirement is that students with poor mental health cause harm to others. In Chapter I of *On Liberty*, John Stuart Mill says,

The only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it

³⁸ Arizona Board of Regents. "Policy Manual." (2020). <https://www.azregents.edu/board-committees/policy-manual>

will make him happier, because, in the opinions of others, to do so would be wise, or even right.³⁹

In line with Daniel Groll, we can reasonably assume based on this passage, that Mill would not support the exercise requirement if a university administrator justified the requirement solely by appealing to graduate student well-being. However, if graduate students who do not exercise sufficiently are more likely to harm others, then Mill's harm principle provides a non-paternalistic reason to support the exercise requirement.

An argument that students cause harm to others by not exercising could be made on a variety of grounds. One possibility is that students who do not exercise are more irritable and less cooperative, therefore causing harm to fellow graduate students and faculty in group interactions and projects that require collective action.⁴⁰ A more straightforward link between a lack of exercise and causing harm would be the case of suicide. If students who do not exercise are more likely to experience anxiety and depression, and if increased anxiety and depression lead to higher rates of suicide, then a causal relationship between graduate students not exercising and harm done to others seems reasonable, because in committing suicide people harm others as well as themselves.⁴¹

³⁹ Bromwich, David, and George Kateb. "John Stuart Mill: On Liberty." *Rethinking the Western Tradition [series]* (New Haven and London: Yale University Press, 2003)—hereafter cited as "Mill, *On Liberty* (2003): 80

⁴⁰ Arneson, Richard J. "The principle of fairness and free-rider problems." *Ethics* 92.4 (1982): 616-633.

⁴¹ Lapp. (2010).

For example, on March 22nd, 2018, Jared Ketchum, a first-year medical student at St. George University in Grenada hanged himself in his apartment.⁴² Along with harming himself and his family, Jared's suicide caused classes to be cancelled and increased the need for expensive and time-consuming counselling services. An NIH study from 2010-2012 on graduate students and suicide showed over 2% of graduate students had made plans to commit suicide and .3% of graduate students had attempted suicide in the last 12 months.⁴³ These numbers mean that in most graduate programs in most years a suicide attempt will not occur, but it also means that in larger graduate programs, such as medical school classes of over 200, an annual suicide is not uncommon. If an exercise requirement could diminish these numbers, then the harm to others rationale makes sense.

Maturity and competency

One might also argue the exercise requirement is not paternalistic because many graduate students are not yet fully competent and mature adults. An important caveat of Mill's liberty principle is the age or maturity provision. Mill says, "It is perhaps, hardly necessary to say that this doctrine is meant to apply only to human beings in the maturity of their faculties. We are not speaking of children, or of young persons below the age which the law may fix as that of manhood or womanhood."⁴⁴ Given evidence from cognitive science that higher level brain development involved in judgement and planning continues into the mid 20's, and many graduate students are between the ages of

⁴² Conversation with Shrishti Nand. (2019).

<https://www.legacy.com/obituaries/portcharlotte/obituary.aspx?n=jared-michael-ketchum&pid=188808178&fhid=9073><https://www.legacy.com/obituaries/englewood/obituary.aspx?n=jared-michael-ketchum&pid=188808178&fhid=9073>

⁴³ Garcia-Williams, Amanda G., Lauren Moffitt, and Nadine J. Kaslow. "Mental health and suicidal behavior among graduate students." *Academic psychiatry* 38.5 (2014): 554-560.

⁴⁴ Mill. (2003): 81

22-30, one could argue that many graduate students have not yet developed the necessary faculties to make fully mature or competent choices about exercise.⁴⁵

Anti-paternalist work by Seana Shiffrin also addresses the importance maturity and competency. First, it will help to examine how Shiffrin defines paternalism. She says,

I suggest that paternalism by A toward B may be characterized as behavior (whether through action or through omission).

(a) Aimed to have (or to avoid) an effect on B or her sphere of legitimate agency.

(b) That involves the substitution of A's judgement or agency for B's.

(c) Directed at B's own interests or matters that legitimately lie within B's control.

(d) Undertaken on the grounds that compared to B's judgement or agency with respect to those interests or other matters, A regards her judgement or agency to be (or as likely to be), in some respect superior to B's.⁴⁶

She qualifies her definition with the caveat that the immaturity or incompetency of a subject may lead to conditions (a) and (c) not being met.⁴⁷ Accordingly, the extent to which graduate students are mature and competent enough to best decide their exercise decisions would play an important role in whether Shiffrin would deem the requirement paternalistic. Getting to the crux of Shiffrin's problems with paternalism, she says,

⁴⁵ Arain, Mariam, et al. "Maturation of the adolescent brain." *Neuropsychiatric disease and treatment* 9 (2013): 449.

⁴⁶ Shiffrin, Seana Valentine. "Paternalism, unconscionability doctrine, and accommodation." *Philosophy & Public Affairs* 29.3 (2000): 205-250.

⁴⁷ Ibid: 219

the essential motive behind a paternalistic act evinces a failure to respect either the capacity of the agent to judge, the capacity of the agent to act, or the propriety of the agent's exerting control over a sphere that is legitimately her domain. Even if no distinct autonomy right is violated, the paternalist's attitude shows significant disrespect for those core capacities or powers of the agent that underwrite and characterize his autonomous agency."⁴⁸

If students do have these "core capacities" and exercise decisions are within their "sphere" of legitimate control and agency, then according to her definition, it would be insulting for administrators to support the exercise requirement. However, if students do not possess these core capacities, then administrators are being considerate and reasonable in not expecting graduate students to make these decisions independently.

The argument here hinges on what "core capacities" are, and I would argue this often unclear and context sensitive. It might be obvious that most students have the core physical capacity to exercise and the core mental capacity to know where and how one could exercise; yet one could argue they do not have the core capacity to *independently* establish and maintain a routine involving *sufficient* exercise. This might be especially true of graduate students experiencing anxiety and depression. Children seem to have the core capacity to go to bed on time, and they often do so unassisted by their parents; yet parents establish a bedtime, and this seems justified, because most children lack the discipline to consistently go to bed on time and get proper sleep without some parental intervention.

⁴⁸ Ibid: 220

Reviewing empirical evidence on the difficulty people have in forming the habit of exercise, combined with evidence about the prevalence of graduate student anxiety and depression, it seems reasonable to conclude many graduate students may not have the capacity to independently make good exercise choices.⁴⁹ Assessing if someone possesses core capacities also seems dependent on the level of achievement expected. I may have the core capacity to make 3-point basketball shots and to not drink soda. However, it seems I lack the core capacity to make 40 percent of my 3-point shots and go a full year without drinking soda without significant assistance or intervention.

Whether, Shiffrin, Mill, and Groll would agree that age and mental health issues provide enough reason to warrant intervention into student's exercise decisions is unclear. However, given certain empirical assumptions about maturity and competency, their paternalistic concerns over the exercise requirement might be attenuated.

One might consider administrators supporting an exercise requirement as advocating a cooperative approach. Student's maturity and core capacities might make them best equipped to *cooperate* in choosing how and when they exercise, but not worthy of the same type of deference to make these decisions independently that we would give fully mature adults.

In summary of Defensive Strategy 1, given certain motives, empirical assumptions, and definitions of paternalism, one can argue that the exercise requirement is not paternalistic. However, while perhaps an effective strategy practically or philosophically, I see this strategy as potentially problematic.

