

# Objectivity – What it is for, when we can have it and when we can't

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*The usage of the words “public” and “public sphere” betrays a multiplicity of concurrent meanings. Their origins go back to various historical phases and....they fuse into a clouded amalgam.*  
Jürgen Habermas<sup>1</sup>

*German: I wonder what future historians will make of all this?*

*Clemenceau: One thing is certain. They will not say that Belgium invaded Germany.*

From a conversation between the French Prime Minister Clemenceau and a German representative at Versailles in 1919<sup>2</sup>

I introduce these quotations to highlight two important themes in this paper.

The first is that the word *objectivity* has a ‘multiplicity of concurrent meanings’ which ‘fuse into a clouded amalgam’. We cannot start, and I do not start, by assuming or stipulating a well behaved definition of the word or a specification of its correct usage. What has to be clarified is not what it really means, or what we should require it to mean, but rather how its ambiguities work to confuse the conversations of ordinary people, or at least ordinary professionals, in their practical lives.

The second is that although the notion of *objectivity* is attractive above all because it promises clarity and certainty, it does not follow that its failure to do so throws us into a subjective, relativist, only a matter of opinion, world in which anything goes. Practical reasoning and deciding require that we find at least some things that we have good reasons to agree on, and that Belgium invaded Germany is not one of them. There are many difficulties in practical life in deciding what is true and what is relevant. We have to be careful not to assume that these difficulties are best resolved by searching for what is objective, nor to fear that if we do not or cannot do that, we are in the Wild West. There are other good reasons for believing other than that we have achieved objectivity.

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<sup>1</sup> Habermas (1992) p.1

<sup>2</sup> Apocryphal. Referred to in Jay (2011) p.146

## 1. Preliminary

A natural way of starting a discussion of objectivity would be to treat it as a technical term, attempt a definition, and go on to ontological or epistemological questions such as what is the status of an objectively true proposition, how do we know whether this proposition is objectively true<sup>3</sup>?

That is not what this paper does. It proceeds not by giving a definition, but by treating objectivity as an idea, or a cluster of ideas. The requirement that a definition be clear, and the fact that it is often prescriptive, runs the risk that it cleanses the word of its cloudiness and inconsistencies, and makes it hard to see what it is about objectivity that has given it such a long and adaptable life. Since my interest is in the use of objectivity in professional practice, that would be a loss. Although I do not attempt to provide a history of the idea, others have<sup>4</sup>, and that history shows unsurprisingly that the term has been used in a variety of different ways over the years, and that it comprises a variety of ideas, with a variety of significances which differ from time to time and no doubt from user to user. That too suggests that it will be useful to aim not at definitional clarity, but at exploring that variety.

So I start by asking not for a definition, but what is it about objectivity that makes it so appealing to people who do not attempt to define it, and have no interest in or knowledge of epistemology and ontology? Why is it that for e.g. child welfare practitioners – and it is for them that this paper is meant to be of use – derogatory remarks such as *that is only subjective* carry such power? What is the significance of the comfortable feeling that because your conclusion and the process you and your colleagues have followed are objective you cannot and have not gone wrong? What is so good about objectivity? What do we want it to do for us ?

When I have explored that, it turns out that on any plausible view objectivity cannot always do for us what we want. Where it cannot, that is not always because it is unattainable, but rather because it is not to the point. So I have to think first what it is that we want. That discussion can and must be couched in ordinary or at least not philosophically specialist language. Much of what follows next is just a fuzzy version of familiar philosophical debates. Those who recognise that are asked to bite their lip for the time being. If the idea of objectivity is to be put in its place, I have to

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<sup>3</sup> For an excellent example of this sort of discussion, see Searle (1995) pp. 8-12

<sup>4</sup> Daston and Galison (2007).

examine what it does for those who use it for practical decisions, using their language. That is not the language which would be used if I were discussing Objectivity as an Aspect of Practical Reason.

## 2. Setting up the Ideas of Objectivity

I start like this.

When we are trying to make a decision, the kind of conclusion that we hope to get to is one that is right, and that we all agree on. The idea of objectivity encourages us to believe that hope is justified. Objectivity promises to eliminate the fear that we will be wrong, and that we will disagree.

This belief is based on the following ideas.

The first is that our conclusion can have **reliability**, because there is a process or processes for establishing it which can be proved or otherwise warranted as reliable. We rely not on tossing a coin, but on say Science.

Second, the process will nevertheless only produce a reliable conclusion if it has been followed properly, and has not been distorted by the individual attitudes, or standpoints, or baggage, of those carrying it out. This is the requirement of impersonality or **independence**. Nobody was bribed.

Third, we can in these circumstances expect that the opinions and conclusions of the participants, reflecting impersonally and therefore independently, and using the reliable process, will achieve **convergence**. No reasonable person can disagree.

### Example 1

Taking first just these three ideas – there are more - consider as a paradigm the proposition that there is a table in the room. There is a **reliable** process for establishing that. Use your eyes. There is no need to worry about the **independence** of the observers, because talk of individual attitudes, or standpoints, or baggage simply has no purchase in this case. All individuals with reasonable eyesight who understand the concept of a table are the same in the relevant respects. Any individual can verify the presence of the table exactly as anyone else would, in that sense, impersonally. So we can expect **convergence**.

