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MIKE LIVERMORE: Welcome to the Free Range podcast. I'm your host, Mike Livermore. This episode is sponsored by the program on law, communities, and the environment at the University of Virginia School of Law.

With me today is Dale Jamieson, a professor of environmental studies and Philosophy at my alma mater, New York University. He writes on environmental ethics, animal welfare, and climate change. His most recent book with several co-authors is discerning experts the practices of scientific assessment for environmental policy, which was published by the University of Chicago Press. Dale, thanks for joining me today.

DALE JAMIESON: My pleasure, Mike.

MIKE LIVERMORE: So you have lots of interesting projects these days, but I thought we might begin by discussing the relationship between animal welfare and environmental ethics, which you've written about and thought a great deal about.

In my environmental law class, I usually urge my students to separate out the law, laws that are directed towards animal welfare, things like rules governing animal testing or humane treatment on farms from the traditional environmental laws that are oriented towards general environmental protection like the Endangered Species Act. And what I'll normally say is something like an environmental law like the Endangered Species Act might incidentally protect individual animals, they're also consistent with harm to individual animals, even including like really serious harm like eradication of an invasive rat population that's eating the eggs of an endangered bird. So when-- I want to make sure I'm not saying anything flagrantly wrong, but I'm also just more generally curious on your thought on the relationship between these two areas of law or more generally, areas of ethical and moral thought.

DALE JAMIESON: Well, Mike, I think are exactly right in your description of the law, although I do think that some things are perhaps beginning to change and I really want to go back and talk about how we got to where we are in this respect. And I think as is so often the case, it requires recovering a very naive thought. The thought that we probably had when we were 19-years-old or even children half. And that thought is really that protecting the environment and protecting animals really come from the same sense of compassion or the same sense of respect for other living things that we live with.

And in fact, if you go back certainly in the animal protection movement but also in the environmental movement you really see a lot of the same figures and you see a lot of crossover in ideas and in this respect. In fact, I think one little anecdote that brings this out is the first book length critique of factory farming was a book by Ruth Harrison, who was a British thinker. It was published in the early 1960s. And interestingly enough, the foreword to that book is written by Rachel Carson. They had never met each other. They had a friend in common who saw them as being sympathetic people travelers on the same road and that led to Rachel Carson writing the foreword to that book.

So I think there's a lot in our-- in people's basic sensibility that brings them to one of these subjects or the other that leads to a lot of overlap and commonality of thought. But of course, then what happens is a lot of separation sets in and I think that separation becomes very strong in the later '60s and in the 70s, all of those early environmental laws that you're referring to really have no interest. They show no interest or cognizance really at all about individual animal welfare.

As the animal protection movement begins to grow in the 1970s, a lot of people are attracted to the Animal Welfare movement who are interested in dogs, and cats, and domestic animals and issues like that and really aren't environmentalists are don't self-identify as environmentalists.

And by the time we get to the 1980s as someone who identifies very strongly both as an environmentalist and an animal protectionist, I would find myself in different communities with radically different values. So I go to environmental events and people would be serving veal or something for the conference dinner and I would be at animal events where people would just scorn, heap scorn on environmentalists. I think these movements are being brought together now to some extent around climate change, but this is still a very uneasy and contingent relationship.

**MIKE
LIVERMORE:**

Yes. I mean, I completely agree and so-- I mean, maybe we can think a little bit about-- I'm just thinking almost like practically or how to think about areas of conflict. So one of the areas that I think is interesting again, this is like a hypo I use in class sometimes is to just try to can manage this intuition is like interventions in nature, so I'm curious what you think of this.

So like imagine someone's very strong animal welfare orientation and they reject an action in action distinction. And so the idea is there are predator-prey relationships and lots of things that happen out in natural ecosystems or actually really does cause a lot of suffering, and maybe it would be better if we fed soy pellets to the lions and then the gazelles wouldn't suffer as a consequence of being eaten for food all the time.

And I think it strikes a lot of people that would be bonkers. But at the same time, just from a straight alleviating suffering perspective, it doesn't strike me as all that crazy. But I think the environmentalist instinct would be no, no, no, we don't want to do anything like. That would be a really bad idea. And so I'm wondering again, is this like an illuminating hypo and does it does it tell us anything instructive about the relationship between this notion of animal welfare and environmental protection?

**DALE
JAMIESON:**

Well, it's an illuminating hypo and in fact, it's in the literature and the person I think of as introducing this is Tyler Cohen, the economist at George Mason University who wrote a paper a few years ago called, Policing Nature, which is on exactly this subject. But then of course what often happens is that it's not always easy to tell what's a feature and what's a bug when it comes to a theory and this idea has certainly been embraced now by some animal protectionist philosophers. So there's a lot of work that's being done on wild animal suffering and how to think about wild animal suffering, and a lot of people who write in that tradition really come very close to advocating all kinds of intervention in nature.

