

# **NUDGE-APPROACH AND THE PERCEPTION OF HUMAN NATURE, SOCIAL PROBLEMS, AND THE ROLE OF THE STATE**

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## Abstract

This thesis analyzes how the nudge-approach perceives human nature, social problems and the role of the state, with the stress on how it shifts the focus from the broader, holistic context, to the situation of the chooser's individual decision. This research remains in line with the assumption that ideas themselves matter and that power *per se*, being intertwined with knowledge and language, with which we describe reality, has a diffused nature. Investigating the theoretical underpinnings of the nudge-approach together with contrasting them with different theories, the analysis shows the distinctiveness of the nudge-approach. In addition, the thesis suggests what the nudge-approach overlooks.

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## Introduction

After the publication of Thaler' and Sustein's book: *Nudge: improving decisions about health, wealth, and happiness* (2008), the concept of nudging has gained a lot of attention – both theoretical (reflected by the increasing amount of academic literature) and practical – from policy-makers (Bhargava & Loewenstein, 2015, p. 400). A nudge is an intervention in “the choice architecture that alters people’s behavior in a predictable way without forbidding any options or significantly changing their economic incentives” (Thaler & Sunstein 2008, p. 6). This kind of intervention tends to remove some existing psychological bias or take advantage of the existing bias in order to direct a citizen's behavior in a way that is in the planner's (planner of the nudge – the government's)<sup>1</sup> interest (Guala & Mittone, 2015, p. 385).

Nudging has already started to be implemented in reality – examples can be the *Behavioral Insights Team*<sup>2</sup> which has advised David Cameron in the UK since 2010 (James, 2015, p. 53), Barack Obama signing the executive order advising federal agencies to work with the White House’s new Social and Behavioral Sciences Team (Fox & Tannenbaum, 2015, p. 9), or Germany and Belgium, which are close to establishing analogous nudge units (Junghans *et al.*, 2015, p. 1). Moreover, not only national governments, but also international organizations pay attention to the concept of nudging. For example, the World Bank (in its well-known World Development Report) suggests using nudges to mitigate poverty and improve peoples' health (Carter, 2015, p. 376). Therefore, since it is already being used, both policy-makers and citizens should be aware of the mechanisms of the nudge-approach and the underlying assumptions behind interventions designed to nudge.

<sup>1</sup> Although nudges can be implemented by many actors (like for example business actors) (Kosters & Van der Heijden, 2015, 279), in this thesis, nudges implemented by government actors will have a particular importance and focus, because of political aspect of nudging.

<sup>2</sup> Also known as the Nudge Unit.

I believe that nudging should be understood as a distinctive class of government intervention. And, as such, it precludes some justification – some logic behind its goals, methods of implementation and expected outcomes. Nevertheless, implications stemming from critical discourse analysis and the legacy of Foucault (1991a; 1991b; 1991c; 1991d) suggest that one should pay attention to more invisible and less tangible justifications of every practicality<sup>3</sup> that a government wants to undertake. Analyzing the *rationale* of government (governmentality) means understanding the underlying assumptions that are taken for granted and, at some point, treated as self-evident, leading to the creation and reproduction of powerful discourses. Consequently, the main research question of my thesis is how the nudge-approach perceives human nature, social problems and the role of the state, with the stress on how it shifts the focus from the broader, holistic context, to the situation of the chooser's individual decision.

Therefore, in this thesis, I look at the underlying assumptions that the nudge-approach implicitly takes for granted.<sup>4</sup> Being a fifth mode of governance<sup>5</sup> (together with 'hierarchy', 'markets', 'networks' and 'persuasion') (Mols *et al.*, 2015, p. 81), nudging has its own underlying vision of human nature (coming from a modified version of rational choice theory),<sup>6</sup> unit of analysis and the role of the state prescribed.<sup>7</sup> Consequently, the structure of

<sup>3</sup> Practicality represents Foucault's term for different kinds of actions (together with their assumptions and justifications given).

<sup>4</sup> Most literature about nudging so far is concerned with the problems of the complicated relationship between a person who designs and implements a nudge and people who are nudged – for example, concerning freedom, paternalism, etc. In this respect, this thesis goes beyond what Lepenies & Małecka (2015, p. 428) call "the individualistic approach" to studying nudging – it goes beyond the interaction between a nudger and a nudgee. Similarly to Lepenies' and Małecka's perspective, in which they analyze institutional consequences of nudging, this thesis also offers the broader, holistic view on the nudge-approach.

<sup>5</sup> There are, however, different categorizations, see for example, Calo (2014) who distinguishes three (besides regulation in law) modes in which the government can shape citizens' behavior: code (changing the environment in order to make some choices more difficult to choose), nudge, and notice (which base on giving information, *e.g.* in signs).

<sup>6</sup> Modified, because it assumes that we are rationally bounded.

<sup>7</sup> Behind each of these modes of governance there are different assumptions, justifications and logic. For instance, 'persuasion' assumes that it is possible for citizens to respond to reasons in a reflective way, 'markets' mode assumes that the socio-economic reality can be regulate through market mechanisms – free

my thesis is three-fold. The first chapter offers a critical review and summary of the main concepts. These concepts include nudging itself (with specific exemplifications from the health domain and altruistic behaviors), rational choice theory, bounded rationality and cognitive biases. Moreover, the first chapter reflects on the idea of libertarian paternalism, with which the nudge-approach is highly intertwined. In addition, it summarizes Foucault's term of governmentality and discourse – due to the fact that my idea of analyzing the nudge-approach itself stems mostly from Foucault's intuition about the importance of mainstream discourses being "...really no more than the repressive presence of what it does not say; and this 'not-said' is a hollow that undermines from within all that is said" (Foucault, 1972, p. 25).

The second chapter looks at the nudge-approach perspective on human nature and how it translates itself to different solutions and mechanisms of government intervention. In order to show the implicit assumptions of the nudge-approach, this chapter also offers some alternative views on human nature and consequently, different solutions, such as education. Moreover, this chapter suggests that the nudge-approach can change people's self-perception and politicians' outlook on human nature and societal problems.

The third chapter is a continuation and a further step of the analysis of the perception of societal problems. It combines the analysis of the nudge-approach perspective on both social problems and, consequently, the role of the state. In this chapter, to show the distinctive logic of the nudge-approach, I contrast it with the theoretical underpinnings of welfare state economics. The chapter also offers the distinction between adaptive (more long-term) problems and technical ones, pointing out that the nudge-approach can usually fix only the latter type. What is more, the chapter also looks at extradiscursive dependencies of the nudge-approach – and suggests how, in principle, it reinforces the neo-liberal approach.

## Chapter 1 - Theoretical framework

The following chapter offers a critical review and summary of the main concepts that are essential for the analysis included in the two remaining chapters. These concepts include nudging itself (with specific exemplifications from the health domain and altruistic behaviors), rational choice theory, bounded rationality and cognitive biases. This chapter also summarizes the idea of libertarian paternalism, with which the nudge-approach is highly intertwined. Due to the fact that one of the claims of this thesis is the potential influence of the nudge-approach on other aspects of reality, this chapter also reflects on Foucault's term of governmentality and discourse

### 1.1. Nudging

There are many debates concerning what nudging actually is<sup>8</sup> and, consequently, also different definitions of this term are proposed and advocated. According to Thaler and Sunstein (2008) a nudge is an intervention in “the choice architecture that alters people’s behavior in a predictable way without forbidding any options or significantly changing their economic incentives” (p. 6). This definition, however, seems to be too broad. An alternative definition was proposed by Saghai's (2013): “A nudges *B* when *A* makes it more likely that *B* will  $\sigma$ , primarily by triggering *B*’s shallow cognitive processes, while *A*’s influence preserves *B*’s choice-set and is substantially non-controlling (i.e. preserves *B*’s freedom of choice)” (p. 491). This kind of intervention tends to remove some existing psychological bias or take advantage of the existing bias in order to direct a citizen's behavior in a way that is in the planner's (planner of the nudge – the government's) interest (Guala & Mittone, 2015, p. 385). Consequently, it is clear that sometimes (or even – in most cases) it is difficult to say if

<sup>8</sup> For more see, for example: Bovens, 2009; Sunstein, 2014; Mols et al. 2015, p. 84-86.



a nudge worked as a nudge. For example, providing people with information about the risks of dangerous driving might both trigger their automatic processes (for instance – diminish the scope of the overconfidence bias – therefore, it will work as a nudge) and real deliberation about the right act of conduct (it will not be nudging, because it relies on more than shallow cognitive processes).<sup>9</sup>

There are many different interventions which are qualified as nudges<sup>10</sup> – one of the most commonly used are those which are based on default rules (Willis, 2013, p. 1157). The default option is the one which "will [be] obtain[ed] if the chooser does nothing" (Thaler & Sunstein, 2008, p. 83). Setting the default option is not only designing the default option itself. In order for the default option to be more sticky (more resistant to people changing it) there are particular background conditions needed – these conditions might refer to a difficult decision environment and not well-thought out preferences of people. Furthermore, there are default mechanisms that can enforce default themselves – Willis distinguishes three particular categories of mechanisms that make default options stickier: transaction barriers, judgment and decision biases, and preference formation (2013, p. 1161). Transaction barriers are usually connected with high cost or difficulty of opting-out and also with the invisibility of the possibility of opting out (Willis, 2013, p. 1163). Judgment/decision biases are mostly connected with so-called *status quo* bias or inertia – "the psychological tendency of people to maintain current arrangements, whatever they might be" (Rizzo & Whitman 2009, p. 110). Preference formation is related to the fact that people sometimes perceive the default option as an advice (Willis, 2013, p. 1168-1169) – so it is particularly important in the case of

<sup>9</sup> One might argue that in reality, this distinction never occurs – some intervention might, for example, work partly as a nudge. However, I make this distinction on a conceptual level.

