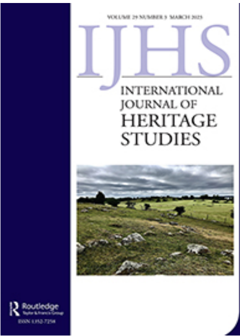

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Choice architecture, nudging, and the historic environment: the subtle influences of heritage through the lens of behavioural science

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ABSTRACT

The article considers the use of nudge theory and behavioural science as a lens to better understand the influences and effects of heritage on society. Nudge theory applies insights from psychology to contextual factors that influence decisions and behaviours. These same insights can be used inversely, to interpret existing effects such as heritage. The paper describes parallels between nudging and heritage, focusing on ethical aspects including the dilemmas created by acknowledging these insights, transparency, and intentionality. It follows with discussion of choice architecture, the apparatus of nudging – and some of the mechanics behind the influences it can have. This draws upon experimental findings in behavioural science and applies them to various examples, with the intention of presenting new perspectives on known heritage sites, such as contentious statues. Finally, it considers the implications of using behavioural insights to further unpack the effects of heritage on society and the potential to help authorities, decision-makers, and community leaders be more aware of the impacts of heritage, which can be easily overlooked in policy and practice. It is intended that the paper is accessible to both those interested in behavioural science and in heritage studies.

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Introduction

Nudge is a well-known concept developed in the book of the same name by Thaler and Sunstein (2008). It builds on over forty years of work on human behaviour and decision-making. The key insight was that behaviours, habits and decisions can be influenced by how the context surrounding a situation is organised or presented. 'Small and apparently insignificant details can have major impacts on people's behavior' (Thaler and Sunstein 2008, 3). With this knowledge, interventions have been designed to organise environments or information in ways that can induce or encourage certain (supposedly better) behaviours without enforcing rules or restricting choices. Not a directive, but a nudge.

The basic concept is noticeable in many contexts, such as a prominently placed shop item or memorial drawing attention. Nudge theory has been applied to a variety of fields, particularly in terms of public policy, such as voter registration, medicine and pension plans (Thaler and Sunstein 2008; Sunstein 2016). It has also engendered a body of academic literature, largely deriving from the wider field of behavioural sciences and political science.

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Whilst the interest in this work and its impact on policy have both been remarkable, it is has also garnered criticism about the ethics of developing techniques that tacitly draw upon the heuristics and biases that humans tend to exhibit (see Hansen and Jespersen 2013; Schmidt and Engelen 2020 for overviews of ethical discussions). As with marketing, the approach has seemed manipulative to some and liberating to others (Johnson 2022). Part of the concern related to nudge interventions has been the intentional use of people's cognitive boundaries to elicit certain behaviours.

Given the social impact of recent events surrounding heritage, such as the toppling of statues and renewed calls for repatriation of museum objects, the politicised nature of heritage has become more and more visible. Many of these concerns have related to the identification of heritage normalising or valorising certain practices, groups or individuals and the subtle ways in which this shapes preferences, attitudes and ultimately behaviours in a variety of social contexts. In other words, is *heritage* a nudge?

The purpose of the article, therefore, is not to propose or dismiss the introduction of nudging to heritage, but to consider heritage as a nudge and what that might mean. Heritage might still be regarded as the passive remains of past societies by some, but its influence and relevance is very much in the present. From the extreme to the banal, heritage can influence perspectives and behaviour and is exercised to do so in various contexts. As Smith notes, 'Museums and heritage sites, and how their visitors use them, have, as the literature frequently acknowledges, a consequence for social and political debate' (Smith 2021, 304). Indeed, discussion of nudging has parallels with heritage management. The architecture and traditions may have been created long ago, but their influence – intentional and unintentional – can be a powerful presence in contemporary society. The implication that the presence (or absence), arrangement, preservation and communication of heritage has the capacity to influence social norms and preferences that help shape behaviour has been often noted but rarely drawing upon decision sciences.

By considering heritage as a nudge, the findings that are utilised in this approach can provide a lens that allows us to decode the effects of heritage in new ways and more effectively unpack how heritage can influence society – an inversion of its intended use. Whilst not Thaler and Sunstein's intention, the same tools possess considerable explanatory power in understanding the influences of heritage. It is this explanatory potential to unpack familiar issues that will be the focus of this paper. Whilst this is not the typical use of Nudge Theory, there are examples of this inversion, such as Johnson's unveiling of the mechanics of choice architecture (Johnson 2022) and the OECD (2019) BASIC toolkit's analytical stage, and even in heritage management to unpack decision practices (Taylor and Boersma 2018). Not only can this bring light to some problematic issues in heritage practice but explain why some effects are underplayed or not predicted by authorities, and even how this occurs.

Using the concept as an analytical lens, rather than as a management or policy tool, means that much of the criticism associated with nudging (paternalism, autonomy) comes into view in heritage contexts. Inverting the concept can help recognise these matters as they occur in the historic environment.

Consequently, this paper is not intended as a promotion or critique of Nudging, which can have varied and complex characteristics, nor a statement about the biases, 'rationality' or faculties of the various actors involved in heritage. It is intended to help elucidate pervasive and emotive effects, explain some of the factors that affect choices and actions related to heritage and its management, and to clarify and contextualise some of the ethical debate surrounding heritage; in particular, contentious or problematic historic sites.

Whilst there is much work on how heritage has been used to shape society, this discussion is intended to present some new perspectives on how those influences might be identified, connecting to a wealth of research, and expressed in terms accessible to policy makers. In doing so, one can consider how that influence can be used, leading to greater ethical transparency and democratic exchange in heritage management for factors that may not seem problematic from the outset.

In this paper, I will briefly describe Nudge Theory and related concepts before turning to parallels in heritage and Heritage Studies to consider some of the influences of heritage in this context. I will then discuss some of the outcomes when viewing heritage through this lens. In order

to begin, it is necessary to look more closely at what constitutes a 'nudge', how it relates to contemporary understandings of 'heritage', and the mechanics of how this can influence people.

Nudge and choice architecture

Nudge Theory draws heavily on Nobel Prize-winning work of the Heuristics and Biases programme in the field of cognitive psychology that gave rise to the subfield of behavioural economics (Tversky and Kahneman 1979; Kahneman and Tversky 2000).[1] This field has developed to overcome some of the shortages of our 'bounded rationality', which refers to how people make choices that are not necessarily optimal but just 'good enough' for the situation (see Simon 1956). This work demonstrated that people's decisions did not correspond to the most mathematically rational outcome of an economic choice. They were often affected by the ways in which humans processed information, the boundaries of their abilities, and biases in those judgements. Contextual factors influenced many aspects of the decision environment such as the ways in which information was presented.

Thaler and Sunstein developed an overarching approach to utilising these findings to either support decision processes that were otherwise not always optimal (automatic renewals of health care) or encourage choices that might provide benefit, such as healthy eating. A nudge was characterised by them as the means by which the environment is altered to promote a predictable change in behaviour that doesn't rely on mandates or incentives. They introduce the concept through the analogy of a school cafeteria, where the manager realises that displaying certain foods at eye level increases the likelihood that they are chosen. 'Putting fruit at eye level counts as a nudge. Banning junk food does not' (Thaler and Sunstein 2008, 6).