This example shows that the ideas of independence, reliability and convergence are mutually reinforcing. If you have no baggage, you will come to the right conclusion. So all that has to be done is to make all the participants free of baggage, and you will have unanimity. It also shows

why the addition of the adjective *objective* to *truth* does not operate merely as an intensifier – like *really* true – but contributes something by emphasising the mutually reinforcing tripartite relationship. There is no knockdown reason why true propositions should guarantee assent. But if you believe that your process is reliable for reaching the truth and that all the baggage which might prevent an individual from operating that process with independence is absent, then convergence is indeed assured.<sup>5</sup>

Convergence is more than assured – it is guaranteed in a very powerful and possibly disturbing way. It is not just that all the members of the group will agree. It is that any member of that group who does not agree is for that reason not any longer counted as a member of the group. The views of the dissentient can be disregarded as not qualified to form a conclusion, because she is led astray by personal factors which if absent would inevitably have led her to the unanimous conclusion, or she is simply not competent (professionally competent?) to understand or operate the correct process. She must have something wrong with her eyes, or not know what a table is. The objective facts are true for everyone, regardless of their personal characteristics, or indeed whether they believe them to be true. Mount Everest exists whether you like it or not. If you don't believe that Mount Everest exists, that tells us something about you, not about Mount Everest.

The idea of **exclusion** is an important part of the appeal of objectivity. It is one thing to disregard someone because they disagree with you. 'Agreeing to disagree' is very common, and that does not mean that we do not proceed to a conclusion. The exercise of legitimate authority, voting, tossing a coin, are good ways of deciding despite firmly held and reasonable dissenting views. And there need be no implication that the dissenters are stupid or incapable of good practical reasoning. It is their view that is rejected, not their competence. They remain part of the group, and it is perfectly possible that next time it is they that will be on the winning side, or indeed they will turn out to have been right all along. But is quite different to reject someone's view because it is not objective (or a *value judgement* or *just emotional* or *merely personal* – such phrases all do much the same job). That is to disregard someone on the grounds that she is simply incapable of accepting an objectively true conclusion, objectively arrived at. That exclusion is justified not as a practical way of moving on, but by the operation of impersonal, objective truth. Flat earthers and astrologers are excluded because they are just wrong.

The idea of legitimate exclusion becomes acutely relevant when we come to talk about the need to take into account the (nonprofessional) views of clients in child welfare cases. Objectivity of

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<sup>5</sup> See Searle (2001) p. xv on the false hope that rationality will achieve convergence.

conclusion and process license exclusion, and allow in the idea that the exclusion is not just an exercise of power by professionals, but a consequence of the search for truth, objective truth.

Another idea which contributes to the appeal of objectivity is that of **transparency**. When an objective approach is possible, the process must be open. If we are all to agree that the process is reliable, and hence produces the truth, it has to be plain what that process is. It has to be capable of being spelled out. That is true even in the case of sensory perception. How did you know? I just looked. That is very explicit. Such transparency enables anybody to adopt the right process – it is set out in a way that you can conform to. We can audit the process – afterwards, we can say that the conclusion is right because it has been properly arrived at, thus.

Now we have a rough and ready indication of what we mean by reaching an objective conclusion. In your deliberations, use facts which have been warranted by valid processes such as sense perception. If you do that, you will find that most people will agree with you about the truth of those facts, because most people are good at using their senses. Obviously, you must guard against conclusions by people who for one reason or another cannot be relied upon to use their senses well – people with bad eyesight, or people who have been bribed not to report the truth. But that is quite easy because such disqualifications are rare. Another advantage is that it is easy to check that people are using the right process – using their eyes. And if subsequently you find that what you concluded using sensory perception is not true, it will be quite easy to check where you went wrong e.g. by not having enough light.

The paradigm of sensory perception, and concluding that there is a table here, is a very simple and plain example of what objectivity may be about. If it is to be taken as just a pedagogic device for getting the analysis going, then we have to ask how the analysis goes on from here. Maybe by saying that sense perception is just one example of getting knock down objectivity, the objectivity that stops discussion that excludes dissenters. And it is certainly true that it is not just the warrant achieved by the use of sensory perception that achieves the magical results of objectivity. The same feeling – that this is true and that disagreement is senseless, that *there is nothing left to think*<sup>6</sup> - arises when you face the conclusion of a deductive syllogism. If the premises are true, people who disagree and say that Socrates is not mortal do not just have an interesting alternative opinion, but have missed the point. Similarly to deny that the sun will rise tomorrow shows an attitude to evidence that makes deciding impossible. So there may be a quite long list<sup>7</sup> of reasons

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<sup>6</sup> 'Then ask yourself how narrowly to conceive the general idea of there being nothing else to think. Surely it does not need to be confined to the realm of the necessary or confined to that which we reach by deduction'. Wiggins (2006) p.331

<sup>7</sup> See Cartwright and Hardie (2012) p.16 for a not very long list.

for assenting to a conclusion which carry with them the idea that dissent is just meaningless, because we are in the presence of a reliable process operated independently which produces convergence and legitimises exclusion. All of them must share the characteristic of being something like a proof or self-evident or analytic if they are to achieve the knock down qualities which objectivity displays, of getting us to where *there is nothing left to think*.