<sup>10</sup> According to Sunstein (2014), there are ten different types of most important nudges: default rules; simplification; increases in ease and convenience; disclosure; warnings, graphic, or otherwise; precommitment strategies; eliciting implementation intentions; reminders; informing people of the nature and consequences of their own past choices; uses of social norms (Sunstein, 2014, p. 585-587).

uncertain preferences. The real-life example of implementing a nudge is default enrollment in savings plans, from which people can opt out, but usually they stick to the default option.

In this thesis, I employ the distinction between pro-self and pro-others nudging because the possible consequences of implementing them differ from each other. A similar distinction is used, for example, in the study of Hagman *et al.* (2015), who distinguish pro-self nudges (these which are supposed to increase private welfare), and pro-social nudges (based on the idea of increasing social welfare, as an aggregate). However, it must be noted that pro-others nudging does not fit into the definition of libertarian paternalism proposed by Sunstein and Thaler, which is discussed in this thesis in the section about libertarian paternalism (section 1.3.). Nevertheless, because pro-others nudges are already being implemented, and even advocated by Sunstein (2015) himself, I believe that they must be discussed in this thesis even though they are not consistent with the definition of libertarian paternalism.

### **1.1.1. Pro-self nudging: health-promoting**

The example of pro-self nudges is the domain of health - especially, in two areas – the sphere of food and beverage consumption<sup>11</sup> and the second domain – of smoking cigarettes. When it comes to food and beverage consumption (preventing obesity) one of the example might be one from Iceland, where, since 1996, there has been a nation-wide program called *LazyTown*. This is a program which intends to prevent children's obesity (Oliver & Ubel, 2014, p. 334) – within the framework of this initiative parents sign an 'energy contract' with their children, in which there are conditions and rules for rewarding children for obese-preventing behavior such as eating healthy food or doing sports. It can be perhaps classified as a nudge (the Nudge

<sup>11</sup> Because of the widespread problem of obesity – according to World Health Organization, in 2014, 13% of the world adult population suffered from obesity (WHO factsheet 2015).

Unit classifies it as a nudge), because it is supposed to counteract the 'present bias' (in children) (Oliver & Ubel, 2014, p. 334) and also irrational parental behavior.<sup>12</sup>

However, in most cases, nudging in the domain of food and beverage consumption is achieved through the mechanisms of salience and priming (Wilson *et al.*, 2016). After reviewing and analyzing 26 primary studies of nudging healthy food and beverages consumption, Wilson *et al.* (2016) established that priming nudges usually include effects of visibility, accessibility, availability and different combinations of these effects. The example is widely-discussed and a popular nudge in a cafeteria proposed by Sunstein & Thaler (2003, p. 1164). The idea behind this nudge is that customers are supposedly more prone to choose more of food which is located first in the line (for this reason, it is advisable to put "the fruit before the desserts" – Thaler & Sunstein, 2003, p. 170).

At the same time, salience nudges involve calorie content labels, traffic light labels and descriptive labels. It is unclear how universal the positive effect of nudging healthy food and beverage consumption is. For instance, the experiment by de Wijk *et al.* suggests that there is no significant difference between the number of whole grain bread and white bread sold after the manipulation in the supermarket based on changing accessibility (2016). Moreover, the synthesized literature review by Wilson *et al.* indicates mixed evidence for effectiveness of nudging in the area of food and beverage consumption (2016).

The second popular health sphere in which nudges are being proposed (or already implemented) is nudging towards quitting smoking.<sup>13</sup> Nudging against smoking can include graphic warnings (for example, the picture of damaged lungs), plain packaging (in order to diminish the attractiveness and visibility of packaging) and visual display bans (Alemanno,

<sup>12</sup> Although if it could be qualified as a nudge or not depends on how substantial the rewards-incentives for children were contracted in the agreements.

<sup>13</sup> According to WHO (WHO factsheet, 2015b), tobacco is responsible for around 6 million deaths each year.

2012, p. 38). This is supposed to counteract the overconfidence bias as well as *status quo* bias.<sup>14</sup>

### **1.1.2. Pro-others nudging: altruistic behavior**

Nudging in the case of food and beverage consumption or smoking is an example of pro-self nudging, but an even more interesting notion is pro-others nudging in which an underlying idea is to help improve the well-being of the entire society, not a particular person. The exemplification of the pro-others type of nudging is the case of organ donation. In this domain, one of the most popular nudges that has been proposed is the default option (see: Johnson & Goldstein, 2003). In some countries, it is assumed that a person agrees to be an organ donor after one's death (with the possibility to opt-out) and in others, the act of opting in – on making a choice – is implemented (explicit consent system). When it comes to the effectiveness of this solution, the research by van Dalen & Henkens (2014) in the Netherlands suggests that the presumed consent system and mandated choice system tend to increase the number of registered donors than a system of explicit consent.

However, this case is not that simple, because the issue of organ donation is intertwined with the problem of family consent. Usually, even in the system of presumed consent, after one's death, in order to use the organs of the deceased, the doctors are obliged to ask the family for permission. As noted by Wellesley, the percent of family consent in the UK (59%) is unusually similar to the general number of people who agree in the surveys that they would be willing to donate their organs (62%) (2011, p. 779). It seems that in this case, after all, the issue relies on societal preferences and attitudes, not automatic opting-in (see, for example: Barber *et al.*, 2006; Rithalia *et al.*, 2009). Moreover, organ donation is a difficult, complex

<sup>14</sup> *Status quo* in the sense that smoking is socially acceptable nowadays and the nudge could undermine this *status quo*.

problem, because even in the medical and bioethical literature there are debates about what death is – brain death or cardiac death (Potts *et al.*, 2012, p. 40). This indicates a problem which I discuss in chapter three - the issue of the distinction between adaptive (requiring long-term changes in attitudes) problems and technical problems.

Another example of pro-others nudging is the issue of charitable giving. One of the mechanisms of nudging in this case which is often proposed (and already used by many foundations) are reminders – in the form of letters or e-mails (Damgaard & Gravert, 2016). Providing a reminder saying that there is a need to help because there is an important problem is supposed to make the issue more salient. However, it must be noted that such an intervention can be interpreted as both nudging and as persuasion – depending on the effect that it will achieve. It might trigger moral reflection about what we, as members of society, owe each other, and this might result in donating money (in this case it would not work as a nudge).

## **1.2. Theories of rationality**

To discuss nudging and its assumptions it is necessary to be familiar with theories such as rational choice theory, terms of expected utility, bounded rationality or cognitive biases. These notions are the theoretical roots of the idea of nudging. Consequently, the knowledge about them leads to a better understanding of underlying, taken-for-granted assumptions that the nudge-approach holds.

### **1.2.1. Rational choice theory**

Rational choice theory is a model of explaining how people make decisions, how they choose. In this model, it is assumed that individuals have preference orderings which are characterized by four conditions: reflexivity, completeness, transitivity, and continuity (Hindmoor, 2006,

p. 184). A person is reflexive in their preferences if a bundle of goods is always as good as itself, or in other words, it can be compared to itself (that is to say – it is conterminous with temporary stability). The completeness condition is satisfied if a person has preferences ordering of all possible bundles of goods (so, for example, if there is A, B, C, and D, a person should know how to order them all, or to be indifferent). The transitivity condition requires consistency – if A is preferred over B and B over C, A should be also preferable over C. The continuity condition means that preferences are continuous – if a person prefers A to B and B to C, and there is something which is 90 per cent as good as A, this person will prefer it over B which represents only, for instance, 50 per cent utility satisfaction of the good (Hindmoor, 2006, p. 184).<sup>15</sup>

Having in mind these conditions, it is important to understand what the assumptions of rational choice theory refer to – if something is "better" and "preferred" over something in rational choice theory, it means that it refers to the notion of utility (which is the representation of rational preferences). Consequently, people are supposed to act in accordance with the goal of utility maximization and at the same time be in line with conditions mentioned in the previous paragraph. However, within the history of development of rational choice theory, especially after the 1950s, scholars have started to point out the existence of systematic violation of axioms and conditions that rational choice theory assumes. One of the most famous accounts is the account of Tversky and Kahneman, and their series of experiments and articles about cognitive biases.

### **1.2.2. Cognitive biases**

Cognitive bias is a systematic "deviation from a norm" (Caverni *et al.*, 1990, p. 7). The norm

<sup>15</sup> What is more, it is worth emphasizing that rational choice theory is consequentialist in its account (Grant & Van Zandt, 2009, 25-26) – it is preoccupied only with the outcomes of the process of choosing, not the process itself.

in this context refers to the rules of statistic reasoning in deciding (Gigerenzer, 1991, p. 86). There are many cognitive biases explained in the literature on the process of decision-making under uncertainty, but three of the most popularly mentioned are representativeness, availability and adjustment by an anchor heuristic. Representativeness heuristic is connected with evaluation of probability, based on the extent to which A is representative of B (Tversky & Kahneman, 1974, p. 1124-1127). It is connected with mixing the notion of probability with the notion of similarity. The example is the famous experiment about a woman named Linda. In this experiment, people were to assess the probability of her job on the basis of the description of her interests (Kahneman *et al.*, 1982, p. 92), but many of them tended to fall in the trap of so-called conjunction fallacy. Conjunction fallacy is assessing as more probable an event/feature/condition that occurs together with another one than an event/feature/condition that occurs singularly. In the famous experiment of Tversky and Kahneman, people were presented with the following description (Tversky & Kahneman, 1983, p. 297):

Linda is 31 years old, single, outspoken and very bright. She majored in philosophy. As a student, she was deeply concerned with issues of discrimination and social justice, and also participated in anti-nuclear demonstrations.

