

Healthy Eating Policy and Political Philosophy

What follows is a brief overview of key themes from the recently published monograph *Healthy Eating Policy and Political Philosophy: A Public Reason Approach* (Oxford University Press, 2022). These key themes were presented by the book's authors Anne Barnhill (Johns Hopkins University) and Matteo Bonotti (Monash University) at a webinar hosted by the Food Values Research Group and the Stretton Institute at the University of Adelaide on 22 February 2022. The authors' discussion of key themes was followed by commentary on the book from Matthew Ruby (La Trobe University), Rachel Ankeny (University of Adelaide) and Chris Mayes (Deakin University).

Key themes

1. The public health problem of unhealthy dietary patterns

- Unhealthy dietary patterns are a leading cause of early death globally.
 - Afshin et al. 2019: improving diets could reduce deaths by 20% globally. Major risk factors related to diet were high consumption of sodium, low consumption of whole grains, and low consumption of fruits.¹
- Governments at all levels have proposed and implemented a range of healthy eating efforts, including:
 - Food labeling; national dietary guidelines; educational programming in schools; public information campaigns; nudges/behavioral design in food environments; financial incentives; taxes and other financial disincentives, e.g. sugary drink tax; nutritional standards for foods in schools, workplaces, and other settings; restrictions on food marketing; bans on ingredients (e.g. trans fat); voluntary or mandated reformulation of packaged foods (e.g. to limit sodium); policies limiting the portion size of foods
- **Our book considers these healthy eating efforts in high-income liberal democracies.**
- Many normative concerns with these efforts have been raised by the public, policymakers, advocates, ethicists, philosophers, other researchers.

Examples: paternalistic; impose one set of values; unfairly target low-income people, communities of color, other marginalized groups; stigmatizing; inequitable effects.

2. Trade-offs and dilemmas around healthy eating

- Food and eating have many kinds of value for individuals, families, and communities.
- Eating unhealthy foods, and dietary patterns that pose health risks, can have positive value even while they increase health risks.
- Healthy eating efforts can have negative effects, including:
 - Economic effects: time, money, effort
 - Social effects: strain on social relationship, sense of not belonging anymore
 - Psychological effects: discouragement, self-blame, loss of self-efficacy and self-esteem
- There can be trade-offs involved in eating more healthfully.
 - **Example:** A parent at the end of a busy day considers: Do I cook a healthier dinner for my kids (which they might not like and might not eat, and which might lead to friction at dinner time), or do I spend that time helping my kids with their homework and talking with them about their day, and feed them a not-very-healthy frozen pizza heated up in the microwave?²
 - **Example:** At the grocery store, a teenager asks their mother to buy them a bag of Cheetos. The mother recently said “No” to the teenager’s requests for a phone, new shoes and money for a school trip, because she couldn’t afford those things. Saying “yes” to the Cheetos will emotionally satisfy the teenager and will help to give her (the mother) a “sense of worth and competence” despite having to say “No” to the teenager’s other requests.³
 - For some parents, the best way to navigate these dilemmas is pursuing healthy eating and dealing with the trade-offs.
 - For other parents, the best way to navigate these dilemmas may be to de-emphasize health and healthy eating.
- **Public health should not assume that unhealthy dietary patterns are some kind of mistake that it would always be helpful to correct.**
- At the same time:
 - For some people, unhealthy dietary patterns are not the best path through the dilemmas surrounding eating. For some people, unhealthy dietary patterns undermine their goals and their life-plans.
 - Even when unhealthy dietary patterns *do* represent the best response to the contextualized trade-offs that people face, there may still be a role for policies that reduce those trade-offs.
 - **Examples:** subsidies for convenient (e.g. heat and eat) healthy meals, limits on junk food marketing to children

- **Reasonable assumptions for public health to make:**
 - Many people's unhealthy dietary patterns undermine their goals and their life plans.
 - Making their dietary patterns healthier would make many people better off, by their own lights.
- **These assumptions only get public health so far.**
 - When particular healthy eating efforts are envisioned, it is important to consider how those particular efforts may affect the target population in the context of their lives. In that contextual examination, we should not simply assume that healthy eating efforts will make the target population better off all things considered. Rather, there should be consideration of the ways in which those efforts might also negatively affect people or upset the careful balance they are striking between eating healthfully and other ends that are central to their lives.