Now, I'm on the side of thinking that there's something bonkers about that, but it's not so easy as I think were suggesting to say what's bonkers about that once you accept certain, very plausible assumptions. But I think-- I mean, we can talk more about this. But I think the diagnosis of this really pushes you back into the direction of, well, what's ethics about? What's moral decision making about? What is this enterprise about in the first place? And I think it's granting certain assumptions there that sort of get you to the crazy place at the end of the road.

**MIKE
LIVERMORE:**

So just to think about candidates there, is it something like the action-inaction distinction where we're more morally responsible for the stuff we do and things that we don't do? Because that seems like it could get us at least potentially out of this problem is to say, OK, when you have custodial animals, and you're running a farm-- if you're going to be running a farm or you have domestic animals you have pets and the like-- you've taken on a certain kind of responsibility. And you have a particular role with respect to these animals, and that role comes with obligations and so on and so forth. But with respect to nature, you just haven't taken on those kinds of responsibilities. You don't have a role. It's just an independent system, and it operates by its own logic and morality, or at least with respect to certain kinds of moral obligations that one might have. You just-- they don't apply.

And so that seems one road. Personally, I don't find that all that attractive I don't think, although maybe I could be brought around. So that strikes me as one possible way around the issue, and maybe it's also just thinking about what matters with respect to animals and why we care about them in the first place. And maybe suffering isn't the be all end all of our obligations there.

**DALE
JAMIESON:**

Yeah, so I do think the action-inaction distinction pushes the issue back in a more foundational direction, but the action-inaction distinction itself poses a lot of the same issues. And I think this is perhaps one of the things that's on your mind. So intuitively, this is a very strong intuition that people have that letting something happen isn't morally as bad as actually doing the thing yourself. I mean, it's foundational to Catholic moral theology, and you do trolleyology and you're very easy to kind of elicit this intuition. And there is something right about it, but I think, well-- so let's put it this way-- it's easy to show what's wrong with it. And the way that you show what's wrong with this distinction or at least thinking that it's a distinction of intrinsic moral significance is to present cases in which exactly the same outcomes are produced. But in some cases, they're produced by action and in other cases they're produced by cost by inaction when you could actually intervene in a cost-free way with no side effects et cetera, et cetera.

And that discussion really goes back to Jim Rachels' papers probably in the '80s on active and passive euthanasia. And this is really where this distinction becomes both important and a bit horrifying is it's still pretty deep in our medical ethics and our thinking about medical ethics that it's OK to let people die, but it's not OK to kill them. And in some cases, that can lead to outcomes that at least I think are horrific because you let people suffer not being able to intervene to end their lives. So there's real stuff just about people that turn on this.

But what I think is right about this intuition and what drives it has to do with, really, ignorance. And I think-- so let's take yet another step back in a more foundational direction. I mean, the point of ethics is really to help guide what it is that we ought to do. The point of ethics isn't to sort of describe the moral structure of the universe in the way that we might think physics is. And so it's not at all surprising that when it comes to hypotheticals that our moral thinking just breaks down because it hasn't been trained up to do hypotheticals. That's not where its value lies. Its value is about is about guiding our behavior. And when you think about guiding our behavior then, the fact that we're in this world that has a certain structure-- and part of the structure of that world is natural selection-- then the decisions that we make and what it is that we can do and what it is that we can manage is all going to go on inside of that.

And I think part of what happens with the concern for wild animal suffering is it starts with this important and compassionate intuition that nature is a kind of horrible place in many ways. And then it sort of pulls morality outside of nature and really asks the question, well, if we were gods, how would we make the world? And it might be that if we were gods, we should make a different kind of world than the one that exists. But that doesn't tell us anything about what we ought to do given that we're in the world that we find ourselves in situated in the way we are and have the radically incomplete knowledge of that world that we have.

MIKE LIVERMORE: This is really interesting. And I think getting into hypotheticals-- just maybe this is a little bit of a digression. But I tend to really agree. Obviously, in law school we love talking about hypotheticals. I think will be a new hobbyhorse of mine is just that you have to be really careful with hypotheticals. You have to be really careful with them because I think what we sometimes will do-- so this is one that is used all the time is kind of the torturing someone if there's a ticking time bomb in downtown Manhattan or something like that. And this hypo is used kind of as an argument against utilitarianism. It's argued in favor or whatever. And usually you take certain things off the table. So this would actually be the case I think in the animal suffering one that we're talking about is that someone will just say, oh, just take ignorance off it. Assume that we could intervene in nature in some way to reduce widespread suffering, and we will understand the consequences of that suffering or of that intervention reasonably well or something like that. But you should put some constraints on the hypothetical.

And I think what happens then is it's very dangerous because then our intuitions become kind of-- we'll still have the intuition that it's a bad idea, but we won't be able to make recourse to the justification that's really driving that. And so we'll come up with something else. And so like in the torture case, you would say, oh, well you know the torturing person is going to get this information that will lead to a million peoples' lives being saved, and you still don't want to torture. You still want to say, no that's bad. And maybe part of that is you don't think torture is effective, and how could you possibly know that it was going to work or even have a good probabilistic judgment about something like that. But you can't make recourse to that anymore, and so you start talking about rights or some other kind of underlying rationale for your intuition.