## **2. Some history**

But sensory perception may not be just a nice simple member of a long list of typically more complex ways of achieving objectivity. It may rather be central to how the idea of objectivity came to get the power it has. Hume proposed that what you can sense are the only real things, and that there is no reliable connection between them and ideas, for example between the event which you see following after another event, and the idea of cause.. This I can lead you to believe not only that you should privilege the real (obviously), but that very few things are real (not obviously). Once you see objectivity as correspondence with objects then it is hard to take seriously conclusions which go beyond that.

Similarly, the logical positivists with their interest in the extreme idea that only sense data are real and that even seeing a table requires some sort of construction<sup>8</sup> contribute to the idea that things start going wrong when you stray from the reality of sense perception into the nonsense<sup>9</sup> world of values etc.

## **3. Back to the ideas**

Suppose we accept that the idea of objectivity sits at the confluence of the five ideas – reliability, independence, convergence, exclusion and transparency. Then there are many processes and conclusions which do not fit with the ideas of objectivity, in any of a number of ways. Call these non-objective – a carefully neutral term, because at this stage we have only established that they do not fit with objectivity. We have not concluded that therefore they are defective, let alone that it would be useful to call them something like value judgements. They are just not objective.

That demarcation into objective and non-objective may be appealing, we may want to have it, but it may not be very helpful. It may demarcate as objective only a very small class of conclusions, and leave everything else in the large and no doubt heterogeneous class of non-objective, with

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<sup>8</sup> Putnam (2004) quoted in Wiggins (2006) p.334 “Perception is not innocent.... It is an exercise of our concepts”

<sup>9</sup> ‘Metaphysical nonsense’ Putnam (2004) p.25.



nothing to tell us what to say about them, beyond that they are non-objective. Or rather if we say that they are nonsense because non-objective, then we are in the position in which Bernard Williams allegedly finds himself, of having defined a vocabulary of an improved and perfected physics, that defines the world in terms of primary qualities alone, and therefore can be used to talk about a world which itself has only primary qualities. Such a vocabulary leaves no room for discussing almost everything that anybody ever says<sup>10</sup>. Similarly, if everything non-objective were nonsense, or hopelessly unreliable, or impossible to agree about, or fatally tainted by special interests, and if that class is very large, then most of what we do, including most of what is done in child welfare, is hopeless. The alternatives seem to be either to give up, or to show that non-objective conclusions can be good conclusions, and not just in a second best way, with objectivity remaining a gold standard which we just can't meet.

If the domain of objectivity is demarcated by the operation of knockdown processes, operated by impersonal decision makers, then it does indeed at first sight seem a very narrow domain. This is true even if we extend the class of such processes beyond sense impressions – concluding that the table is in the room by just seeing the table – to deduction, the necessary and even induction. You can see this difficulty clearly by considering the problem which is presented to logical positivists by the use in science of non-observables such as molecules. More recently, you have only to look at pictures of the CERN accelerator to see that the idea that the Higgs boson exists objectively is more than a matter of simple sense perception.

In specific areas such as Child Welfare, the word objectivity is often used, and typically as a standard to be aspired to. And in a very general way, here too to have processes and results that feature what we have set out above – reliability, independence, convergence, accountability, legitimate exclusion- looks like a good idea.

And in at least one way, the importance of facts and of establishing them properly, we seem to be in the world of objectivity. A lot of discussion in Child Welfare is about facts, of the kind that can indeed in principle be established uncontroversially. Was the baby sitter there that evening? Has the father got a history of violence? The phrase *in principle* conceals the difficulty that often the facts are hard to find. Nobody can remember what night the baby sitter was there. I think any way the mother is lying about that. The father's history is muddy. A lot of unpursued allegations, by the grandfather who doesn't get on with him. But the objectivity of sense perceptions – just seeing that the table is there – is not undermined by the possibility of sticks bending in water, hallucinations, magicians. So too our understanding of what it is for such facts to be true, how

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<sup>10</sup> Putnam (2004) pp.40ff.

they are established, in a way which must command assent, is not shaken by the actual difficulty of establishing particular facts at particular times. So we are in an objective world. But only so far as this conforms with one of the ideas of objectivity – of reliability.

Facts like these only get on the agenda because we want to confirm them, and we want to confirm them because they are relevant to what we are investigating. They are relevant because they contribute to an account of what happened. They do not just appear before your eyes and without further ado lead to the conclusion. The facts are what the story tells you need to find out.