This scenario introduces the manager (and reader) to the dilemma of what to do with this power – promote healthy choices, maximise profits, or leave well-alone (allowing existing influences to continue). Just as designated protection is not a nudge, the way heritage is used influences the kinds of social or cultural meanings that are constructed.

A fundamental aspect of this approach was the maintaining of choice – that people were free to choose the option or behaviour that suited them without fear of reprisal or surcharge, but their judgement and decision-making were given a subtle push in a certain direction.

A key component is what Thaler and Sunstein (2008) refer to as Choice Architecture; the qualities of the environment or context that can (be altered to) influence behaviour. The person in a position to harness this power is referred to as a *choice architect*. The use of the term architecture is no coincidence. It is intended to touch upon the traditional term, stating that 'a crucial parallel is that there is no such thing as "neutral" design' (Thaler and Sunstein 2008, 3). The architect may have to observe building codes and budgets but has considerable power over the many subtle influences that shape the lives of the occupants. As they note, 'many people turn out to be choice architects, most without realizing it' (Thaler and Sunstein 2008, 3). We're all potential nudgers, if not already nudging, with different kinds of choice architecture, and 'by implication, nudges may exist without a "nudger"' (Hansen and Jespersen 2013, 9). Indeed, the nudge might be inherited.

How Nudge Theory might shed light on understanding the subtle influences of heritage on society is a yet-unexplored question. Whilst Nudge Theory has occasionally been noted in heritage literature, it is largely to consider applying nudges to heritage, where heritage is a passive product for which membership or audience figures might be increased (e.g. Lattarulo, Mariani, and Razzolini 2017), historic sites better preserved (Cialdini 2003), or charitable giving for heritage sites increased (McClelland 2016). Occasionally it has been used to explain museum practices (Taylor and Boersma 2018; Hoffman and Yoeli 2022). There are examples of heritage as the *subject* of nudging. Here, I will consider heritage as the *object*, in other words how heritage facilitates nudges in society. Although much has been said about the subtle influence of heritage, there has been little elaboration of how small and apparently insignificant things *become* compelling or influential.

There is a significant body of work relating historic environments to environmental psychology and sense of place. This manuscript is not intended to critique or supplant this work, but hopefully adds a dimension to the discussion of evolving historic environments.

The dilemma

Much like the cafeteria owner's dilemma, awareness of these effects raises questions about how heritage managers and policy makers might use such knowledge. What does one do with this power? 'In many situations, some organization or agent *must* make a choice that will affect the behavior of some other people … Whether intended or not, these nudges will affect what people choose' (Thaler and Sunstein 2008, 10; original italics).

Eliciting feelings of pride, belonging or ownership in ways that are often emotional, heritage can help shape present and future societal outcomes that are not easily achieved through laws or coercion. Heritage management, however, has often been criticised for its domination by experts (e.g. Smith 2004) and charged with paternalistic approaches that undermine democratic exchange. Assumptions about how people participate in cultural activities, what they get from them, and the notion that people would be happier for participation, can be patronising or misconstrue public benefits to different groups (Onciul 2015). The idea of knowing what is best for society, or even defining what is 'best', is problematic and difficult to measure – a central criticism of nudging (Bovens 2009; Goodwin 2012; Grüne-Yanoff 2012).

Whilst this problem is not unique to heritage, the need for transparency and the potential for manipulation are oft-cited ethical concerns. Thaler and Sunstein offer an enthusiastic argument to intervene (Thaler and Sunstein 2008; Sunstein 2016), but there are considerations about the ethics of using people's limitations and biases to influence their judgement that go beyond the merely patronising (Kapeliushnikov 2015). Whilst some concerns may involve misapprehensions, attempts to influence a person's behaviour without them knowing is not trivial (Hansen and Jespersen 2013). A government imposing their values on citizens, particularly on divisive matters where individuals hold different ideas of what is good for them, is a moral matter (White 2013). 'Whilst we can safely assume what people want in some cases (not die in traffic, avoid urine spillage, etc.), other cases might raise stronger epistemological concerns' (Schmidt and Engelen 2020, 8).[2]

Like nudging, of course, heritage is not 'neutral' (Hobsbawm and Ranger 1983). The cultural theorist Stuart Hall asks this same question of heritage.

> But what is it *for*? Obviously, to preserve for posterity things of value, whether on aesthetic or historical criteria. But that is only a start. … .. They have always been related to the exercise of 'power' in another sense — the symbolic power to order knowledge, to rank, classify and arrange, and thus to give meaning to objects and things through the imposition of interpretative schémas, scholarship and the authority of connoisseurship
> *(Hall 1999, 4, original italics).*

Hall goes on to point out that, 'a shared national identity … depends on the cultural meanings which bind each member individually into the larger national story … The National Heritage is a powerful source of such meanings. It follows that those who cannot see themselves reflected in its mirror cannot properly "belong"' (Hall 1999, 4). No-one is being banned, coerced into action or outright excluded, but the framing of the national story pushes the ways in which communities negotiate and find meaning in a particular direction.

There are many examples of how heritage has been used in the past to influence societies, both positive and negative, or used to promote an agenda. In galvanising a forlorn Italy, Mussolini famously invoked the glorious past of the Roman Empire to frame the Fascist state as dominant and culturally superior (Terrenato 2001), changing the fabric of the city to echo a glorious (partially imagined) past. Bonacchi's (2022) analysis of social media posts about Brexit found numerous invocations of Roman Empire in contemporary society. Whilst the products of private citizens, they often stemmed from extremist political groups. There are even echoes of George Orwell's dark

vision for '1984': 'Who controls the past controls the future: who controls the present controls the past' (Orwell 1949, 44).

As Smith puts it, 'Heritage is a political resource; no matter how this concept is defined' (Smith 2022, 1).

Contemporary heritage policy is often explicit about the role of heritage in society. The Council of Europe (2022), for example, recently noted that, 'culture, creativity and cultural heritage are strategic resources used to shape a diverse and democratic Europe. Culture is a motor for political, social and technological changes but is also directly impacted by today's global challenges'. The 'heritage' refers to historic remains,[3] which will be discussed later, but the intention to use the historic environment to influence behaviour in a predictable way is evident. As well as promoting more sustainable practices at the international scale, the past has been mobilised to foster a sense of place and identity (Uzzell 1996).

Is it best to try to use this power or to avoid intervention altogether?

The inevitability of nudging is put forward, to some extent, as a justification for intervention – information will be arranged one way or another, consciously or not, when a decision is made so we might as well use it for good (Thaler and Sunstein 2008). Inevitability, however, is not a concrete argument to intentionally influence others (Vallier 2016). The slightly fatalistic stance doesn't acknowledge the agency or intentions of those who choose to intervene (Hansen and Jespersen 2013). Interventions are perceived differently depending on the agency behind the arrangement, its transparency (e.g. whether it is disclosed; see Michaelsen et al. 2021), and socio-political factors (e.g. Sunstein, Reisch, and Rauber 2018).