DALE JAMIESON: Yeah, I think you're exactly right. And one of the kind of oddities of this is that we know from social psychology that we think in terms of sort of clusters of features and stereotypes and prototypes and so on, but somehow we have this idea that whether it's a law class or an introductory ethics class that we can just instruct the students to just sanitize the case from all of the things that being human and having a human brain actually brings into the contemplation of the case. And of course, what's even weirder is that we as legal academics or philosophers somehow think that we're also immune from how human psychology works and can reason in that kind of vacuum.

MIKE LIVERMORE: Yeah. But I do think there's a kind of related interesting thing going on here, which is the kind of, we're not gods point, which is that our intuitions about things like intervening in nature or pretty much everything for that matter-- they come about either in a kind of very big-- I don't know, whatever-- Darwinian psychology way or just through our culture that developed in different contexts where humans' ability to even contemplate doing something like, again, intervening in nature to reduce animal suffering. It's just not something we could have done even if we had wanted to at all, like not even in the realm of something that would be worthy of consideration.

But now, we live in a technological environment where we could potentially, at least in some limited way-- obviously, not take over the entire planet, although we have kind of taken over the whole planet-- but in some limited way-- say within a National Park or something like that-- manage certain relationships to reduce animal suffering. So I think there's just an interesting question. Are we ill served by our intuitions in that case the same way that we are about, I want to eat donuts all the time? Because my ancestors survived more when they sought out sweet and fattening things, and that doesn't serve me well these days. And I wonder if there's a similar concern, especially in these areas where technological development has been so profound, and it really just changes the scope of what we can contemplate thinking ethically about.

**DALE
JAMIESON:**

Yeah, I think the way I would put at least a related point is to say that we underestimate the incremental effects of modest actions, and we overestimate our ability to direct and assess and evaluate the consequences of large-scale actions. So just to give you a couple of examples-- On the latter point, it's just quite obvious, right? I mean, Silicon Valley is full of people who think that immortality is just the matter of getting a bunch of smart coders together basically. So the kind of grandiosity of thinking is just so obviously prevalent in our culture.

But on the other point, climate change is obviously a kind of classic case of world-changing, macro-level outcomes coming about from small incremental actions on the part of people. But there's other things prior to that we don't even think about. I grew up in a kind of pre-computer world, and that world was really, really different. It was a world of file cabinets and letter writing and things like that. And I'm not a bad enough person to say, oh, yeah those were the good old days. The world was so much better then. But it's not as though anybody ever did a benefit-cost analysis of computerizing the world. Nobody ever sat down and said, let's make everything digital, and we've taken into account what the energy demands of that will be and what the privacy implications of that will be and the fact that you will drive all the brick and mortar store-- you'll gut retail in lots of cities around the world because it's actually all worth it for that reason.

That's not what happened is a bunch of people made a bunch of decisions about their own products and their own marketing and their own efficiencies, and it led to an incredible remake of the world in ways that nobody really much thought about in advance. And of course, even the whole thing of shopping on Amazon is like that, for example, right? The same people who shop on Amazon-- namely all of us-- complain about what's happening to small businesses in our communities.

**MIKE
LIVERMORE:**

Great. And so this just gets us to-- again, I think it's a really tough question in the modern world-- which is our actions can just spin out of control in some sense. We have our limited domain of-- we have a huge amount of influence, actually, in some sense, especially collectively. And it's just very hard to anticipate what those consequences are going to be. There's a mismatch between our ability to understand even just simple things like, what's going to happen when I do this and our actual consequences. Put aside, even, things like our intuitions and whether those are going to be good guides for us. This would be a argument against consequentialism in some sense is that it just requires a capacity that we just don't have, and we just have to limit our scope.

But on the other hand, in cases like climate change, releasing carbon dioxide into the atmosphere isn't a harm in any kind of foundational sense. It's only just because of happenstance of how the atmosphere works and the reality of that everybody else is doing it simultaneously that it becomes bad. So I feel like within the environmental world at least, we're kind of stuck between these two positions of just this very, very complicated world that's very difficult to anticipate but where our actions really do have profound consequences.

DALE
JAMIESON: So I think it's an argument against certain direct forms of consequentialism that we ought to be going around computing the consequences of all of our actions. But I don't think it's an argument against more indirect forms of consequentialism. And I think this really takes us into some issues of public policy. And the way that we now think about political issues is when those first-generation environmental laws were passed that you began this conversation by alluding to. I think there was a pretty strong social consensus, at least among the political elites in both the Democratic and Republican parties, that as individuals, we need to be restrained from acting on the basis of our own perceived short-term self interest because we will collectively produce outcomes that we don't want. And I think it was widely viewed as, this is the function of government-- at least one of the important functions of government to actually act in those kinds of cases.