With different scenarios given:

Linda is a teacher in elementary school.  
Linda works in a bookstore and takes Yoga classes.  
Linda is active in the feminist movement.  
Linda is a psychiatric social worker.  
Linda is a member of the League of Women Voters.  
Linda is a bank teller.  
Linda is an insurance salesperson.  
Linda is a bank teller and is active in the feminist movement.

Most of the respondents in their replies were prone to conjunction fallacy (85% of the respondents – Tversky & Kahneman, 1983, p. 299), because they assessed that it is more probable that Linda is a bank teller and is active in the feminist movement (two elements linked by a conjunction) than the probability of Linda being a bank teller (one element).

Another example of a heuristic – availability heuristics – is connected with assessing the probability or frequency of an event or class of subjects on the basis of the ability to recall a particular example (Tversky & Kahneman, 1974, p. 1127-1128). The famous exemplification of the availability heuristic is that people overestimate the probability of plane-crashes, because plane-crashes, being usually very broadly covered in the media and very often being dramatic when it comes to the number of deaths, easily come to mind and distort the calculation of probability or frequency. The third well-known heuristic is anchoring, which means undertaking an estimation with the adjustment taken from initial, even irrelevant values. This heuristic is connected with the high dependence on the formulation of a given decision-making problem (Tversky & Kahneman, 1974, p. 1128-1130).

### **1.2.3. Bounded rationality**

The main theoretical cause of cognitive biases described above is what Simon (1955) famously proposed as the term "bounded rationality", pointing out that the *homo economicus* in rational choice theory, in reality is bounded by two-fold constraints – internal and external (Simon, 1955, p. 101). The first, internal factors refer to cognitive limitations – for example, perceptual power (Simon, 1956, p. 131) and the second to the structure of the environment – for instance, lack of perfect information. Consequently, for example, an incorrect assessment of the possibility of dying in a plane crash as compared to death in a car crash might be caused by availability heuristic, which is influenced by imperfect information – many people know the number of victims in plane crashes, because they are usually widely covered by the media, but not many know the statistics of car crash deaths.

Simon's theory of bounded rationality can be understood through the perspective of three basic concepts: satisficing, aspiration adaptation, and searching for alternatives (Selten, 2002, p. 14). The term satisficing stems from the combination of two words – 'to satisfy' and 'to



suffice', because from the perspective of bounded rationality paradigm, humans behave rather in a sufficientarian way, choosing between alternatives that are available and looking for an acceptable option, rather than for the perfect, unavailable one (so, they choose the so-called “second-best” option) (Simon, 1956, p. 131; Simon, 1972, p. 170). Second, the aspiration adaptation is connected with adjustment of aspirations, depending, for example, on their urgency (Selten, 2002, p. 18). Third, there is the process of search for alternatives which is constrained by the factors such as the costs and time of searching for these alternatives (Selten, 2002, p. 20). In this respect, many times, one has to take into consideration the fact of a trade-off between the time spent on looking for the best option and the time saved because of finishing the search on the option which is good enough.

It is important, however, to have in mind that bounded rationality as a theory can be interpreted in many ways. Some authors advocate treating bounded rationality as something rather positive and some describe it as a rather negative phenomenon. Those who treat it rather negatively label it as irrationality (because it departs from assumptions of rational choice theory – see, for example: Jolls *et al.*, 1998, p. 1532). One of the most interesting and prominent authors of the former – positive approach is Gigerenzer, who offers the concept of the so-called 'adaptive toolbox'. The adaptive toolbox is one version of bounded rationality and is based on three premises: psychological plausibility, domain specificity, and ecological rationality (Gigerenzer *et al.*, 2000). From the angle of this thesis, one of the most interesting premises is that of ecological rationality. According to this notion, rationality should be assessed not from the perspective of how well it matches rational choice theory's conditions or to the model of *homo economicus* but from the perspective of adaptation (Gigerenzer, 2002, p. 38). Hence, for instance, it matters how well the structure of a particular, domain-specific environment matches the heuristic that is used. Consequently, heuristics such as availability

heuristic labeled by Sunstein and Thaler as irrationality are labeled by the advocates of the notion of ecological rationality as fast and effective tools of decision-making.

### **1.3. *Libertarian paternalism***

The nudge-approach is connected with the idea of so-called libertarian paternalism. The term was invented by Sunstein & Thaler and it represents "...an approach that preserves freedom of choice but that encourages both private and public institutions to steer people in directions that will promote their own welfare" (Sunstein & Thaler, 2003, p. 1201). It is also believed to be the "soft version" of paternalism, as opposed to the traditional, supposedly more coercive hard (and "old") paternalism. It is softer because it should preserve the freedom of choice and, as argued by Thaler & Sunstein (2003) and Sunstein & Thaler (2003), should be easily avoidable for a person who wants to not be directed and influenced by the intervention. The authors offer many examples to show what it means for an intervention to be easily avoidable – many times they refer to the possibility of opting out.

There are, however, at least three angles from which one can be suspicious about the notion of libertarian paternalism and the way Sunstein and Thaler present it. All these doubts refer to the adjective "libertarian" with its notion of preserving freedom and Sunstein' and Thaler's claims about promoting the welfare of individual themselves. First of all, although the authors claim that their ideas remain within the framework of libertarian paternalism, it is rather doubtful that they do. For example, according to Kelly (2014), the authors' ideas should be rather called "libertarian welfarism", because in many cases (such as organ donation or environment protection) the nudges are supposed to benefit the general welfare, not the welfare of people within their own definition of well-being. Therefore, pro-others nudges do not fit in the definition of libertarian paternalism. Moreover, even in the case of pro-self nudges, there is what Rizzo and Whitman (2009) call "the knowledge problem of new

paternalism”<sup>16</sup> – the issue of impossibility of identifying and collecting the information about preferences of a particular person (and, therefore, the impossibility of helping in achieving his or her own welfare).

The third important problem of libertarian paternalism lies in the phrase “preserves the freedom of choice”. As aptly remarked by Rebonato, libertarian aspect of libertarian paternalism should be assessed through the lens of “effective, rather than nominal, freedom of choice” (2014, p. 360). The author persuasively points out that the example which is often brought by Sunstein about the difference in organ donation in Germany and Austria actually undermines Sunstein's case for libertarian paternalism.<sup>17</sup> It is rather striking and rather impossible that 99,98 per cent of Austrians would really choose to be an organ donor (as it is in case of the default solution) as opposed to similar culturally Germans, 12% of who agreed to be organ donors (by the procedure of active choice).<sup>18</sup>

#### **1.4. Governmentality and discourse**

I believe that nudging can be interpreted through the framework of Foucauldian governmentality and that it should be looked at from the perspective of a specific paradigm (as understood by Kuhn, 2012). Moreover, due to the fact that I do not argue against nudging *per se*, I discuss the methods and language of how the nudge-approach is created and

<sup>16</sup> The authors point out that there are six impediments that libertarian paternalism would have to face and overcome in order to fit their own definition of libertarian paternalism (Rizzo and Whitman, 2009, p. 106): identification of agents' "true" preferences; determination of the particular cognitive bias or decision-making problem; accounting for privately adopted self-debiasing measures; dealing with interdependence of biases; anticipation of unraveling and unlearning effects; and accounting for heterogeneity in the population.

<sup>17</sup> What is even more interesting, even Sunstein himself somehow admits it: “[w]e might speculate that this significant difference stems from different cultures, different norms, or extraordinarily effective educational campaigns in Austria. The speculation would be wrong. Instead, the difference results from law and more particularly from the default rule” (Sunstein, 2013, p. 4).

<sup>18</sup> Furthermore, as I described in section 1.1., “preserving the freedom of choice” depends greatly on the stickiness of used default options. Usually, in order for them to be effective, they not only include default rule itself, but also transaction barriers – for example, costs of opting out.

justified. Therefore, I believe it is necessary to refer to Foucault's term of 'discourse'.<sup>19</sup> The terms of governmentality and discourse are functional in this thesis because they assume that the way a particular society (public opinion, politics, elites) perceive the problems, human nature, role of the state, and also the role of language itself which is used to describe and justify nudging, have their consequences on reality.

#### **1.4.1. Governmentality**

The term governmentality is Foucault's neologism and stems from the combination of two words – government rationality (Gordon, 1991, p. 1). Governmentality means the art of government – the meaning of its practice – who the subject that governs is, what the practice of government is and who/what is being governed (p. 3). Foucault was interested in regimes of practices – "practices being understood here as places where what is said and what is done, rules imposed and reasons given, the planned and the taken for granted meet and interconnect" (Foucault, 1991d, p. 75). It is, therefore, a broader concept than narrow political science's perspective of analyzing procedures, rules of structure of government or government policies. Analyzing governmentality means understanding the logic and understanding hidden and not obvious underlying assumptions that are taken for granted and treated as self-evident.<sup>20</sup> According to Foucault's method of analysis, there is a need to understand particular 'techniques of power' and, connected with them relationship between power and knowledge.<sup>21</sup>

<sup>19</sup> These two terms – of Foucauldian discourse and Kuhn's paradigm belong to the same family of thought. As brilliantly remarked by Piaget (2015) – Foucault's term 'episteme' (which means the a priori knowledge which constitutes discourses) and Kuhn's paradigm are in some respects similar.

<sup>20</sup> Which is connected with Foucault's method of eventalization – namely, the analysis of what in a particular moment is taken as self-evident (Foucault, 1991d, p. 76).

<sup>21</sup> According to Foucault power is everywhere – therefore, it does not apply only to agents who have power and the structure of exercising it. If power is diffused, also the techniques of exercising it should be understood more broadly – power lies, for example, in 'regimes of truth' – in producing knowledge and information and with the language one speaks about it (Foucault, 1991a).