Setting up the account that tells you what facts to verify is often hard. It does not look like an objective process by our standards. There are rival accounts of what might have happened. They cannot be ranked, pursued, excluded, just by listing primary facts and weighing them somehow. Honest and experienced people – good eyesight, not bribed – can disagree about which line of enquiry to pursue. And there is no obvious principle of legitimate exclusion, whereby I can say that your disagreement with me shows there is something wrong with you, not with my account.

#### **4. Objectification**

So we seem to be where we feared we might be – with an idea of objectivity which successfully demarcates what we want, the objective, but thereby leaves as non-objective too many processes and conclusions that are important to say child welfare.

But in the real life of making decisions, things are not so bad. One way this is achieved is by making the decision objective none the less, by defining the problem as one which requires you to deal with only one of the needs of objectivity – the reliability of the facts – and thereby make it tractable in terms of that aspect. This I call somewhat disparagingly objectification – not the real thing, because it leaves out so much. But it may do a useful job nevertheless.

I start with an example which is nothing to do with child welfare, and indeed may appear to have nothing to do with objectivity.

##### **Example 1**

*Consider the ideas of an absolute offence and of mandatory sentencing. To reduce terrorist attacks on the royal family, we make it an absolute offence to park in front of Buckingham Place. No excuses about running out of petrol. And the sentence is two years. No mitigation.*

This works to achieve objectivity by reducing the area of disagreement to near zero. You are not allowed to introduce any but certain privileged facts into the process. If you do, you are not applying the objective test.

The idea that objectivity is achieved by excluding certain facts or considerations or arguments, and hence certain people, is central to the idea that objectivity is achieved by establishing agreed professional norms, in this case, that lawyers decide your guilt like this, objectively.

## **Example 2**

*Deciding whether a child has been abused. This translates into whether child abuse has taken place. First, we have to be comfortable that child abuse is not just a matter of opinion, but real, if not in the ordinary sense that Mount Everest is not just matter of opinion. It might be a problem that the idea of child abuse would not exist if there were not a society to invent the idea. But that is true of marriage and money, both of which are real enough. They are real because we have robustly defined conditions which have to be met if a relationship is to count as marriage, or if a bit of paper is to be counted as money. A social institution such as marriage does not occur naturally. It cannot be perceived. A society decides, somehow, that marriage consists of the following....and here follows stuff about law, consent.... We know how to verify the facts which have to be verified if this is to constitute a marriage. If we succeed in doing that the marriage exists, objectively, even though it is a construct, even though there is no knockdown reason why it should ever have been created. So too in the case of child abuse, we need robustly to specify the things which have to be present, the conditions which have to be met, if we are to count a concatenation of events and circumstances as child abuse. Try defining child abuse as constituting damage to a child, wilfully applied, over a period, by a close relative..... Then to conclude that child abuse has taken place, all you have to do is tick the factual boxes. It is not enough, to dispose of the idea of objectivity, that that may be hard. Bent sticks. We have a clear enough idea of what world we are in if we do tick the boxes – a reliable conclusion through a reliable process carried out by professional people which must command assent. If I disagree, I have to say why. Unless I can show that these conditions were not met, I am legitimately excluded. So we have objectivity. Child abuse is real.*

So it may come to this. Objective is a way of describing limiting deliberation to the ascertainment of the facts needed to establish a well-defined diagnosis which in turn leads to a clear prescription. That deliberation must not be carried out by people who may be led astray. And they must be professionally competent. It is hard to see how this process can fail to achieve convergence. It is legitimate to exclude people who can't operate like that.

If that is what objectification gets you, it looks pretty good. It appears to incorporate all the ideas which make up our list of five. So maybe our fear was misplaced. The list of five does indeed

demarcate well the objective from the non-objective. But never fear. That demarcation does not exclude too much. The class of objective is large.

But even though there are lots of decisions like this one, this notion of objectivity does still leave out great deal of what we have to do when we come to a conclusion. What it leaves out is the process that gave us the well-defined procedure for diagnosis and the clear prescription. If we have those we can indeed come to a conclusion by ticking boxes about facts. And that is what gives us objectivity. But the process of providing the diagnosis and the prescription was not objective.

Consider the following.

### **Example 3.**

*The process of deciding to ban corporal punishment in schools did indeed involve the consideration of easily verifiable facts. The debate only got going because the practice included hitting children, causing them pain, inflicting minor injury, making them cry. These facts were not in dispute and you can see why. What is less clear is the status of the use of terms like humiliation and psychological damage. On the other side, those who favoured the practice argued in terms of deterrence, character formation. Much of the debate was not about the facts at all. It was rather about what we made of hitting children and causing them pain, whether that constituted e.g. cruelty or brutality. And differences of opinion about that were not differences between those who were and those who were not in favour of brutality. Everyone was against it. What they disagreed about was whether hitting children is brutal.*

*Brutality like cruelty is an example of a thick concept<sup>11</sup>. First, you start with some uncontroversial facts. As you go along, you gather more facts – perhaps facts about how the physical damage can be more lasting than you thought. But soon it is plain that the meat of the debate is not about collecting more facts – you have more than enough- but about what to make of them, whether they constitute brutality. And constitute does not mean add up to, as in the government is constituted of several ministries. It means amounts to, what do we make of it. And if we collectively come to the conclusion that corporal punishment in schools is brutal, then we pass very easily to prescription, to saying that it should be, practicalities apart, banned. You can't be in favour of brutality. You have to say instead this is not brutal. So between the facts and the action lies the hard bit – how we characterise the practice described by the facts. This bit is typically*

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<sup>11</sup> Williams (2011) pp.145ff.