And the environmental philosopher Mark Sagoff, who was also kind of a prankster and jokester-- I think one way that he sort of expressed that in his life is-- I remember this very vividly-- he used to drive around with a car that had a bumper sticker that said, I am polluting the atmosphere. And it really encapsulated this whole thought because on the one hand, he's saying, yes, I know I am polluting the atmosphere. Let's just recognize that. I'm going to drive. I'm going to pollute, and that's why we need air pollution regulations because I need to be restrained from the very behavior that I'm actually engaging in here and now.

But I think we've lost that consensus about the role of government, certainly in the United States. And I think the pandemic brought this out really clearly because the kind of public health measures that are the rational ones to take with respect to a pandemic were viewed in a great many quarters as contravening the proper function of government precisely because it prevented individuals from acting on the basis of their own perceptions, of their own immediate self-interest.

MIKE
LIVERMORE: Yeah, and this kind of dovetails in the environmental context with kind of almost a movement or-- I'm not quite sure how to describe it-- but there's, in the last couple of decades, a lot of emphasis on individual behavior in the climate context that we have individual moral responsibilities if you care about climate you should be putting up solar panels or driving a hybrid vehicle or an electric car or whatever, living in a city doing away with the car all together. But it's kind of an individual moral choice-- ethical choice. And you get these criticisms like Al Gore. I can't care about climate change. This house is so big. And of course, that just reframes the whole conversation away from what can governments do and a kind of question of politics to individual choice. And that has always seemed to me to be kind of wrongheaded and depowering, but in a sense, I understand it because I think for a lot of folks, the political domain just seems like a dead end.

DALE
JAMIESON: Yeah, so on most of these issues, I-- just to preface what I'm going to say-- there's so much blame to go around as to why we fail to address these issues. We could spend all day pointing fingers at everyone, including ourselves because it sort of goes back to the way we think about these hypotheticals. We're not immune from these generalizations that govern our human thinking and human behavior. But one of the ways I think that policy types are to be faulted is a lot of the language-- cap and trade and just a whole thing, And stop privatizing everything, volunteerism bad, government regulation good-- is first of all, it failed to be sensitive to these changing values in American society towards greater emphasis on individual behavior, individual integrity, individual rights, et cetera, et cetera.

And so I think a lot of the sort of policy talk with respect to climate was sort of still living in that late '60s, 1970s consensus view about what the role of government was, and we just weren't living in that world anymore. And that's part of why people were talking in this more individualist way. It wasn't the cause of the problem, so to speak. It was just a reflection of these changing cultural values.

And then of course, the more complicated discussion is the more general one about, well, what is the relationship between individual and collective behavior anyway because any view that sort of tries to detach them completely from each other has got to be wrong.

MIKE LIVERMORE: And this is really interesting. This is kind of a political reality that there's a disjoint between the policy conversation, and we kind of got stuck in a particular way of thinking about talking about climate change or environmental issues more generally while the culture was shifting in a more individualistic fashion. Part of me wonders two different things. So one possibility is that we could still-- it's just a matter of how we talk and reason at some level that we could kind of pursue similar policies or similar policy goals or even potentially similar policy instruments by describing them in different ways and kind of making recourse to these more individual-level values. That's one possibility.

The other possibility would just be that the culture has changed in a way which has just made it much harder for us to achieve collective ends through collective institutions. I don't if you have a sense of which one of those paths you think is more likely.

DALE JAMIESON: Yeah. I don't, but of course it doesn't stop me from talking. Part of the problem, I think, is that we went from this broad consensus about what the proper role of government was-- and it included restraining our individual behavior-- to when we began to sense that there was some separation here. Then I think a lot of the policy community became elitist in political community as well-- the political class-- in the sense of thinking, well we can still do these things. We just have to fool people. And in a way, cap and trade was like that. We're going to put a price on carbon, but you're not really going to know that we did that because we're going to put it several steps back in the supply chain. And we're not going to give it a nasty name like a tax or anything or anything like that.

I remember the moment of clarity for me in this area, which is-- look, I was definitely on board with what the view of government was, and I still am in terms of what the kind of conventional environmental policies would still do an enormous amount of good if we could only figure out how to enact them. So I'm not some screaming, we just have to worship mother nature, that's the only solution kind of guy here. I'm a nice neoliberal intellectual to some extent like all of us. But I remember one moment-- we would talk about Pigouvian taxes and all this kind of stuff, and I remember looking at some interview data where we were asking people about what they would accept in terms of taxes on gasoline. And this was actually in the Clinton years during the BTU tax in the early '90s. And what you got, if you looked at the interview data, was overwhelmingly-- yeah, people would actually be willing to pay more for gasoline but almost inevitably, they would say, as long as it doesn't mean that I have to drive less.

MIKE LIVERMORE: Whatever that means.

DALE Well, what that means is that they would not accept the level of tax that would change their behavior, which was the whole point of imposing the tax from a policy perspective. And once you get that disassociation, then the policy community has to then figure out how to impose these behavior-changing policies without people actually recognizing that that's what's going on.