In the historic environment, dealing with choice architecture whose creation and intentions were already decided upon is often the case, which presents further dilemmas.

Dilemma 2 – we nudge or inadvertently preserve nudges

That nudging is inevitable, and therefore, already happening raises a vital issue for heritage – what to do with the remains of the past, and their contemporary effects. Even unintentionally, we are currently 'nudging', or at least living with the current effects of our historic environment on the boundaries and biases of human cognition. 'Intentional nudging can be avoided, but choice architecture cannot' (Schmidt and Engelen 2020, 4). The remains of the past are there, whether or not we wish to nudge, and without the specific purpose that a cafeteria has of feeding a population. In a sense, much of the choice architecture predates the choice architect, in that the historic material or practice existed before the current decision makers who influence its selection, valorisation or narratives. A situation perhaps unusual to many choice architects, but deeply familiar to those in heritage, is that the choice architecture cannot easily be modified and doing so can come with a raft of other ethical questions.

Avoiding intervention might defuse much concern about democratic management, but influences can be divisive or dissonant in terms of identity and social cohesion. 'Much of what we inherit is far from "goodly", some of it downright diabolical. Heritage brings us manifold benefits . . . but heritage is also oppressive' (Lowenthal 1986, xiii). There are numerous examples of heritage sites once intended to valorise which have given way to dissonance and contention that present problematic associations, whether the subject or the creator.

As well as facing problematic messages that have been part of history, some of our historic environment may once have been choice architecture designed to nudge, intentions of which present managers may not be fully aware.

Whilst the removal of Confederate statues has been criticised as an erasure of history, many of them have actually silenced or subdued heritage through the narratives that they present. Booth and Kizzire (2019) suggest that the purpose of the statues was not simply commemoration of loved ones but the utilisation of heritage to influence debates and perspectives during and after their creation. Their survey in the USA found over 1,700 such monuments and place names in public spaces

(excluding museums and battlefields), noting that most of these were not erected during the Reconstruction (1865–1877) but peaked when Southern states were enacting Jim Crow laws to disenfranchise African Americans and re-segregate society (1900–1919), and again during the Civil Rights movement (1954–1968) as a conscious effort to subdue contemporaneous voices.

Criticisms related to nudging, that it can become a tool to exercise control over certain groups and their lives (Legget 2014), are evident here and echo Grüne-Yanoff's (2012) concern that nudging is not necessarily liberty preserving nor easily resistible. In matters of heritage, the importance of people being the authors of their choices and of their heritage – their volitional autonomy (Frankfurt 1971) – is vital. Here, one can see that Thaler and Sunstein's (2008) definition of freedom – that people are not coerced, incentivised or regulated – is quite narrow for some purposes (Hausman and Welch 2010).

The parallels between problems associated with nudging and with heritage present all the more reason to use behavioural insights to decode processes and actions that are informally or unwittingly at play in the historic environment, since systematic evidence for such pervasive and subtle effects in the real world, which are unique to their contexts, are often difficult to obtain and even more difficult to generalise. Through this inversion, one can draw upon the theory and evidence base behind nudging to see how problematic effects in heritage, intended or not, can be described.

Dilemma 3 - how to intervene with the past?

Whilst there is, of course, a palpable awareness of the influences of heritage, the understanding of why things are so compelling or why such effects can be drastically underestimated (or denied) by decision makers is less clear. 'When we look at the rest of the tools that designers can use, there is very little reason to think that the effects of choice architecture are obvious' (Johnson 2022, 309).

Nudging may not be the primary intention of a community leader, manager or policy maker tasked with preserving heritage, but is an outcome of a process or intervention. Because of the accumulated processes over time, heritage is in the position of propagating existing nudges without conceiving them as such. There may be an intuitive awareness of the possible effects, such as marginalisation, but not an explicit effort to understand the extent of the effect. In nudging terms, 'designers don't always know the power of the tools at their disposal' (Johnson 2022, 309). It is not just intentional nudges of which we must be aware, but what current managers and preservers of the historic environment are willing to accept or promote.

Heritage is in an unusual position that as well as often involving nudges from a specific set of choice architecture which cannot easily be changed, some of the choice architecture is the result of choices in the past. Smith notes that 'heritage is heritage *because* it is subjected to the management/conservation process, not because it simply "is". This process does not just "find" sites and places to manage and protect' (2006, 3, original italics). Such framings of the past have affected later historical interpretations and subsequent interventions (Webster and Cooper 1996).

There are many decisions, however, that affect the way heritage is collected, documented, presented, and valorised that influence how we perceive contemporary society. Something as seemingly rote or innocent as documentation of a museum object involves decisions based on paradigms or assumptions that privilege certain power-knowledge structures, affecting what cultural heritage knowledge is accessible (Turner 2015). The decision of what to keep and what to let go is a prime example of this.

This is effectively a kind of selection bias, a factor commonly identified in psychology literature. Taylor and Cassar contend that the tangible historic environment 'survives in the form that it does due to its "best fit" with the qualities that are valued at that period of decision making. The qualities that ensure its survival or demise are those that are preserved and prioritized, and which guide its future material state' (Taylor and Cassar 2008, 8). What survives is the subject of how choice architecture has been used to shape societies in the past and the infrastructure put in place to preserve it (or not). There is an iterative relationship between choice architecture and nudging here.

This iterative relationship between the historic environment and the heritage-based interventions and interpretations over time is perhaps more pronounced in heritage than in other domains where choice architecture can be created, adjusted or removed more easily. The effects of inherited choice architecture, whether intended or not, may not reflect the needs or issues of contemporary society or the intentions of current choice architects. Further, heritage means different things to different people; what is comforting for one group can be marginalising to another (Smith 2006), so the effects can be complex and even hidden.

Before returning to the matter of how nudging provides insight into these matters, I will explore the mechanics of choice architecture effects and nudging.

Terms and parallels in nudge theory and heritage studies

Whilst heritage has often been understood as the material remains of the past, as mentioned, it has become widely accepted amongst communities of heritage professionals that, 'heritage is a process rather than a product' (Howard 2003, 12), '*better understood as a process, a verb, or something that is done rather than a concrete entity* ' (Waterton 2010, 5). Similarly, 'Hansen and Jespersen argue for consistently treating the concept of nudge as a verb' (Hansen 2016, 171), as opposed to a noun, to denote the intention to influence behaviour.

Smith's definition of heritage as 'present uses of the past' (Smith 2006, 3) implies that historic material remains, traditions and practices are choice architecture. When regarding heritage in this way, the parallels to nudging become clearer. Nudging is the application of behavioural science by designing, (re)arranging, or (re)structuring choice architecture. It is that process – the arrangement, preservation, organisation, valorisation, and communication of choice architecture – which is the varied methods of nudging.

In other words, and for this article, where heritage – the active uses of the past – is nudging, the historic environment – tangible and intangible – is much of its choice architecture.