⁴⁹ Rosa. (2015).

For example, imagine that Carleton College, a liberal arts school where Daniel Groll teaches, begins to offer graduate programs. As the new director of graduate programs, I announce a series of policies including mentoring and exercise requirements for all graduate students. I believe these policies will promote graduate student well-being, but I also believe they will increase university prestige and research output and reduce the risk of suicide. Knowing that Daniel Groll is on the policy review board, I decide not to mention my well-being motivations for such policies, instead focusing on reducing harm and promoting university prestige. Given Groll's general reservation on paternalism, and my consequentialist motivations to achieve the best outcome for graduate students and the university, I focus on the non-paternalistic reasons to support the policy. I present these reasons convincingly at the next board meeting and the policy is passed.

Noteworthy here is that when the strategy for defending the exercise requirement changes, the set of empirical assumptions one appeals to often changes. To promote non-paternalistic reasons that would be convincing to Groll, I need evidence that graduate student exercise translates to better academic performance and decreased suicide risk. Evidence that exercise promotes well-being might be considered irrelevant, or even counter-productive, if it raises concerns about paternalism.

There is also an appeal to different motives when justifying a policy for paternalistic vs. non-paternalistic reasons. For Groll, the wills and motives of both the agent and the subject play important roles in whether the action is paternalistic and justifiable. For Shiffrin, permissibility is less subject dependent; she focuses more on the paternalizing agent's motive in distinguishing the impermissibility of paternalistic

actions. Again, she says, “the essential motive behind a paternalistic act evinces a failure to respect either the capacity of the agent to judge, the capacity of the agent to act, or the propriety of the agent’s exerting control over a sphere that is legitimately her (subject’s) domain”⁵⁰

One problem with arguing that a policy like the exercise requirement is not paternalistic, even if such an argument could be effective, is that it creates an incentive to mask paternalistic motives and focus on potentially weaker or non-existent motives to defend a policy, when in fact these paternalistic reasons and motives are important to acknowledge. In “Avoiding Paternalism,” Philosopher Peter de Marneffe identifies this issue of opaque motives. Addressing Shiffrin’s definition of paternalism, he says,

furthermore, if Shiffrin’s motive based characterization of paternalism is correct, then the non-paternalistic rationale for the unconscionability doctrine that she proposes does not actually show that this policy is not paternalist, even if it provides a fully adequate justification, since the availability of a fully adequate non-paternalistic justification for a policy does not entail that government officials are not paternalistically motivated in adopting and applying this policy.⁵¹

De Marneffe’s concerns relates to the moral hazard I want to highlight, which is that definitions such as Shiffrin’s and Groll’s may incentivize advertising false motives and hiding true motives. Shiffrin and Groll’s definitions of paternalism might force my hand to defend the exercise requirement in a way that does not represent my true reasoning and motivation.

⁵⁰ Shiffrin. (2000): 218

⁵¹ De Marneffe, Peter. "Avoiding paternalism." *Philosophy & Public Affairs* 34.1 (2006): 71

Motive based definitions like Groll's and Shiffrin's also face epistemic problems because it may be difficult for first or third person parties to know about true motivations.

In *Harm to Self*, Joel Feinberg says,

Sometimes a legislature passes a law for one kind of reason and decades later it is justified by a quite different sort of reason. One of these reasons may seem to pass muster and the other may seem illegitimate. In that case how do we tell what the "real reason" is? Here we must distinguish among "conscious reasons," "deep motivations," "implicit rationales," and "true justifications." A legislator might honestly cite one factor as "his reason" for voting for a bill, when unknown to him there may be a better reason that in fact supports the bill. Alternatively, he may know about the better reason, but reject it as a poor reason. "The reason" for the law, the reason that in fact supports it, may not then be the reason that impelled a legislator to vote for it.⁵²

My conscious motivation for promoting the exercise requirement might be to promote graduate student well-being, but perhaps deeper psychological analysis reveals a motive to avoid pain—pain associated with my belief and worry that graduate students are suffering from poor mental health. Perhaps neuroscientific analysis reveals I have an inordinate amount of mirror neurons and seeing depressed faces in the hallways and classrooms makes me depressed, and so my motivations are more selfish and less paternalistically motivated than I think. Moreover, perhaps a third party believes my motive is to increase personal and university notoriety by publishing a popular and controversial article about graduate student well-being. While deciphering motives for

⁵²Feinberg, Joel. *Harm to self*. Vol. 3. New York: Oxford University Press, (1989): 41

the policy might be interesting and relevant in certain contexts, overall, in determining whether or not the exercise requirement is good policy, it seems to steer the conversation away from the centrally important question: is the exercise requirement good for graduate students?⁵³

However, while I do not believe paternalistic reasons should be neglected in justifying the exercise requirement, I do see value in brainstorming arguments for the policy based on defensive strategy 1. Engaging with defensive strategy 1 leads one to focus on non-paternalistic reasons for the policy, and these non-paternalistic reasons are important and often more important than paternalistic reasons. It also forces a pro-paternalist to address various definitions of paternalism from anti-paternalists and the motivations behind these definitions.

As I believe John Stuart Mill correctly promulgates, having a diversity of opinions can be advantageous, because different opinions may each contain some partial truth. Mill says, “when conflicting the conflicting doctrines, instead of being one true and the other false, share the truth between them; and the non-conforming opinion is needed to supply the remainder of the truth, of which the received doctrine embodies only a part.”⁵⁴ Therefore, while there are potential advantages to “unification” and agreeing upon definitions of paternalism, there also may be advantages to addressing a variety of

⁵³ With respect to paternalism, I see motives more important in a dynamic sense, as motives might increase or decrease the likelihood that future interventions by someone will be reasonable and justified. For example, a motivation to promote well-being might not have much policy relevance in the sense that the policy may either promote well-being or not irrespective of motive; however, this person's general motivation to increase others well-being may cause them to put forth more effort to doing empirical analysis and research, and so their policies may generally be more justifiable because of this motivation.

⁵⁴ Mill. (2003): 112

definitions of paternalism when deciding whether a policy such as the exercise requirement is good policy. In his essay, “Moral Environmentalism,” Steven Wall addresses liberal or anti-paternalistic concerns saying, “liberal resistance to moral environmentalism is motivated in part by a host of practical concerns, and taking these practical concerns seriously is fully consistent with the theoretical view I have advanced.”⁵⁵ While philosophic definitions of paternalism are supposedly theoretical, I think Wall is correct that there are practical concerns motivating most definitions, or at least made salient by these definitions. Therefore, thinking about whether the exercise requirement is paternalistic according to various definitions helps us examine important theoretical and practical concerns.

Examining definitions of paternalism and Defensive Strategy 1 also provides evidence that trying to categorize a policy as paternalistic in a binary way might be wrongheaded. Philosophers have suggested separating paternalism into different categories or thinking about levels of paternalism as differences of degree. Joel Feinberg has made the distinction between “hard” and “soft” paternalism based on whether one interferes with another person’s voluntary imprudent actions or involuntary imprudent actions.⁵⁶ Michael Cholbi uses the phrase “Kantian paternalism” to describe interventions that allow individuals to make the best choice based on their own conceptions of the

⁵⁵ Wall. (2010):112

⁵⁶ Feinberg. (1989): 98-102

good.⁵⁷ Laura Specker Sullivan advocates for the term “medical maternalism” to describe empathetic interventions based on a medical patient’s hypothetical consent.⁵⁸

Overall, Defensive Strategy 1 is important because engaging in this strategy illuminates anti-paternalist definitions and motivations that are worthy of consideration in deciding whether a policy such as the exercise requirement is justified. The strategy entails finding non-paternalistic reasons to support policies, and these reasons are valid independent of paternalistic reasons. I will now turn to Defensive Strategy 2: the exercise requirement may be paternalistic, but there is nothing necessarily wrong with a policy being paternalistic, and the exercise requirement may be an example of a justifiable paternalistic policy.