What is especially thought-provoking from the perspective of this thesis is the evolution of governmentality in contemporary reality. Foucault was particularly critical of neo-liberal practices and discourses that contemporary political reality produces. In this context, the discourse of economizing<sup>22</sup> each and every sphere of life seems especially interesting to analyze – nowadays, governments try to universally prescribe "subjects to an economically useful life", motivating this by reasons of security and prosperity (Gordon, 1991, p. 13). As a science, economics has become something that arrogates the right to encompass and explain all aspects of human behavior (Gordon, 1991, p. 43). If its aspirations are really that far-reaching, it is important to analyze and understand what the underlying assumptions are.

#### **1.4.2. Can nudging be viewed from the governmentality perspective?**

As described, the perspective of governmentality shifts the meaning of government's logic beyond the state-centered vision of it (Newman & Clarke, 2009, p. 45) – thus, I believe that nudging can be understood as a new version of the practicality of governmentality. Firstly, nudging also has some taken for granted and, not questioned while practicing, assumptions. Secondly, this practicality has its own justifications (or, as Foucault defines them – "reasons given" (Foucault, 1991d, p. 75). Thirdly, as a practicality of governmentality it involves techniques to "monitor, shape and control the behavior of individuals" (Gordon, 1991, p. 3).

Rules in nudging are preordained by the assumptions of rational choice theory. Moreover, the theory brings different assumptions about people's preferences – for example, about their completeness and transitivity (Hausman, 2013). Having these preferences and conditions, a rational individual should behave like a "strategic calculator". A choice architect – government officials/policy makers – assumes that people should behave in this particular way in order to maximize their well-being and design nudges to diminish the effect of

<sup>22</sup> In a sense of perceiving in the categories of cost and benefits every sphere of life.

cognitive biases that supposedly prevent individuals from achieving their well-being. Hence, nudging is an intervention brought by a particular governmentality which is aimed at shaping behavior and the "reasons given" are the reasons which are assumed in rational choice theory. For example, the default option of retirement saving in USA employment contracts is supposed to contradict the mechanism of hyperbolic discounting (the tendency of people to "weigh the present too heavily" over the future) (Rizzo & Whitman, 2009, p. 110). It is assumed that people do not save for retirement (unreasonably and against their interest), because they lack knowledge and are under the influence of the weakness of the will. But this might not be true. It is possible that they by themselves define well-being differently. It is a one case to justify a policy by pointing out that it promotes collective well-being, but it is much more complicated and problematic (and probably impossible – see Rizzo & Whitman, 2009) to justify some policy by saying that it promotes subjective well-being of individuals.<sup>23</sup>

In this way, the assumptions of nudging translate also into the justifications of this practicality. This kind of treatment is a powerful discursive tool that tries to suggest that there is one, ultimate definition of how a life should look. In this way, nudging is indirectly preoccupied with "the production of true and false" (Foucault, 1991d, p. 79) and hence, it is an act of exercising power on more profound levels than only coercion of citizens to do something which is good for the well-being on the collective level – on the level of state. For example, the mandatory (and coercive) usage of seat belts in cars might be justified by the fact that a possible accident would impose costs on society, not necessarily by the some claims which will include individual preferences. At the same time, claiming that nudging increases individual well-being includes the assumption that the government knows what are the true preferences of citizens – therefore, it indirectly 'produces the truth' (in line with the

<sup>23</sup> I elaborate more on taken-for-granted assumptions in nudge-approach (such as, for example, treated-as-given and unchangeable biases) in section 2.3.

type of justifications that perfectionists would provide).

What qualifies nudging to be treated as the materialization of governmentality is also the fact that, according to Foucault, governmentality should be understood as "employing tactics rather than laws" (Foucault, 1991b, p. 95). Nudging uses techniques such as default rules, reminders, precommitment strategies, or eliciting implementation intentions. Of course, if it is the government which wants to nudge, these techniques have to be first written down as laws, but, on the other hand, they are different than traditional incentive-based laws (for instance – if you go over the speed limit, you will pay a fine). This is why some critics of nudging claim that a proper name for nudging is "governance by stealth" (Mols, 2015) – because it tricks people into doing something that the government wants them to do.

### **1.4.3. Discourse**

Consequently, governmentality is inevitably connected with the term discourse, because discourse is "a space of differentiated subject-positions and subject-functions" (Foucault, 1991c, p. 58) and it implies relations of power. In Foucault's philosophy, power as such is diffused, it is intertwined with the existing knowledge (Foucault, 1991a). Hence, this is a definitely broader perspective and definition of power than, for example, the traditional Weberian understanding of it.<sup>24</sup> From this point of view, the most thought-provoking seem to be the so-called extradiscursive dependencies – correlations between discourse and social changes (Foucault, 1991c, p. 58). Analyzing extradiscursive dependencies, it is not sufficient to look at the particular relation of power from an interpersonal or inter-institutional point of view, but also at influences of discourse on knowledge and people's perception and vision of

<sup>24</sup> According to Weber power is "the probability that one actor within a social relationship will be in a position to carry out his own will despite resistance, regardless of the basis of which this probability rests " (1978, p. 53).

the world and vision of themselves.<sup>25</sup>

Foucault's elaboration on discourse revolves around the idea that in every act of speech, in every activity, one can identify some specific assumptions which are not any more explicit and which are taken for granted. Foucault speaks about the implicit knowledge of a particular society, which "...makes possible at a given moment the appearance of a theory, an opinion, a practice" (Foucault & Faubion, 1998, p. 261). Even when it comes to science, no discoveries appear in a vacuum. He suggests asking the questions such as (Foucault, 1994, p. xiii):

Why did this new concept appear? Where did this or that theory come from? Questions like these are often highly embarrassing because there are no definite methodological principles on which to base such an analysis.

Although, as pointed out above, it is very difficult to conduct this kind of analysis (especially in the case of theories and concepts which are new – it is easier to elaborate on the general discourse of Renaissance, because one can track its development from a temporal distance). Nevertheless, as I try to do in the next two chapters, it is important to point out the underlying assumptions of the approach such as the nudge-approach for many reasons. First, one might discover some assumptions that one has not been aware of. Consequently, the next step would be deciding if we believe these assumptions to be true or not. Second, it might turn out that the nudge-approach overlooks many aspects of reality by holding these assumptions. Third, such an analysis is useful in order to speculate what might be the consequences and influences if the popularity of this approach increases.

<sup>25</sup> Possible influences which will be visible only years later. Later, then can be analyzed through qualitative methods such as critical discourse analysis (see, for example: Fairclough, 1995) or process tracing.



## Chapter 2 – Nudge-approach and the perception of human nature

The nudge-approach has a potential to both change the way citizens think about themselves and also how politicians perceive people, their nature and capabilities. Behind every nudge there is a specific vision of a person for which this nudge was designed and the vision of a person and behavior that is desired after implementing the nudge.

**Table 1. Nudge and think – comparison**

	Nudge	Think
View of subjects	Cognitive misers, users of shortcuts, prone to flawed sometimes befuddled thinking	Reasonable, knowledge hungry and capable of collective reflection
Primary unit of analysis	The individual	The group
Change process	Cost-benefit led shift in choice environment	Value led outline of new shared policy platform
Role of the state	Customize messages, expert and teacher	Create new institutional spaces to support citizen-led investigation, respond to citizens

Source: Shortened version of the table constructed by: John *et al.*, 2011, p. 19.

The nudge-approach can be compared with the opposite perspective 'think' – described by John *et al.* (2011) (for comparison with an opposite approach – 'think' – see Table 1). Firstly, when it comes to the view of subjects, the nudge-approach sees them as cognitive misers, it usually starts with irrationality and points out that people are prone to mistakes and weakness of the will<sup>26</sup> (I do not want to deny that people can be like this, but every information can be conveyed in a diverse way – nudge-advocates usually see the glass as half empty when it

<sup>26</sup> Some of authors, such as for example Whitehead *et al.* (2011) are even more radical and claim that in the nudge-approach people are perceived "as slaves of their emotional selves" (2011, p. 2834).

comes to their view of the subject).<sup>27</sup> In contrast, the 'think' approach which is used, for example, in deliberative democracy models, starts with the acknowledgement of people being reasonable, active and seeking knowledge. Secondly, as indicated in Table 1, the primary unit of analysis in the nudge-approach is the individual, while in the 'think' approach it is a group and broader context.<sup>28</sup> Thirdly, as pointed out in Table 1, the change process in the nudge-approach assumes quick technical fixes as opposed to long-term solutions (this issue I discuss more in detail in chapter 3 of this thesis, together with the elaboration on the role of the state).

The following chapter starts with the term 'subordination of 'the social'', because I believe this term is functionally appropriate to talk about the nudge-approach and its perception of human nature. Then, in order to show the assumptions of the nudge-approach concerning human motivation, I contrast it with a different psychological theory – self-determination theory. In the next section, I argue that nudge-advocates treat cognitive impediments as given and unchangeable, whereas there are studies which suggest that they are not. Then, with a particular focus on pro-others nudging, I suggest how the nudge-approach can shift the politicians' view on human nature. At the end of this chapter, in order to show what the nudge-approach overlooks, I suggest some counterbalancing solutions – education and promotion of mindfulness.

<sup>27</sup> This dichotomy in interpretation resembles the dichotomy in interpretation of bounded rationality which I discussed in section 1.2.3. That is to say, the distinction between the concept of ecological rationality which would suggest that people are fully rational, in an environmental way (the "Fast and Frugal" school of researchers) and the opposite approach – "Heuristics and Biases" school – which emphasizes that people make inaccurate (not in line with normative standards) judgments (more on the debate between these two schools, see: Kelman, 2011).

<sup>28</sup> For instance, in the nudge in cafeteria described in chapter 1 – a chooser is observed in the moment of choosing – that is why Sunstein proposes putting "the fruit before the desserts" – Thaler & Sunstein, 2003, p. 170). Broader approach, such as think approach would acknowledge that this person might be influenced by more factors, such as, for example, who the person in this cafeteria eats with, to what social group he or she belongs, etc.