The relationship between nudging and choice architecture, then, is not dissimilar to 'heritage' and how it is embodied. Taylor comments that 'when heritage values are discussed, one cannot isolate them from their embodied form. They both have a vital role to play in all kinds of heritage' (Taylor 2015, 72), noting that embodiment doesn't necessarily have to be physical, which is also the case with choice architecture.

Hall (1999) intones that it is not only the exercise of power that heritage is for. Much as a canteen furniture is not there for the sole purpose of encouraging specific eating habits, the historic environment is not always being consciously manipulated or managed for a specific purpose or end result. It is enjoyed, walked on, sung, forgotten, used, studied, consumed, shared, kept. It is used and conceived in multiple ways that were not intended and is often expressed or communicated in ways that are unplanned. The choice architects of today did not necessarily create our historic environment and have limited influence over its application.

So, *is* heritage a nudge? Not exactly. At least, it depends.

What, exactly, is a nudge?

Discussing nudge in greater detail also allows for some of the philosophical and ethical issues surrounding heritage to be cast in a different light.

As a relatively new field within applied behavioural sciences, there has been some debate about what a nudge is and what it isn't. Nudging, in many ways, is a cluster of methods that unify the same approach of applying behavioural science (Mongin and Cozic 2018; Johnson 2022). A fundamental feature is its distinction from incentives and regulations as a means to influence behaviour (Sunstein 2016). The very motivation for developing the Nudge approach was to present an alternative to these standard methods (Thaler and Sunstein 2008). Some other methods, for example, basic information such as instructions (depending on the context) can also be excluded

from the approach. There is much in heritage that is designed to inform. They may have their own biases, but an exhibition or textbook, in and of itself, is not a nudge.

'At its most general, the concept of nudge is devised to capture the fact that human decision-making and behaviour are influenced by cognitive boundaries and biases in ways that may be utilised for promoting particular behaviours' (Hansen 2016, 162), which can be individual or social decisions.

This may be by adjusting the way choices are presented to make some things appear more available, such as stolpersteine (Figure 1) – 'decision structure' (Mertens et al. 2022), or 'decision assistance' (Mertens et al. 2022) which includes things in the environment that affect the way it is perceived, such as a visual illusion painted on a road or evocative sounds in a museum exhibition. They are not always easy to separate in the complex decision environment (Hansen and Jespersen 2013).

Hansen's (2016) rigorous definition of a nudge is:

> any attempt at influencing people's judgement, choice or behaviour in a predictable way, that is made possible because of cognitive boundaries, biases, routines, and habits in individual and social decision-making posing barriers for people to perform rationally in their own self-declared interests, and which works by making use of boundaries, biases, routines and habits as integral parts of such attempts *(2016, 174).*

A crucial aspect of this is that the effect in some way invokes qualities identified as biases or boundaries (limitations) in human reasoning.

Two ethical issues that have been central to the critique of nudging are foregrounded in this definition, which are the need for transparency, so as to avoid exploiting boundaries and habits, and the specific intention to nudge (even if well-meaning). Both deeply important in heritage contexts and surface in different ways. Whilst heritage may not always fall under the technical definition of deliberately attempting to nudge, the effects of heritage are sometimes inadvertent, forgotten or become more problematic and divisive over time. An uncritical celebration of a problematic event or practice (such as a figurative statue) may be a nudge whose intended impact did not consider some groups who would be exposed to it.

Given that heritage managers and authorities do not explicitly make interventions to predictably influence specific choices through the deliberate application of behavioural sciences to utilise biases of those exposed to the historic environment, heritage is not strictly a nudge. The historic environment, though, is choice architecture which often elicits responses and social preferences through channels that incorporate emotional or intuitive aspects (whether intentionally or unintentionally). As this paper continues, the emphasis will be on choice architecture.

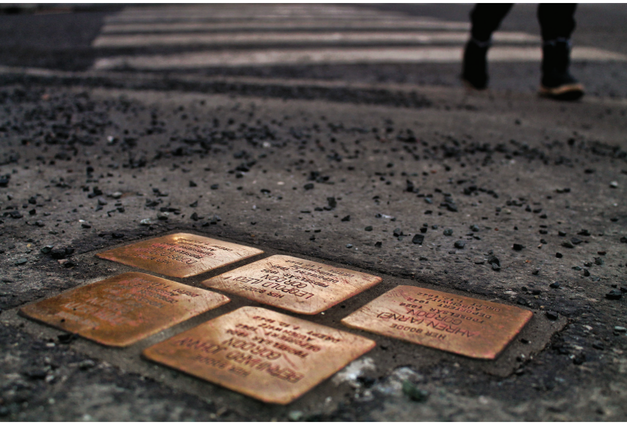

Figure 1. Stolpersteine, the world's largest decentralised monument, marking the last places individuals freely chose to live or work before their persecution or emigration due to the Holocaust. Author's image.

A final note before discussing choice architecture

It should be made clear before going further that nudging is not regarded as a silver bullet to any problems that decision makers see, but a factor that can contribute to behaviours that are predicted or desired by decision makers (Mažar and Soman 2022). People respond in different ways in any situation. Like heritage, nudging is 'rarely, if ever, able to solve behavioural problems completely and on its own' (OECD 2019). Indeed, there have been recommendations to use nudging to supplement traditional policies that influence behaviour such as incentives (Benartzi et al. 2017). When nudging is not planned or tested, its impact is uncertain (OECD 2019; Mažar and Soman 2022). In subjective matters like heritage and identity, even less predictable. Not knowing the extent of the outcomes, however, does not mean that the nudge was well-intentioned or transparent. Whilst the challenges in eliciting effects is principally connected to nudge interventions and the potential limitations of their impact, it also highlights challenges for interpreting historic environments, which may not be influencing intentionally, or is the result of unfocused or intuitive intentions to influence behaviour. Understanding the effects of choice architecture can help both communities and decision makers understand the processes in which they are intervening or supporting.

The origins of Nudge are from the laboratory, where effects are measurable, and experiments are well designed to identify or determine a specific response. Nudging, and the connected areas of behavioural science, tend to deal with specific choices, whereas the influence of heritage has a broader impact of attitudes that may have an imperceptible (or, at least, unmeasurable) influence from choice architecture. There is a lot of our historic environment that may be ignored. The intuitive or unintended effects of heritage on social perspectives and behaviour are, in other words, messy. The opportunities to gather evidence of these effects, or how heritage is valued, are similarly challenging.

Even if some actions or policies are not nudges (environments may be altered for economic reasons or ignorance), and may exist alongside incentives and regulations, it is still worth decoding the historic environment from a nudge perspective. Using nudge as a verb, which Hansen (2016) consistently and purposefully does, implies that it is possible *to be nudged*.

The effects of choice architecture

Many of the tensions about heritage today are not only politically charged debates but hit upon some powerful forces identified in Nudge Theory. It is easy to underestimate the power of choice architecture, which has been very difficult to express in heritage contexts.