⁵⁷ Cholbi, Michael. "Kantian paternalism and suicide intervention." *Paternalism: Theory and practice*. Cambridge University Press, (2013):118-120

⁵⁸ Sullivan, Laura Specker. "Medical maternalism: beyond paternalism and antipaternalism." *Journal of Medical Ethics* 42.7 (2016): 439-444.

CHAPTER 4

DEFENSIVE STRATEGY 2: THE EXERCISE REQUIREMENT IS PATERNALISTIC, BUT NOT OBJECTIONABLY PATERNALISTIC

In the introduction I made the normative claim that Defensive Strategy 2 is generally a better way to defend the exercise requirement against the paternalistic objection. This is because many policies should have the promotion of other's well-being as their principal goal, and if we want other's well-being to be highly valued in policy decisions we will end up choosing policies that many consider paternalistic.⁵⁹ In placing a high value on human well-being, I do not deny the independent value of autonomy, knowledge, or other values. However, I do not accept that these values should be “structurally decisive” over well-being considerations, as Groll claims; preserving a value such as autonomy should rarely be more important than promoting overall well-being.

In advancing a pro-paternalist defense for the exercise requirement, it will help to use thoughts from Jason Hanna in his book, *In Our Best Interest*.⁶⁰ Hanna's work helps clarify the motivations and commitments of “pro-paternalism” and addresses standard objections to pro-paternalist arguments. In his chapter on pro-paternalism, Hanna says,

The pro-paternalist view, as I understand it, is not fundamentally a view about the permissibility of a certain sort of behavior—for instance, behavior that can be appropriately described as “paternalistic.” Instead, it is a view about the availability and weight of a certain sort of reason or rationale. On my view,

⁵⁹ Implicit here is the rejection of a strong desire satisfaction view of well-being. In fact, I think once we reject a desire satisfaction view, we are led to embrace paternalism and seek out effective interventions.

⁶⁰ Hanna, Jason. *In our best interest: A defense of paternalism*. Oxford University Press, 2018.

paternalistic rationales count in favor of intervention—that is, it is a valid reason in favor of intervening in someone’s affairs that doing so would advance some interest of hers.⁶¹

Later in the chapter, Hanna says,

Luckily the pro-paternalist need not take a stand on which acts and policies are, and are not, “really” paternalistic. Whether pro-paternalism is true depends on whether intervention that serves the target’s best interest (without wronging others) is sometimes permissible; it does not depend on any further definition of the word “paternalism.”⁶²

Applying Hanna’s pro-paternalism to the exercise requirement, if requiring graduate students to exercise improves their well-being, then we have paternalistic reasons to endorse the exercise requirement. Hanna’s formulation of pro-paternalism is also consistent with our conclusion that debating the definition of paternalism or relying solely on non-paternalistic reasons is not necessarily the best way to defend the exercise requirement. Moreover, building on Hanna’s thoughts, my pro-paternalism stance says that it is not only permissible, but often desirable for agents to transparently voice pro-paternalistic arguments when making policy decisions. As Joel Feinberg notes, distinguishing between "conscious reasons," "deep motivations," "implicit rationales," and "true justifications," when justifying policies is difficult.⁶³ However, ideally, we want people to be as mindful and transparent about their reasoning and motivations as possible. Administrators should not hide behind non-paternalistic reasons for intervention, even if

⁶¹ Hanna. (2018): 4

⁶² Ibid: 24

⁶³ Feinberg (1989): 41

such non-paternalistic reasons exist and are sufficient to justify a policy.⁶⁴ To be clear, in the case of the exercise requirement, I do not see paternalistic reasons as “structurally decisive” or necessarily trumping or eliminating non-paternalistic reasons for the policy. However, the paternalistic reasons are strong enough that they should be expressed as part of its justification.

In “Avoiding Paternalism,” Peter de Marneffe discusses the project of “reconciliation,” an effort espoused by those with generally anti-paternalist sentiments, and one that places non-paternalistic rationale ahead of paternalistic rationale in deciding whether a policy is paternalistic. He says,

An example of this approach is that a government policy is paternalistic toward A if and only if (a) it limits A’s choices by deterring A from choosing to perform an action or by making it more difficult for A to perform it; (b) A prefers A’s own situation when A’s choices are not limited in this way; (c) the government has this policy only because those in the relevant political process believe or once believed that this policy will benefit A in some way; and (d) this policy cannot be fully justified without counting its benefit to A in its favor.⁶⁵

As de Marneffe argues, the project of reconciliation, and specifically clause (d), presupposes there is something about paternalism that is distasteful and we want to avoid it; I not only resist this anti-paternalist assumption, but suggest we might actually think the opposite. Paternalism at the theoretical level is something good; it aims to increase human well-being, and a paternalistic policy is judged successful or not by whether it

⁶⁴ Feinberg. (1989): 41

⁶⁵ De Marneffe, Peter. "Avoiding paternalism." *Philosophy & Public Affairs* 34.1 (2006): 74

achieves this goal. It might be true that attempts at paternalism face epistemic, dynamic, and practical constraints that make certain interventions undesirable, but at least at the philosophical level we should distinguish between misapplied or undesirable paternalism and paternalism. In the spirit of positive psychology, Jeremy Blumenthal suggests the phrase “positive paternalism” to distinguish positive and developmental forms of paternalism from standard choice-intervention forms of paternalism generally viewed as negative.⁶⁶

Paternalism as positive

Western culture prizes liberty and rights, and university administrators and faculty need to scrupulously consider their negative duties to respect these rights. However, teachers and administrators also have the duty to educate students and promote their well-being, and this generally requires taking actions rather than avoiding them. Jason Hanna uses the example of professors making students turn in a rough draft as a paradigm paternalistic act done at universities that few would object to.⁶⁷ Departments also require students to take courses such as advanced symbolic logic that are difficult and many students would prefer to not take. Whether requiring students to turn in a rough draft is good policy depends on a variety of empirical facts. Will the student put quality effort into the rough draft and receive quality feedback? What is the opportunity cost to the students and professors of requiring a rough draft? Would students otherwise work on and revise a rough draft if not required? Do students required to turn in rough drafts produce better work? Is there developmental value to learning to create and revise drafts

⁶⁶ Blumenthal, Jeremy. “A psychological defense of paternalism.” *Theory and practice*. Cambridge University Press, (2010): 197-215

⁶⁷ Hanna. (2018): 24

without a requirement? Answers to these questions provide evidence to answer the ultimately important pro-paternalist question: is it in the student's best interest to require them to turn in a rough draft?

Answering these questions requires thoughtfulness, time, and energy. Therefore, pursuing good paternalistic policies requires positive efforts in the form of time and energy and positive attitudes in having concern for other's well-being. This time, effort, and concern may be better spent elsewhere or counterproductive, but this is only a contingent possibility, and does not undermine the positive efforts and positive motivations associated with genuine paternalism.