## 2.1. Subordination of 'the social'

Etymologically, the word 'subordination' implies that something that is being subordinated is inferior and somehow dependent, because it is second (*sub* – under) in hierarchy (*order*).<sup>29</sup> Within studies (especially anthropological) of neoliberalism, it is thought that neoliberalism tends to somehow diminish the importance of the social element in contemporary social, political and economic reality. Clarke (2007) calls it "subordination of the social" - subordination of the social element to market forces and economic calculation.

Summarizing different categories of "subordinating the social", Clarke (2007) distinguishes nine different variations of this phenomenon: erasing the social (withdrawal of the state from social protection), privatizing the social (transformation of public domains/endowments and services in private domains), subjugating the social (changing one's state social policy in accordance to the global competitive environment), domesticating the social (delegating to family and household provisions that the state could provide), narrowing the social (questions of scope and reach of what social is), functionalizing the social, fiscalizing the social, economizing the social, and reinventing governance (Clarke, 2007, p. 975-977). In the context of this thesis, the latter two seem to be the most relevant, because one of the aims of this thesis is to show that nudging can be understood as subordinating the social with respect to how it economizes the social and how it creates or reinvents the art of governance.

Subordination as 'economizing the social' is the process of "construction of new subjectivities, producing individuals who think of themselves in economic terms" (Clarke 2007, p. 976). It is connected with the fact that although maybe before rational choice theory was constructed to be a purely normative account of human behavior, it has diffused and is

<sup>29</sup> See: definition of SUBORDINATE. Retrieved May 22, 2016, from <http://www.merriam-webster.com/dictionary/subordinate>

sometimes understood to be a descriptive theory. Some support for this claim might be the experiment which suggests that students after a course of microeconomics behave more self-interestedly in comparison with the time before taking the class and, also, compared to students taking other classes (Frank *et al.*, 1993). However, this kind of direct examples are only modest exemplifications of how far-reaching the economic discourse's influence can be. The influence of economizing of the social is mirrored nowadays in media and even in language (the famous example is the concept of 'human capital').<sup>30</sup>

The second, important for the purpose of this thesis, meaning of subordination of the social is reinventing governance which stresses "...the reworking of the state or the means of governing into new ways of thinking and acting, stressing the neo-liberalization of the state, or the shift of governing rationalities towards market-centric, 'business-like' or managerial orientations" (Clarke 2007, p. 977). The state is supposed to be only a manager, and managers are thought to be non-ideological, effective and unbiased. Within this perspective, only managers are "rational" and the feature of politicians is that they are partisan (Clarke, 2004, p. 36-37). Reinventing governance (creating new type of governmentality, as Foucault would name it) is also related to treating all civic and social arena as the arena of market forces.<sup>31</sup>

I believe that the nudge-approach subordinates 'the social' in both of these ways – it "economizes the social", because it uses the same techniques as the market, not stressing the importance of education in citizens, but treating them as consumers. Solutions that the nudge-approach would suggest have been widely used in marketing – priming in the supermarkets, default options when it comes to, for example, buying additional services or products are one of many examples. Moreover, nudging itself might lead to the possibility of creating a specific kind of subjectivity, because "[m]arkets and market-mimicking devices

<sup>30</sup> See: Becker, 1978.

<sup>31</sup> For more on managerial state, see: Pollitt, 1991 and Clarke & Newman, 1997.

require people to understand themselves as specific sorts of economic agents" (Newman & Clarke, 2009, p. 82). For example, signing a contract about eating healthy food (as in the example of *LazyTown*)<sup>32</sup> can lead to the subject's perception of his/her own abilities and motivations.<sup>33</sup>

What is more (and what can influence the self-perception of people), is that nudge-discourse offers a "figure of rational-'economic' subjectivity"<sup>34</sup> (Burchell, 1991, p. 146) when it comes to its language. Nudging literature, at its meta-discursive level, describes the reality in very economic terms. For example, Thaler and Sustein (2008) make a distinction between "Econs" and "Humans", suggesting that all people should behave like "Econs", namely, behave in line with what rational choice theory predicts. It is worth noticing that the noun "human" at this point gains a pejorative meaning (because in the book humans are the ones who cannot achieve their well-being, who are prone to cognitive impediments and who are weak-willed). Wording and concepts with which reality is described matter – another exemplification of this is how cognitive impediments themselves are framed. For example, as aptly remarked by Gigerenzer (2015, p. 370), in the case of the Linda problem, one can name it conjunction fallacy, but other authors could name it just social intelligence.<sup>35</sup>

## **2.2. Nudge and human motivation**

Another way to show that nudge-discourse proposes (and can reinforce) a particular type of subjectivity is its answer to the question – what motivates people. The advocates of nudging would say that it is utility-maximization that motivates people (because the concept of

<sup>32</sup> For more, see: p. 6 of this thesis.

<sup>33</sup> More on crowding-out effects – see, for example: Ma *et al.*, 2014; Wehe *et al.*, 2015.

<sup>34</sup> Nudge-approach can be interpreted as a result of the previous tradition of this approach - more on the so-called economic imperialism (applying the discipline of economics to analysing many realms of life), see: Becker, 1978 and Lazear, 2000; for its criticism, see: Michie *et al.*, 2002 and Fine & Milonakis, 2009.

<sup>35</sup> This problem of interpretation is connected with the existence of two schools of research when it comes to studying heuristics – see footnote number 25 of this thesis.

rationality in rational choice theory is a specific one). Furthermore, nudge-discourse suggests that people are very weak-willed and need a lot of external stimuli to achieve their goals. Nudge theorists, however, do not address the fact that this is not the only scientific view. For example, to the best of my knowledge, I have not come across an article advocating nudging which will take a stand on self-determination theory. It is worth emphasizing that usually, the nudge-approach treats as self-evident that people suffer from an unchangeable weakness of the will and a large extent of cognitive impediments.

Therefore, to balance the nudge-theory view and show that it is not as self-evident as it might seem, it is important to point out self-determination theory (SDT). The vision of human nature which is assumed in SDT embodies a human being who is "naturally inclined to act" (Deci & Ryan, 2000, p. 230). SDT stresses the underlying needs of people's behavior, not only processes. Needs are defined in SDT as "innate, organismic necessities rather than acquired motives" (Deci & Ryan, 2000, p. 229). In addition, SDT distinguishes three kinds of needs which it regards as constitutive for explaining the content and the process of goal pursuits: competence, relatedness (feeling of being connected to others), and autonomy (which refers to the ability to self-organize) (Deci & Ryan, 2000). Although many philosophers have discussed nudging with regards to autonomy,<sup>36</sup> the autonomy itself in nudge-literature is usually not raised as a concern from a psychological point of view which is supported by SDT. Nudge advocates such as, for example, Sunstein, do not perceive autonomy as a value or a need that humans seek, neglecting the perspective offered, for example, by self-determination theory.

<sup>36</sup> For the discussions about the problem of nudging, autonomy and informed consent in the medical context, see: Douglas & Proudfoot, 2013; Gelinas & Miller, 2013. For the text about autonomy, manipulation and nudging, see: Wilkinson, 2013.

Moreover, self-determination theory not only points out the crucial importance of autonomy, but it is a theory of human motivation in general (Deci & Ryan, 2008, p. 182).<sup>37</sup> It is very interesting to see how essentially similar phenomena can be given a different narration – actually. For example, self-determination theory advocates describe human nature from this kind of point of view (Ryan & Deci, 2008, p. 68):

The fullest representations of humanity show people to be curious, vital, and self-motivated. At their best, they are agentic and inspired, striving to learn; extend themselves; master new skills; and apply their talents responsibly. That most people show considerable effort, agency, and commitment in their lives appears, in fact, to be more normative than exceptional, suggesting some very positive and persistent features of human nature. Yet, it is also clear that the human spirit can be diminished or crushed and that individuals sometimes reject growth and responsibility. Regardless of social strata or cultural origin, examples of both children and adults who are apathetic, alienated, and irresponsible are abundant.

While the advocates of nudging usually present a more negative account (Thaler & Sunstein, 2008, p. 6):

If you look at economics textbooks, you will learn that *homo economicus* can think like Albert Einstein, store as much memory as IBM's Big Blue, and exercise the willpower of Mahatma Gandhi. But the folks that we know are not like that.

One might argue that essentially both quotations convey a similar idea – the positive and negative sides of human nature and the diversity of behaviors and motivations. What is striking, however, is a different view on attainability and the general tone of the quotations – the first, even though it acknowledges obvious facts about darker aspects of human nature, it remains positive in the attitudes it conveys. The second quotation presents unachievable models and it suggests somehow that it has to be like that – suggesting to give up.

Not only does self-determination theory provide different accounts of what motivates people, it also suggests different solutions. Taking the example of the health-domain – an experiment

<sup>37</sup> Deci & Ryan (2000, p. 236-237) distinguishes four types of psychological regulation (regulatory styles to incorporate some external influences):

- external – rewards, punishments, corresponding to behaviorists' view like Skinner's,
- introjection – it is a degree further than external regulation, it requires a partial internalization of some value, but does not require agreeing with it,
- identification – full acceptance of some value which is behind a behavior,
- integration – some value became a fully integrated part of one's identity.

conducted by Niemiec *et al.* (2009) shows that interventions based on self-determination theory are more effective in fighting smoke-habits than traditional ones. In the experiment, the intervention based on self-determination theory involved counseling sessions with smokers, but adheres to specific discoveries from self-determination theory. For example, counselors were trained to foster smokers' autonomy – by encouraging them to talk about their own life aspirations and how smoking is related to these aspirations. Moreover, counselors did not express any judgmental opinion about participants' life aspiration. The study suggests that an autonomy-fostering program like this is more effective than standard community care – the one which did not include the elements of autonomy-fostering. Aspirations for physical health in the long-term were higher in the group which received the treatment based on self-determination theory than the standard community care program.<sup>38</sup> It was easier to maintain aspiration for physical health for people who internalized more deeply the need to do so. They had better results when it came to the number of days without smoking. Consequently, the experiment suggested that the internalization and reflection on aspiration and importance of physical health, in general, facilitated tobacco abstinence.