Much of the behavioural science field is based on the assumption that the human mind processes the world in dual systems. '*System 1* operates automatically and quickly, with little or no effort and no sense of voluntary control. *System 2* allocates attention to the effortful mental activities that demand it, including complex computations. The operations of System 2 are often associated with subjective experience of agency, choice and concentration' (Kahneman 2011, 20–21). System 1 thinking effortlessly originates impressions and feelings that are often the source of beliefs and choices for System 2. Whilst both deal with complex patterns, System 2 can operate in orderly steps that can evaluate and construct logical reasoning; often regarded as 'rational' thinking. In short, System 1 goes by heuristics that can automatically process situations, but that fast-and-frugal processing is vulnerable to manipulation and bias; so, often regarded as 'irrational'. 'Biases cannot always be avoided, because System 2 may have no clue to the error' (Kahneman 2011, 28). The powerful logical of System 2 is too slow.

An important finding for heritage is how smoothly the mind can be guided in a certain direction without that even being noticed by the viewer. The fluency of the pathway can demonstrably influence the very shaping of preferences and judgements. An illustration of how far assemblance of memory in System 1 can go before the logic of System 2 has really engaged is Levin and Johnson's

(1984) ‘hamburger’ experiment. The study involved asking two different groups of students, who ‘were asked to consider two purchases of ground beef. They were told that the merits of a given purchase of ground beef should depend on both its price and its quality’ (Levin and Johnson 1984, 594). Information included a label with information about the quality, such as ‘75% lean’. There were two conditions for the experiment, which expressed the information differently. The information on the labels was the same, ‘except that 65% lean is replaced by 35% fat, 75% lean is replaced by 25% fat, and so on’ (Levin and Johnson 1984, 597). The experiments revealed a huge discrepancy in ratings of quality between grounds that were equivalent percentage of lean/fat. Those labelled the more ‘positive’ lean percentage were considered superior to those labelled with percentage ‘fat’. ‘People’s associations with hamburgers are rich and complex, containing memories and images both good and bad’ (Johnson 2022, 60). A simple variation in framing of information can set different pathways before any deliberative process is triggered.

‘We don’t consider everything we know all at once; we recall only part of what we know and use that subset of the information to inform our decisions’ (Johnson 2022, 61). From there, we tend to develop pathways that make it difficult for other information to be considered which is referred to as *inhibition*. As Johnson explains, ‘when we recall a memory because its accessible, something surprising happens: other related memories become harder to recall, even if they would be useful . . . the very process of recalling these thoughts or experiences blocks or reduces our ability to remember the related ones’ (Johnson 2022, 69). If the kinds of information are similar, the effect is actually pronounced (Brown 1968; Johnson 2022).

When considering the impact of heritage, an interesting parallel is Erin Thomson’s (2020) discussion of *The Spirit of the Confederacy* statue (Figure 2). Erected in 1908 in a segregated Houston, during that first peak of Confederate statues identified by Booth and Kizzire (2019), it was moved from its original location to the Houston Museum of African American Culture in 2020. Its relocation included a re-fencing of the museum grounds to avoid the statue being seen from afar, as well as a policy to avoid cleaning. The move still came with the warning that the statue was, ‘too damn beautiful’ and that if people saw it ‘they’re going to be consumed by it’ (Thomson 2020, quoting advice given to the museum’s CEO). Despite being able to view it in a different context, deliberatively and analytically, the statue was not deemed to have lost its compelling qualities. As Thomson contemplates, ‘we react to their beauty immediately, unconsciously, and unstoppably’ (2020, 94).

These intuitive responses describe two related aspects of how heritage elicits responses. Singular narratives don’t just make things easier to communicate; they inhibit the possibilities to accommodate other narratives and pathways.

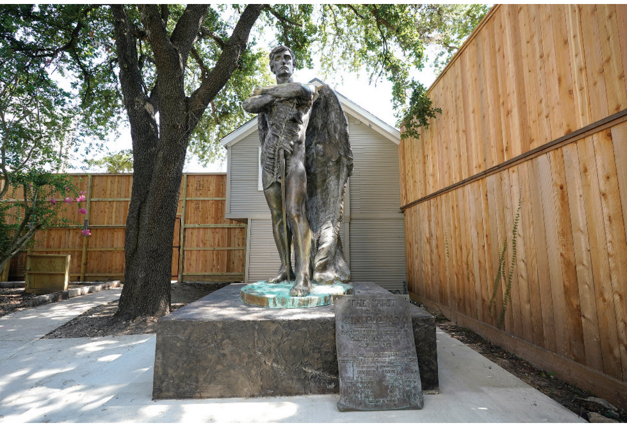

Figure 2. *The Spirit of the Confederacy* statue in its new location in the Houston Museum of African American Culture, with wooden fencing erected to conceal it from outside viewers. Associated Press. Used with permission.

Research in behavioural sciences has identified many phenomena that depart from 'rational' choices (see Kahneman and Tversky 2000), even if the more rational *System 2* thinking is engaged. Whilst there are many biases that are relevant to this discussion, such as sorting order, availability, belief formation, there are two which have clear connection to the uses of heritage, which I will use for illustration.

Framing

Framing is often noted in the literature of critical heritage, not least Smith's (2006) account of Authorised Heritage Discourse (AHD) regarding the very concept of what is conceived as 'heritage' controlling and maintaining the status quo. Although it is well understood that heritage can be used to maintain cultural hegemony, there are still things that can be gleaned from behavioural insight into how such framings operate and why singular narratives are so persistent in heritage contexts (Graham, Ashworth, and Tunbridge 2000).

Levin's hamburger experiment was a simple example of framing effects, the concept that 'variation in framing of options . . . yield systematically different preferences' (Tverksy and Kahneman 1992, 298). The choices made were careful deliberations, but preceded by effortless, uncontrolled automatic thinking.

'Different ways of presenting the same information often evoke different emotions . . . The equivalence of the alternative formulations is transparent, but an individual only sees one formulation' (Kahneman 2011, 88). Different framings can even heighten neural activity in different parts of the brain. 'Reframing is effortful . . . .Unless there is an obvious reason to do otherwise, most of us passively accept decision problems as they are framed and therefore rarely have an opportunity to discover the extent to which our preferences are *frame-bound*' (Kahneman 2011, 367). Display presentations, names of collections or places or designated sites are all examples. Thaler and Sunstein actually offer caution over the power of framing when considering their use in influencing behaviour (Thaler and Sunstein 2008, 37).

Framing in heritage contexts does not have to be intentional, but can be the outcome of assumptions and policies influenced by broader directives.

Defaults

The power of choice architecture to influence can be seen in many familiar situations where an environment or practice is inherited, operating as a tradition or default setting. 'Of course, a group will shift if it can be shown that the practice is causing serious problems. But if there is uncertainty on that question, people might well continue doing what they have always done' (Thaler and Sunstein 2008, 58–59). The motivations for maintaining status quo, or the degree of dissonance felt when it is kept, can be primal and precede the explanations and arguments that are constructed. The historic environment is, in a sense, the ultimate 'default' that powerfully but subtly influences decisions about who and what we are. In such cases, it is often the fast and frugal *System 1* that is engaged, but the forces are not necessarily simple. 'Defaults . . . work not just in one way but via three channels, each of which helps to change choices . . . the effects are strongest when all three channels kick in' (Johnson 2022, 122), which Johnson refers to as Ease, Endorsement and Endowment.