One should be concerned that universities and other institutions might exaggerate negative duties and provide disincentives for their members to pursue positive duties. I find it plausible that the risk/reward dynamics often make engaging in "positive" paternalistic acts unappealing to faculty and university administrators. An administrator might genuinely value well-being and be willing to put the time in necessary to evaluate and enact paternalistic policies, but because social and university norms do not endorse or reward these interventions, they fail to actualize such interventions. Pursuing a paternalistic policy may leave them open to criticism or punishment, with little ostensible upside if things go well.

In her article "Paternalistic Leadership," Zeinap Aycan highlights differences between the employee and employer relationship in Eastern and Western Cultures.⁶⁸ In Eastern culture, employers are more likely to be involved in employees' personal lives

⁶⁸ Aycan, Zeynep. "Paternalistic leadership." *Wiley encyclopedia of management* (2015): 1-2.

and exhibit what she calls “paternalistic leadership.” According to Aycan, paternalistic leadership involves,

creating family environment in workplace (leader behaves like a senior family member guiding subordinates in their professional and personal lives), establishing close and personalized relationships with subordinates (leader establishes close relationships with every subordinate individually), getting involved in employees’ non-work lives (leader is involved in subordinates’ lives beyond work, such as attending their weddings, acting as a mediator in family disputes), expecting loyalty (leader expects loyalty and deference from employees and considers loyalty more important than performance), and maintaining authority and status hierarchy.⁶⁹

Aycan notes that all forms of paternalistic leadership may not be equally beneficial. Initial studies indicate positive results from creating a family atmosphere in the workplace, whereas heightened loyalty expectations were correlated with increased employer bullying. Aycan’s work suggests a lack of paternalistic leadership or targeted positive paternalism among faculty and students could in part explain why graduate student well-being is disturbingly low. More research is needed, but perhaps universities need to encourage more paternalistic leadership, both between students and faculty, and between older and younger graduate students, to improve graduate student well-being.

Paternalism embraces science and empiricism

Another advantage of pro-paternalism is its reliance on science and empirical evidence. To justify interventions such as mandating seat belts, forcing retirement

⁶⁹ Aycan. (2015): 2

savings, or requiring exercise, we need scientific reasoning and empirical evidence. This encourages a scientific and interdisciplinary approach to promoting well-being. In his article “Expert Paternalism,” Jeremy Blumenthal highlights how scientific experts can help inform good paternalistic policies.⁷⁰ Blumenthal shows that paternalistic policies coming from experts are not subject to the level of selfish or “motivated” reasoning that many anti-paternalists claim. Moreover, he uses empirical evidence to argue that people are not as insulted by paternalistic interventions as many anti-paternalists contend. He also addresses the developmental objection, arguing that empirical evidence helps us distinguish areas where humans do and do not tend to learn from their mistakes. Accordingly, positive paternalism offers a path to combine philosophical theory with good research in psychology and biology. In contrast, anti-paternalists seem to rely more on theoretical claims that are grounded in armchair reasoning and anecdotes. For example, Seana Shiffrin’s says

the paternalist’s attitude shows significant disrespect for those core capacities or powers of the agent that underwrite and characterize his autonomous agency. Paternalistic behavior is special because it represents a positive (although often sometimes unconscious or sometimes caring) effort by another to insert her will and have it exert control merely because of its (perhaps only alleged) superiority. As such, it directly expresses insufficient respect for the underlying valuable capacities, powers, and entitlements of the autonomous agent. Those who value

⁷⁰ Blumenthal, Jeremy A. "Expert paternalism." *Fla. L. Rev.* 64 (2012): 721.

equality and autonomy have special reason to resist paternalism towards competent adults.⁷¹

I agree with Shiffrin that some policies *could* be motivated by insulting and disrespectful attitudes, but she does not offer evidence that they necessarily or even generally are. To fully understand our legitimate “powers and capacities,” we need to rely on our intuitions, personal experiences, *and* psychological research. Metaphysically it is possible that all adults can wear seatbelts, save for retirement, and exercise, but research suggests in certain contexts many will fail to adequately do so without some type of assistance or intervention. As Blumenthal argues, scientific research helps inform us in which areas paternalistic intervention makes sense, giving us a more targeted approach towards promoting development and human well-being. Again, this attitude seems reasonable and humble, rather than insulting and hubristic, as Shiffrin generally labels paternalism.

To be fair to anti-paternalists, in certain contexts, anti-paternalism could be an effective heuristic or default concept, because often people do know what is in their best interest and are capable of acting on this knowledge to promote their well-being. Moreover, those intervening may not be as benevolently motivated or epistemically enlightened as they claim to be. The practical concerns that paternalism is often abused or misapplied are real, and empirical research can also highlight this. For example, JC Bradley Geist et. al have shown that “helicopter parenting” of college students limits their development of self-efficacy skills.⁷² Accordingly, parents might best serve their children

⁷¹ Shiffrin. (2000): 220

⁷² Bradley-Geist, Jill C., and Julie B. Olson-Buchanan. "Helicopter parents: An examination of the correlates of over-parenting of college students." *Education+ Training* (2014).

by reading anti-paternalist literature when their kids go off to college. Again, as Jason Hanna espouses, there is nothing inconsistent about a pro-paternalist rejecting paternalistic policies or incorporating anti-paternalist concerns into their decision making.

While I see the empirically driven nature of good paternalistic policies as a strength, reliance on empirical evidence can also be a weakness for the pro-paternalist, because such evidence is often highly questionable or unavailable. For example, to paternalistically justify the exercise requirement, one needs a way to measure the effects of exercise on graduate student well-being, and this is not an easy task. In the *Nature Biotechnology* study discussed early, the potential of a selective reporting bias is real. However, this provides reasons to pursue better data and measurement capabilities surrounding well-being, not a reason to abandon an empirical approach. Evaluating the exercise requirement should push institutions to seek out more scientific and objective measurements of well-being, and how exercise affects these metrics.

Paternalism can promote choice and autonomy

Before defending the exercise requirement against autonomy objections, it is worth noting that paternalism might also promote choice and autonomy. I am advocating that graduate school programs consider requiring exercise as part of their school's curriculum to promote well-being. I am not advocating the stronger claim that we should require all graduate programs to require students to exercise. Despite accepting the exercise program as permissible, many graduate programs might decide that an exercise requirement is not optimal for their program. In the near future, most graduate programs will not have an exercise requirement, and assuming universities are transparent about the

requirement, prospective students will have a choice about whether to be subject to the requirement.

This leads to the possibility that some students may want to attend a graduate program with the exercise requirement, and by declaring an exercise requirement universally impermissible because it is paternalistic, anti-paternalists might be acting paternalistically. Christian Coons and Michael Weber call this the “paradox of anti-paternalism.”⁷³ According to Coons and Webber, anti-paternalists may claim that consent rules out paternalism, but this leads to the unacceptable implication “that those societies that are most tolerant of and endorse paternalism will be the least paternalistic.”⁷⁴ Coons and Webber make an interesting point, although there does seem to be something different about interventions and requirements in an institution or system where people have consented to be subject to paternalistic interventions versus a situation where they have explicitly expressed a disdain for paternalism.