And of course I think that's one of the things that sets up a lot of the political failures for liberals in subsequent decades. But it also abandons another kind of deep strand of American liberalism that goes back to people like John Dewey and I think is still hugely important, which is the only way we get anywhere is to do stuff together. And the only way to do stuff together is through transparency and education.

MIKE So I think this kind of gets us into some other really interesting issues. But one related one, I think, that kind of builds off of this is I think a lot of the concern at some level-- or the underlying challenge-- is there are lots of important values questions that are at stake in something like whether we want to address climate change and how and how much and all of that, and just kind of moving forward with the elite versus a broader group of people in society.

I remember at some point-- again, years ago when the social cost of carbon was first being discussed as a way of valuing the benefit of reducing greenhouse gas emissions-- I was at a conference of economists, and one question that was just very briefly noted was, well, of course, we use a global social cost of carbon. So we use the estimation of damages based on damages that are caused worldwide from the release of a ton of emissions in the US or wherever else. And I agree with that. That's just, I think, the right thing to do, but it also was very clear to me that was going to be an angle of attack on the social cost of carbon.

And of course, under the Trump administration it was. The point there was to say-- what the Trump administration said, basically, is that we should focus on just the effects in the United States from reductions in greenhouse gas emissions that we undertake. And of course, that affects the United States. They're only a small part of the effects on the world. And that's a values question about are we cosmopolitans? Are we nationalists? What obligations do we owe to folks outside of the United States when making decisions here? And I think for a lot of folks in the environmental community who would, I think, take a more cosmopolitan orientation towards these questions, there's some serious space there between where they are and where a lot of other folks are. And I'm just not sure. I think there's an instinct to want to then translate the whole conversation into a technocratic conversation because folks are afraid that if we really confront the values question head on, they're just going to lose.

DALE Yeah. So I think are so right on about that, and I remember thinking those same thoughts during that whole discussion. But the thing that, in a way, surprised me is that I don't think that, certainly, economists in general or even environmental policy people are generally such consistent cosmopolitans in the first place. If you just think a lot of the economic analysis that gets done, it's very domestically oriented generally. And if you do raise questions about, well, what would be the impact of this in developing countries, people look at you and basically-- that's an irrelevant question. That's not what you're thinking about.

But yet in some contexts, like the social cost of carbon, the assumption just gets made without any discussion or noting it at all. And I actually think to a great extent-- this is a hunch, a hypothesis-- that it's driven more by sort of technocratic ease than it is by moral commitment. If you just think about the Nordhaus models or something and you think about damage functions, it's just kind of easier to throw the whole thing into one big model than to just try to figure out what the impacts would be in the 50 states of North America that constitute the United States. I think that drives it as much as any cosmopolitan values.

MIKE LIVERMORE: Oh, that's really interesting. It's definitely true. It's way easier to estimate-- I mean, it's hard to do any of this-- but it's easier to estimate damages at a global level than it is to try to then parse them out. To do it in the state of Virginia or something like that would be guesswork at best. So that is an interesting point. I think that may well be part of what's going on.

I do think, though, there is a broader instinct in our system. And it's not nefarious. It's just something that's part of our debate or part of a political culture is when there are deep values questions to then translate those into technocratic forums or technocratic language or present them as kind of purely scientific inquiries. And that just is a feature. It happens in environmental law all the time. So instead of asking about what our responsibilities are to future generations, we start talking about discount rates. Instead of talking about how to balance the economic effects of improved air quality against the value of reducing mortality risk, we talk about protecting public health with an adequate margin of safety. That's the National Ambient Air Quality Standards. And so we kind of treat questions that are really fundamentally values-laden in a technocratic way. And I continually turn over in my head whether this is a good or a bad thing. The part of me that likes clean thinking doesn't like that, but then as a pragmatic response to the reality of deep pluralism and political disagreement, maybe it works well enough. This is something that you've given some thought to.

DALE JAMIESON: So I agree completely with what you're saying about the phenomenon, and I think, in fact, it's becoming more extreme all the time. And let me just give you something about what I think is the genealogy of the phenomenon and then come back with something that is going to sound either deeply depressing or unreasonably optimistic. But I think the genealogy goes something like this. So when there is a broad consensus that we face some problems, and we all agree what the problems are-- the stereotype of the sort of '50s, '60s view where the idea was there were no more deep ideological divides. It was just, we have these social problems, and we just need to do a bit of engineering to lead us off into the ever more glorious future. Then thinking of these problems in a technocratic way is at least in principle supported by this broad social consensus about values-- about what the problems are and what counts as solutions.

But then when this starts getting to be dissociated, which was what we were talking about earlier, where the sort of policy elite is sort of bandying about these solutions to things that people don't necessarily think are problems, or if they think they're problems, they're not on the same wavelength about what they would be willing to do to address them. Then that's when we start getting into sort of smuggling the values into the technical analysis because then we can, so to speak, make people better off than they would be willing to do themselves or even voluntarily accept. And that's where the difference goes. But of course, almost inevitably that leads to this kind of populist outrage against policy elites, which Hillary Clinton symbolized for so many people.