### **2.3. Treated-as-given and unchangeable biases**

According to the nudge-approach, people systematically make mistakes while deciding, because of the existence of decision biases. What is more, the approach emphasizes that they also suffer from weakness of the will. Taking the example from the health domain – it is assumed that while passing by fast food plates in a cafeteria, a person will either take everything that is first just because it is first or not have enough willpower to restrain from ordering it. Therefore, the nudge-approach would suggest that we should, for instance, use

<sup>38</sup> Another example can be the studies in which self-determined motivation (connected with deeply-rooted personal values, identity or feeling of enjoyment connected with the physical activity) is the best predictor of the adherence to the aerobic training activity (Thøgersen-Ntoumani *et al.*, 2016).



salience – make healthy products more visible. In addition, it is also assumed that consumers will not on their own search for the information<sup>39</sup> about the products and understand its meaning, and, therefore, the government should include so-called traffic light labels. I do not argue that this kind of interventions implemented in reality cannot be effective – what is more, I do not deny the existence of biases *per se*. In this subsection, I only point out that the nudge-approach in its discourse treats these biases as ultimately determined – treats the cognitive capabilities of citizens as the feature that cannot be improved.

Admitting that cognitive biases exist, it is still not known what percentage of a population suffer from particular biases (Rizzo & Whitman, 2009). In addition, even if one knew it, the interesting element at the level of discourse is stopping at this point - perceiving "the mistakes and fears of ordinary people, in face of [only] the choices they confront, as evidence of their own cognitive limitations" (Room, 2016, p. 117). This might lead to the shift from perceiving it just as a problem to be solved (by, for example, education) to some unchangeable status of a person.<sup>40</sup> Hence, the nudge-approach at the level of discourse shifts the focus (the responsibility) only on the decision-maker not the state of the environment *per se*.

In their book, Thaler and Sustein ask "[b]ut how much learning do you think is good for people?" (2008, p. 240-241). Analyzing the discourse behind this kind of question and the authors' later comments, it seems that somehow they neglect the power of learning, that the authors do not recognize trust in social norms and the process of social learning. They also negatively assess people's ability to think and infer – but this is not the most objectionable

<sup>39</sup> For different reasons – it might be because of lack of time, or the willingness to spend this time on other activities.

<sup>40</sup> A strong argument in favor of not treating the existing biases as natural and unchangeable is the fact that cognitive capacities vary across cultures. According to Nisbett, there are large cognitive differences between East Asians and people in the West. For example, according to the author, Westerners tend to direct their perception to objects rather than to the holistic background, while Easterners tend to focus more on the bigger picture and environment (Nisbett, 2003, p. 44-45), which can make Easterners less prone to biases such as Fundamental Attribution Error.

element of their approach. The problem is that they stop at that point, because the solution they propose – nudging – takes these biases as given and unchangeable. It is impossible to teach everyone how in certain situations not to be prone to the usage of misleading heuristics, but the authors do not propose teaching at all – they treat human capabilities to overcome some biases as something that cannot be improved.

And there might be other ways. For instance, Nisbett and Ross propose "programs to improve inferential strategies" – such as teaching statistics to school children and teaching by concrete illustration and examples – by presenting thought experiments revealing to children how mechanisms like availability or representativeness heuristic works (Nisbett & Ross, 1980, p. 280-282). In this respect, it is interesting to evoke again two of Foucault's questions (quoted already in chapter 1 of this thesis): "Why did this new concept [the concept of nudging] appear? Where did this or that theory come from? (Foucault, 1994, p. xiii). A partial answer to this question might be given by Gigerenzer, who relevantly remarks that in the US, one should understand the popularity of nudging over education in the context of the US public education system, which is considered there to be profoundly ineffective (2015, p. 362).

In fact, cognitive abilities are not something that cannot be improved (at least to some extent) or influenced. Treating cognitive fallacies as absolutely unchangeable, the nudge-approach does not advocate that. In this context, it is interesting to see the broader context of research on cognitive fallacies. For example, as suggested in an experiment by Stanovich & West (1997), cognitive abilities are correlated with open-mindedness. Moreover, some cognitive fallacies as conjunction (the famous example of the Linda problem) and disjunction fallacy are correlated with numeracy skills (Liberali *et al.*, 2012, p. 372-373). Biases such as hindsight bias are correlated with particular personality traits such as need for predictability and control (Musch, 2003). Moreover, when it comes to biases such as anchoring,

overconfidence, or sunk cost effect, in experiments, they seem to be influenced by variables such as, for example, the need for cognition (Teovanovic *et al.*, 2015). Authors such as Sunstein and Thaler seem not to take into account these differences. And if one takes into account these kind of studies, the range of possible policies to help people make better decision rises. For instance, the government could change the educational system in order to promote open-mindedness. Numeracy skills are as well something that can be trained, and need for cognition can also be trained, especially in children, at the early stages of education, if it is appropriate.

#### **2.4. Nudging and the shift in politicians' view on human nature**

The nudge-approach, the way it is justified, can also influence the way politicians perceive human nature, and, correspondingly, what kind of intervention they would choose, what type of policies they would be willing to implement. If libertarian paternalists "take the cognitive limitations of humans as biologically hard-wired and practically unavoidable" (Rebonato, 2014, p. 379), there is no need, for instance, to try to implement educational programs as well as teach people how to be more effective in taking decisions. One might object by saying that advocates of nudging do not want to abolish education systems. This is true – they do not want that, but my argument is of a different nature. With the assumption that ideas shape reality, that the language we speak, concepts that are popular in public discourse can shift the perception of reality, the worry lies in the danger of gradually neglecting the power of education. And this attitude might later influence reality.

The issue about politicians' perception of human nature (and therefore, of citizens) is interesting in the case of both pro-self nudging (such as nudging healthy food consumption), and pro-others nudging (such as organ donation). When it comes to pro-others nudging, Martin (Martin, 2015, p. 450-452) proposes the term "de-moralizing public knowledge", by

which he points out that nudging and the nudge-approach itself can diminish citizens' abilities for moral understanding. If somebody, for example, is tricked into being an organ donor – without even realizing this, because it is by default, there is no space for the debate why organ donation is important, there is no space for the discussion about what individual interests of citizens are and what people living in a society owe each other. In this way, the nudge-approach differs not only from quite demanding postulates of deliberative democracy (as postulated by Martin), but can also undermine current democratic representative systems, in which debates are held and the role of public opinion creation is important. Therefore, being implemented on the level of policy, nudges can become de-politicised. Furthermore, if the process of reasoning and the process of justification of some social norms and values which are of public importance are a skill, the cost of nudging pro-others behavior might be that this skill will diminish and that there will be more and more nudges needed.<sup>41</sup>

## **2.5. Counterbalance – education, promotion of mindfulness**

In order to present some counterbalance to what the nudge-approach presents as well as to show what this approach overlooks, this section briefly looks at possible alternatives to nudging. The function of this section is to contrast some approaches with the nudge-approach, summarizing and elaborating more on some solutions that have already been suggested above and adding some new ones. What is important, is that the solutions suggested below are more long-term, so I hope they will be (at least to some extent) convincing for people with a utilitarian point of view, because in the long run it might turn out that it is better to invest in some cases in long-term education than in nudging. The potential superiority of education

<sup>41</sup> In some contexts, the choice architecture is inevitable, but in many cases, nudges go beyond changing the given choice architecture – they add new elements which are designed to nudge. For example, as in case of charity donation – sending reminders with photos of children in need saying that “someone needs your help” goes beyond changing the choice architecture, because the alternative is not sending the reminder and relying on people's knowledge and willingness to act.

over nudging is related not only to the tension of short-term vs. long term solutions, but also with the fact that education is more flexible than nudging. Namely, the market can counteract the nudges which were implemented by the government. In this sense, markets are responsive. For instance, even if the government would produce a law, that would obliged restaurants to offer their dishes on small plates, I can imagine that restaurants, interested in profit, can come up with some discount scheme to sell a lot of food in one portion anyway (with slogans such as "get two plates for the price of one").<sup>42</sup>

In this chapter, I consider education and promoting mindfulness – not necessarily to show that they are more effective than nudging, but to shed light on what the nudge-approach might overlook. One possible alternative view that could expose what the nudge-approach overlooks is education. The main advocates of nudging ignore this issue only by asking "[b]ut how much learning do you think is good for people?" (Thaler & Sunstein 2008, p. 240-241) – a question that was already cited in this thesis, but I think worth emphasizing again. When it comes to counting probabilities (which can be especially important in the case of, for example, the risk of smoking), it is not definite and hard-wired that people have a tendency to be mistaken in counting probabilities. But, for instance, Kurzenhäuser & Hoffrage (2002) show that it is possible to effectively teach Bayesian reasoning (by using natural frequency representations) in a short time. Moreover, I can imagine student books for children where next to usual a task there will be a "curiosity box" with, for example, the explanation with good examples of what an availability heuristic is – for instance, comparing the statistics of car accidents and plane accidents seem to be usually appealing for convincing people.

When it comes to pro-others nudging and the issue of organ donation, there is a case of

<sup>42</sup> Some might argue that education in this respect will not be effective (see, for example Conly, 2013, especially pages 25-26), but assessing the effectiveness of the solutions (nudging vs. education) *per se* is beyond the scope of this thesis.

already mentioned crucial aspect of public moral deliberation on the importance of certain values. Education, in the form of, for instance, ethical debates in schools (in order to teach the process of argumentation), campaigns about problems in health care concerning lack of organs. This is further connected with social identity theory (which I discuss in chapter 3) and with the process of "norm internalisation, rather than tricking people into conformity" (Mols, 2015, p. 91). Therefore, education in this respect is also required, and nudging could prove not to be sufficient and, what is more, produce unwanted side-effects.