Accordingly, the scope of paternalistic acts and consent might be important. For example, a group of pro-paternalist graduate students might give a program latitude to impose paternalistic measures within a certain scope. Perhaps anything to do with study habits, food, and exercise would be on the table for paternalistic interventions, but a requirement to engage in a certain sexual or social conduct would be off limits.

Ludgar Heidbrink discusses this idea of consent-based or cooperative paternalism in his essay “Sustainable Consumption by Political Self-Binding.”⁷⁵ Heidbrink

⁷³ Coons, Christian, and Michael Weber, eds. *Paternalism: Theory and practice*. Cambridge University Press, (2013): 11

⁷⁴ *Ibid*: 11

⁷⁵ Heidbrink, Ludger. “Sustainable Consumption by Political Self-Binding.” *GAIA - Ecological Perspectives for Science and Society* 20.3 (2011): 152–156.

encourages citizens to become involved in the political process and choice architecture that sets up their decision-making options surrounding sustainable consumption. He says, “it’s not just about steering the ship together on the high seas, but also about intelligent forms of self-commitment, in which, like Odysseus, you let yourself be tied to the mast of the ship to withstand the sounds of the siren and to be able to continue the chosen course.” Graduate programs with an exercise requirement would give students the option to allow themselves to be tied to the mast on a ship heading towards their well-being.

There is also something worth distinguishing between paternalism in a university or workplace setting compared to governmental paternalism, especially because many graduate students have a dual role as employees and students. In his essay “Workplace Paternalism,” Gil Hersh argues that that in cases of workplace paternalism, employees can more easily “exit” one company and move to another company if paternalistic policies are undesirable or ineffective.⁷⁶ It is much more difficult to exit a country if one disagrees with its seatbelt law. Hersh references Albert Hirschman, who believes employees have two main ways to resist against unwanted employer services or demands, “exit” and “voice.”⁷⁷ The more accessible these options are, the less we should be concerned with unwanted or ineffective paternalistic intervention.

In part I agree with Hersh’s and Hirschman’s assessment, and given that there is still much to learn about the relationship between exercise and well-being, having optionality for students to avoid the exercise requirement is likely a net positive and helps justify the policy. However, the more important a paternalistic policy is deemed to be,

⁷⁶ Hersh Gil. “Workplace Paternalism.” (forthcoming)

⁷⁷ Hirschman, Albert O. "Exit, voice, and the state." *World Politics* 31.1 (1978): 90-107.

and the more evidence we have that people are consistently making poor choices when left to their own judgement, the less we might consider the ease of “exit” a net positive.

For example, perhaps a more effective and less addictive pain medication emerges; the Surgeon General suggests a ban on opioids, but some states choose not to ban opioids. States where opioids are allowed continue to see problematic use, and moreover, they attract an influx of opioid abusers from other states. Here the ease of exit from paternalistic intervention seems problematic. Accordingly, I think Hirsh is correct that the ease of exit makes certain policies less “paternalistically problematic,” because the strength of the paternalism seems to be weakened; however, the ease of exit does not necessarily make a paternalistic policy more permissible or desirable, because the lack of ability to exit might correlate highly with the success of the policy.⁷⁸

In summary, pro-paternalism may create more choice or better choices. However, this is not always the case. I will now turn to objections stemming from concerns that paternalism impermissibly and undesirably limits autonomy and choice.

Autonomy objections

A central objection to paternalistic policies is that they unjustifiably restrict autonomy. As Joel Feinberg notes in *Harm to Self*, those complaining of paternalistic infringement of their autonomy often feel strong moral outrage. Feinberg says, “they

⁷⁸ Discussions with Gil Hirsh. Hirsh disagrees with this claim, and says that all else equal, assuming we could achieve the same ends with a non-paternalistic solution, we should prefer the non-paternalistic solution, and so this makes paternalism, all else equal, a negative. This might make sense in an idealized world with no trade-offs or opportunity cost, but given the world we live in, all else equal a paternalistic solution in some cases would be better. Sometimes limiting our choices adds value, even if we would have made the same choice without our choices being limited. An example would be a limited food menu where I would make the same choice whether there are 5 items or 50 items—a paternalistic intervention reducing my menu to 5 items saves me time and makes me better off.

have experienced something analogous to the invasion of their property or the violation of their privacy. They want to protest in terms such as ‘I’m in charge here,’ ‘No one can tell me what I must do with my own time,’ and ‘What I do with my own life is no one else’s business.’”⁷⁹

Overall, I see restricting autonomy as potentially undesirable for three principal reasons. First, humans often enjoy autonomy, and so removing autonomy, *ceteris paribus*, can be a negative hedonic vector for well-being. For example, we might think a graduate student who exercises freely has higher well-being than one who does so because they are required. Second, restricting autonomy can have a “developmental” cost. Restricting autonomy prevents people from learning important lessons that will allow them to be happier or more productive. These first two autonomy concerns could be related or considered independently. For example, considering them together, perhaps the exercise requirement prevents graduate students from discovering the discipline and value of exercise on their own; by being required to exercise, they become less productive students and less happy people over the course of their education and in the future.

One can also value the developmental component independently, perhaps because autonomy promotes knowledge and human progress. Graduate students who have more autonomy in exercise and other decisions might produce more knowledge than those who are required to exercise.⁸⁰

A third autonomy-based consideration is that autonomy is intrinsically valuable, independent of well-being, developmental, or any consequentialist considerations. For

⁷⁹ Feinberg. (1989): 27

⁸⁰ We assume here that humans can have values that do not supervene on well-being, and that one does not subsume such values like knowledge and progress into their definitions of well-being.

example, one might object to going into Robert Nozick's Experience Machine because a they believe an important form of autonomy is absent in the experience machine.⁸¹ There might be something independently valuable about being in a stochastic world where choices are authentic and "real," rather than determined and illusory.⁸²

Before addressing these three autonomy objections more specifically, it will help to define the multi-faceted nature of autonomy. Joel Feinberg says,

When applied to individuals the word "autonomy" has four closely related meanings. It can refer either to the *capacity* to govern oneself, which is of course a matter of degree; or to the *actual condition* of self-government and its associated virtues; or to an *ideal of character* derived from that conception; or (on the analogy to a political state) to the *sovereign authority* to govern oneself, which is absolute within one's own moral boundaries (one's "territory," "realm," "sphere, or "domain.>").⁸³

A hedonic-based autonomy objection deals primarily with the *actual condition* aspect of autonomy. A plausible empirical assumption for the hedonic-based autonomy objection is that graduate students are highly likely to exercise without a requirement and they also gain pleasure from making self-driven decisions. Accordingly, the requirement would deprive students of acting autonomously and the enjoyable feeling that *they* chose to exercise. However, someone who already exercises might also gain well-being from the requirement because it would reinforce their pre-existing value of exercise by creating

⁸¹ Nozick, Robert. "The Experience Machine." *Ethical Theory: An Anthology* 14 (2012): 264. Note one can value autonomy for multiple reasons while still not believing in free will. Conversations with Peter de Marneffe.