*described as being about values, because it is about what matters to us, that children should not be brutally treated.*

## **5. The limits of objectification**

It is hard to see that the process of characterising such practices can be objective. Although the facts may be objectively arrived at, through a process which is reliable, has been reliably operated, and commands agreement, which does not apply to the hard bit at the time when we are wavering either as an individual or a group about whether or not it is brutal.

So it is important that if you require all decisions to be objective, you cannot discuss everything that needs to be discussed about questions like banning corporate punishment in schools. One link in the chain of argument, the hard bit, is not objective. That means that if you require objectivity, your analysis cannot deal with much of what we talk about.

It is easy to see why nevertheless people hope that you can talk about value laden questions in an objective way. And they are right that if only the hard bit has been done and its conclusions taken for granted, their non-objective basis forgotten.

What happens as time goes on is that questions like whether corporal punishment is brutal come to be seen as settled. We forget how hard it was to settle it, and take the characterisation as beyond discussion. In our practical life, supervising schools, debate about that is foreclosed, just like debate about the evidence of our eyes or the conclusion of a deductive syllogism is beyond discussion. We then have all we need for objectivity. We can set up a check list of minimum conditions for a punishment to have to meet to be corporal punishment. We then see whether in this particular case the facts show that the conditions are met. If they are, we stop it. Anybody can disagree whether the facts are right – a jury matter. They cannot disagree that corporal punishment is brutal and wrong. If they do, they are outside the pale of the group within which we are seeking agreement.

That is fine, for at least two purposes. First, we do not want every time a child is slapped to have to go through the whole process of asking is that brutal, what constitutes brutality. We are entitled to treat that as settled in our day to day and month to month professional life. Second, there is a point about rules and delegation. Particularly if we do not trust our subordinates to exercise discretion, we may bar them from questioning the brutality of corporal punishment, even if that question were not really settled. We do not think that they will deal very well on the hoof with resolving that. Better to use the default, that corporal punishment is brutal.

Maybe when people hanker after objectivity, say *that is just a value judgement, subjective*, they are wanting us to find a world like the one just described – where the brutality of corporate punishment is settled, we have codified what we mean by corporate punishment, we have agreed ways of finding out the facts which meet that definition, and we must therefore in realistically favourable circumstances converge on a shared conclusion. The inspector who is the daughter of the old fashioned Glasgow teacher, and agrees with her father that the tawse never really did anybody any harm, and who relies on among other things the obvious psychological good health of his old pupils, is excluded.

But that must not disguise the fact that we can move ahead so objectively because we have decided to forget about the non-objective bits of the debate which got us here. We have objectivised what we do now, and how we talk about it, by taking the brutality of corporal punishment as fact, and by codifying its role in our deliberations. That does not mean that the fact of the brutality of corporal punishment was established by e.g. sensory perception. Its reality – which is as real as you could want – derives from its status as a social institution, a status which we decided to give it. It is not like Mount Everest. When we ask for objectivity, we may just be asking to be allowed to operate in a world in which the reality of such social institutions is taken for granted, without going back to recognise the subjectivity – meaning only non-objectivity – and the values – meaning having to think about what matters to us – that went into setting up the brutality of corporate punishment.

This account brings the focus back on to the ideas of impersonality, independence and baggage – that deliberation goes wrong when participants bring personal views to the table. But to suggest that their views because personal are therefore suspect cannot be because these views are *theirs* – all views are *somebody's*. It cannot be that they are not shared – there must be the possibility of disagreement. An easy case of personal qualities mattering is where the person is incompetent to deliberate as we would wish. A child, a drunk, a monoglot foreigner. Another is when they are in a general sense competent and we have seen them do well elsewhere, but they are not to be trusted in this case – bribery, fear of the leader, wish for promotion. But the hard case is where they are competent and trustworthy, but just come at it all differently. There is nothing illegitimate in their argument. It is just that we don't accept it. But we do not have grounds generally accepted as legitimate for excluding them. There is no accepted way of proceeding, including overarching agreed principles, which allow us to move from disagreement to exclusion. Nor have we agreed that the hard work is over, and that, for whatever reason, we all take the brutality as given. If we have not achieved finality in that way, then we are indeed not in an

objective world. But the remedy is not for me, the group, the person in authority, to objectify by pretending that we have a principle of legitimate exclusion, that the dissenter's view is personal. Because if that is a legitimate reason for excluding, then it legitimately excludes the views of me, the group, the person in authority, too. The argument is symmetrical.

When there is disagreement about the brutality of corporal punishment we often say that they have gone wrong by not being objective. That is nonsense. I haven't been objective either. Him being wrong is rather just him being in a minority or taking a different view of the facts and what they constitute.