When it comes to nudging healthy behaviors, teaching through so-called mindfulness techniques seems to be a good counterbalance that shows what the nudge-approach overlooks. Mindfulness can be defined as "a state of consciousness involving consciously attending one's moment to moment experiences" (Hussain, 2015, p. 134). Although as a concept it is rooted in Buddhist philosophy, many (also non-Buddhist) psychologists recognize it as a cognitive state which is connected with a personality trait that can be trained and developed (Langer, 2014). Mindfulness is measured in experiments usually through so-called *MAAS* (Mindful Attention Awareness Scale), which is a Likert-scale questionnaire that asks individual to place themselves on the scale depending on the extent to which they identify themselves with some sentence. The sentences include statements such as "I tend to not notice feelings of physical tension or discomfort until they really grab my attention", "I rush through activities without being really attentive to them" (Brown & Ryan, 2003, p. 826).

The above-mentioned scale is used in experiments to show the moderating effect of mindfulness on physical activity (see the study by Ruffault *et al.* 2015). What is more, there is ample evidence that mindfulness has a big role in motivation for healthy behavior (Gilbert & Waltz, 2010; Roberts & Danoff-Burg, 2010). It seems that "being present" and aware of one's own inside processes and needs make people more responsible and more willing to take care

of their health. Nudge-advocates do not take a stand on this quality of human nature and functioning.

Bringing up mindfulness in the context of nudging is important not only from the perspective of solutions themselves (such as, for example, teaching mindfulness to improve health *vs.* nudging people to improve their health), but mindfulness as a concept *per se* is an interesting issue which I believe no nudge-advocate has mentioned. The nudge-discourse not only overlooks the alternative teaching mindfulness techniques (which is possible through workshops, or teaching children to spend time in nature), but the consequence of nudging could be more far-reaching. Due to the fact that a nudge works mostly through triggering "shallow cognitive processes" (Saghai, 2013, p. 491), it actually promotes more and more mindless activities and decisions.

## **Chapter 3 – Nudge-approach and the perception of problems and the role of the state**

While the previous chapter focuses on the nudge-approach and the perception of human nature, the third chapter includes the analysis of the nudge-approach perspective on social problems, linking this to the shift in understanding of the role of the state. Firstly, to show the distinctive logic of the nudge-approach, I contrast it with the theoretical underpinnings of the economics of the welfare state. Secondly, I discuss the distinction between adaptive (more long-term) problems and technical ones, pointing out that the nudge-approach can usually fix only the latter. What is more, the chapter also looks at extradiscursive dependencies of the nudge-approach suggesting that the nudge-approach is a result and a reinforcement of neo-liberal ideologies.

### ***3.1. Welfare state economics vs. nudging***

One of the other possible defenses of welfare state economics takes as a starting point the so-called market-imperfections which refer to free market mechanisms. The free market model relies on the invisible hand theorem (Smith 1982; 1991). According to this theorem, the market will behave and regulate itself efficiently only if four basic assumptions are held (Barr, 2003). The first assumption is that there is perfect competition (*e.g.* large number of buyers and sellers, no monopolies, well-defined property rights, etc.). Second is that the markets are complete (all products and services that buyers would want to buy are present in the market). The third assumption says that there are no market failures such as, for instance, externalities (costs or benefits which are not "caught" by the market) or increasing returns to scale (the increase in the inputs results in dis-proportionally increased rate of the output). In line with the fourth assumption, there is perfect information.



However, markets are not perfect and in reality the assumptions of the invisible hand theorem are violated. There are phenomena such as negative externalities (when, for example, a company producing something pollutes the air with smoke – the air pollution is a negative externality).<sup>43</sup> In reality, negative externalities are usually dealt with by regulation (law concerning the level of pollution, for example), or by taxes. The logic of taxing this kind of activity is two-fold. On the one hand, it potentially discourages companies from polluting. On the other hand it provides funds that somehow could compensate for the damage to the environment (the state will have more money, for, for instance, planting new trees and protecting forests). Another example of market imperfection is the lack of perfect information – usually this materializes in the phenomenon of asymmetry of information between a consumer and a producer of a good/service.<sup>44</sup> So, for example, if a person goes to a dentist, there is an important, clearly understandable asymmetry of information about the quality of the service – one cannot really know and assesses if the dentist has the required competences and skills. This is why, in most countries, some jobs require licenses – in order to counteract this asymmetry.

Shifting the focus to the cognitive miser from the environment can be observed very clearly by looking at the differences of the nudge-advocates' outlook on the problems as opposed to the economics of the welfare state approach. Having in mind the market imperfections, welfare state theorists can link and justify particular types of state intervention<sup>45</sup> to particular problems in the market. Then, for instance, one can study how differently the root of the problem is perceived by these two approaches. For example, welfare state economics would

<sup>43</sup> For more examples concerning externalities, especially with the relationship with the environment, see: Stiglitz & Rosengard, 2015, p. 129-162.

<sup>44</sup> For one of the most prominent articles about asymmetry of information, see: Akerlof, 1970.

<sup>45</sup> Typically (Barr, 2003) four types of state intervention in the market are distinguished: regulation (in form of laws), public production (for example, when the state is responsible for both finance and organization of public schools, hospitals, etc.), finance (in form of taxes and subsidies), and income transfers.

say that one of the roots of obesity is the problem of increasing returns to scale when it comes to the production of unhealthy food. And the nudge-approach would point out the problem of the wrong choice of a consumer (see also: Loewenstein & Ubel, 2010).<sup>46</sup> Therefore, the responsibility for these imperfections are prescribed to the environment in the case of welfare state economics – the free market, and to the consumers – choosers in the case of the nudge-approach.<sup>47</sup>

### **3.2. Adaptive problems vs. technical solutions**

The nudge-approach might lead to a change in the perception of social problems. As aptly remarked by Rowson, nudging "changes the environment in such a way that people change their behavior, but it doesn't change people at any deeper level in terms of attitudes, values, [and] motivations" and therefore, it is connected with the problem of distinguishing so-called adaptive and technical problems (Rowson, 2011, p. 16). In the context of leadership and company management, Heifetz & Laurie provide a crucial distinction between technical and adaptive challenges. Technical problems require a temporal fix, while adaptive (more deeply rooted) require the long-term solutions (2001). Nudges seem to provide technical fixes for economic and societal problems that are deeply rooted and complex.

This above-described distinction is useful to look at the nudge-approach. For example, the problem of unhealthy eating cannot be perceived as a technical problem, because it requires very deep change at the level of attitudes (due to the long-term consequences – one cannot nudge people all the time, in every situation) together with different laws. Consequently, the nudge-approach ignores the root of the problem. For instance, one might ask, how is it

<sup>46</sup> One might object that nudge advocates are aware about the bigger problem of food prices. This is true – I do not argue that they do not know about the broader context, the argument is of a different nature – namely, what is emphasized in the particular discourse of nudging and how it can shift the perception of problems.

<sup>47</sup> One might object that in both cases markets are only the intermediaries, and that in both cases the relationship consumer – environment is interactive. This is true, but the point I want to make refers to the shift in focus – the perception of a problem, how we start to think about issues, how they are framed.

possible that firstly, the state allowed something such as 1.89 l cola drink in *KFC*<sup>48</sup> and secondly, how we, as society and civilization, support and raise citizens that are willing to buy it (lack of education together with the lack of regulation about marketing)?<sup>49</sup> No matter if one is a libertarian or a socialist, a communitarian or a liberal, these kinds of assumptions and reflections about prescribed responsibility<sup>50</sup> and the vision of the role of the state should be articulated more clearly. They cannot be treated as self-evident. The nudge-approach shifts the focus to the taken-as-given environment and the poor cognitive miser who cannot deal with decision-biases instead of focusing on the problem of society and economy.

One might object by asking the question – why would the state care about the size of drink? However, the example I raised is to contrast the narration of the old paternalism (which would care about the size of these drinks) with new paternalism (which would care about people not choosing the unhealthy drinks)<sup>51</sup>. As Bovens (2012, p. 43) relevantly notes, this is a very important difference between hard/old paternalism which assumes that people are rational (and that they will react on incentives given – regulations in law, etc.), while nudging assumes that people are irrational and, therefore, the government should nudge them.

Another underlying assumption of the nudge-approach (as presented in Table 1, p. 21) is the primary unit of analysis, which might be misleading. The exemplification of this can be shown by nudging in the domain of healthy behavior, in which the nudge-approach looks at individual decision, ignoring the social context. For example, it matters with which social group a person identifies, with whom this person will go to "the Cafeteria" (as in the example of Cafeteria in Sunstein and Thaler's book – see 2003, p. 5-6) and what this person's

<sup>48</sup> For more information about sizes of unhealthy drinks in fast food restaurants see: Ghorayshi, 2012.

<sup>49</sup> Therefore, nudging can be perceived as an element of strategy for neoliberalism's policy to survive – by trying to eliminate drawbacks that implementing economically neoliberal ideology produces (Bradbury *et al.*, 2013, p. 264). I elaborate on that in the subsection about extradiscursive dependencies (number 3.3.).

<sup>50</sup> Or, in some cases – the lack of responsibility.

<sup>51</sup> I have discussed this issue in the section 1.3. about libertarian paternalism.

economic status is. In this respect the social identity theory is worth noting, which states that "people derive an important sense of self from their social group memberships" (Tarrant & Butler, 2011, p. 122) are more prone to act in a way that aligns with their identities (Oyserman *et al.*, 2014, p. 210). Therefore, one might assume that while choosing what to eat in the Cafeteria, in the chooser's mind there are different complex processes involved in the decision. Even assuming that the choice in many cases is an automatic one, this automatic phenomenon is partly determined by some factors which preceded it – many of them are deeply embedded in this person's identity.