⁸³ Feinberg (1989): 28

an institutional norm to exercise; perhaps they enjoy exercise but often worry it is a waste of time or they should be spending their time elsewhere. Given that in the Harvard well-being report students worried mostly about time management, required exercise time might help relieve anxiety and stress.⁸⁴

Turning now to the developmental objection, in “Legal Paternalism” Joel Feinberg says,

Put in this blunt way, paternalism seems a preposterous doctrine. If adults are treated as children, they will come in time to be like children. Deprived of the right to choose for themselves, they will soon lose the power of rational judgement and decision. Even children, after a certain point, had better not be ‘treated as children,’ else they will never acquire the outlook and capability of responsible adults.⁸⁵

This developmental based autonomy objection highlights two potential concerns with respect to the exercise requirement. First, depriving graduate students of the opportunity to develop an exercise routine without a requirement is important because it teaches the students to develop *capacities* to control factors that relate to their well-being. Second, autonomy in exercise decisions helps students develop *capacities* to control factors that make them valuable human beings to society.

Accordingly, with respect to the developmental objection, the following questions should be addressed. Do graduate students that do not exercise and are experiencing poor mental health tend to later develop exercise routines as a result? How does self-

⁸⁴ Bareira. (2018): 6

⁸⁵ Feinberg, Joel. "Legal paternalism." *Canadian journal of philosophy* 1.1 (1971): 105-124.

development of an exercise routine relate to students developing other important capacities? Going back to the study “Running to Well-being,” there is no evidence that psychology or law students experiencing poor mental health have turned to exercise for help; however, evidence from the “Running to Well-being” study, Harvard study, and other studies does show that mental health issues become more prevalent for students as they progress in their programs.⁸⁶ Accordingly, while graduate students are almost certainly gaining knowledge and developing talents during graduate school, there is no evidence they are developing good exercise habits or other coping mechanisms to increase their well-being. To be fair, perhaps the stress levels as graduate students progress through their program should increase, and lower well-being is a price that students and graduate programs are willing to pay for knowledge production or future success and well-being. However, I think this is an assumption we should question.

This idea of “paying dues” or “suffering as an important rite of passage” is found in a variety of areas of society. I agree that struggle and periods of low well-being can build resilience and have positive long-term effects. In fact, I think this aspect of living a good life is lacking in a good philosophical well-being theory.⁸⁷ Good coaches and professors often think about the right amount of suffering they should allow their students and players to experience. There is likely some context sensitive optimal amount of short-term negative well-being that is desirable from a dynamic perspective, because sometimes a painful and lengthy learning process is the best way to build resilience and

⁸⁶ Barreira (2018). Skead (2016). Flaherty (2018).

<https://www.insidehighered.com/news/2018/12/06/new-research-graduate-student-mental-well-being-says-departments-have-important>

⁸⁷ Stoics and Buddhists incorporate this idea, but it seems lacking in traditional well-being philosophy.

other important capacities. However, this is only one way in which people learn, and not the only way or perhaps often the best way. Before one accepts suffering as necessary or helpful, theoretical and practical frameworks are needed to analyze and measure how periods of negative well-being or suffering are efficacious.

Returning to Feinberg, he says, “deprived of the right to choose for themselves, they will soon lose the power of rational judgement and decision.” However, it is possible that a lack of deliberation or conscious choice allows one to more effectively develop their rational capacities. Perhaps the biological and psychological effects of exercise tend to promote rational judgements and decisions, irrespective of whether the original idea or intent to exercise came from voluntary participation or being required. The reduction of stress, release of dopamine, and better sleep associated with exercise might indeed put graduate students in a better place to engage in the “power of rational judgement and decision.”⁸⁸

Again, with the notion of development, the idea of opportunity cost and causal influence between autonomy in one realm and another is important. Because of substantial biological and psychological effects associated with exercise, even if students are limited in governing their bodies with respect to exercise decisions, they might experience an increase in feelings of control over their bodies in other realms. Sufficient exercise might provide stress relief and other cognitive effects that allow students to mentally focus better on schoolwork and other tasks, improving their *capacity* and *actual condition* of self-government. To fully understand the value of choice and the development of effective autonomous decision making, what Feinberg calls “the power

⁸⁸ Feinberg. (1971): 105

of rational judgement and decision,” we need information about how autonomy in one arena effects autonomy in other arenas.

For example, it is possible that going to the school cafeteria and having 50 different food options and the ability to eat whatever I want helps me to develop good eating habits and the discipline to make good choices in other arenas. However, it is also possible that the cafeteria experience is overwhelming, and this freedom to choose from 50 different foods takes away time and energy that could be spent making choices in more important areas of my life. Perhaps I also make bad choices when I go to the cafeteria because of weakness of will, and upon reflection wish I had chosen differently. Ruminating on these bad cafeteria choices causes me to lose confidence that I can make good choices in other arenas, and this loss of confidence causally hurts my good feelings about being autonomous and my choice making abilities.

Psychological work on habit and exercise is particularly relevant to autonomy objections related to development. It may be that we want to automate certain decisions or create certain habits, and it is not important whether we develop these habits independently or with the help of paternalistic intervention. In their study “Predicting habit: the case of physical exercise,” Bas Verplanken and Ole Melkevik conclude,

Although a health campaign promoting physical exercise may result in higher exercise frequencies, behavioral changes often do not last. One reason might be that the decision to exercise is not automated and is thus not embedded as part of one's everyday activities. Habit is therefore an important construct when it comes adherence to behavior and relapse prevention. “If one has to think and deliberate whether or not to exercise, one is vulnerable to the many ad-hoc rationalizations,

hassles, and moods that may lead to a decision not to exercise that day or that week. We thus would argue that the habit concept is particularly relevant for the initiation of and adherence to exercising. A strong habit to exercise, in our view, thus implies the fact that regular exercising is self-evident, does not require thought or deliberation to initiate, and is incorporated as part of a person's daily or weekly activities. The activity of exercising itself, then, is hopefully executed with full awareness and enjoyment, perhaps under conditions of flow (e.g., Nakamura & Csikszentmihalyi, 2002), which may thus contribute to health, subjective well-being, and happiness.⁸⁹

Accordingly, a structured exercise requirement may generally be a more effective way for graduate students to develop a long-term habit and appreciation for exercise than being left to choose whether to exercise on their own.

Overall, concerns that paternalistic interventions hinder the development of important autonomous capacities are worthy of consideration, but they are context sensitive objections and not decisive ones. The amount of well-being enhancing activities we have the time and capacity to develop habits for through trial and error is limited. The amount we can or want to suffer to learn also has limits. Moreover, the opportunity to develop one skill can come at a cost of developing another skill. It is a reasonable conclusion that without paternalistic interventions many graduate students will not develop the well-being enhancing habit of exercise, whereas with an exercise requirement of three hours a week, they will develop this important habit.

⁸⁹ Verplanken (2008): 15-26.

Intrinsic value of autonomy

I assume for this discussion that hedonic states represent a major component of well-being, but this still allows for other values to be relevant when considering whether a policy is justified. With respect to the exercise requirement, it is reasonable that people might object to requirement because people having control over their bodies and minds has independent value.

One reply to this objection is to argue that having control over one's body and mind does not have intrinsic value, and that the objector is mistaken in their belief. Perhaps they value control over one's mind and body instrumentally but fail to recognize this. While plausible, this argument hits a dead end once the objector insists that they are not mistaken, because in theory it is coherent to assign intrinsic value to nearly anything. One way to test oneself and others about intrinsic value is through counterfactuals.⁹⁰⁹¹ For example, all else being equal, there is a world X where inhabitants experience slightly less pleasure than world Y, but in world X people have high levels of control over their bodies and minds. In world Y people have little control over their bodies and minds and most choices are made for them by a third party. Which world would one prefer? If one prefers world X, then one assigns intrinsic value to autonomy in some form.