1. Ease

As mentioned, pathways can be very fluid and facilitate preferences and the assemblage of thoughts that lead to them, as illustrated by the hamburger experiment.

The importance is not just related to what this facilitates, but what it inhibits. In other words, what conceptions are dissociated. Choice architects can modulate fluency to inhibit choices and

maintain the status quo. 'The malevolent designer works by exploiting ease' (Johnson 2022, 129) because it is difficult to prevent.

A default is affected by the choice architecture that is available, so which pathways can be facilitated (and by extension, inhibited) is influenced. As well as the matter of heritage accumulating over time, where meanings and embodiments bear traces of earlier forms and uses, there is complexity in the contemporary environment that echoes complexities found in choice architecture.

2. Endorsement

A common implication of default settings in the provision of options is that the default option is recommended or endorsed in some way. The pervasive presence of heritage can often set the stage for who feels represented or what feels valued in society before designation is considered. During periods of demographic change, choice architecture that has stood for generations can influence present perceptions.

Doing nothing can seem like an endorsement. Whilst the consequences of this can be deeply problematic, it is not an unnatural position. When stakes are lower, there are examples of both citizens and heritage managers who avoid certain changes out of respect for the (unknown) reasons that predecessors had for their choices. This was a matter identified in the Heritage Futures project, where collection managers in museums acquiesced from change out of respect for decisions of their predecessors regarding deaccessioning (Fredheim et al. 2020), and elsewhere regarding loan specifications (Taylor and Spangler-Bickell 2020).

As noted earlier, how the historic environment survives – when it is valued and safeguarded, such as sites listed for protection – is an explicit endorsement, and in some cases a reason for the survival of historic materials.

Again, the controversy surrounding public statues presents a vivid picture, since taking no action can be perceived as an endorsement (or valorisation) of the subjects. Whilst this may be the case in some situations, some things remain through habit or lack of agreement on an alternative.

A further factor here is that 'whether people believe an option is being endorsed depends on who sets the default' (Johnson 2022, 133), a matter affected by trust (Dinner *et al.* 2011). 'If a default is set by someone trusted, endorsement might persuade the chooser not to look further. And those who are suspicious of the designer might think about that choice more carefully' (Johnson 2022, 134).

Krijnen describes the response to organ donor defaults, where rates tend to correspond highly to countries' defaults (Johnson 2022), but a default towards donation was rebuked in the Netherlands, 'construed as an attempt at coercion' (Krijnen 2018). 'To understand why changes in choice architecture may have unintended effects, it is crucial to realise that the people who are making the decisions – potential organ donors and university employees, for instance – are not always naive and passive targets' (Krijnen 2018).

Whilst there are many factors that led to the statue controversy, this closer scrutiny of historic choice architecture came during the Black Lives Matter protests, when government decisions about social justice were being questioned. When trust is limited, endorsement becomes a more visible matter.

An example of this is the attitudes to the Edward Colston statue in Bristol UK, which had been controversial for decades and was toppled during the Black Lives Matter protests of 2020 (Figure 3). In 2014, The *Bristol Post* newspaper asked the residents of Bristol if the Colston statue should be removed in a poll, which was preceded by an essay calling for the statue's removal. Fifty six percent wanted the statue to remain, with 44% choosing removal (Gallagher 2014). After it was toppled, a survey in the same newspaper (Miller and Grubb 2020) stated that 61% of responders felt the protesters were right to pull down the statue (56% agreeing that it should have been thrown in the water). Of those that didn't agree with the toppling, 19% said that the statue should have been taken down years ago. Whilst there are many factors at play, there are two worth noting: that the default historic environment became more symbolic of a lack of concern for social justice, and that despite

Figure 3. Protesters rolling the toppled statue of Edward Colston in Bristol. Getty images/NurPhoto. Used with permission.

awareness of Colston's dark past (and the philanthropy that led to the statue), before it came down there was a majority who wanted the statue to remain.

3. Endowment

The Endowment Effect (Knetch 1989) relates to the propensity to keep things that already exist. It was memorably demonstrated in an experiment in a university lecture hall, where places alternated between having a coffee mug on them and not (Knetch, Kahneman, and Thaler 1991). The places with mugs had a message stating that they could exchange their mug for a monetary sum, and to indicate on a scale the point at which they would prefer money to their new mug. The places without a mug held the message that they would receive a monetary sum but could have a cup if they wanted, and to indicate a point on a scale where they would prefer the mug to the money. Those who were already in possession of a mug wanted twice as much money to part with it as those who had not received one were willing to pay to get one. Despite having owned the mugs for mere moments, the difference between willingness to pay and willingness to part was considerable.

This pertains to many things but illustrates the interest in keeping things in place and the extent to which people can place value on things without necessarily realising. The forces that keep objects valued, associated with concepts of identity and belonging may not be visible to even the person feeling them. Interviews about disposing of objects, in museums and households (Morgan et al. 2020), illustrate the powerful, sometimes painful, hold that is demonstrated by these experiments. It is also an explanatory factor in terms of why change can be slow to enact, even when the consequences of irreversibly altering or removing historic material are not involved. Defaults are based on assumptions that may have specific influences but changing them may be much harder than it seems.

The complexity and power of default illustrates the necessity to identify and communicate problems in mainstream arenas. It also highlights further ethical considerations when listing, intervening or moving historic sites, and how easy it is to underestimate the possible influences (especially in environments where many factors contribute, the effects are varied and it is difficult to gather evidence).

Related concepts are 'status quo bias' and 'loss aversion' (Knetch, Kahneman, and Thaler 1991), which respectively refer to findings that people tend to resist change and that economic losses are felt more keenly than corresponding gains.

Holtorf used loss aversion in a 'heuristic function' (Holtorf 2015, 405) – a quiet acknowledgement that its context or background had not been contemplated – to suggest that material preservation was an irrational trait of heritage professionals, propagating what he calls 'the

preservation paradigm'. The extent to which heritage professionals feel such bias in comparison to other groups is not known, and numerous studies indicate that specialist groups do not perform differently from other, such as McNeil's study of surgeons (McNeill et al. 1982). Further, the biases identified are not necessarily 'irrationality' in a broad sense, but a deviation from the expected norms of standard economic theory. In econometric tests, there is an optimum solution or equilibrium, which represents a 'rational' choice; not necessarily the case when negotiating identities – a subjective and fluid act. Preferences are not captured by a utility-function to the extent that a person or group could be described as irrational. The extent to which decision makers in heritage can wittingly or unwittingly elicit responses from others, however, is the concern in this paper.

Complexities and multimodality

In complex real-world environments, unintended or ad-hoc effects of choice architecture in the historic environment might not be 'nudging' in the technical sense, and are often more than just a nudge. Like heritage, choice architecture can be more than one thing over time. As Hansen and Jespersen stated, 'there will be some nudge interventions that will be difficult to place. Some may fall into grey zones or seem to qualify for being several types due to their multi-layered structure of mechanisms and long-term dynamics' (Hansen and Jespersen 2013, 20).