So that's the sort of diagnosis of the problem-- the natural history of the problem. But now, going back to the solutions or whatever-- first of all, it's not clear to me that the value divides in America are really as great as they seem. And the reason for that is because we don't actually talk about values. We just scream at each other on Twitter mainly manipulating symbols and memes. The problem with values and with value differences is that to even get to mutual accommodation and respect requires long and deep conversation.

And we're actually back to Socrates. I'm now going to do a pitch for philosophy. It's, again, the sort of thing Dewey talked about when he talked about democracy as a way of life. He didn't see it as being even primarily about voting in the way that we do today. And sometimes when this issue is raised to me it's like, so what do you do you when people have these really deep differences in their views? And I say, well, if I had a semester to talk to them, I'll bet they would come out with different views and there would be more mutual respect. But who has a semester, except for 18-year-olds basically? Right? And so I think that's part of the problem. I think there is a path forward to-- what do they call that in military campaigns-- they call it deconflicting the battle zone. I think we could deconflict some of this battle zone, but it would require dealing with value problems in a more direct way and involve accepting some rules of the road about how to discuss them and about some serious time commitments about how to work through them.

**MIKE
LIVERMORE:**

Yeah, that is a heavy lift. I think that's the tricky part of this. This leads us into thinking about deliberative democracy and that way of understanding what it means to live in a democratic society-- that we're kind of consistently interacting with each other in an open-minded way. I think there's two interesting challenges to that. I'm attracted to this of course. Naturally, I think it sounds like a very attractive version of how democracy works or what politics can be. I think there are two interesting things that I've kind of experienced or seen that creates some skepticism for me.

So one is the conflict between interests and deliberation. So in many deliberative institutions, what can end up happening is that the deliberators-- it's kind of a hawk dove situation where the deliberators are the doves and the non-deliberators are the hawks. And the deliberators can be very easily manipulated and kind of overcome by the hawks. So the classic example I think of is the filibuster rule in the Senate, which is actually intended to protect debate and deliberation and just create a forum where minority voices are heard at least. And of course, it just gets turned into a tool of partisan manipulation. It's got nothing to do with actually facilitating deliberation. And so the person who's open minded and enters into a deliberative forum ends up being kind of exploited by the people who are not open minded and just kind of have a set of interests that they want to achieve through the forum.

So that's one problem. Then there's another set of issues, which I think is just-- again, I just don't know how to get my head around-- which is the social science evidence that the folks who are interested in participating in politics when they're exposed to other views, they become less interested in participating in politics. There seems to be some kind of tension between deliberation and open mindedness and exposure to alternative views and all of that and just participation. And if you look at American history, the periods where you see the most participation and the most interest in politics are the most polarized. And just in the course of my life, I've seen that as-- we are in a moment where people are more engaged in politics than I've ever seen, and people are paying attention. The people vote. They talk about politics. They're really engaged. And it's very different from when I started off in all of this a couple of decades ago, and that's a good thing in some sense. But if it always rides along with partisanship and polarization, then it's not all that attractive. So I'd be curious to hear your thoughts. I just find those to be dilemmas.

DALE
JAMIESON: Right. So there's a fork here between going deeper and going cruder. And so I'm going to, of course, do a little bit of both. So the deeper thing goes back to, what do we mean by politics? And I actually think there's very little going on now that's really politics. I don't think you can-- the best way to understand the Trump phenomenon is through concepts like fandom and through various kinds of social psychological processes. It's not really much of a political movement. Let's put it this way-- it certainly would be unrecognizable as politics by much of the history of political theory and political philosophy. So it's one of those things where actually to move in a more deliberative direction, you just have to go deeper and even more foundationally.

The other thought that I'll add to that is I think it was Keynes who said that when the economy is working-- is functioning-- economists should be thought of as being like plumbers. They should basically be invisible and just keep the pipes going. And I think it's reasonable to think something like that could be true of politics as well that in a certain sense, a well-functioning political system is not one that's characterized by what we think of as political activism, but that doesn't mean that people aren't interested and concerned. So there's a lot to talk about and think about there.

Now just to bounce it up to the cruder thought-- I myself am not sure that even the best kind of democracy can successfully address problems like climate change. And in a way, you can think of the world as being involved in a kind of natural experiment where we have these avowedly Democratic states, and we have these not perhaps avowedly but definitely authoritarian states. And they're both dealing with many of the same kinds of issues, including climate change. Now what is amazing to me, if you look at how this natural experiment has evolved over, say, the last decade, is that the resources of Democratic states have been flagging and the weaknesses of Democratic states have become ever more prominent. So the Democratic states are leaning heavily in the direction of something like some version of anarchism or populist-- and it's hard to even find a language for it-- but not expressing the Democratic virtues.

And of course, what's happening on the other side is the authoritarian states are becoming more authoritarian. So the world that we're living in is one where, increasingly, the options of business as usual politically as well as business as usual in all sorts of other areas are just looking less and less and less attractive all the time. Again, it's like the old joke. If we don't like where we're going, then we'd better stop walking in that direction and try something new.