A similar counterfactual test can be used to gauge how one weighs one intrinsic value vs. another. For example, I intrinsically value human knowledge and progress, because a world with slightly more net pleasure and positive attitudes but no progress in

⁹⁰Conversations with Peter de Marneffe.

⁹¹ Moore, George Edward. "The conception of intrinsic value." (1998).

technology or scientific discovery seems like a worse world to me. However, considering a world where people average a 7/10 level of pleasure and there is progress and another world where people average a 9/10 level of pleasure with no progress, I would prefer the non-progressive world, so there are limits to how much pleasure I would sacrifice to have progress in the world.

This counterfactual thinking helps us reply to the objection that the exercise requirement is impermissible because it thwarts autonomy and autonomy has intrinsic value. A pro-paternalist can concede autonomy has intrinsic value and is worthy of consideration, while maintaining this value is not likely to be a decisive objection to the exercise requirement. In any given policy consideration, the value of well-being might outweigh the value of autonomy.

Some of this weighted analysis will hinge on empirical facts and assumptions, whereas part of the analysis will rely on subjective views. I will not outline a specific framework for weighing values in determining policy, but it is important to note on my view that no values are structurally decisive.

Practically speaking, the exercise requirement involves limiting the scope of choices students have about exercise, and therefore one can argue the intrinsic value of autonomy is still being respected—it is an exaggeration to say the requirement deprives students of control over their bodies and minds. Three hours of moderate exercise a week is not a significant amount of time. Moreover, the type of exercise required is flexible, so students still have control over when and how they exercise.

Other autonomy issues

Another reply to autonomy-based objections is to say that our autonomy is almost always subject to intervening forces, whether these forces are deemed paternalistic or not.

In her essay “Relational autonomy, paternalism, and maternalism,” philosopher Laura Specker Sullivan says,

Causally, socialization and relationships can either impede or enhance the development and exercise of autonomy competencies. Constitutively, the concepts and values we use to identify ourselves are shaped by our social context, such that reflection on ourselves as authentic and inauthentic can never be independent of others’ influence, e.g., through oppressive social norms, controlling relationships, or limited gender roles in the negative sense, and empowering social norms, nurturing relationships, and flexible gender (and other) roles in the positive sense.⁹²

Specker Sullivan points out that our sense of autonomy is inextricably influenced by other people and social conventions in our environment. It is also important to note our autonomy is inextricably affected by non-people in our environment.

Anti-paternalists can push back that the problem with paternalism is that it is “other people” taking the reigns over our autonomy. In an ethical sense, interventions done by the natural world or our own body seem importantly different from interventions done by other people. However, while persons-based interventions might be fundamental to current definitions of paternalism, there are also reasons for not drawing a meaningful distinction between human and non-human interventions—at least in terms of what

⁹² Sullivan, Laura Specker, and Fay Niker. "Relational autonomy, paternalism, and maternalism." *Ethical Theory and Moral Practice* 21.3 (2018): 649-667.

makes an intervention desirable. As artificial intelligence and non-human cognitive forces become more influential in society, people may experience an increasing amount of interventions done by non-humans. For example, decisions about whether someone should drive a car might soon be made by artificial intelligence systems rather than by a friend, Motor Vehicle Department agent, or police officer. A computer system might judge a person's driving habits, blood alcohol level, or reaction times and decide whether they can operate a vehicle independently or must use an autonomously driving car. One could argue that there is a human originally behind the software or decision-making process the AI uses, but as AI becomes more generalized the causal chain might be more difficult to trace back to a human. AI systems might be given generalized goals such as "promote safety" or "increase happiness," and a variety of interventions are then set in motion. Accordingly, the "experts" that Blumenthal argues make paternalism more justifiable may continually become less human.⁹³

Overall, I think pro-paternalism demonstrates that theoretically one should be less concerned with motives and where an intervention is coming from, and more concerned with whether an intervention is good. For example, if I contract the Covid-19 virus, my natural immune system might decide to unleash a cytokine storm to protect my body; this cytokine storm could also be induced by a drug given to me by a human doctor or an AI implant inside my body. I should not be especially concerned if and what motives exist behind this intervention and whether it is paternalistic. What I should be most concerned with is whether this intervention is good for my body and well-being. I know the doctor,

⁹³ Blumenthal. (2012)

my original body, or the AI are prone to error; I just want the least error prone one to make the choice the causes me to have optimal well-being.

Another autonomy issue relevant to the exercise requirement is that as humans we have past, present, and future values and choices to consider.⁹⁴ Therefore, when there is a charge that autonomy has been violated by a paternalistic intervention, one can ask, autonomy for who? Danny Scoccia addresses this in “Autonomy and Hard Paternalism,” giving the following thought experiment as an example:

Suppose that a member of a religious cult authorizes the other members to kidnap and reprogram him should he ever try to leave it because he no longer accepts its teachings. One day he decides to leave for that reason, and the next day the others drag him back to their compound, kicking and screaming, for the reprogramming that he earlier authorized but no longer supports.⁹⁵

To decide if intervention is justified based on the right to autonomy, one must decide whether to respect the cult member’s past self’s right to bind him to a future obligation, or his current self’s right to change his mind and act on his current values. The opposite case is also possible, where a person asks his friends to intervene if he ever joins a religious cult, then one day joins a religious cult and embraces its values and no longer wants an intervention. In cases of temporally conflicting choices and values, it is difficult to determine when paternalistic intervention is justified. Scoccia warns against giving greater weight to a hypothetically more rational or future self, saying, “any version of

⁹⁴ Calhoun, Cheshire. *Doing valuable time: The present, the future, and meaningful living*. Oxford University Press, 2018.

⁹⁵ Scoccia, Danny. "The right to autonomy and the justification of hard paternalism." *Paternalism: Theory and practice* (2013): 74-92.

hypothetical consent test that ignored one's actual values and assumed that one's 'true, rational self' could not have any false values or foolish goals would be, as Isaiah Berlin put it, a 'monstrous impersonation,'"⁹⁶ However, while Scoccia's and Berlin's concern is valid, they might be overly skeptical about assigning values and weightings to future selves; this is likely to vary depending on context. Some people might have a consistent pattern of joining a religious cult every ten years but wanting to leave after a few weeks. Therefore, there may be rational and empirical reasons to value a non-cult person's choices and values over their choices and values while in a cult.

With exercise, if we know with high probability that once people develop the habit of exercise they become happier and more productive people that value exercise, then we may have good reason to value this future person's choice and values over their current self. The fact that one's future self is likely to endorse an intervention does not give a decisive reason to intervene, but it may provide a reason in favor of the intervention.

Overall, examining the nuances of autonomy considerations helps build a comprehensive view of the potentially positive and negative outcomes resulting from a given policy like the exercise requirement. Using counterfactuals and thought experiments leads to the conclusion that while autonomy might be important instrumentally and intrinsically, it should not be considered a decisive or absolute right. Therefore, when considering policies like the exercise requirement, it is important to evaluate how gains and losses of autonomy in one arena effect autonomy in other arenas. Moreover, it is important to balance autonomy considerations with promoting well-being.