This links with the concern that in areas such as child welfare, and indeed arranged marriage, what is happening is that middle class people are interfering in working class or Asian lives, and imposing their values. It is natural to argue that no, what we are doing is based on an objective assessment of what is wrong. And indeed that works if all the people involved – professionals, clients everyone – did come to an agreed conclusion that this sort of behaviour is wrong (say, brutal), and that we can all now move on to the day to day task of seeing whether the facts of a particular case fit with that conclusion. In that case there is comfort in saying that the decision to interfere is based on objective reasoning. It enables us to remember that this objectivity is only established by identifying shared values first. If someone, say the client, challenges the decision, they may be saying that the facts do not fit with agreed definition of brutality. But they may be saying that they do not agree with the way that the notion of brutality is set up in the first place. If that dissent is not recognised, then it is indeed an imposition of their values by the professionals. And if they are middle class, conscientious, it is unsurprising that they use the trump of objectivity to avoid the issue of imposition.

#### **Example 4**

*Another example of objectification is given by a study of child adoption in Mississippi<sup>12</sup>. The case workers were encouraged in their training to be empathetic – to use their imagination and emotions to try to feel as well as they could what might be going on for the parents, the child, the family, the adoption parents. And that therefore played a large part in their assessment of the situation and their recommendation that, let us say, the child be adopted.*

*In Mississippi, the decision to adopt requires that a children's court give approval. The court's procedure includes lawyers on both sides, and testing of the reasons for the recommendation. The evidence includes therefore testing the testimony of the caseworkers. Not surprisingly, that testing*

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<sup>12</sup> Hardesty (2015)

*can be a daunting experience – and so it should be, as the future of a child is at stake, and it should not be taken for granted that the case worker is right. But the interrogation of the case worker has one peculiar feature – that what she says must be couched in objective and impersonal terms, stripped of interpretations. So for example she must refer not to her opinions, which are self-evidently personal and therefore subjective, but to the conclusions of the Agency, which is a depersonalised entity, and presumes that what has been decided is the result of an objective process – perhaps like the process above of identifying child abuse through an agreed definition, involving clear criteria, and carried out by baggage free operatives, and best of all in a group so that confounding factors may be if not eliminated, averaged. And the language has to be objective. Not she was upset and humiliated, but she wept. Not he was angry, but he said this in a loud voice. The more basic the language, the more sure we can be that we are not drawing conclusions which might be personal, might depend on what one person thinks.*

This is very odd. First, it rules out of court, literally, any account of how empathy influenced their conclusion. To say that the child was humiliated required empathy, trying to see what it was like for him. Second, it assumes a heroically successful attempt to decompose a thick concept – humiliation – into a factual component, tears: and an evaluative, that tears constitute or are a sign of humiliation<sup>13</sup>. If that cannot be done, the court is in the position of having evidence of brute facts – tears, loud voices – which tell it nothing.

Maybe such heroic attempts can be successful. And maybe that is what the court has to believe in order to avoid the risk that my diagnosis of humiliation is wrong. Let's stick to the facts. But in avoiding reliance on my fallibility, we open up another risk – that we cannot create a list of brute facts which without further interpretation add up to a clear case for adoption. The corporate punishment example above was a very favourable case for the objectivisers. It is not impossible that if we can establish some quite ordinary facts – the teacher hit the child – then we do indeed have a clear diagnosis. But then those who think that there is a list of brute facts which without further interpretation add up to a case for adoption should just be asked to provide it.

These problems illustrate also the difficulties we have with the idea of professional expertise. One way of deciding to send a child for adoption is to listen to the expert. At the extreme, we do little more than assure ourselves that the expert is indeed an expert – professional qualifications, references etc. not related to the particular case – and that she has indeed come to that conclusion, by certifying that adoption is indeed in her view the best course. There are more probing versions than this – and after all there are usually two opposing experts in a court case,

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<sup>13</sup> Putnam(2004) p.36



and you have to decide somehow which to believe. But it is part of playing to role of expert that you say in effect that I was there I saw the child I have seen many children I am an old hand not easily fooled and if cruelty and humiliation mean anything that was cruelty and humiliation. And it has to be that an expert's saying that is a reason – not the only reason nor beyond doubt but a reason - for favouring adoption.

Where is objectivity in this? Not in the fact that this is the expert's opinion – that is indeed an objective fact, but what we are after is whether the expert's opinion is objective. And it has to be said that by our test it is not. It contains too much drawing conclusions from the evidence. Yet you can rescue the applicability of the concept by objectification, by saying that we agree that asking the expert is the way to decide and therefore that this decision to adopt was objectively arrived at by a properly qualified group – the court – using a proper process – asking the expert – to produce a result which we all have to agree on. That is another example of objectification working by drawing a line, taking something as settled, creating a way of deciding to stop thinking.