3. **Political philosophy and healthy eating policy**

- As well as defending a distinctive approach to healthy eating policy, the book also provides an overview of how key concepts and debates in political philosophy might have implications for the analysis of healthy eating efforts. We focus especially on:
 - Freedom
 - Democracy
 - Justice and equality
 - Multiculturalism
 - Perfectionism and neutrality (neutrality of consequences vs. neutrality of justifications)
 - **Political legitimacy**
 - Consent
 - Consequentialism – e.g. utilitarianism
 - Democracy (e.g. procedural vs. instrumental/epistemic)
 - **Public reason/liberal principle of legitimacy** (Rawls 2005)⁴

4. Paternalism and healthy eating policy

- Two conceptions of paternalism:
 - Liberty-limiting (Dworkin 1972)⁵
 - Judgmental (Quong 2011)⁶
 - Promoting the welfare of another person
 - Negative judgment about that person
 - Quong's critique: judgmental paternalism fails to treat people as free and equal.
- **Our argument**
 - Acknowledging that people may sometimes behave involuntarily/irrationally in some food environments does not involve a negative judgment if the food environment is one that undermines the practical reasoning of 'normal' people.
 - Contra Quong, we argue that we can still respect people as free and equal if we recognize their capacity to act rationally in order to pursue/realize their conception of the good but also acknowledge the interplay between food environments and practical reasoning.
 - **Treating other people as free and equal involves:**
 - Recognizing their ability to rationally form/pursue a life plan that aligns to their conception of the good.
 - Recognizing and respecting their different conceptions of health/eating and the value they assign to them in their life plans, including trade-offs (e.g. the value of unhealthy eating and the disvalue of healthy eating)
 - Providing a public justification/public reasons for healthy eating efforts.

5. Public reason and healthy eating policy

- The rationale for public reason (Rawls 2005)⁷
 - Fact of reasonable pluralism
 - Treating others as free and equal
 - Source of political legitimacy

- We defend a particular conception of public reason called “accessibility” (Vallier 2014).⁸
- Public reasons must be “accessible,” i.e. they must be based on broadly shared criteria (or “evaluative standards.”⁹ These include:
 - **Prescriptive epistemic and descriptive factual standards** (e.g. scientific methods and conclusions)
 - **Healthy eating efforts ought to be justified by appealing to factual evidence and rigorous standards of inquiry.**
 - When justifications for healthy eating efforts are not based on such standards, they are not accessible/public and such efforts are therefore unreasonable and illegitimate, e.g.:
 - **Examples** - No/incomplete evidence about the social, economic and psychological side effects of healthy eating efforts (less effective)
 - **Example** - Industry funding and self-interested science (selective/sectarian use of scientific evidence)
 - **Prescriptive moral evaluative standards** (e.g. broadly shared political values such as equality of opportunity, racial equity, basic rights and liberties, and the common good)
 - **Healthy eating efforts ought to be justified by appealing to a reasonable balance of shared political values.**
 - When justifications for healthy eating efforts are not based on such standards, they are not accessible/public and such efforts are therefore unreasonable and illegitimate, e.g.:
 - Healthy eating efforts based on controversial values and/or sectarian interests
 - ◆ **Example** - efforts that advance the economic interests of certain groups or that are based on controversial values
 - Healthy eating efforts or justifications for them that neglect/do not assign sufficient importance to certain shared political values
 - ◆ **Example** - efforts that neglect the disproportionate burdens they impose on certain gender, racial and/or ethnic minorities
 - Healthy eating efforts or justifications for them that overly prioritize certain shared political values
 - ◆ **Example** – justifications for healthy eating efforts that assign overriding importance to consumers’ individual freedom