MIKE
LIVERMORE: I think there's this kind of related interesting phenomena that ties back to the point you make a little earlier, which is about the unintended or unforeseen or unforeseeable consequences of technology and the digitization of everything. I think there's an argument to be made that, essentially, that's what's kind of happened is that the most recent wave of technology, at least within the political domain, has had a pernicious effect on democracies. This is arguable, but I think that would be the line of thinking. This may be paradigmatically in the US-- but maybe elsewhere as well-- and has made it more difficult to achieve anything like a social consensus. And it exacerbates division and undermines our institutions and so on whereas the same technologies have actually empowered authoritarians.

So now in Russia, people are just being bombarded with false information about what's happening with respect to Ukraine. And the Chinese government can monitor folks at a deep level through facial recognition, and there's the social credit system and other digitally-empowered tools of oversight that just were unimaginable a little while ago. And all things being equal, this has just reduced the relative attraction just as a functioning polity as a way of setting up a society of democracies versus authoritarian states. I don't that I buy that full story, but it's a very depressing one I think. So then the question is-- if this sounds a little technologically determinist, which I suspect is a position you don't endorse-- and so I wonder we do have to recognize these things are happening in our environment, though, and respond accordingly. So I'm wondering if you have thoughts about given that the technology is with us and probably is going to continue to grow and become more prevalent, then what are some of our options, or at least what are some of the experiments that we might contemplate?

DALE
JAMIESON: So here's the thing. I'm not a technological determinist, but technology looks deterministic when you have the gutting of the state, basically. And I'll just give you an example of this from some work that I'm doing now. I'm working on a project with some people at Harvard Law School, which is a 15-country study of live animal markets. This was a study that was sort of set off in the wake of the COVID epidemic, but it's not just about the COVID epidemic. It's generally about zoonotic disease evolution and transmission. And one of the things that's clear from the study so far-- we haven't published anything yet and it's not gone public-- but so much of these live animals-- I mean, we have this image of live animal markets, which are these nasty horrible things like Wuhan or whatever-- but a lot of the live animal trade has gone online. And so you sort of begin with the weaknesses of most nation states in regulating this trade in the first place. And then you just move all this stuff online, and suddenly, the regulators-- if there are regulators-- are all sitting in Silicon Valley basically. So nation states even lose the power to regulate in that way. So that's not a feature of the technology. That's a feature of the way that we are organizing the world and the relationship between corporate power and state power.

MIKE
LIVERMORE: Right. So that's another kind of dimension in the equation. At some level, there's the democracy versus authoritarianism but then, obviously, the political inequality and vast economic inequality that we have in society that plays a tremendous role in affecting how all this stuff plays out. I think of the whole cryptocurrency question and the capacity of the state. I think of that technology as almost explicitly oriented towards-- it derives its value in substantial respect from its ability to help act or circumvent state oversight, and yet we seem to be embracing it as a society in a really-- it seems like we're embracing it in a pretty substantial way. Maybe it will all collapse tomorrow, but that doesn't seem like the way things are going.

DALE
JAMIESON: Going back to that thought that authoritarian states are becoming more authoritarian and Democratic states are beginning to show, increasingly, the defects of Democratic systems that go back to the critiques of Plato and Aristotle and others. I don't want to be misunderstood about this because it's not like I'm a cheerleader for the Chinese government or anything, but in a way, the Chinese state is almost like a demonstration project to see whether the state can remain in control of the society and the economy in a globalized world.

In the European Union, there are these attempts to do that as well-- I think modulated through Democratic norms and institutions. But I also think it's pretty clear that the EU is increasingly losing control of corporate power, and in the United States we've just given up on it. All the students I teach who really want to change the world and do something wonderful all want to work in social investment and social entrepreneurship because the way that they think change the world is by becoming capitalists basically, because they don't take the idea of state power and authority seriously anymore.

MIKE
LIVERMORE: Right. In fairness, I see a lot of this in my students as well. And these are law students, of course. And in fairness, on what seem a lot of pressing social issues, we don't seem to be able to arrive at the kind of consensus necessary to bring to bear the power of the state. I think that what we need to be reminded of in some levels is that there is descensus on important questions. Actually, the state is incredibly powerful in the US, and it really engenders all kinds of economic growth. And everything runs on the state in some level. There is no Twitter without all of the incredible capacity of the state that we have in the US. It's just that I think that what is often very troubling is that you look at an issue like climate change, especially if you've been working on it for a little while, and it is incredibly pressing, incredibly important.