So far the idea of objectivity is a vague<sup>14</sup> concept, which incorporates a cluster of ideas, including reliability, independence, convergence, legitimate exclusion, transparency and accountability, , has done us well. It helps us to understand what is going on when we talk about corporate punishment, child abuse, and adoption. The case studies enable us to see that once we have succeeded collectively in deciding what we make of a particular practice, in terms of what matters to us, we can indeed then enter an objective world in which these ideas operate successfully. But arriving at that point involves a process which is not objective, which is not limited in that way. So it turns out that when I am accused of being subjective, or expressing a value judgement, what is often meant is that I am challenging the result of the process which has resulted in the definition of the practice we are concerned with. There is or would not have earlier been anything wrong with that at the earlier stage. But now we have decided to stop thinking about that. Just as we have decided to stop thinking about whether stopping your car outside Buckingham Place is an offence, and whether it deserves a two year sentence.

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<sup>14</sup> Or maybe a Ballung concept. See Cartwright and Runhart (2014) p.284

Here now is another example to further test our idea of objectivity.

### **Example 5**

*Consider the notion of the fair wage or price. Often, perhaps particularly at the moment, we want to talk about whether the wages of women, bankers, cleaners, are fair: whether the prices of energy, diesel fuel, commuter rail travel, are fair. The problem is not a matter of agreed facts. There are plenty of figures. What we lack is a way of deciding what we make of them in the light of what we care about. There are plenty of particular ideas around held by this or that person about this or that question. People in London should not be paid less than £9.15 an hour. No senior executive should be paid more than seven times the pay of her lowest paid employee. It is unfair to have to pay more just because you buy your rail ticket at the last minute. Poor people shouldn't have to pay high prices for energy just because they are not creditworthy and they have to pay by meter.*

*Even though these are difficult questions, there is some convergence to be found – for example, on the £9.15 London Living Wage. And you can optimistically imagine a Fair Pay and Prices Tribunal which produces objective answers to these and other questions.*

But as soon as you think about how such a tribunal would work, it is plain that there is not enough objectivity to be had, that given a particular practice – of not allowing zero hour contract workers to work for more than one employer - we cannot agree what matters to us and them about that, and call it unfair. That is the hard bit. If we can call it unfair, then it is quite easy – or at least only hard in a way which involves problems of a less bewildering kind, like can we enforce a rule which bans such practices? And our failure to agree is not just a matter of hardheartedness. It is not that only some people aren't interested in fairness at all, though some aren't. It is something to do with the facts – are there a lot of people who need the flexibility of zero hour contracts and would suffer if they were banned? It is also to do with what we make of it all, is it unfair. Are the conditions in such contracts evidence of an illegitimate exercise of employer power, or a sensible reflection of how labour markets are? But what matters is not exactly what we disagree about, but that we disagree at all. Given such disagreement, we cannot set up a tribunal to hand out objective conclusions. One way out is to force agreement by saying that whatever the market produces, that is fair. And often these days that turns out to be the default position. This certainly is a guide to action or rather inaction – just leave it to the market. It also makes a tribunal unnecessary. And it makes the claim that we have an objective process to hand – leave it to the

market. But that claim is false, since there is not general agreement that the results of the market are always fair. Most likely, the advocates of this position just don't get the concept of fairness, just as I don't get a lot of the concepts that would have made me fit into an Ancient Greek society.<sup>15</sup> Maybe it is simpler than that. Maybe the example of the brutality of corporal punishment does not get us far. We may indeed all share some workably precise idea of brutality. Given the facts about what happens to these children, we may pretty much agree that it is brutal. So we ban it. And in the way that we described earlier we then – then – have objectivity. You can say that the system has successfully applied a concept to that particular case. But certainly it will fail in others. Just having the shared concept of brutality does not mean that we can apply it to locking up fifteen year old delinquents. And so a Brutality Tribunal would run into just the same difficulties as the Fairness Tribunal. We can apply the concept of fairness successfully to particular cases – the Living Wage- but not to others. So we can get objectivity in some cases not in others. Those who are bewildered by the muddle of the debate about youth criminals may say that we need objectivity. But all that means is that they wish we could agree enough to enter an objective world. They cannot mean that in order to enter that world we must be objective. To say that my view is a value judgement is at this stage true. But it does not serve to privilege your view, because at this stage your view also is a value judgement, and by that test no better nor worse than mine. We are both trying to sort out the practical consequences of what matters to us, and neither has yet got his nose ahead.

## **7. Other Reasons For Believing'**

It seems obvious that we should privilege at least two of the ideas which objectivity offers – that when we are coming to a conclusion, we should base it on facts; and that they have been arrived at by a reliable process, independently followed. One such process is the experimental method, combined with peer review, which are at the centre of the popular view of what Science does, and why its conclusions are to be trusted. Child welfare professionals may be uneasy with this.

“In a conversation with a civil servant on learning whether we were helping children, I suggested asking them and he rejected this as ‘just being their subjective opinion’. To me, their feeling helped is one aspect of successful helping”.