Again, there are parallels in heritage to the ways in which choice architecture can serve more than one purpose simultaneously. Smith described heritage as 'a multilayered performance – be this a performance of visiting, managing, interpretation or conservation – that embodies acts of remembrance and commemoration while negotiating and constructing a sense of place, belonging and understanding in the present' (Smith 2006, 3).

Information might be written in a compelling way, including text that helps builds a plausible pathway of inference for a reader, even at the simplest level (Congiu and Moscati 2021; Johnson 2022). For example, Congiu and Moscati (2021) claim that a label on cigarette 'Most of your peers have successfully quit smoking' could be seen as both information and a nudge. Nudging is relational and depends on the context – a sign about energy use might simply be information but if positioned next to a light switch might be a nudge (Hansen and Jespersen 2013). The stolpersteine present basic facts about victims of the Holocaust, but if positioned at the last places where those people lived freely might be a nudge.

Arrangement of choice architecture can work on different levels, and influence in different ways. Museum exhibitions are informative, seeking to engage conscious deliberation about the self or society, but texts and displays guide interpretation by presenting narratives. The very purpose of the exhibition may be to influence ways of thinking. This may take place in a number of ways and the nudging may be embedded in other activities. This may not be a deliberate attempt to hide something, as many nudges are transparent, visible and desirable, like seeing coloured footsteps leading to a recycling bank or heritage institution, or prompts for important decisions or cultural events (Hansen and Jespersen 2013).

At a different level, the exhibition of Indigenous objects in vitrines in a building of classical architecture may inadvertently encourage the normalisation of seeing marginalised groups' heritage as resources for scholarly study or tourism. Not necessarily an intended nudge, but choice architecture that will be deeply visible and dissonant to some but not others.

Complicated situations in nudging have been discussed like the New York ban on large cup sizes for sugary soda drinks, thus altering the choice environment (Hansen and Jespersen 2013). The decision to target the choice environment whilst preserving the liberty to consume sugar-rich soda drinks was inspired by 'Nudge', but the policy was unambiguously declared a ban and not a nudge by Thaler himself. Soda was still available, as many cups as desired, but the choice environment was altered by removing one of the original options. Whilst the debate about the precise boundaries of nudging is less pertinent here, it outlines some the complexities related to interventions in the historic environment.

In the case of Confederate statues, some of this choice architecture is protected by State Law (Booth and Kizzire 2019). Consequently, situations arise where people are free to interpret the statue as they wish and ignore it if they can, but removal of the choice architecture is subject to the very kinds of regulation that nudging was intended to circumnavigate.[4] The Edward Colston statue that was toppled in 2020 in Bristol (UK) enjoyed 'Grade II listing' (1977, #1202137), which afforded it protection from significant change despite petitions to remove it dating back to the 1990s (Hochschild 2006).

Ethics and transparency

In order to understand the ways in which choice architecture operate, it is also beneficial to break down some of the different kinds. Given that people are often unaware of the effects of choice architecture – effects which can be underestimated by choice architects themselves – there are ethical concerns surrounding the extent to which these influences can be identified and reduced.

Whilst one clear need is for the disaggregation of intentional and inadvertent or unintentional effects, Hansen and Jespersen (2013) distinguish further in connection with the mechanics of nudging and the degree of transparency. That is, nudges that have a tendency to purely engage the brain's fast and frugal System 1, such as reduced plate sizes or manicured country estates, and nudges that engage System 2, such as additions to structured information such as social comparisons on energy bills or symbolic artefacts. A related but separate matter is the transparency. Although it seems logical that System 1 nudges are less transparent, intentionally explicit (i.e. disclosed) visual illusions such as traffic controls are interventions that engage System 1. The deeper ethical concerns were reserved for non-transparent System 2 nudges, such as adding irrelevant choices to a selection or wording that deliberately frames choices or perceptions. If the desired behaviour change conflicts with the interest of citizens, or a group of citizens, Bovens (2009) considers this the most controversial because people are treated as tools, rather than ends. Whilst none of these groupings are precise, there is benefit to a perspective that considers the mechanics and intentions of the choice architecture around us.

Unfortunately, transparency is not a simple matter of making people aware. It doesn't always help to inform people that their choices were influenced. 'In choice architecture, because you don't know how defaults, sorting, order, and the rest influence your choices, you are relatively helpless to resist, even when you are warned' (Johnson 2022, 308). This ethical matter is particularly relevant to heritage, where much of the choice architecture already exists, so effects may have taken place before the viewer is informed (such as an information panel by a statue).

Again, studies have demonstrated this effect, where planned nudges were revealed to people after their choices were made. In Dhingra et al.'s (2012) experiment with defaults, 71% of people noticed that the first box in a (randomly ordered) list was checked, but of those explicitly asked only 8% felt that it had influenced them. Their responses, however, showed substantial differences, which 'confirmed the subtlety of the default manipulation' (Dhingra et al. 2012, 75). This extends to real-world situations with large consequences. Halpern et al. (2013, 2020) examined seriously ill patients choosing care options. When patients were informed of the choice architecture, which significantly affected an important decision, only two of 132 people changed their choice in a pilot study – 1.5% (2012), and only 10 of 264 in a wider version – 3.5% (2020). 'In short, even when people notice choice architecture they consider themselves basically immune' (Johnson 2022, 307), and 'perceive the effectiveness of specific designs to be higher for others than for themselves' (Bang, Shu, and Weber 2018, 75).

Again, there are parallels in heritage, where Smith (2021) asked visitors to heritage sites if curatorial interpretation had changed their minds about the site. It was determined that people didn't often respond differently to historic houses despite interpretations that identified links to slavery. This work identified the need to reconsider the emotional affect of heritage, which corresponds with the findings of nudge theory. The approach was very thorough and extensive

(Smith 2021, 85–110). Interviews are a methodological cornerstone in studying the role and influences of heritage but people need to explain their emotions. In terms of understanding the effects of choice architecture, this is a barrier to determine the influences operating through the automatic System 1. 'For the most part, we don't know . . . how choice architecture influences our choices' (Johnson 2022, 306).

Here, the potential is significant for heritage studies since the effects of choice architecture often precede the thinking that goes into justification and reflection. 'Asking people how they like a website or giving them a set of options in a focus group will get people to talk, but their answers may have little to do with what is actually influencing their choice' (Johnson 2022, 33). As Johnson notes, however, 'because many of the things that determine plausible path are without awareness, many of the techniques for evaluating . . . choice interfaces are less helpful' (Johnson 2022, 33). Similarly, limitations of the laboratory can be complemented by fieldwork.

The same matter affects decision-making authorities. Because the experience of decision-making is strong, people are aware of their own internal dialogue and all of the consideration that led to their conclusion but unaware of the internal debate of others. Consequently, authorities and decision makers can be comfortable saying that external influences have a big role in the decision-making of others without reflecting upon their own biases. Furthermore, 'a designer may have to spend a lot of political capital to get a default change approved, and they want to be sure the time, money, and effort they invest will be worthwhile' (Johnson 2022, 141).