What I find infinitely frustrating about it is I don't think it would actually be, personally, especially if we had gotten ahead of it, all that costly to address. We could have done it in a fairly low-cost manner, and I still think we can do it in a fairly low-cost manner. And we just do not seem to be able to reach that level of social consensus that would be required to do that for many, many different reasons but in part due to real value differences. And I think that's part of the question, too. Maybe just to stick with the authoritarian versus Democratic question is part of what's going on with respect to climate change is people just have real values disagreements on things like obligations to folks overseas or obligations to the future or, how they want to trade consumption against other forms of improving their well being. And these are just real differences. And I think there are right answers, and other people think there are right answers, and we're as far apart as can be. And in a sense, it's a bug of Democratic society that we can't seem to address this really pressing problem. On the other hand, we don't agree with each other about how pressing the problem is and how to address it. And so given that, a democracy is not going to let us move forward. So in a sense, is the failure of democracy there, or is it just this is a hard problem that we disagree about, and it's in some ways right that we aren't taking aggressive measures because to do so would just be to override that disagreement-- somebody wins and somebody loses?

DALE
JAMIESON: Yeah, I sort of agree with half of what you said, and I think I disagree with half. So the half I agree with is absolutely so is this problem would have been really manageable if we would have behaved rationally, basically. My climate change book is called *Reason in a Dark Time* for that reason. In 1992, there was a bipartisan Senate bill to cut greenhouse gas emissions by 2000 to 1990 levels. If that would have passed, it would have been a completely different world. So I agree with that. This is almost like a self-inflicted wound, at least to the degree that it is.

What I think I disagree with you about-- and I'll put the point really provocatively, and then I'll, of course, retreat quickly. But to put it provocatively, I think the value differences are as much a function of the failures as the failures are a function of the value differences. Why did we not act when we could have acted? The reason we didn't act to a very great extent is-- and this gets into the power of the state-- is because the state chooses not to exercise its power to prevent massive misinformation campaigns on the part of fossil fuel producers because we have a system of campaign finance that in some other jurisdictions would just be plain illegal, and from a moral point of view can certainly be described as corrupt. And that has a lot to do with why that sort of consensus of the '60s and '70s broke down. It had to do with private actors essentially being able to assert power and government not acting against them.

The weird thing about state power, I think, in a place like the United States goes back to something you said earlier. The state does have enormous power when it chooses to act. Look at what it's done to people who have spent time in Guantanamo, for example-- just an almost unthinkable exercise of state power. But the American state chooses to act remarkably arbitrarily from any reasonable point of view. You can talk about gun violence. You can talk about policies with-- just broadly speaking-- anti-monopoly policies in this world that we're now increasingly moving into-- which at one point, I was thinking we were going to be in a pre New Deal world. And increasingly, I'm thinking we're going to be in a pre Progressive Era world if we go much further down this path.

But of course, the state will still have enormous power to imprison people and to do all kinds of other things. So you're right. The potential power is there. The question is organizing it and getting it to act and the ways that it should.

MIKE LIVERMORE: Yeah, it's a very interesting kind of feedback cycle in terms of the-- think of the structure of Democratic deliberation feeds into values which then feed into that structure over time. And of course, we're recording this shortly after the news that the richest person in the world-- I believe-- and, certainly, someone just with enormous economic power, is proposing to buy one of the major forums where political deliberation takes place. So this is Elon Musk's attempt to buy Twitter. And it does seem to be that there's almost an amplification of some of the dynamics that you've been talking about.

DALE JAMIESON: There is a lot of amplification, some of which you've talked about on this podcast, Mike. One of the things I've become interested in lately is the power of asset managers over the economy and increasingly-- at least some parts of the environmental community-- thinking of asset managers as the ultimate regulators and potentially the ultimate knights in shining armor. What a terrifying world in which anybody could have such a thought.

MIKE LIVERMORE: I hate to end the podcast on such a dire note, but I feel like I've taken up a good chunk of your time. I don't if you had any concluding thoughts to move us in somewhat of the direction of hope, or maybe we should just end it there.

DALE JAMIESON: No, no, no. I think the conversation, which I've enjoyed very much-- and I hope it's helpful to the listeners-- has been in a certain note. But I think, again, if we want to be really serious about thinking where we are, part of our disappointment, part of our apathy, part of our depression, part of our anger has really come from unrealistic aspirations. I think we need to set our sights lower, not in the sense of accepting things that ought not to be accepted, but in recognizing that much of the job of government, much of the job of living an ethical life is to just make things a little better than they are.

In fact, I'll end with an anecdote. A friend of mine, who is a white Nigerian-- he was born in Nigeria, and at the time of decolonization, most of the white people fled. He stayed, and he became a very deeply-respected person in Nigeria-- kind of a national hero in Nigeria. He's very old now, and I remember once telling him how much I admired him and the choices that he'd made in his life and how much he'd accomplished. And he just kind of shrugged his shoulders and said, look, if I've done anything at all that's useful, it was just in trying to make people a little less stupid than they wanted to be. And I think that's, in its own way, inspirational. And I think if we could succeed in doing that, we would have lived our lives very well indeed.

MIKE
LIVERMORE: Well that is, I think, profound wisdom and so the perfect way to end the conversation. Dale, thanks so much for joining me. This was a lot of fun.

DALE
JAMIESON: Thank you, Mike. I enjoyed it.

[MUSIC PLAYING]