The hard bit about this is whether we are right that feeling helped is part of being helped. That is quite difficult. Is the link causal? Is it that children's lives do not improve unless they feel part of

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<sup>15</sup> Williams (1993) *passim*.

the process? So the process is not like certain kinds of medical or surgical intervention, which can do me good even if I am indifferent or hostile to the treatment. Forcibly cutting off a gangrenous leg without anaesthetic in the eighteenth century was a good idea. Is it constitutive of being helped that you participate?

If these hard questions and others like it are answered, in favour of "*feeling helped is one aspect of successful helping*", then it is easy to see that asking children is one way of establishing or not that relevant fact. Of course, it is not an infallible way. Children may lie in order to please. But its fallibility is not much to do with being subjective meaning not objective. And it cannot be that what the child says is not a good reason for deciding that it is being helped just because its view is personal. How could *I feel helped?* be other than personal? Would we only be satisfied by evidence of certain kinds of neural firings? If feeling helped is causally or constitutively part of being helped, then the personal views of the child are indispensable. As with rejection of the brutality of corporal punishment, the objection to the relevance of the child's testimony must come from a rejection of the idea that feeling helped matters for being helped. That rejection may be right. But it is not obviously to do with objectivity and subjectivity.

This is just one example of the problems raised for some people by the practice of *listening to the client*. In ordinary medicine, the doctor certainly asks 'where does it hurt?' and listens to the answer. But the patient's answer does not tell you even where the pain comes from – referred pain comes from somewhere quite different – let alone what the cause of the problem is. And the best treatment may be one which the patient does not understand the reasons for, does not like the sound of, and is quite unable to assess. But at least in orthodox medicine, there is a standard case, which is not discredited by the existence of Jehovah's Witnesses, enthusiasts for homeopathy, etc. Most patients are reasonably happy to provide the facts about what is going on for them, and trust the doctor to say what might be for the best. In child welfare and similar cases the standard case may not be a very good guide. Issues of reticence, values, autonomy, are much more salient and it is hard to see how these can be dealt with other than by techniques which include empathy, expertise, instinct, which do not fit very well with the notion of reliable processes impersonally applied.

A second reason may be to do with the notion of expertise. In difficult cases, the facts may underdetermine the conclusion. That is, the evidence available is insufficient to identify which belief we should hold. There is no reliable process for deciding between alternative decisions. But you have to decide. Everybody agrees that walking away, unless it is a positive decision that doing nothing is best, won't do. The experienced and trained professional decides on the first of the two

actions. When asked why, she gives reasons. But she agrees that an equally good case can be made for the other course. It is just that if she has to decide, that is what she would bet on. She cannot point to, cannot claim, a reliable process for deciding. Nor does peer review help. Other equally good professionals would disagree. We just have to accept that the only good reason for this decision is that we have decided somehow to rely on her judgement. That is not by any nontrivial test an objective basis. But it is a good reason.

Similar remarks apply to empathy. Some people are good at spotting what others are feeling, others aren't. If it is a relevant fact whether the child was upset, then the best way of getting at it is to ask one of your colleagues who is good at that. Her answer is a good reason for believing that the child was upset. It does not meet the objectivity tests of reliability, independence, accountability.

## **8. The End**

Finally, I go back to where I started. I have tried to set out what it is about objectivity that makes the idea, or the ideas which cluster around it or constitute it, so attractive to practical people involved in practical reason. I have then used examples attempted to see when and how we can expect such people to achieve objectivity and get what they want from it. If the list of ideas is right, or if some such list is right, then I have argued that objectivity can indeed deliver what we want, but that it can only do so in favourable circumstances, and these favourable cases require to be preceded by an earlier stage of deliberation about what matters to us and why. That stage is not objective. For purposes of exposition, my account discriminates between that stage and what I call the world of objectivity with more clarity than the distinction can bear. I agree with those who say that we have to distinguish between distinction and dichotomy<sup>16</sup>, and that the fact/value dichotomy is wrong for that reason, and because it does not recognise that even the barest act of perception involves deciding what you make of this, e.g. by using the concept of a table. And hence that consideration of value, meaning of non-fact, are mingled throughout all our deliberations<sup>17</sup>, and there is no area of objectivity of a Humean kind to be found. The Mississippi example is about that. But I have not laboured the point because I do not need to. All I need to do is to say what is good about objectivity in the way I have set it out, that it is achievable, but not

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<sup>16</sup> Putnam (2004) pp.9 ff.

<sup>17</sup> Wiggins(2006) p.332 quotes Peirce "...thinking is not to be conceived to 'form a chain which is no stronger than its weakest link', but as 'a cable whose fibres may be ever so slender provided they are sufficiently numerous and intimately connected'"

always, and more important that it is often achievable only after the hard work has been done, and that is *not* an objective process. *Precisely*, on my quasi definition of objectivity, *not*.

So we can have objectivity when we have done the work to establish what are the professional norms which our practice should follow. It then makes sense to say that, in favourable cases, a conclusion is objective, and we do indeed get the five virtues – of reliability,.....-. But getting to agreement on those norms is not an objective process. There are no agreed super norms to tell us how objectively to achieve professional norms. The conclusion that hitting a child is brutal is underdetermined. To that extent (only) anything or at least more than one thing goes.

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