⁹⁶ Scoccia. (2013): 84

CHAPTER 5

CONCLUSION

Overall, there are good paternalistic reasons to consider an exercise requirement to improve graduate student well-being. There are also good non-paternalistic reasons that may make the exercise requirement good policy. More research should be done before make sweeping claims about the severity and generalization of graduate student well-being problems, but studies and anecdotal evidence warrant concern and a proactive approach. In situations of risk management, one does not need evidence that a negative outcome is likely to take risk mitigating measures. The exercise requirement represents a justifiable and low-cost option to helping vulnerable students who suffer from anxiety and depression. Moreover, the requirement could be a well-being enhancement for all students regardless of their level of well-being.⁹⁷

Current recommendations to improve graduate well-being involve conventional approaches at increasing access and participation in mental health services and improving communication between students and faculty. I support these efforts, but also think programs should look at more unconventional and paternalistic solutions. Again, the Arizona Board of Regents stated philosophy says, the “aim of education is the intellectual, personal, social, and ethical development of the individual.”⁹⁸ Paternalistic policies focused more directly on well-being enhancement may help universities better achieve comprehensive educational goals.

⁹⁷ Ross, Catherine E., and Diane Hayes. "Exercise and psychologic well-being in the community." *American journal of epidemiology* 127.4 (1988): 762-771.

⁹⁸ Arizona Board of Regents. "Policy Manual." (2020). <https://www.azregents.edu/board-committees/policy-manual>

Many of these paternalistic interventions can be “self-binding,” and many like the exercise requirement can still involve high levels of choice and the experience of autonomy.⁹⁹ Requiring students to exercise at least three hours a week says nothing about when, how, and with whom they exercise, and so individual expression and development can still thrive in a pro-paternalist landscape. Research may suggest that less paternalistic interventions such as “nudges,” are sometimes the best way to promote well-being, and a pro-paternalist can be open minded to less paternalistic options.¹⁰⁰

When I first considered a requirement for graduate students to exercise, I felt a visceral skepticism. The requirement involves telling students to do something with their body, and this seems invasive and outside the scope of a graduate school program. I do empathize with Shiffrin’s concern that paternalism is insulting and unfairly substitutes one person judgements for another’s. However, our visceral and intuitive reactions are not always the best guide to policy and our own well-being. Examining data, looking at educational mission statements, talking to fellow students, and personal reflection suggests these visceral concerns are overstated.

Skepticism about an exercise requirement might in part be the result of status quo bias—the idea we have a potentially irrational bias to prefer that things stay as they are.¹⁰¹ No graduate schools currently have an exercise requirement, and so this may irrationally bias us against the requirement. On the other hand, every level of my education before graduate school has had some type of physical education or exercise

⁹⁹ Heidbrink, Ludger."10 Libertarian paternalism, sustainable self-binding and bounded freedom." *The Politics of Sustainability: Philosophical perspectives* (2015): 173.

¹⁰⁰ Thaler. (2009)

¹⁰¹ Dean, Mark, Özgür Kıbrıs, and Yusufcan Masatlioglu. "Limited attention and status quo bias." *Journal of Economic Theory* 169 (2017): 93-127.

requirement, so framed in that context, an exercise requirement in graduate school would embody the status quo. For Greek philosophers including Plato, physical training alongside mental training was essential to attaining virtue and wisdom at all levels of education.¹⁰² If graduate school is the most competitive and stressful type of school, and graduate students are less likely to exercise on their own than students in other age groups, then perhaps an exercise requirement makes even more sense for graduate school than at other levels of education.

There are a variety of ways universities could instantiate the exercise requirement, and having a requirement is not mutually exclusive with giving students information about the importance of exercise or encouraging students to exercise. In response to the “Running to Well-being” study, the University of Western Australia started a weekly “boot camp” program where faculty and students get together for an hour to exercise and socialize.¹⁰³

Alongside the instantiation of the exercise requirement should be attempts to better understand and measure graduate student well-being and its relationship to exercise. Graduate programs need to adopt methods of judging whether interventions are effective and how they could be made more effective. Interdisciplinary collaboration within schools and communication between schools can aid in this pursuit.

Moreover, as with any paternalistic intervention, administrators espousing an exercise requirement should be open to evidence that the policy is not achieving its

¹⁰² Reid, Heather L. "Sport and moral education in Plato's Republic." *Journal of the Philosophy of Sport* 34.2 (2007): 160-175.

¹⁰³ Skead (2016): 72

intended goals. Pro-paternalists need to be willing to admit when their interventions have gone wrong. Good paternalism forces policy makers to follow evidence and listen to alternative viewpoints. In line with Albert Hirschman, students and faculty need to feel comfortable accurately reporting their experiences and “voicing” concerns.

Administrators should be optimistic, but cautious and humble in approaching the exercise requirement. Exercise appears helpful, but in most cases will not be a silver bullet for improving mental health and well-being outcomes.

What I have shown in this essay I hope is that the exercise requirement and paternalistic measures are worth serious consideration to help improve graduate student well-being. Moreover, I have laid out important questions to ask and evidence to consider before deciding if a paternalistic policy like the exercise requirement can be justified. I have not shown the exercise requirement can be justified at all universities or that paternalistic policies generally have good outcomes.

I chose to defend the exercise requirement partly because it seems like a controversial paternalistic intervention. If the exercise requirement can be justified on paternalistic grounds, then less controversial interventions might be more easily be justified. A good approach to improving graduate student well-being may involve a variety of paternalistic interventions or “paternalistic leadership”.¹⁰⁴ Another paternalistic intervention worth considering would be a mindfulness course requirement. Evidence

¹⁰⁴ Aycan (2015): 2

suggests mindfulness and meditation have positive impacts on well-being and cognitive capabilities.¹⁰⁵

I also espouse requiring mentoring programs for graduate students, whether this involves student to student mentoring or faculty to student mentoring. Results from the Harvard well-being report indicate that the amount of time students spend with advisors is not correlated to well-being, but the quality of connection they feel with advisors and mentors is important. Training older graduate students and faculty to become more “quality” mentors should not require prohibitive costs. Anecdotally such programs may need a paternalistic boost to start, but over time can develop into self-sustaining mechanisms requiring little enforcement and oversight.¹⁰⁶

I claimed that in theory we have reasons to steer away from concerns about “who” is paternalistically intervening, but practically this still matters. The more university administrators can work with faculty and student leaders the more successful an exercise requirement is likely to be. Requirements and enforcement might be best left up to students themselves or student councils. Paternalism can be thought of as authoritative and harsh, but it also can involve cooperation and empathy. For subjects, being open minded to paternalism involves trusting experts and authority figures; for those intervening, good interventions involve caring for and understanding the people subject

¹⁰⁵ Hanley, Adam W., et al. "Mindfulness training reduces neuroticism over a 6-year longitudinal randomized control trial in Norwegian medical and psychology students." *Journal of Research in Personality* 82 (2019): 103859.

¹⁰⁶ Discussions with students and faculty at Arizona State Well-being summit 2019. Many graduate programs at ASU have thriving mentoring program and others, including philosophy, have none. Some advisers do act as mentors, but I think the distinction between mentoring and advising is important.

to interventions.¹⁰⁷ This I think, lies at the core of whether paternalistic policies will generally be effective, and whether one should support policies like the exercise requirement.

¹⁰⁷ Coons (2013): 11. Again, Coons and Weber make an argument that consent does not necessarily make an action non-paternalistic.

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