6. A public reason framework for healthy eating efforts

- **A progenitor:** Nancy Kass's public health ethics framework.¹⁰ To ethically assess a public health program or policy, ask the following questions about it:
 1. What are the public health goals of the proposed program?
 2. How effective is the program in achieving its stated goals?
 3. What are the known or potential burdens of the program?
 4. Can burdens be minimized? Are there alternative approaches?
 5. Is the program implemented fairly?
 6. How can the benefits and burdens of the program be fairly balanced?
- **Key features of our framework [see the next page for our framework]:**
 - User identifies public health-related aims and other aims, of policies, and then explains how these advance shared political values.
 - **Example answer:** a city's proposed exclusion of sugary drinks from a food assistance program aims to reduce sugary drink consumption among program participants, thereby improving their nutrition and health. Improving participants' health will make more opportunities available to them, thereby advancing *equality of opportunity*. Excluding sugary drinks will also make the program more efficient, thereby advancing the *common good*.
 - User identifies potential positive and negative effects of policies, then explains how these advance or hinder political values.
 - **Example answer:** excluding sugary drinks from the food assistance program amounts to micro-managing the choices of low-income people, and singling them out for a kind of control not applied to other people. This is demeaning and disrespectful. This undermines the shared political value of *equal self-respect*.
 - User considers whether the policy strikes a reasonable balance of political values.
 - User considers how other people would answer framework questions [see question 4 on the next page].
 - Ideally, evaluation of a policy using this framework would involve a range of people and perspectives. That is not always feasible. Asking the user to consider other perspectives is meant to replicate (at least somewhat) joint deliberation among people with different perspectives.

A public reason framework for healthy eating efforts:

(1) What are the public health-related aims of the policy?

- (a) How likely is it that the policy will achieve its stated public health-related aims?
- (b) If the policy achieves its aims, will this advance shared political values, and, if so, which ones?

(2) Does the policy have other aims?

- (a) How likely is it that the policy will achieve these other aims?
- (b) Do these non-public-health-related aims advance shared political values, and, if so, how?
- (c) Do these non-public-health-related aims advance controversial non-political values, and, if so, how?

(3) Is the policy likely to have any unintended positive or negative side-effects?

- (a) How likely is it that the policy will have these side-effects?
- (b) Do these side effects advance shared political values, and, if so, how?
- (c) Do these side effects hinder shared political values, and, if so, how?

(4) Does the policy strike a reasonable balance of political values?

When addressing these questions, users should consider:

- (i) How they (or other kinds of professionals, experts, or advocates) would answer them
- (ii) How a typical member of the public/community (or communities) targeted or affected by the policy would answer them (and, if there are several relevant distinct groups, how a typical member of each of them would answer them)
- (iii) How someone with a worldview or ideology different from theirs (and, more generally, from the view(s) that is/are dominant amongst policymakers) would answer them
- (iv) If there is disagreement between these three answers to a question, how a fair-minded group of people who are listening to everyone's point of view, but also trying to reach agreement, would resolve this issue.

¹ A. Afshin, P. J. Sur, K. A. Fay, L. Cornaby, G. Ferrara, J. S. Salama, E. C. Mullany, et al., "Health Effects of Dietary Risks in 195 Countries, 1990–2017: A Systematic Analysis for the Global Burden of Disease Study 2017," *The Lancet* 393, no. 10184 (2019): 1958–72. [https://doi.org/10.1016/S0140-6736\(19\)30041-8](https://doi.org/10.1016/S0140-6736(19)30041-8).

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- ² See, for example, S. Bowen, S. Elliott, and J. Brenton, “The Joy of Cooking?” *Contexts* 13, no. 3 (2014): 20-25. <https://doi.org/10.1177/1536504214545755>.
- ³ P. Fielding-Singh, “Why Do Poor Americans Eat so Unhealthfully? Because Junk Food Is the Only Indulgence They Can Afford,” *The Los Angeles Times*, 7 February 2018. <https://www.latimes.com/opinion/op-ed/la-oe-singh-food-deserts-nutritional-disparities-20180207-story.html>
- ⁴ J. Rawls, *Political Liberalism*, expanded edition (New York: Columbia University Press, 2005).
- ⁵ G. Dworkin, “Paternalism,” *The Monist* 56, no. 1 (1972): 64-84.
- ⁶ J. Quong, *Liberalism Without Perfection* (Oxford: Oxford University Press, 2011).
- ⁷ Rawls, *Political Liberalism*.
- ⁸ K. Vallier, *Liberalism and Public Faith: Beyond Separation* (New York: Routledge, 2014).
- ⁹ Vallier, *Liberalism and Public Faith*.
- ¹⁰ N. E. Kass, “An Ethics Framework for Public Health,” *American Journal of Public Health* 91, no. 11 (2001): 1776-82. <https://doi.org/10.2105/AJPH.91.11.1776>