In this respect, the experiment conducted by Tarrant and Butler (2011) is worth-mentioning. At the beginning of the experiment, one group of participants was asked to categorize themselves in terms of student identity, and the second in terms of their national identity. Questions about attitudes towards healthy/unhealthy behavior were asked – students who were encouraged to categorize themselves in terms of their student identity tended to perform less strong intentions to future healthy behaviors, while the students who were encouraged to self-categorize themselves in line with their national identity reported stronger willingness to engage in health-promoting behaviors (Tarrant & Butler, 2011, p. 127). Moreover, also drinking habits are intertwined with people's identities (see the research of Fitzpatrick *et al.*, 2016).<sup>52</sup> Consequently, one cannot look at the decision-maker himself/herself, but at their social background, too.

One might argue that the insights which social identity theory offers could be simply used while implementing nudging. As a result there could be a nudge which will use the fact that drinking habits are intertwined with people's identities – a nudge, that would appeal to these identities in order to make a nudge more effective. It is true, but what I wanted to indicate by

<sup>52</sup> For more studies suggesting that healthy behaviors are intertwined with identity, see, for example: Berger & Rand, 2008; Gibbons *et al.*, 1998; Meijer *et al.*, 2015; Tombor *et al.*, 2015.

contrasting the nudge-approach with social identity theory is that they operate on different levels and stress different aspects of human nature and the nature of social problems. For instance, it takes a lot of time to build an element of a healthy-eater in the child's/person's identity. Besides, it requires education, access to cheap and at the same time healthy food, etc. Nudging can use and refer to different identities, but they must be built somehow in the first place. I believe it is interesting that at the discourse-level the nudge-approach does not refer to the problem and the need of building them.

In addition, the unit of analysis suggested by the nudge-approach also overlooks the fact that the source of the message is important both in more deliberative mechanisms of processing the information and also in heuristic processing (Van Knippenberg, 1999, p. 321-322).<sup>53</sup> Therefore, if a citizen does not identify and approve of the current government which introduced shocking photos on cigarette packages, social identity theory would suggest a backfire. As aptly noted by Haslam *et al.*, social identity theory is not only about the crucial role of groups in social life, but also about the fact that the gravity the mechanisms of social changes revolves around the processes of social identification and group co-action (2012). Consequently, it seems that the problems that the nudge-approach addresses are definitely adaptive ones, because processes such as building identity, building the reputation and trust to the government, are definitely long-term issues.

Furthermore, beyond the psychological aspect of the processes of identity-building, the material should also be emphasized. As Oyserman *et al.* point out, even though one might think that the choice of being obese or of smoking heavily seems to stem from individual choices, the fact that the distribution of obesity and smoking within diverse social positions and statuses in a society are not equal cannot be neglected (2014, p. 208). The socio-economic

<sup>53</sup> Also experiments of Mackie *et al.* (1990) strongly suggest that persuasive messages from the in-group member are a lot more persuasive than from someone from the out-group.

aspect of these claims is based on the fact that if someone does not have money, he or she cannot simply afford healthy food, which is usually more expensive than cheap, not-healthy fast-food. In this way, a healthy life-style cannot be understood as a technical problem, but as an adaptive problem, which requires changes on very distinctive levels – on the levels of both attitudes and economic system.

### **3.3. Extradiscursive dependencies – reinforcing neo-liberalism**

As I mentioned in chapter one, it is crucial to look at influences of discourse on knowledge and people's perception and vision of the world and social problems while analyzing certain policies and government interventions. Some approaches might have different extradiscursive dependencies (Foucault, 1991c, p. 58), which are not visible and tangible at first. I believe that one of the extradiscursive dependencies of the nudge-approach is the possibility of reinforcing neoliberalism. As I pointed out in chapter 2, the nudge-approach treats certain aspects of reality as given, without explaining why. Therefore, for example, when it comes to the issue of an already mentioned 1.89 l cola drink in the *KFC*, one might ask not how is it possible that the state allows something like that, or how we, as society and civilization, support and raise the citizen that is willing to buy it, but also who and with what intentions it was launched as a product in the market. This problem lies in the heart of "wild" neoliberalism with its only logic to maximize profit, without any ethical constraints.

This is one of the examples of how the nudge-approach, by treating some aspects of reality as given, ignores the flaws of neoliberalism that otherwise could have been a potential trigger to reform/rethink it. Somehow surprisingly, in his newest book, Sunstein refers to the problem of market imperfections, claiming that another type of market failures – behavioral market failure – should be added to the standard justification for government intervention (Sunstein, 2014b, p. 20). He refers to the concept coined by Bar-Gill who, explaining the nature of

behavioral market failures claims that "competition forces sellers to exploit the biases and misperceptions of their customers" (Bar-Gill, 2012, p. 2).<sup>54</sup> I believe that this kind of statements and justifications treats as acceptable and takes as given the logic of the nowadays wild version of neoliberalism. This logic consists of profit maximization without any ethical constraints about the people or, for example, environment. For this reason, saying that a person has got trapped in a smoking habit only because he or she cannot choose properly and suffers from cognitive biases is only half the truth. Saying that he or she has signed a tremendously unjust contract because of being prone to hyperbolic discounting, is also half the truth. The nudge-approach, as opposed to the welfare-state economics approach, shifts the focus from the environment (such as economic system and its logic, companies' responsibility, ethics) to the behavioral impediments of the chooser. Consequently, the nudge-approach seems to give up to the logic of a free market.

<sup>54</sup> The competition forces them to do that in a sense that in order to maximize their profit – and compete with other companies – they are willing to exploit customers' misperceptions.

## Conclusion

In this thesis, I have analyzed the nudge-approach by employing Foucault's ideas concerning the importance of discovering and clearly articulating the underlying assumptions of every theory or practice. I have not argued against nudging *per se*. At times, I have referred to theories that have competing assumptions (such as for example self-determination theory, welfare state economics, etc.) or solutions (such as, for example, education) in order to articulate more fully the underpinnings of the nudge-approach. I have also speculated about possible consequences of the nudge-approach vision of human nature on reality. My main research question has been how the nudge-approach perceives human nature, social problems and the role of the state, with the stress on how it shifts the focus from the broader, holistic context, to the situation of the chooser's individual decision.

I conclude that, firstly, the nudge-approach holds a rather pessimistic view on human nature and motivation. While there are other psychological theories, such as self-determination theory, which assumes that people are vital, self-motivated and "striving to learn (Ryan & Deci, 2008, p. 68), the nudge-approach, in its language and narration, emphasizes very strongly and takes as a starting point the negative sides of human nature. What is more, the advocates of nudging refer to one school of research on heuristics and biases (Tversky & Kahneman, 1974; 1983), borrowing its view on interpreting and describing bounded rationality, ignoring one other possible interpretation – the one of ecological rationality. Besides, the nudge-advocates take as given the scope of cognitive biases, treating human capabilities as something which cannot be improved.

Secondly, the nudge approach shifts the focus of the analysis of social problems from a broader social and economic context to the moment of decision of a chooser. It seems that most of the problems which the nudge-approach addresses (such as, for example, promotion



of health or organ donation) are definitely adaptive problems – they require processes such as identity-building or working on developing trust in government. One might object that nudge advocates are aware of the bigger picture of social problems and that (because they obviously cannot do everything at once) they just want to focus on the aspect of decision-making of a chooser. This is true, I have not argued that they do not know about the broader context. My argument has been of a different nature. Namely, what is emphasized in the particular discourse of nudging and how it can shift the perception of social problems if the nudge-approach becomes popular.

If the perception of social problems changes, also the role of the state – the responsibilities which people usually prescribe to the state might change. In order to show the distinctiveness of the nudge-approach in this respect, I have contrasted it with welfare state economics, showing that while the nudge-approach focuses on the decision of the chooser, welfare state economics tries to intervene in the economic system more profoundly. I have also suggested that the extradiscursive dependencies of the nudge-approach might be reinforcing neo-liberalism. It seems that the nudge-approach not only has been constructed on the basis of the neo-liberal paradigm, but that it can also (somehow consequently) reinforce it. By treating some aspects of reality as given, the nudge-approach ignores the flaws of the wild version of neo-liberalism (such as – maximizing profit without any ethical restraints) – the flaws that otherwise could have been a potential trigger to reform or rethink the system itself.

My thesis rests on a specific assumption, which I have stated clearly – the assumption that ideas themselves matter and that power *per se*, being intertwined with knowledge and language, with which we describe reality, has a diffused nature. One might object that discovering assumptions of some theory that were not clearly stated before is a senseless task. In addition, someone might judge it as a ‘mere description’ or ‘storytelling’. What is more,

probably the speculative tone of some of my claims (such as "the nudge-approach might shift the self-perception of people", etc.) is even more objectionable.<sup>55</sup>

My response to these possible objections concerning my claims is three-fold. First, while analyzing non-articulated assumptions of some approach, one might discover some assumptions that one has not been aware of. Consequently, the next step would be deciding if we believe these assumptions to be true or not. Without this awareness, it would be impossible to settle this. Second, it might turn out that the nudge-approach overlooks many aspects of reality by holding these discovered assumptions. This might be possible to show by contrasting the nudge-approach with other approaches or bringing up theories that the nudge approach ignores (which I have done in this thesis). Third, discovering the assumptions of the nudge-approach is useful in order to place it within one, already existing paradigm and speculate what might be the consequences and influences if the popularity of this approach increases. After all, if the nudge-approach were (or already is?) a part of modern governmentality, we should get to know it thoroughly, together with its underpinnings, as soon as possible.

<sup>55</sup> For a brilliant article about the advantages of description, together with detailed criticism of the unjustified phenomenon of favoring causation over description see: Gerring, 2012.

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