What are the implications?

Using Nudge Theory as a lens for viewing heritage deserves consideration in heritage contexts, particularly where the effects are not transparent. This can help communicate its sometimes-underestimated power, help contextualise the hidden dilemmas of heritage managers, and demonstrate the roles that they can play in marginalisation.

With increased clarity, it is harder for politicians to support a particular configuration of choice architecture, or its removal, that affects them when such intentions can be plausibly denied. 'Warning people that they are about to be exposed to choice architecture may not be enough, but teaching them how the tools work and how to avoid those effects may allow them to overcome the intention [or assumptions] of the designer' (Johnson 2022, 321; author's brackets). Whilst it is, perhaps, optimistic for the general public to become attuned to choice architecture in the historic environment, it presents a common, evidence-based means for community leaders, heritage managers and policy makers to discuss and understand the extent of its power. Whether intended or not, there are specific influences that can be unpacked in ways that are already associated with a wide range of policy matters. Instead of vague references to pervasive influences or subtle power, behavioural insight has the potential to develop more systematic approaches that avoid mass defaults to the ways in which we can deal with historic choice architecture and democratically, transparently cocreate contemporary arrangements of historic choice environments.

A broader palette of approaches to deal with contentious heritage is needed, as a way of making ethical, purposeful choices that consider the implications of intervention and the consequences of inaction. This presents an opportunity to move beyond the remove/keep dichotomy that characterised much of the recent statue debate, and to develop an evidence base for what choice architecture works and for whom. There are a number of works that illustrate the many kinds of choice architecture and their effectiveness, albeit from the perspective of developing new interventions (e.g. Münscher, Vetter, and Scheuerle 2016; OECD 2019; Mertens et al. 2022).

This opens potential for further integrating quantitative methods in heritage studies. Such approaches indicate the potential to unpick some of the effects of institutional nudging and also elucidate on phenomena identified in heritage studies. Reitstätter, Galter, and Bakondi (2022) used eye movement tracking technology to verify McManus's (1989) qualitative claims that museum visitors do read labels, demonstrating the differences in interpretation that can arise, but such

methods have not yet been applied to the effects of historic choice architecture. Further, there are new ways to evaluate intentional influences that already exist by another name to increase transparency, ethics and effectiveness, such as the presentation, preservation, or managed change of heritage.

Unpicking problematic choice architecture raises consideration of how to apply findings to address such problems and, more generally, the role of nudging in policy. How heritage might positively contribute to the wider goals of society, such as fostering social cohesion and low carbon societies. This requires careful consideration of when and how ethical, evidence-based nudging might be appropriate, and when it is inappropriate (see Hansen and Jespersen 2013; OECD 2019; Schmidt and Engelen 2020). As indicated, nudging – even with good intentions – requires a considerable amount of thought with regards to the ethics of the approach and the effectiveness of an intervention and the public trust that is required. Ethical, documented intervention, however, brings possibilities for co-design and inclusion in heritage where it might not have existed before. There will be occasions when it is ethically inappropriate, ineffective, or simply not worth it but is not something that can be dismissed or supported out of hand. 'Ethical concerns differ from practice to practice and from nudge to nudge' (Schmidt and Engelen 2020, 9). In some cases, heritage might serve the public (without offering a rote or blanket intervention or aim) in ways that are relatable and applicable to policy actions and practices in other domains, but this is beyond the scope of this article.

Whilst concerns about paternalism are valid, particularly for heritage, such approaches can go hand-in-hand with the tools to unpack the issues. When considering new interventions, or altering existing historic environments, there is an opportunity to bring ethical matters to the forefront. 'To ensure the responsible use of BI [behavioural insights] in public policy, you should always evaluate the morality of a policy strategy with regards to transparency and "avoidability". Transparent insights are when citizens can identify: i) who is trying to influence them; ii) what this means; and iii) what purpose is being achieved. Alternatively, behaviours that people cannot control are referred to as unavoidable, while those that make possible or depend on conscious control are referred to as avoidable' (OECD 2019, 38–39, author's brackets).

When designing interfaces for people, 'the goal of choice architecture is not to get people to choose a particular outcome, like claiming social security at seventy across the board. Instead, it is to encourage people to pick the right option for them' (Johnson 2022, 92). Furthermore, planned choice architecture doesn't necessarily have to steer people to outcomes. Defaulting voter registration improves the pathway for voting but doesn't make voting mandatory (and doesn't influence candidate selection). It increases capability but doesn't demand or assume participation. The pathways evoked led to greater agency rather than a presumed optimal outcome.

Finally, broad conceptualisations of the subtle influence of can be studied with new rigour and definition. By considering the theory behind nudging as a lens, there is a wealth of information that can be applied to heritage.

Conclusion

Both Nudge Theory and Heritage Studies are relatively new fields, growing in new directions. Although applying the theories used in Nudge focuses on the effects of heritage, rather than the political motivations behind them, even at this stage connections can reveal new insights in heritage and deepen existing ones.

Passively accepting the effects of problematic choice architecture has led to dissonance, inhibition and protest. Whilst this paper has focused on contentious heritage, in particular statues, as vivid and demonstrable examples, numerous influences and ethical concerns can be highlighted and analysed through the lens of Nudge Theory. More insight into the mechanics of choice architecture helps explain some of the erosion of public trust and why interpretation about the impact of some heritage might be very different. Whilst acknowledging the extent to which effects

can go unnoticed by decision makers, behavioural insights also shear another layer from obfuscations designed to preserve inequalities and hegemonic power. Understanding the profundity of the effects encourages increased communication between different groups, including choice architects in positions of authority and marginalised groups.

Notes

1. The paper refers to Nudge Theory, rather than the Heuristics and biases programme in general, because nudge represents a body of applied work that echoes some of the phenomena in heritage. Whilst nudging draws heavily from this field, there is a vast amount of work which will not be directly relevant. Nudge Theory also provides a cohesive focus on the application of these processes, which includes the pathways and processes that derive from the biases and heuristics identified in the wider field. The emphasis on real world application affords the possibility of reflecting on a heritage field for which there is currently no such data. Concepts such as choice architecture and its application (nudging) are, therefore, are more closely aligned to the issues. In other words, the processes as well as the biases themselves, are of interest.
2. Much criticism of nudging is connected to *Libertarian Paternalism*, policies that guide individuals without limiting their liberty (e.g. Schlag 2010). Whilst nudging facilitates this, the concepts are separate (Balz 2008), and decoupling them provides clarity and objectivity (Hansen and Jespersen 2013). Inverting the concept of nudge doesn't facilitate or support a specific policy perspective.
3. The European Commission defines cultural heritage as including 'natural, built and archaeological sites; museums; monuments, artworks; historic cities; literary, musical, and audiovisual works, and the knowledge, practices and traditions of European citizens'. Cultural heritage | Culture and Creativity (europa.eu).
4. The libertarianism only responds to its consumption.

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